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State of Minnesota  
HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. **54**

01/10/2013 Authored by Mullery

The bill was read for the first time and referred to the Committee on Commerce and Consumer Protection Finance and Policy

02/25/2013 By motion, recalled and re-referred to the Committee on Civil Law

02/28/2013 Adoption of Report: Pass as Amended and re-referred to the Committee on Commerce and Consumer Protection Finance and Policy

1.1 A bill for an act  
1.2 relating to consumer protection; regulating consumer fraud; amending Minnesota  
1.3 Statutes 2012, sections 8.31, subdivision 3a; 325F.69, subdivision 1, by adding a  
1.4 subdivision.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2012, section 8.31, subdivision 3a, is amended to read:

1.7 Subd. 3a. **Private remedies.** In addition to the remedies otherwise provided by law,  
1.8 any person injured by a violation of any of the laws referred to in subdivision 1 may bring  
1.9 a civil action and recover damages, together with costs and disbursements, including  
1.10 costs of investigation and reasonable attorney's fees, and receive other equitable relief as  
1.11 determined by the court, including relief and penalties referred to in subdivision 3. The  
1.12 court may, as appropriate, enter a consent judgment or decree without the finding of  
1.13 illegality. In any action brought by the attorney general pursuant to this section, the court  
1.14 may award any of the remedies allowable under this subdivision.

1.15 Sec. 2. Minnesota Statutes 2012, section 325F.69, subdivision 1, is amended to read:

1.16 Subdivision 1. **Fraud, misrepresentation, deceptive practices.** The act, use, or  
1.17 employment by any person of any fraud, false pretense, false promise, misrepresentation,  
1.18 misleading statement, or deceptive, unfair, illegally discriminatory, or unlawful practice,  
1.19 with the intent that others rely thereon in connection with the sale of any merchandise,  
1.20 whether or not any person has in fact been misled, deceived, or damaged thereby, is  
1.21 enjoined as provided in section 325F.70.

2.1 Sec. 3. Minnesota Statutes 2012, section 325F.69, is amended by adding a subdivision  
2.2 to read:

2.3 Subd. 7. **Private action.** A private action alleging a violation of this section is in  
2.4 the public interest and benefits the public.