

SENATE
STATE OF MINNESOTA
NINETIETH SESSION

S.F. No. 327

(SENATE AUTHORS: ANDERSON, B., Goggin, Lang and Nelson)

DATE	D-PG	OFFICIAL STATUS
01/23/2017	384	Introduction and first reading Referred to Veterans and Military Affairs Finance and Policy
02/13/2017	571a	Comm report: To pass as amended and re-refer to Judiciary and Public Safety Finance and Policy
02/22/2017	688a	Comm report: To pass as amended
	689	Rule 12.10: report of votes in committee
	692	Second reading
02/23/2017	770	General Orders: Stricken and re-referred to Commerce and Consumer Protection Finance and Policy
03/29/2018	7057a	Comm report: To pass as amended
	7117	Second reading
05/07/2018	8771	Special Order
	8771	Third reading Passed
05/09/2018	8799	Author added Nelson
05/17/2018	9262	Returned from House Presentment date 05/17/18
	10617	Governor's action Approval 05/20/18
	10618	Secretary of State Chapter 174 05/20/18 Effective date 08/01/18

1.1 A bill for an act

1.2 relating to consumer protection; prohibiting the assignment of military pay or

1.3 benefits; providing penalties and remedies; proposing coding for new law in

1.4 Minnesota Statutes, chapter 325F.

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

1.6 Section 1. **[325F.992] PROHIBITION OF ASSIGNMENT OF MILITARY PAY OR**

1.7 **MILITARY BENEFITS.**

1.8 Subdivision 1. **Definitions.** (a) For the purposes of this section, the terms in paragraphs

1.9 (b) and (c) have the meanings given.

1.10 (b) "Military beneficiary" means any of the following:

1.11 (1) a current or former member of the armed forces of the United States or a reserve

1.12 component of the armed forces of the United States, who receives pay or benefits from the

1.13 United States, or any state, for service in the armed forces of the United States or a reserve

1.14 component of the armed forces of the United States;

1.15 (2) the spouse of the member as described in clause (1); and

1.16 (3) any individual considered a beneficiary of the military benefits of the member as

1.17 described in clause (1).

1.18 (c) "Person" has the meaning given in section 325F.68.

1.19 Subd. 2. **Prohibition.** (a) A person shall not enter into or attempt to enter into an

1.20 agreement with a military beneficiary that assigns the military beneficiary's military pay or

1.21 military benefits in violation of United States Code, title 37, section 701, or United States

1.22 Code, title 38, section 5301.

2.1 (b) A person shall not enter into or attempt to enter into any agreement, device, scheme,
2.2 or other artifice with a military beneficiary, including but not limited to a purchase and sale
2.3 agreement, that assigns or sells all or a portion of the military beneficiary's military pay or
2.4 military benefits.

2.5 (c) An agreement prohibited by paragraph (a) or (b) is void, and a military beneficiary
2.6 is not required to disgorge or repay any consideration received under the agreement.

2.7 Subd. 3. **Penalties; remedies.** In addition to any other remedies available under the law,
2.8 the military beneficiary injured by a violation of this section may bring a cause of action to
2.9 recover damages, reasonable attorney fees and costs, or equitable relief related to a violation
2.10 of subdivision 2. The attorney general may enforce this section pursuant to applicable law.

2.11 **EFFECTIVE DATE.** This section is effective August 1, 2018, for contracts entered
2.12 into on or after August 1, 2018.