

CHAPTER 74--H.F.No. 676

An act relating to commerce; regulating landscape application contracts; providing an exclusion; amending Minnesota Statutes 2016, section 325F.245, subdivision 6.

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

Section 1. Minnesota Statutes 2016, section 325F.245, subdivision 6, is amended to read:

Subd. 6. **Exclusions.** This section does not apply to:

(1) pesticide, fertilizer, or chemical applications for the purpose of producing agricultural commodities or any commodity for sale;

(2) pesticide applications around or near the foundation of a building for the purpose of structural or indoor pest control; ~~or~~

(3) any single or isolated landscape application where the property owner or its agent verbally consents to the single or isolated application; or

(4) pesticide or fertilizer applications by a licensed, commercial application company that provides customers with the ability to cancel or discontinue the agreement at any time, for any reason, with full refund of any prepaid services that were not provided and without any cancellation or discontinuance penalty. Prior to the first application of the season, the commercial application company must provide annual written notice to the customer of the customer's ability to cancel or discontinue the agreement at any time. The customer must be allowed to cancel or discontinue the agreement at any time by communication to the company in writing, electronically, verbally by telephone, or in person to company representatives or on-site service personnel.

Sec. 2. **EFFECTIVE DATE.**

Section 1 is effective the day following final enactment and applies to agreements entered into on or after that date.

Presented to the governor May 17, 2017

Signed by the governor May 20, 2017, 3:41 p.m.