SENATE
STATE OF MINNESOTA
NINETY-SECOND SESSION

S.F. No. 1500

(SENATE AUTHORS: UTKE)

DATE	D-PG	OFFICIAL STATUS
02/25/2021	567	Introduction and first reading
		Referred to State Government Finance and Policy and Elections

1.1   A bill for an act

1.2   relating to state government; establishing forgiveness of violations of certain
1.3   executive orders for economic hardship.

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

1.5   Section 1. **FORGIVENESS OF PENALTIES FOR VIOLATIONS OF EXECUTIVE**

1.6   **ORDERS; ECONOMIC HARDSHIP.**

1.7   (a) An individual or business may petition the court for relief pursuant to this section if

1.8   the individual or business was subjected to any of the following penalties for opening or

1.9   operating a business in violation of an executive order of the governor issued pursuant to

1.10   the peacetime emergency declared on March 13, 2020, in Executive Order 20-01:

1.11   (1) conviction of a petty misdemeanor, misdemeanor, or gross misdemeanor;

1.12   (2) imposition of a civil penalty of any amount; or

1.13   (3) suspension or revocation of any license necessary for practicing a profession or

1.14   operating a business.

1.15   (b) A petition under this section must be filed with the court having jurisdiction over

1.16   matters in the county where the business was located. The petition must be served on the

1.17   attorney general and contain the following information:

1.18   (1) the name and address of the petitioner;

1.19   (2) the name and address of the business;

1.20   (3) the case number, if any, of all criminal or civil enforcement actions brought against

1.21   the person or business for which relief is sought; and

2.1   (4) a short statement describing why the petitioner is entitled to relief.

2.2   (c) Unless all parties agree to an extension, the court shall hold a hearing within 90 days

2.3   of receipt of the petition.

2.4   (d) At a hearing held under this section, the court shall determine whether a preponderance

2.5   of the evidence supports the conclusion that, if the business had not opened or operated in

2.6   violation of the executive orders, it would have been forced to permanently close due to the

2.7   financial impact of the orders.

2.8   (e) If the court determines that the petitioner is entitled to relief, it shall issue orders:

2.9   (1) vacating any petty misdemeanor, misdemeanor, or gross misdemeanor convictions

2.10   and dismissing the charges;

2.11   (2) forgiving any civil penalty that was imposed as a penalty for violating an executive

2.12   order and requiring a refund of any amount paid; and

2.13   (3) requiring any licensing entity to reinstate any license necessary for practicing a

2.14   profession or operating a business that was revoked for violating an executive order.

2.15   **EFFECTIVE DATE.** This section is effective the day following final enactment.