

SENATE
STATE OF MINNESOTA
NINETY-FIRST SESSION

S.F. No. 3743

(SENATE AUTHORS: BIGHAM)

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OFFICIAL STATUS
Introduction and first reading
Referred to Commerce and Consumer Protection Finance and Policy

- 1.1 A bill for an act
- 1.2 relating to commerce; prohibiting account suspension or transaction cancellation
- 1.3 for certain peer-to-peer online payment service users; proposing coding for new
- 1.4 law in Minnesota Statutes, chapter 325E.
- 1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
- 1.6 Section 1. **[325E.75] INDUSTRIAL HEMP MANUFACTURERS; TRANSACTIONS.**
- 1.7 Subdivision 1. **Definitions.** (a) For purposes of this section, the following terms have
- 1.8 the meanings given them.
- 1.9 (b) "Industrial hemp manufacturer or business" means a person licensed under section
- 1.10 18K.04, subdivision 1, or authorized under section 18K.03, subdivision 1, to cultivate,
- 1.11 process, or sell industrial hemp, as defined under section 18K.02, subdivision 3.
- 1.12 (c) "Peer-to-peer online payment service" means a web- or mobile-based application,
- 1.13 connected to a user's bank account, debit card, or credit card, that enables the user to directly
- 1.14 make purchases from or send money to another user.
- 1.15 (d) "User" means an individual or entity that is registered to use a peer-to-peer online
- 1.16 payment system to exchange money with other users.
- 1.17 (e) "User agreement" or "terms of service" means an agreement made between the owner,
- 1.18 administrator, or provider of a peer-to-peer online payment service and the user of the
- 1.19 service that defines the rights and responsibilities of both parties.
- 1.20 Subd. 2. **Account suspension prohibited; exception.** (a) A peer-to-peer online payment
- 1.21 service is prohibited from (1) suspending or closing the account of, (2) freezing or otherwise
- 1.22 limiting access to the account of, or (3) preventing or canceling transactions by, a user that

2.1 is an industrial hemp manufacturer or business in Minnesota solely on the basis of the
2.2 industrial hemp manufacturer's or business' business type, stated business activity, or hemp
2.3 products sold even if the industrial hemp manufacturer's or business' business type, business
2.4 activity, or hemp products sold violate the peer-to-peer online payment system's user
2.5 agreement or terms of service.

2.6 (b) Paragraph (a) does not limit a peer-to-peer online payment service's ability to
2.7 otherwise suspend or close an account, freeze or limit access to an account, or prevent or
2.8 cancel a transaction of an industrial hemp manufacturer or business that violates other
2.9 provisions of the peer-to-peer online payment system's user agreement or terms of service.

2.10 Subd. 3. **Penalties.** A peer-to-peer online payment service that violates subdivision 2 is
2.11 subject to enforcement action under section 8.31.