

84.9 **ARTICLE 7**
84.10 **MISCELLANEOUS COMMERCE PROVISIONS**

7.10 **ARTICLE 2**
7.11 **COMMERCE POLICY**

84.11 Section 1. Minnesota Statutes 2024, section 41A.09, subdivision 2a, is amended to read:

84.12 Subd. 2a. **Definitions.** For the purposes of this section, the terms defined in this
84.13 subdivision have the meanings given them.

84.14 (a) "Ethanol" means fermentation ethyl alcohol derived from agricultural products,
84.15 including potatoes, cereal grains, cheese whey, and sugar beets; forest products; or other
84.16 renewable resources, including residue and waste generated from the production, processing,
84.17 and marketing of agricultural products, forest products, and other renewable resources, that:

84.18 (1) meets all of the specifications in ASTM specification ~~D4806-04a~~ D4806-21a; and

84.19 (2) is denatured as specified in Code of Federal Regulations, title 27, parts 20 and 21.

84.20 (b) "Ethanol plant" means a plant at which ethanol is produced.

84.21 (c) "Commissioner" means the commissioner of agriculture.

84.22 (d) "Rural economic infrastructure" means the development of activities that will enhance
84.23 the value of agricultural crop or livestock commodities or by-products or waste from farming
84.24 operations through new and improved value-added conversion processes and technologies,
84.25 the development of more timely and efficient infrastructure delivery systems, and the
84.26 enhancement of marketing opportunities. "Rural economic infrastructure" also means land,
84.27 buildings, structures, fixtures, and improvements located or to be located in Minnesota and
84.28 used or operated primarily for the processing or the support of production of marketable
84.29 products from agricultural commodities or wind energy produced in Minnesota.

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7.12 Section 1. [45.0137] COMMON INTEREST COMMUNITY OMBUDSPERSON.

7.13 Subdivision 1. **Definitions.** (a) For purposes of this section, the terms defined in this
7.14 subdivision have the meanings given.

7.15 (b) "Association" means an association of apartment owners, as defined in section 515.02,
7.16 subdivision 5, an association, as defined in section 515A.1-103, clause (3), and association
7.17 as defined in section 515B.1-103, clause (4).

69.4 **ARTICLE 5**
69.5 **MISCELLANEOUS COMMERCE POLICY**

86.7 **ARTICLE 7**
86.8 **CONSUMER PROTECTION**

69.6 Section 1. [45.0137] COMMON INTEREST COMMUNITY OMBUDSPERSON.

69.7 Subdivision 1. **Definitions.** (a) For purposes of this section, the terms defined in this
69.8 subdivision have the meanings given.

69.9 (b) "Association" has the meaning given in section 515B.1-103, clause (4).

7.18 (c) "Common interest community" has the meaning given in section 515B.1-103, clause
7.19 (10).

7.20 (d) "Governing documents" means a common interest community's declaration, articles
7.21 of incorporation, bylaws, and any amendments thereto.

7.22 (e) "Unit owner" means an apartment owner, as defined in section 515.02, subdivision
7.23 3, a unit owner under section 515A.1-103, clause (20), and a unit owner, as defined in
7.24 section 515B.1-103, clause (37).

7.25 Subd. 2. **Establishment.** (a) A common interest community ombudsperson position is
7.26 established within the Department of Commerce to:

7.27 (1) assist unit owners, their tenants, and associations in understanding their rights under
7.28 chapter 515B and their governing documents; and

7.29 (2) facilitate the resolution of disputes between unit owners and associations.

7.30 (b) The ombudsperson is appointed by the governor, serves in the unclassified service,
7.31 and may be removed only for just cause.

8.1 Subd. 3. **Qualifications.** The ombudsperson must be selected without regard to political
8.2 affiliation, must be qualified and experienced to perform the duties of the office, and must
8.3 be skilled in dispute resolution techniques. The ombudsperson must not be a unit owner,
8.4 be employed by a business entity that provides management or consulting services to an
8.5 association, or otherwise be affiliated with an association or management company. A
8.6 person is prohibited from serving as ombudsperson while holding another public office.

8.7 Subd. 4. **Duties.** (a) The ombudsperson must execute the duties under subdivision 2,
8.8 paragraph (a), by taking the following actions:

8.9 (1) creating plain language explanations of common provisions in governing documents;
8.10 and

8.11 (2) identifying and providing resources and referrals related to the rights and
8.12 responsibilities of unit owners and associations.

8.13 (b) Upon the request of a unit owner or an association, the ombudsperson must provide
8.14 dispute resolution services, including acting as a mediator, in disputes concerning chapter
8.15 515B and governing documents, except where:

69.10 (c) "Common interest community" has the meaning given in section 515B.1-103, clause
69.11 (10).

69.12 (d) "Nonpublic data" has the meaning given in section 13.02, subdivision 9.

69.13 (e) "Private data on individuals" has the meaning given in section 13.02, subdivision
69.14 12.

69.15 (f) "Unit owner" has the meaning given in section 515B.1-103, clause (37).

69.16 Subd. 2. **Establishment.** A common interest community ombudsperson position is
69.17 established within the Department of Commerce to assist unit owners in enforcing their
69.18 rights and to facilitate resolution of disputes between unit owners and associations. The
69.19 ombudsperson is appointed by the governor, serves in the unclassified service, and may be
69.20 removed only for just cause.

69.21 Subd. 3. **Qualifications.** The ombudsperson must be selected without regard to political
69.22 affiliation, must be qualified and experienced to perform the duties of the office, and must
69.23 be skilled in dispute resolution techniques. The ombudsperson must not be a unit owner,
69.24 be employed by a business entity that provides management or consulting services to an
69.25 association, or otherwise be affiliated with an association or management company. A
69.26 person is prohibited from serving as ombudsperson while holding another public office.

69.27 Subd. 4. **Duties.** (a) The ombudsperson must assist unit owners, their tenants, and
69.28 associations to understand and enforce their rights under chapter 515B and the governing
69.29 documents of the specific unit owner's association, including by:

69.30 (1) creating and publishing plain language explanations of common provisions of common
69.31 interest community declarations and bylaws; and

70.1 (2) publishing materials and providing resources and referrals related to the rights and
70.2 responsibilities of unit owners and associations.

70.3 (b) Upon the request of a unit owner or association, the ombudsperson must provide
70.4 dispute resolution services, including acting as a mediator, in disputes between a unit owner

8.16 (1) a complaint based on the same dispute is pending in a judicial or administrative
8.17 proceeding;

8.18 (2) the same disputed issue has been addressed or is currently in arbitration, mediation,
8.19 or another alternative dispute resolution process; or

8.20 (3) the association notifies the ombudsperson that an order under section 609.748 is in
8.21 effect against the unit owner.

8.22 (c) The ombudsperson must compile and analyze complaints received to identify issues
8.23 and trends.

8.24 (d) The ombudsperson must maintain a website containing, at a minimum:

8.25 (1) the text of chapter 515B and any other relevant statutes or rules;

8.26 (2) a plain language explanation of common provisions of governing documents;

8.27 (3) information regarding the services provided by the common interest community
8.28 ombudsperson, including assistance with dispute resolution;

8.29 (4) information and referrals regarding alternative dispute resolution methods and
8.30 programs, and resources regarding the rights and responsibilities of unit owners and
8.31 associations; and

9.1 (5) any other information that the ombudsperson determines is useful to unit owners,
9.2 their tenants, associations, and common interest community property management companies.

9.3 (e) When requested or as the ombudsperson deems necessary, the ombudsperson must
9.4 provide reports and recommendations to the legislative committees with jurisdiction over
9.5 common interest communities.

9.6 (f) In the course of assisting to resolve a dispute, the ombudsperson may, at reasonable
9.7 times and with 24 hours prior notice, enter and view premises within the control of the
9.8 common interest community.

70.5 and an association concerning chapter 515B or the governing documents of the common
70.6 interest community, except where:

70.7 (1) there is a complaint based on the same dispute pending in a judicial or administrative
70.8 proceeding, or if there is a harassment or restraining order involved; or

70.9 (2) the same disputed issue has been addressed or is currently in arbitration, mediation,
70.10 or another alternative dispute resolution process;

70.11 (c) The ombudsperson may provide dispute resolution services for disputes between the
70.12 tenant of a unit owner and an association, if the unit owner agrees to participate in the dispute
70.13 resolution process.

70.14 (d) The ombudsperson must compile and analyze complaints and inquiries involving
70.15 common interest communities to identify issues and trends. When assisting a unit owner in
70.16 enforcing their rights under this section, the ombudsperson may inform them of the existence
70.17 of other complaints from other unit owners in the same common interest community, subject
70.18 to subdivision 7.

70.19 (e) The ombudsperson must maintain a website containing, at a minimum:

70.20 (1) the text of chapter 515B and any other relevant statutes or rules;

70.21 (2) information regarding the services provided by the Office of the Common Interest
70.22 Community Ombudsperson, including assistance with dispute resolution;

70.23 (3) information regarding alternative dispute resolution methods and programs; and

70.24 (4) any other information that the ombudsperson determines is useful to unit owners,
70.25 associations, common interest community boards of directors, and common interest
70.26 community property management companies.

70.27 (f) When requested or as the ombudsperson deems appropriate, the ombudsperson must
70.28 provide reports and recommendations to the legislative committees with jurisdiction over
70.29 common interest communities.

70.30 (g) In the course of assisting to resolve a dispute, the ombudsperson may, at reasonable
70.31 times, enter and view premises within the control of the common interest community.

9.9 Subd. 5. **Powers limited.** The ombudsperson and the commissioner are prohibited from
9.10 rendering a formal legal opinion regarding a dispute between a unit owner and an association.
9.11 The ombudsperson and commissioner are prohibited from making a formal determination
9.12 or issuing an order regarding disputes between a unit owner and an association. Nothing in
9.13 this paragraph limits the ability of the commissioner to execute duties or powers under any
9.14 other law.

9.15 Subd. 6. **Cooperation.** Upon request, unit owners and associations must participate in
9.16 the dispute resolution process under this section and make good faith efforts to resolve
9.17 disputes.

9.18 Subd. 7. **Landlord and tenant law.** Nothing in this section modifies, supersedes, limits,
9.19 or expands the rights and duties of landlords and tenants established under chapter 504B or
9.20 any other law.

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85.1 Sec. 2. Minnesota Statutes 2024, section 45.027, subdivision 1, is amended to read:

85.2 Subdivision 1. **General powers.** (a) In connection with the duties and responsibilities
85.3 entrusted to the commissioner, and Laws 1993, chapter 361, section 2, the commissioner
85.4 of commerce may:

85.5 (1) make public or private investigations within or without this state as the commissioner
85.6 considers necessary to determine whether any person has violated or is about to violate any
85.7 law, rule, or order related to the duties and responsibilities entrusted to the commissioner;

85.8 (2) require or permit any person to file a statement in writing, under oath or otherwise
85.9 as the commissioner determines, as to all the facts and circumstances concerning the matter
85.10 being investigated;

85.11 (3) hold hearings, upon reasonable notice, in respect to any matter arising out of the
85.12 duties and responsibilities entrusted to the commissioner;

85.13 (4) conduct investigations and hold hearings for the purpose of compiling information
85.14 related to the duties and responsibilities entrusted to the commissioner;

85.15 (5) examine the books, accounts, records, and files of every licensee, and of every person
85.16 who is engaged in any activity regulated; the commissioner or a designated representative
85.17 shall have free access during normal business hours to the offices and places of business of
85.18 the person, and to all books, accounts, papers, records, files, safes, and vaults maintained
85.19 in the place of business;

85.20 (6) publish information which is contained in any order issued by the commissioner;

71.1 Subd. 5. **Powers limited.** The ombudsperson and the commissioner are prohibited from
71.2 rendering a formal legal opinion regarding a dispute between a unit owner and an association.
71.3 The ombudsperson and commissioner are prohibited from making a formal determination
71.4 or issuing an order regarding disputes between a unit owner and an association. Nothing in
71.5 this subdivision limits the ability of the commissioner to execute duties or powers under
71.6 any other law.

71.7 Subd. 6. **Cooperation.** Upon request, unit owners and associations must participate in
71.8 the dispute resolution process and make good faith efforts to resolve disputes under this
71.9 section.

71.10 Subd. 7. **Data.** Data collected, created, or maintained by the office of the ombudsperson
71.11 under this section are private data on individuals or nonpublic data.

71.12 Subd. 8. **Landlord and tenant law.** Nothing in this section modifies, supersedes, limits,
71.13 or expands the rights and duties of landlords and tenants established under chapter 504B or
71.14 any other law.

71.15 **EFFECTIVE DATE.** This section is effective July 1, 2026.

38.5 Section 1. Minnesota Statutes 2024, section 45.027, subdivision 1, is amended to read:

38.6 Subdivision 1. **General powers.** (a) In connection with the duties and responsibilities
38.7 entrusted to the commissioner, and Laws 1993, chapter 361, section 2, the commissioner
38.8 of commerce may:

38.9 (1) make public or private investigations within or without this state as the commissioner
38.10 considers necessary to determine whether any person has violated or is about to violate any
38.11 law, rule, or order related to the duties and responsibilities entrusted to the commissioner;

38.12 (2) require or permit any person to file a statement in writing, under oath or otherwise
38.13 as the commissioner determines, as to all the facts and circumstances concerning the matter
38.14 being investigated;

38.15 (3) hold hearings, upon reasonable notice, in respect to any matter arising out of the
38.16 duties and responsibilities entrusted to the commissioner;

38.17 (4) conduct investigations and hold hearings for the purpose of compiling information
38.18 related to the duties and responsibilities entrusted to the commissioner;

38.19 (5) examine the books, accounts, records, and files of every licensee, and of every person
38.20 who is engaged in any activity regulated; the commissioner or a designated representative
38.21 shall have free access during normal business hours to the offices and places of business of
38.22 the person, and to all books, accounts, papers, records, files, safes, and vaults maintained
38.23 in the place of business;

38.24 (6) publish information which is contained in any order issued by the commissioner;

85.21 (7) require any person subject to duties and responsibilities entrusted to the commissioner,
85.22 to report all sales or transactions that are regulated. The reports must be made within ten
85.23 days after the commissioner has ordered the report. The report is accessible only to the
85.24 respondent and other governmental agencies unless otherwise ordered by a court of competent
85.25 jurisdiction; ~~and~~

85.26 (8) assess a natural person or entity subject to the jurisdiction of the commissioner the
85.27 necessary expenses of the investigation performed by the department when an investigation
85.28 is made by order of the commissioner. The cost of the investigation shall be determined by
85.29 the commissioner and is based on the salary cost of investigators or assistants and at an
85.30 average rate per day or fraction thereof so as to provide for the total cost of the investigation.
85.31 All money collected must be deposited into the general fund. A natural person or entity
85.32 licensed under chapter 60K, 82, or 82B shall not be charged costs of an investigation if the
85.33 investigation results in no finding of a violation. This clause does not apply to a natural
86.1 person or entity already subject to the assessment provisions of sections 60A.03 and
86.2 60A.031; and

86.3 (9) issue data calls.

86.4 (b) For purposes of this section, "data call" means a written request from the
86.5 commissioner to two or more natural persons or entities subject to the commissioner's
86.6 jurisdiction to provide data or other information within a reasonable time period
86.7 commensurate with the volume and nature of the data required to be collected in the data
86.8 call for a specific, targeted regulatory oversight purpose. A data call is not market analysis,
86.9 as defined under section 60A.031, subdivision 4, paragraph (f), and is not subject to section
86.10 60A.033.

86.11 Sec. 3. Minnesota Statutes 2024, section 45.027, is amended by adding a subdivision to
86.12 read:

86.13 Subd. 1b. **Data calls.** (a) Information provided in response to a data call issued by the
86.14 commissioner: (1) must be treated as nonpublic data, as defined under section 13.02,
86.15 subdivision 9; and (2) is not subject to subpoena. If the commissioner performs a data call,
86.16 the commissioner may make the results available for public inspection in an aggregated
86.17 format and in such a manner as to not disclose the identity of a specific natural person or
86.18 entity, including the name of any natural person or entity who responded to the data call.
86.19 Prior to making the aggregated results of a data call available for public inspection, the
86.20 commissioner must provide all natural persons and entities that responded to the data call
86.21 15 days' notice of the information to be publicly released. Nothing in this subdivision requires
86.22 the commissioner to publicly release aggregated results from a data call. The results of a
86.23 data call that requests data for the National Association of Insurance Commissioners' Market
86.24 Conduct Annual Statement is subject to confidential treatment as provided under section
86.25 60A.031, subdivision 4, paragraph (f).

86.26 (b) The commissioner may grant access to data submitted by insurers in response to a
86.27 data call issued by the commissioner with other state, federal, and international regulatory

38.25 (7) require any person subject to duties and responsibilities entrusted to the commissioner,
38.26 to report all sales or transactions that are regulated. The reports must be made within ten
38.27 days after the commissioner has ordered the report. The report is accessible only to the
38.28 respondent and other governmental agencies unless otherwise ordered by a court of competent
38.29 jurisdiction; ~~and~~

38.30 (8) assess a natural person or entity subject to the jurisdiction of the commissioner the
38.31 necessary expenses of the investigation performed by the department when an investigation
38.32 is made by order of the commissioner. The cost of the investigation shall be determined by
39.1 the commissioner and is based on the salary cost of investigators or assistants and at an
39.2 average rate per day or fraction thereof so as to provide for the total cost of the investigation.
39.3 All money collected must be deposited into the general fund. A natural person or entity
39.4 licensed under chapter 60K, 82, or 82B shall not be charged costs of an investigation if the
39.5 investigation results in no finding of a violation. This clause does not apply to a natural
39.6 person or entity already subject to the assessment provisions of sections 60A.03 and
39.7 60A.031; and

39.8 (9) issue data calls.

39.9 (b) For purposes of this section, "data call" means a written request from the
39.10 commissioner to two or more companies or persons subject to the commissioner's jurisdiction
39.11 to provide data or other information within a reasonable time period for a targeted regulatory
39.12 oversight purpose. A data call is not market analysis, as defined under section 60A.031,
39.13 subdivision 4, paragraph (f), and is not subject to section 60A.033.

39.14 Sec. 2. Minnesota Statutes 2024, section 45.027, is amended by adding a subdivision to
39.15 read:

39.16 Subd. 1b. **Data calls.** (a) Information provided in response to a data call issued by the
39.17 commissioner or the commissioner's authorized representative: (1) must be treated as
39.18 nonpublic data, as defined under section 13.02, subdivision 9; and (2) is not subject to
39.19 subpoena. The commissioner may create and make public summary data derived from data
39.20 classified as nonpublic under this paragraph.

39.21 (b) The commissioner may grant access to data submitted by insurers in response to a
39.22 data call issued by the commissioner or the commissioner's authorized representative to the

86.28 agencies; with the National Association of Insurance Commissioners and its affiliates and
86.29 subsidiaries; and with state, federal, and international law enforcement authorities, provided
86.30 that the recipient agrees in writing to maintain the data as nonpublic data and has the legal
86.31 authority to maintain the data as nonpublic data.

87.1 Sec. 4. Minnesota Statutes 2024, section 45.027, subdivision 2, is amended to read:

87.2 Subd. 2. **Power to compel production of evidence.** For the purpose of any investigation,
87.3 hearing, proceeding, or inquiry related to the duties and responsibilities entrusted to the
87.4 commissioner, the commissioner or a designated representative may issue data calls,
87.5 administer oaths and affirmations, subpoena witnesses, compel their attendance, take
87.6 evidence, and require the production of books, papers, correspondence, memoranda,
87.7 agreements, or other documents or records that the commissioner considers relevant or
87.8 material to the inquiry.

87.9 A subpoena issued pursuant to this subdivision must state that the person to whom the
87.10 subpoena is directed may not disclose the fact that the subpoena was issued or the fact that
87.11 the requested records have been given to law enforcement personnel except:

87.12 (1) insofar as the disclosure is necessary to find and disclose the records; or

87.13 (2) pursuant to court order.

87.14 Sec. 5. Minnesota Statutes 2024, section 45.24, is amended to read:

87.15 **45.24 LICENSE TECHNOLOGY FEES.**

87.16 (a) The commissioner may establish and maintain an electronic licensing database system
87.17 for license origination, renewal, and tracking the completion of continuing education
87.18 requirements by individual licensees who have continuing education requirements, and
87.19 other related purposes.

87.20 (b) The commissioner shall pay for the cost of operating and maintaining the electronic
87.21 database system described in paragraph (a) through a technology surcharge imposed upon
87.22 the fee for license origination and renewal, for individual licenses that require continuing
87.23 education.

87.24 (c) The surcharge permitted under paragraph (b) shall be up to \$40 for each two-year
87.25 licensing period, except as otherwise provided in paragraph (f), and shall be payable at the
87.26 time of license origination and renewal.

87.27 (d) The Commerce Department technology account is hereby created as an account in
87.28 the special revenue fund.

87.29 (e) The commissioner shall deposit the surcharge permitted under this section in the
87.30 account created in paragraph (d), and funds in the account are appropriated to the
87.31 commissioner in the amounts needed for purposes of this section. The commissioner of
87.32 management and budget shall transfer an amount determined by the commissioner of

39.23 National Association of Insurance Commissioners (NAIC) if NAIC agrees in writing to
39.24 hold the data as nonpublic data.

39.25 Sec. 3. Minnesota Statutes 2024, section 45.027, subdivision 2, is amended to read:

39.26 Subd. 2. **Power to compel production of evidence.** For the purpose of any investigation,
39.27 hearing, proceeding, or inquiry related to the duties and responsibilities entrusted to the
39.28 commissioner, the commissioner or a designated representative may issue data calls,
39.29 administer oaths and affirmations, subpoena witnesses, compel their attendance, take
39.30 evidence, and require the production of books, papers, correspondence, memoranda,
39.31 agreements, or other documents or records that the commissioner considers relevant or
39.32 material to the inquiry.

40.1 A subpoena issued pursuant to this subdivision must state that the person to whom the
40.2 subpoena is directed may not disclose the fact that the subpoena was issued or the fact that
40.3 the requested records have been given to law enforcement personnel except:

40.4 (1) insofar as the disclosure is necessary to find and disclose the records; or

40.5 (2) pursuant to court order.

88.1 commerce from the account to the statewide electronic licensing system account under
88.2 section 16E.22 for the costs of the statewide licensing system attributable to the inclusion
88.3 of licenses subject to this section.

88.4 (f) The commissioner ~~shall~~ may temporarily reduce or suspend the surcharge as necessary
88.5 if the balance in the account created in paragraph (d) exceeds \$2,000,000 as of the end of
88.6 June in any calendar year and ~~shall~~ must annually review the anticipated costs under
88.7 paragraph (b) to determine the amount to increase or decrease the surcharge as necessary
88.8 to keep the fund balance at an adequate level but not in excess of \$2,000,000.

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9.21 Sec. 2. Minnesota Statutes 2024, section 80A.58, is amended to read:

9.22 **80A.58 SECTION 403; INVESTMENT ADVISER REGISTRATION**
9.23 **REQUIREMENT AND EXEMPTIONS.**

9.24 (a) **Registration requirement.** It is unlawful for a person to transact business in this
9.25 state as an investment adviser or investment adviser representative unless the person is
9.26 registered under this chapter or is exempt from registration under subsection (b).

9.27 (b) **Exemptions from registration.** The following persons are exempt from the
9.28 registration requirement of subsection (a):

9.29 (1) any person whose only clients in this state are:

9.30 (A) federal covered investment advisers, investment advisers registered under this
9.31 chapter, or broker-dealers registered under this chapter;

10.1 (B) bona fide preexisting clients whose principal places of residence are not in this state
10.2 if the investment adviser is registered under the securities act of the state in which the clients
10.3 maintain principal places of residence; or

10.4 (C) any other client exempted by rule adopted or order issued under this chapter;

10.5 (2) a person without a place of business in this state if the person has had, during the
10.6 preceding 12 months, not more than five clients that are resident in this state in addition to
10.7 those specified under paragraph (1);

10.8 (3) A private fund ~~adviser~~ adviser, subject to the additional requirements of subsection
10.9 (c), if the private fund adviser satisfies each of the following conditions:

10.10 (i) neither the private fund adviser nor any of its advisory affiliates are subject to a
10.11 disqualification as described in Rule 262 of SEC Regulation A, Code of Federal Regulations,
10.12 title 17, section 230.262;

10.13 (ii) the private fund adviser files with the state each report and amendment thereto that
10.14 an exempt reporting adviser is required to file with the Securities and Exchange Commission

10.15 pursuant to SEC Rule 204-4, Code of Federal Regulations, title 17, section 275.204-4; ~~or~~
10.16 and

10.17 (iii) the private fund adviser pays the fees under section 80A.65, subdivision 2b; or
10.18 (4) any other person exempted by rule adopted or order issued under this chapter.

10.19 (c) **Additional requirements for private fund advisers to certain 3(c)(1) funds.** In
10.20 order to qualify for the exemption described in subsection (b)(3), a private fund adviser
10.21 who advises at least one 3(c)(1) fund that is not a venture capital fund shall, in addition to
10.22 satisfying each of the conditions specified in subsection (b)(3), comply with the following
10.23 requirements:

10.24 (1) The private fund adviser shall advise only those 3(c)(1) funds, other than venture
10.25 capital funds, whose outstanding securities, other than short-term paper, are beneficially
10.26 owned entirely by persons who, after deducting the value of the primary residence from the
10.27 person's net worth, would each meet the definition of a qualified client in SEC Rule 205-3,
10.28 Code of Federal Regulations, title 17, section 275.205-3, at the time the securities are
10.29 purchased from the issuer;

10.30 (2) At the time of purchase, the private fund adviser shall disclose the following in
10.31 writing to each beneficial owner of a 3(c)(1) fund that is not a venture capital fund:

10.32 (i) all services, if any, to be provided to individual beneficial owners;

11.1 (ii) all duties, if any, the investment adviser owes to the beneficial owners; and

11.2 (iii) any other material information affecting the rights or responsibilities of the beneficial
11.3 owners; and

11.4 (3) The private fund adviser shall obtain on an annual basis audited financial statements
11.5 of each 3(c)(1) fund that is not a venture capital fund and shall deliver a copy of such audited
11.6 financial statements to each beneficial owner of the fund.

11.7 (d) **Federal covered investment advisers.** If a private fund adviser is registered with
11.8 the Securities and Exchange Commission, the adviser shall not be eligible for the private
11.9 fund adviser exemption under paragraph (b), clause (3), and shall comply with the state
11.10 notice filing requirements applicable to federal covered investment advisers in section
11.11 80A.58.

11.12 (e) **Investment adviser representatives.** A person is exempt from the registration
11.13 requirements of section 80A.58, paragraph (a), if he or she is employed by or associated
11.14 with an investment adviser that is exempt from registration in this state pursuant to the
11.15 private fund adviser exemption under paragraph (b), clause (3), and does not otherwise
11.16 engage in activities that would require registration as an investment adviser representative.

11.17 (f) **Electronic filings.** The report filings described in subsection (b)(3)(ii) shall be made
11.18 electronically through the IARD. A report shall be deemed filed when the report and the

11.19 fee required by sections 80A.60 and 80A.65 are filed and accepted by the IARD on the
11.20 state's behalf.

11.21 (g) **Transition.** An investment adviser who becomes ineligible for the exemption provided
11.22 by this section must comply with all applicable laws and rules requiring registration or
11.23 notice filing within 90 days from the date of the investment adviser's eligibility for this
11.24 exemption ceases.

11.25 (h) **Grandfathering for investment advisers to 3(c)(1) funds with nonqualified**
11.26 **clients.** An investment adviser to a 3(c)(1) fund (other than a venture capital fund) that has
11.27 one or more beneficial owners who are not qualified clients as described in paragraph (c),
11.28 clause (1), is eligible for the exemption contained in paragraph (b), clause (3), if the following
11.29 conditions are satisfied:

11.30 (1) the subject fund existed prior to August 1, 2013;

11.31 (2) as of August 1, 2013, the subject fund ceases to accept beneficial owners who are
11.32 not qualified clients, as described in paragraph (c), clause (1);

12.1 (3) the investment adviser discloses in writing the information described in paragraph
12.2 (c), clause (2), to all beneficial owners of the fund; and

12.3 (4) as of August 1, 2013, the investment adviser delivers audited financial statements
12.4 as required by paragraph (c), clause (3).

12.5 (i) **Limits on employment or association.** It is unlawful for an investment adviser,
12.6 directly or indirectly, to employ or associate with an individual to engage in an activity
12.7 related to investment advice in this state if the registration of the individual is suspended
12.8 or revoked or the individual is barred from employment or association with an investment
12.9 adviser, federal covered investment adviser, or broker-dealer by an order under this chapter,
12.10 the Securities and Exchange Commission, or a self-regulatory organization, unless the
12.11 investment adviser did not know, and in the exercise of reasonable care could not have
12.12 known, of the suspension, revocation, or bar. Upon request from the investment adviser and
12.13 for good cause, the administrator, by order, may waive, in whole or in part, the application
12.14 of the prohibitions of this subsection to the investment adviser.

12.15 Sec. 3. Minnesota Statutes 2024, section 80A.65, subdivision 2, is amended to read:

12.16 Subd. 2. **Registration application and renewal filing fee.** Every applicant for an initial
12.17 or renewal registration shall pay a filing fee of \$200 in the case of a broker-dealer, \$65 in
12.18 the case of an agent, \$100 in the case of an investment adviser, and \$50 in the case of an
12.19 investment adviser representative. When an application is denied or withdrawn, the filing
12.20 fee shall be retained. A registered agent who has terminated employment with one
12.21 broker-dealer shall, before beginning employment with another broker-dealer, pay a transfer
12.22 fee of ~~\$25~~ \$65. A registered investment adviser representative who has terminated

12.23 employment with one investment adviser must, before beginning employment with another
12.24 investment adviser, pay a \$50 transfer fee.

12.25 Sec. 4. Minnesota Statutes 2024, section 80A.65, is amended by adding a subdivision to
12.26 read:

12.27 Subd. 2b. **Private fund adviser filings.** A private fund adviser must pay a \$100 filing
12.28 fee when filing an initial or renewal notice required under section 80A.58.

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88.9 Sec. 6. Minnesota Statutes 2024, section 80A.66, is amended to read:

88.10 **80A.66 SECTION 411; POSTREGISTRATION REQUIREMENTS.**

88.11 (a) **Financial requirements.** Subject to Section 15(h) of the Securities Exchange Act
88.12 of 1934 (15 U.S.C. Section 78o(h)) or Section 222 of the Investment Advisers Act of 1940
88.13 (15 U.S.C. Section 80b-22), a rule adopted or order issued under this chapter may establish
88.14 minimum financial requirements for broker-dealers registered or required to be registered
88.15 under this chapter and investment advisers registered or required to be registered under this
88.16 chapter.

88.17 (b) **Financial reports.** Subject to Section 15(h) of the Securities Exchange Act of 1934
88.18 (15 U.S.C. Section 78o(h)) or Section 222(b) of the Investment Advisers Act of 1940 (15
88.19 U.S.C. Section 80b-22), a broker-dealer registered or required to be registered under this
88.20 chapter and an investment adviser registered or required to be registered under this chapter
88.21 shall file such financial reports as are required by a rule adopted or order issued under this
88.22 chapter. If the information contained in a record filed under this subsection is or becomes
88.23 inaccurate or incomplete in a material respect, the registrant shall promptly file a correcting
88.24 amendment.

88.25 (c) **Record keeping.** Subject to Section 15(h) of the Securities Exchange Act of 1934
88.26 (15 U.S.C. Section 78o(h)) or Section 222 of the Investment Advisers Act of 1940 (15
88.27 U.S.C. Section 80b-22):

88.28 (1) a broker-dealer registered or required to be registered under this chapter and an
88.29 investment adviser registered or required to be registered under this chapter shall make and
88.30 maintain the accounts, correspondence, memoranda, papers, books, and other records
88.31 required by rule adopted or order issued under this chapter;

88.32 (2) broker-dealer records required to be maintained under paragraph (1) may be
88.33 maintained in any form of data storage acceptable under Section 17(a) of the Securities
89.1 Exchange Act of 1934 (15 U.S.C. Section 78q(a)) if they are readily accessible to the
89.2 administrator; and

89.3 (3) investment adviser records required to be maintained under paragraph (d)(1) may
89.4 be maintained in any form of data storage required by rule adopted or order issued under
89.5 this chapter.

89.6 (d) **Records and reports of private funds.**

89.7 (1) **In general.** An investment adviser to a private fund shall maintain such records of,
89.8 and file with the administrator such reports and amendments thereto, that an exempt reporting
89.9 adviser is required to file with the Securities and Exchange Commission pursuant to SEC
89.10 Rule 204-4, Code of Federal Regulations, title 17, section 275.204-4.

89.11 (2) **Treatment of records.** The records and reports of any private fund to which an
89.12 investment adviser provides investment advice shall be deemed to be the records and reports
89.13 of the investment adviser.

89.14 (3) **Required information.** The records and reports required to be maintained by an
89.15 investment adviser, which are subject to inspection by a representative of the administrator
89.16 at any time, shall include for each private fund advised by the investment adviser, a
89.17 description of:

89.18 (A) the amount of assets under management;

89.19 (B) the use of leverage, including off-balance-sheet leverage, as to the assets under
89.20 management;

89.21 (C) counterparty credit risk exposure;

89.22 (D) trading and investment positions;

89.23 (E) valuation policies and practices of the fund;

89.24 (F) types of assets held;

89.25 (G) side arrangements or side letters, whereby certain investors in a fund obtain more
89.26 favorable rights or entitlements than other investors;

89.27 (H) trading practices; and

89.28 (I) such other information as the administrator determines is necessary and appropriate
89.29 in the public interest and for the protection of investors, which may include the establishment
89.30 of different reporting requirements for different classes of fund advisers, based on the type
89.31 or size of the private fund being advised.

90.1 (4) **Filing of records.** A rule or order under this chapter may require each investment
90.2 adviser to a private fund to file reports containing such information as the administrator
90.3 deems necessary and appropriate in the public interest and for the protection of investors.

90.4 (e) **Audits or inspections.** The records of a broker-dealer registered or required to be
90.5 registered under this chapter and of an investment adviser registered or required to be
90.6 registered under this chapter, including the records of a private fund described in paragraph
90.7 (d) and the records of investment advisers to private funds, are subject to such reasonable
90.8 periodic, special, or other audits or inspections by a representative of the administrator,
90.9 within or without this state, as the administrator considers necessary or appropriate in the

90.10 public interest and for the protection of investors. An audit or inspection may be made at
90.11 any time and without prior notice. The administrator may copy, and remove for audit or
90.12 inspection copies of, all records the administrator reasonably considers necessary or
90.13 appropriate to conduct the audit or inspection. The administrator may assess a reasonable
90.14 charge for conducting an audit or inspection under this subsection.

90.15 **(f) Custody and discretionary authority bond or insurance.** Subject to Section 15(h)
90.16 of the Securities Exchange Act of 1934 (15 U.S.C. Section 78o(h)) or Section 222 of the
90.17 Investment Advisers Act of 1940 (15 U.S.C. Section 80b-22), a rule adopted or order issued
90.18 under this chapter may require a broker-dealer or investment adviser that has custody of or
90.19 discretionary authority over funds or securities of a customer or client to obtain insurance
90.20 or post a bond or other satisfactory form of security in an amount of at least \$25,000, but
90.21 not to exceed \$100,000. The administrator may determine the requirements of the insurance,
90.22 bond, or other satisfactory form of security. Insurance or a bond or other satisfactory form
90.23 of security may not be required of a broker-dealer registered under this chapter whose net
90.24 capital exceeds, or of an investment adviser registered under this chapter whose minimum
90.25 financial requirements exceed, the amounts required by rule or order under this chapter.
90.26 The insurance, bond, or other satisfactory form of security must permit an action by a person
90.27 to enforce any liability on the insurance, bond, or other satisfactory form of security if
90.28 instituted within the time limitations in section 80A.76(j)(2).

90.29 **(g) Requirements for custody.** Subject to Section 15(h) of the Securities Exchange Act
90.30 of 1934 (15 U.S.C. Section 78o(h)) or Section 222 of the Investment Advisers Act of 1940
90.31 (15 U.S.C. Section 80b-22), an agent may not have custody of funds or securities of a
90.32 customer except under the supervision of a broker-dealer and an investment adviser
90.33 representative may not have custody of funds or securities of a client except under the
90.34 supervision of an investment adviser or a federal covered investment adviser. A rule adopted
90.35 or order issued under this chapter may prohibit, limit, or impose conditions on a broker-dealer
91.1 regarding custody of funds or securities of a customer and on an investment adviser regarding
91.2 custody of securities or funds of a client.

91.3 **(h) Investment adviser brochure rule.** With respect to an investment adviser registered
91.4 or required to be registered under this chapter, a rule adopted or order issued under this
91.5 chapter may require that information or other record be furnished or disseminated to clients
91.6 or prospective clients in this state as necessary or appropriate in the public interest and for
91.7 the protection of investors and advisory clients.

91.8 **(i) Continuing education.** A rule adopted or order issued under this chapter may require
91.9 an individual registered under section 80A.57 or 80A.58 to participate in a continuing
91.10 education program approved by the Securities and Exchange Commission and administered
91.11 by a self-regulatory organization, the North American Securities Administrators Association,
91.12 or the commissioner.

91.13 Sec. 7. Minnesota Statutes 2024, section 80E.12, is amended to read:

91.14 **80E.12 UNLAWFUL ACTS BY MANUFACTURERS, DISTRIBUTORS, OR**

91.15 **FACTORY BRANCHES.**

91.16 It shall be unlawful for any manufacturer, distributor, or factory branch to require a new

91.17 motor vehicle dealer to do any of the following:

91.18 (a) order or accept delivery of any new motor vehicle, part or accessory thereof,

91.19 equipment, or any other commodity not required by law which has not been voluntarily

91.20 ordered by the new motor vehicle dealer, provided that this paragraph does not modify or

91.21 supersede reasonable provisions of the franchise requiring the dealer to market a

91.22 representative line of the new motor vehicles the manufacturer or distributor is publicly

91.23 advertising;

91.24 (b) order or accept delivery of any new motor vehicle, part or accessory thereof,

91.25 equipment, or any other commodity not required by law in order for the dealer to obtain

91.26 delivery of any other motor vehicle ordered by the dealer;

91.27 (c) order or accept delivery of any new motor vehicle with special features, accessories,

91.28 or equipment not included in the list price of the motor vehicles as publicly advertised by

91.29 the manufacturer or distributor;

91.30 (d) participate monetarily in an advertising campaign or contest, or to purchase any

91.31 promotional materials, showroom, or other display decorations or materials at the expense

91.32 of the new motor vehicle dealer;

92.1 (e) enter into any agreement with the manufacturer or to do any other act prejudicial to

92.2 the new motor vehicle dealer by threatening to cancel a franchise or any contractual

92.3 agreement existing between the dealer and the manufacturer. Notice in good faith to any

92.4 dealer of the dealer's violation of any terms of the franchise agreement shall not constitute

92.5 a violation of sections 80E.01 to 80E.17;

92.6 (f) change the capital structure of the new motor vehicle dealer or the means by or

92.7 through which the dealer finances the operation of the dealership; provided, that the new

92.8 motor vehicle dealer at all times meets any reasonable capital standards agreed to by the

92.9 dealer; and also provided, that no change in the capital structure shall cause a change in the

92.10 principal management or have the effect of a sale of the franchise without the consent of

92.11 the manufacturer or distributor as provided in section 80E.13, paragraph (j);

92.12 (g) prevent or attempt to prevent, by contract or otherwise, any motor vehicle dealer

92.13 from changing the executive management control of the new motor vehicle dealer unless

92.14 the franchisor proves that the change of executive management will result in executive

92.15 management control by a person who is not of good moral character or who does not meet

92.16 the franchisor's existing reasonable capital standards and, with consideration given to the

92.17 volume of sales and services of the new motor vehicle dealer, uniformly applied minimum

92.18 business experience standards in the market area; provided, that where the manufacturer,

71.16 Sec. 2. Minnesota Statutes 2024, section 80E.12, is amended to read:

71.17 **80E.12 UNLAWFUL ACTS BY MANUFACTURERS, DISTRIBUTORS, OR**

71.18 **FACTORY BRANCHES.**

71.19 It shall be unlawful for any manufacturer, distributor, or factory branch to require a new

71.20 motor vehicle dealer to do any of the following:

71.21 (a) order or accept delivery of any new motor vehicle, part or accessory thereof,

71.22 equipment, or any other commodity not required by law which has not been voluntarily

71.23 ordered by the new motor vehicle dealer, provided that this paragraph does not modify or

71.24 supersede reasonable provisions of the franchise requiring the dealer to market a

71.25 representative line of the new motor vehicles the manufacturer or distributor is publicly

71.26 advertising;

71.27 (b) order or accept delivery of any new motor vehicle, part or accessory thereof,

71.28 equipment, or any other commodity not required by law in order for the dealer to obtain

71.29 delivery of any other motor vehicle ordered by the dealer;

71.30 (c) order or accept delivery of any new motor vehicle with special features, accessories,

71.31 or equipment not included in the list price of the motor vehicles as publicly advertised by

71.32 the manufacturer or distributor;

72.1 (d) participate monetarily in an advertising campaign or contest, or to purchase any

72.2 promotional materials, showroom, or other display decorations or materials at the expense

72.3 of the new motor vehicle dealer;

72.4 (e) enter into any agreement with the manufacturer or to do any other act prejudicial to

72.5 the new motor vehicle dealer by threatening to cancel a franchise or any contractual

72.6 agreement existing between the dealer and the manufacturer. Notice in good faith to any

72.7 dealer of the dealer's violation of any terms of the franchise agreement shall not constitute

72.8 a violation of sections 80E.01 to 80E.17;

72.9 (f) change the capital structure of the new motor vehicle dealer or the means by or

72.10 through which the dealer finances the operation of the dealership; provided, that the new

72.11 motor vehicle dealer at all times meets any reasonable capital standards agreed to by the

72.12 dealer; and also provided, that no change in the capital structure shall cause a change in the

72.13 principal management or have the effect of a sale of the franchise without the consent of

72.14 the manufacturer or distributor as provided in section 80E.13, paragraph (j);

72.15 (g) prevent or attempt to prevent, by contract or otherwise, any motor vehicle dealer

72.16 from changing the executive management control of the new motor vehicle dealer unless

72.17 the franchisor proves that the change of executive management will result in executive

72.18 management control by a person who is not of good moral character or who does not meet

72.19 the franchisor's existing reasonable capital standards and, with consideration given to the

72.20 volume of sales and services of the new motor vehicle dealer, uniformly applied minimum

72.21 business experience standards in the market area; provided, that where the manufacturer,

92.19 distributor, or factory branch rejects a proposed change in executive management control,
92.20 the manufacturer, distributor, or factory branch shall give written notice of its reasons to
92.21 the dealer;

92.22 (h) refrain from participation in the management of, investment in, or the acquisition
92.23 of, any other line of new motor vehicle or related products or establishment of another make
92.24 or line of new motor vehicles in the same dealership facilities as those of the manufacturer;
92.25 provided, however, that this clause does not apply unless the new motor vehicle dealer
92.26 maintains a reasonable line of credit for each make or line of new motor vehicle, and that
92.27 the new motor vehicle dealer remains in substantial compliance with the terms and conditions
92.28 of the franchise and with any reasonable facilities requirements of the manufacturer and
92.29 that the acquisition or addition is not unreasonable in light of all existing circumstances;
92.30 provided further that if a manufacturer determines to deny a dealer's request for a change
92.31 described in this paragraph, such denial must be in writing, must offer an analysis of the
92.32 grounds for the denial addressing the criteria contained in this paragraph, and must be
92.33 delivered to the new motor vehicle dealer within 60 days after the manufacturer receives
92.34 the completed application or documents customarily used by the manufacturer for dealer
92.35 actions described in this paragraph. If a denial that meets the requirements of this paragraph
93.1 is not sent within this period, the manufacturer shall be deemed to have given its consent
93.2 to the proposed change.

93.3 For purposes of this section and sections 80E.07, subdivision 1, paragraph (c), and 80E.14,
93.4 subdivision 4, reasonable facilities requirements shall not include a requirement that a dealer
93.5 establish or maintain exclusive facilities for the manufacturer of a line make unless
93.6 determined to be reasonable in light of all existing circumstances or the dealer and the
93.7 manufacturer voluntarily agree to such a requirement and separate and adequate consideration
93.8 was offered and accepted;

93.9 (i) during the course of the agreement, change the location of the new motor vehicle
93.10 dealership or make any substantial alterations to the dealership premises during the course
93.11 of the agreement, when to do so would be unreasonable or if the manufacturer fails to
93.12 provide the dealer 180 days' prior written notice of a required change in location or substantial
93.13 premises alteration; ~~or~~

93.14 (j) prospectively assent to a release, assignment, novation, waiver, or estoppel whereby
93.15 a dealer relinquishes any rights under sections 80E.01 to 80E.17, or which would relieve
93.16 any person from liability imposed by sections 80E.01 to 80E.17 or to require any controversy
93.17 between a new motor vehicle dealer and a manufacturer, distributor, or factory branch to
93.18 be referred to any person or tribunal other than the duly constituted courts of this state or
93.19 the United States, if the referral would be binding upon the new motor vehicle dealer; ~~or~~

93.20 (k) refrain from participation in an auto show described in section 168.27, subdivision
93.21 10a.

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

72.22 distributor, or factory branch rejects a proposed change in executive management control,
72.23 the manufacturer, distributor, or factory branch shall give written notice of its reasons to
72.24 the dealer;

72.25 (h) refrain from participation in the management of, investment in, or the acquisition
72.26 of, any other line of new motor vehicle or related products or establishment of another make
72.27 or line of new motor vehicles in the same dealership facilities as those of the manufacturer;
72.28 provided, however, that this clause does not apply unless the new motor vehicle dealer
72.29 maintains a reasonable line of credit for each make or line of new motor vehicle, and that
72.30 the new motor vehicle dealer remains in substantial compliance with the terms and conditions
72.31 of the franchise and with any reasonable facilities requirements of the manufacturer and
72.32 that the acquisition or addition is not unreasonable in light of all existing circumstances;
72.33 provided further that if a manufacturer determines to deny a dealer's request for a change
72.34 described in this paragraph, such denial must be in writing, must offer an analysis of the
72.35 grounds for the denial addressing the criteria contained in this paragraph, and must be
73.1 delivered to the new motor vehicle dealer within 60 days after the manufacturer receives
73.2 the completed application or documents customarily used by the manufacturer for dealer
73.3 actions described in this paragraph. If a denial that meets the requirements of this paragraph
73.4 is not sent within this period, the manufacturer shall be deemed to have given its consent
73.5 to the proposed change.

73.6 For purposes of this section and sections 80E.07, subdivision 1, paragraph (c), and 80E.14,
73.7 subdivision 4, reasonable facilities requirements shall not include a requirement that a dealer
73.8 establish or maintain exclusive facilities for the manufacturer of a line make unless
73.9 determined to be reasonable in light of all existing circumstances or the dealer and the
73.10 manufacturer voluntarily agree to such a requirement and separate and adequate consideration
73.11 was offered and accepted;

73.12 (i) during the course of the agreement, change the location of the new motor vehicle
73.13 dealership or make any substantial alterations to the dealership premises during the course
73.14 of the agreement, when to do so would be unreasonable or if the manufacturer fails to
73.15 provide the dealer 180 days' prior written notice of a required change in location or substantial
73.16 premises alteration; ~~or~~

73.17 (j) prospectively assent to a release, assignment, novation, waiver, or estoppel whereby
73.18 a dealer relinquishes any rights under sections 80E.01 to 80E.17, or which would relieve
73.19 any person from liability imposed by sections 80E.01 to 80E.17 or to require any controversy
73.20 between a new motor vehicle dealer and a manufacturer, distributor, or factory branch to
73.21 be referred to any person or tribunal other than the duly constituted courts of this state or
73.22 the United States, if the referral would be binding upon the new motor vehicle dealer; ~~or~~

73.23 (k) refrain from participation in an auto show described in section 168.27, subdivision
73.24 10a.

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

- 93.23 Sec. 8. Minnesota Statutes 2024, section 82B.19, subdivision 5, is amended to read:
- 93.24 Subd. 5. **Out-of-state continuing education credit.** (a) For purposes of this subdivision,
- 93.25 the following terms have the meanings given:
- 93.26 (1) "asynchronous educational offering" has the meaning given in the most recent version
- 93.27 of the Real Property Appraiser Qualification Criteria, as established by the Appraiser
- 93.28 Qualifications Board; and
- 93.29 (2) "synchronous educational offering" has the meaning given in the most recent version
- 93.30 of the Real Property Appraiser Qualification Criteria, as established by the Appraiser
- 93.31 Qualifications Board, and includes an educational process based on live or real-time
- 93.32 instruction where there is no geographic separation of instructor and student.
- 94.1 (b) Notwithstanding section 45.30, subdivisions 1 and 6, a real estate appraiser or course
- 94.2 provider may submit, in a form prescribed by the commissioner, an application for continuing
- 94.3 education credit for a synchronous educational offering that has not been submitted for prior
- 94.4 approval in Minnesota. The commissioner must grant a real estate appraiser continuing
- 94.5 education credit if:
- 94.6 (1) the application is submitted on or before August 1 of the year in which the real estate
- 94.7 appraiser license is due for renewal;
- 94.8 (2) the synchronous educational offering has been approved for continuing education
- 94.9 credit by the regulator of real estate appraisers in at least one other state or United States
- 94.10 territory; and
- 94.11 (3) an application is submitted by the real estate appraiser or course provider to the
- 94.12 commissioner within ~~30~~ 60 days of successful completion of the synchronous educational
- 94.13 offering.
- 94.14 (c) The application must include a certificate of successful completion from the
- 94.15 synchronous educational offering provider. The commissioner must grant a real estate
- 94.16 appraiser the same number of continuing education credits for the successful completion
- 94.17 of the synchronous educational offering as was approved for the offering by the out-of-state
- 94.18 real estate appraiser regulatory authority. The commissioner must grant a real estate appraiser
- 94.19 continuing education credit within 60 days of the submission of the completed application
- 94.20 for out-of-state continuing education credit.
- 94.21 (d) The commissioner may charge a fee to a real estate appraiser, in an amount to be
- 94.22 determined by the commissioner, to submit an application under this subdivision.
- 94.23 (e) This subdivision does not apply to asynchronous educational offerings.

- 86.9 Section 1. Minnesota Statutes 2024, section 116.943, subdivision 1, is amended to read:
- 86.10 Subdivision 1. **Definitions.** (a) For purposes of this section, the following terms have
- 86.11 the meanings given.
- 86.12 (b) "Adult mattress" means a mattress other than a crib mattress or toddler mattress.
- 86.13 (c) "Air care product" means a chemically formulated consumer product labeled to
- 86.14 indicate that the purpose of the product is to enhance or condition the indoor environment
- 86.15 by eliminating odors or freshening the air.
- 86.16 (d) "Automotive maintenance product" means a chemically formulated consumer product
- 86.17 labeled to indicate that the purpose of the product is to maintain the appearance of a motor
- 86.18 vehicle, including products for washing, waxing, polishing, cleaning, or treating the exterior
- 86.19 or interior surfaces of motor vehicles. Automotive maintenance product does not include
- 86.20 automotive paint or paint repair products.
- 86.21 (e) "Carpet or rug" means a fabric marketed or intended for use as a floor covering.
- 86.22 (f) "Cleaning product" means a finished product used primarily for domestic, commercial,
- 86.23 or institutional cleaning purposes, including but not limited to an air care product, an
- 86.24 automotive maintenance product, a general cleaning product, or a polish or floor maintenance
- 86.25 product.
- 86.26 (g) "Commissioner" means the commissioner of the Pollution Control Agency.
- 86.27 (h) "Cookware" means durable houseware items used to prepare, dispense, or store food,
- 86.28 foodstuffs, or beverages. Cookware includes but is not limited to pots, pans, skillets, grills,
- 86.29 baking sheets, baking molds, trays, bowls, and cooking utensils.
- 86.30 (i) "Cosmetic" means articles, excluding soap:
- 87.1 (1) intended to be rubbed, poured, sprinkled, or sprayed on, introduced into, or otherwise
- 87.2 applied to the human body or any part thereof for the purpose of cleansing, beautifying,
- 87.3 promoting attractiveness, or altering the appearance; and
- 87.4 (2) intended for use as a component of any such article.
- 87.5 (j) "Currently unavoidable use" means a use of PFAS that the commissioner has
- 87.6 determined by rule under this section to be essential for health, safety, or the functioning
- 87.7 of society and for which alternatives are not reasonably available.
- 87.8 (k) "Fabric treatment" means a substance applied to fabric to give the fabric one or more
- 87.9 characteristics, including but not limited to stain resistance or water resistance.
- 87.10 (l) "Intentionally added" means PFAS deliberately added during the manufacture of a
- 87.11 product where the continued presence of PFAS is desired in the final product or one of the
- 87.12 product's components to perform a specific function.

- 87.13 (m) "Juvenile product" means a product designed or marketed for use by infants and
87.14 children under 12 years of age:
- 87.15 (1) including but not limited to a baby or toddler foam pillow; bassinet; bedside sleeper;
87.16 booster seat; changing pad; child restraint system for use in motor vehicles and aircraft;
87.17 co-sleeper; crib mattress; highchair; highchair pad; infant bouncer; infant carrier; infant
87.18 seat; infant sleep positioner; infant swing; infant travel bed; infant walker; nap cot; nursing
87.19 pad; nursing pillow; play mat; playpen; play yard; polyurethane foam mat, pad, or pillow;
87.20 portable foam nap mat; portable infant sleeper; portable hook-on chair; soft-sided portable
87.21 crib; stroller; and toddler mattress; ~~and~~
- 87.22 (2) not including a children's electronic product such as a personal computer, audio and
87.23 video equipment, calculator, wireless phone, game console, handheld device incorporating
87.24 a video screen, or any associated peripheral such as a mouse, keyboard, power supply unit,
87.25 or power cord; or an adult mattress; and
- 87.26 (3) not including:
- 87.27 (i) an off-highway vehicle made for children;
- 87.28 (ii) an all-terrain vehicle made for children;
- 87.29 (iii) an off-highway motorcycle made for children;
- 87.30 (iv) a snowmobile made for children;
- 87.31 (v) an electric-assisted bicycle made for children; or
- 88.1 (vi) a replacement part for a vehicle described in items (i) to (v).
- 88.2 (n) "Manufacturer" means the person that creates or produces a product or whose brand
88.3 name is affixed to the product. In the case of a product imported into the United States,
88.4 manufacturer includes the importer or first domestic distributor of the product if the person
88.5 that manufactured or assembled the product or whose brand name is affixed to the product
88.6 does not have a presence in the United States.
- 88.7 (o) "Medical device" has the meaning given "device" under United States Code, title
88.8 21, section 321, subsection (h).
- 88.9 (p) "Perfluoroalkyl and polyfluoroalkyl substances" or "PFAS" means a class of
88.10 fluorinated organic chemicals containing at least one fully fluorinated carbon atom.
- 88.11 (q) "Product" means an item manufactured, assembled, packaged, or otherwise prepared
88.12 for sale to consumers, including but not limited to its product components, sold or distributed
88.13 for personal, residential, commercial, or industrial use, including for use in making other
88.14 products.
- 88.15 (r) "Product component" means an identifiable component of a product, regardless of
88.16 whether the manufacturer of the product is the manufacturer of the component.

- 88.17 (s) "Ski wax" means a lubricant applied to the bottom of snow runners, including but
88.18 not limited to skis and snowboards, to improve their grip or glide properties. Ski wax includes
88.19 related tuning products.
- 88.20 (t) "Textile" means an item made in whole or part from a natural or synthetic fiber, yarn,
88.21 or fabric. Textile includes but is not limited to leather, cotton, silk, jute, hemp, wool, viscose,
88.22 nylon, and polyester.
- 88.23 (u) "Textile furnishings" means textile goods of a type customarily used in households
88.24 and businesses, including but not limited to draperies, floor coverings, furnishings, bedding,
88.25 towels, and tablecloths.
- 88.26 (v) "Upholstered furniture" means an article of furniture that is designed to be used for
88.27 sitting, resting, or reclining and that is wholly or partly stuffed or filled with any filling
88.28 material.
- 88.29 **EFFECTIVE DATE.** This section is effective the day following final enactment.
- 89.1 Sec. 2. Minnesota Statutes 2024, section 116.943, subdivision 5, is amended to read:
- 89.2 Subd. 5. **Prohibitions.** (a) Beginning January 1, 2025, a person may not sell, offer for
89.3 sale, or distribute for sale in this state the following products if the product contains
89.4 intentionally added PFAS:
- 89.5 (1) carpets or rugs;
- 89.6 (2) cleaning products;
- 89.7 (3) cookware;
- 89.8 (4) cosmetics;
- 89.9 (5) dental floss;
- 89.10 (6) fabric treatments;
- 89.11 (7) juvenile products;
- 89.12 (8) menstruation products;
- 89.13 (9) textile furnishings;
- 89.14 (10) ski wax; or
- 89.15 (11) upholstered furniture.
- 89.16 (b) Paragraph (a) does not prohibit the sale, offering for sale, or distribution of a product
89.17 that contains intentionally added PFAS only in internal components that do not come into
89.18 direct contact with a person's skin or mouth during reasonably foreseeable use or abuse of
89.19 the product.

94.24 Sec. 9. Minnesota Statutes 2024, section 168.27, is amended by adding a subdivision to
94.25 read:

94.26 Subd. 10a. **Participation in auto shows.** (a) A new motor vehicle dealer may participate
94.27 in an auto show outside the county where the dealer maintains the dealer's licensed location
94.28 to sell new vehicles without obtaining an additional license if:

94.29 (1) the dealer participates in an auto show that takes place in a county other than the
94.30 county where the dealer maintains a licensed location not more than four times during any
94.31 calendar year;

95.1 (2) the auto show is held at a location in a city of the first class or a city immediately
95.2 adjacent to a city of the first class;

95.3 (3) the auto show is not held at a licensed location of any participating dealer;

95.4 (4) there are ten or more dealers participating in the auto show;

95.5 (5) the auto show is of a duration of no more than 12 consecutive days;

95.6 (6) the auto show is conducted by a trade association exempt from federal taxes under
95.7 United States Code, title 26, section 501(c)(6); and

95.8 (7) the auto show expressly prohibits:

89.20 ~~(b)~~ (c) The commissioner may by rule identify additional products by category or use
89.21 that may not be sold, offered for sale, or distributed for sale in this state if they contain
89.22 intentionally added PFAS and designate effective dates. A prohibition adopted under this
89.23 paragraph must be effective no earlier than January 1, 2025, and no later than January 1,
89.24 2032. The commissioner must prioritize the prohibition of the sale of product categories
89.25 that, in the commissioner's judgment, are most likely to contaminate or harm the state's
89.26 environment and natural resources if they contain intentionally added PFAS.

89.27 ~~(e)~~ (d) Beginning January 1, 2032, a person may not sell, offer for sale, or distribute for
89.28 sale in this state any product that contains intentionally added PFAS, unless the commissioner
89.29 has determined by rule that the use of PFAS in the product is a currently unavoidable use.
89.30 The commissioner may specify specific products or product categories for which the
89.31 commissioner has determined the use of PFAS is a currently unavoidable use. The
90.1 commissioner may not determine that the use of PFAS in a product is a currently unavoidable
90.2 use if the product is listed in paragraph (a).

90.3 ~~(e)~~ (e) The commissioner may not take action under paragraph ~~(b)~~ (c) or ~~(e)~~ (d) with
90.4 respect to a pesticide, as defined under chapter 18B, a fertilizer, an agricultural liming
90.5 material, a plant amendment, or a soil amendment as defined under chapter 18C, unless the
90.6 commissioner of agriculture approves the action.

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

73.26 Sec. 3. Minnesota Statutes 2024, section 168.27, is amended by adding a subdivision to
73.27 read:

73.28 Subd. 10a. **Participation in auto shows.** (a) A new motor vehicle dealer may participate
73.29 in an auto show outside the county where the dealer maintains the dealer's licensed location
73.30 to sell new vehicles without obtaining an additional license if:

73.31 (1) the dealer participates in an auto show that takes place in a county other than the
73.32 county where the dealer maintains a licensed location not more than four times during any
73.33 calendar year;

74.1 (2) the auto show is not held at a licensed location of any participating dealer;

74.2 (3) the auto show is of a duration of no more than 12 consecutive days;

74.3 (4) the auto show expressly prohibits:

95.9 (i) the sale or lease of vehicles at the show;
95.10 (ii) labeling or marking vehicles as "For Sale" or "Sold";
95.11 (iii) labeling or marking a vehicle with a price other than the manufacturer's retail price
95.12 label;
95.13 (iv) using printed posters, cards, and other printed materials that contain special dealership
95.14 pricing; and
95.15 (v) appraisal of trade-in vehicles and quoting a trade-in price for a particular vehicle.
95.16 (b) The auto show may permit:
95.17 (1) exhibitor staff to distribute business cards, coupons, vehicle promotional materials,
95.18 and factory-approved rebates;
95.19 (2) exhibitor staff to make appointments for potential customers to visit the dealership,
95.20 collect names of customer leads for later contact, and discuss the suggested retail price of
95.21 a vehicle and the availability of particular lines of vehicles; and
95.22 (3) test rides or test drives of new vehicles but only under a program conducted by the
95.23 auto show.
95.24 **EFFECTIVE DATE.** This section is effective the day following final enactment.

74.4 (i) the sale or lease of vehicles at the show;
74.5 (ii) labeling or marking vehicles as "For Sale" or "Sold";
74.6 (iii) labeling or marking a vehicle with a price other than the manufacturer's retail price
74.7 label;
74.8 (iv) using printed posters, cards, and other printed materials that contain special dealership
74.9 pricing; and
74.10 (v) appraisal of trade-in vehicles and quoting a trade-in price for a particular vehicle.
74.11 (b) The auto show may permit:
74.12 (1) exhibitor staff to distribute business cards, coupons, vehicle promotional materials,
74.13 and factory-approved rebates;
74.14 (2) exhibitor staff to make appointments for potential customers to visit the dealership,
74.15 collect names of customer leads for later contact, and discuss the suggested retail price of
74.16 a vehicle and the availability of particular lines of vehicles; and
74.17 (3) test rides or test drives of new vehicles; but only under a program conducted by the
74.18 auto show.

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

74.20 Sec. 4. Minnesota Statutes 2024, section 216B.40, is amended to read:

74.21 **216B.40 EXCLUSIVE SERVICE RIGHT; SERVICE EXTENSION.**

74.22 Except as provided in sections 216B.42 and, 216B.421, and 216B.422, each electric
74.23 utility shall have the exclusive right to provide electric service at retail to each and every
74.24 present and future customer in its assigned service area and no electric utility shall render
74.25 or extend electric service at retail within the assigned service area of another electric utility
74.26 unless the electric utility consents thereto in writing; provided that any electric utility may
74.27 extend its facilities through the assigned service area of another electric utility if the extension
74.28 is necessary to facilitate the electric utility connecting its facilities or customers within its
74.29 own assigned service area.

75.1 Sec. 5. **[216B.422] ELECTRICITY SALES FOR CHARGING ELECTRIC**
75.2 **VEHICLES.**

75.3 A retail seller of electricity used to recharge a battery that powers an electric vehicle, as
75.4 defined in section 169.011, subdivision 26a, and that is not otherwise a public utility under
75.5 this chapter, is not in violation of section 216B.40 if the electricity the retailer sells was
75.6 provided by the utility serving the location of the charging station.

75.7 Sec. 6. Minnesota Statutes 2024, section 216B.62, is amended by adding a subdivision to
75.8 read:

75.9 Subd. 9. **Administrative costs for discontinuation of telecommunication services.** The
75.10 commission may assess fees for the actual commission costs to administer the discontinuation
75.11 of telecommunication services under section 237.181. The money received from the
75.12 assessment must be deposited into an account in the special revenue fund and all money
75.13 deposited is appropriated to the commission for the purposes specified under this subdivision.
75.14 The commission may initially assess for estimated costs under section 237.181, then must
75.15 adjust subsequent assessments for actual costs incurred under section 237.181. An assessment
75.16 made under this subdivision is not subject to the cap on assessments provided in subdivision
75.17 3 or any other law.

75.18 **EFFECTIVE DATE.** This section is effective July 1, 2026.

75.19 Sec. 7. **[237.181] CUSTOMER TRANSITION PLANS FOR AREAS WITH VOIP**
75.20 **ALTERNATIVES.**

75.21 Subdivision 1. **Definitions.** (a) For the purposes of this section, the following terms have
75.22 the meanings given.

75.23 (b) "Commission" means the Public Utilities Commission.

75.24 (c) "Voice over internet protocol" or "VOIP" has the meaning given in section 237.025.

75.25 (d) "Alternative providers" means one or more providers the Federal Communications
75.26 Commission has identified through Broadband Data Collection, location fabric data, or a
75.27 successor data program as having a provider offering wireline broadband access service
75.28 through fiber optic cable to the home capable of carrying VOIP of at least 25 megabits per
75.29 second download speed and three megabit per second upload speed and offers VOIP services
75.30 at a rate no more than 120 percent of the current rate for local flat-rated voice service. Other
75.31 Federal Communications Commission-approved adequate replacements shall be considered
75.32 by the commission upon request of the telephone company or telecommunications carrier
76.1 if the telephone company or telecommunications carrier fulfills the required obligations set
76.2 forth in this section.

76.3 Subd. 2. **Customer transition plans.** (a) A telephone company or telecommunications
76.4 carrier may submit a petition to the commission for approval of a customer transition plan
76.5 to discontinue telecommunications service in an area where the telephone company or
76.6 telecommunications carrier has shown that customers in the affected area have access to
76.7 one or more providers for the telecommunications service provided by the telephone company
76.8 or telecommunications carrier.

76.9 (b) The proposed customer transition plan must:

76.10 (1) clearly identify the area and affected customers;

76.11 (2) clearly identify the alternative providers available to customers in the affected area;

76.12 (3) provide for technical assistance to affected customers who request assistance with
76.13 the transition to an alternate provider;

76.14 (4) draft consumer dispute forms for commission approval;

76.15 (5) describe the public education meeting plans for affected customers when required
76.16 by the commission; and

76.17 (6) provide onetime connection fees and device costs for households eligible for credit
76.18 as defined in section 237.70, subdivision 4a.

76.19 Subd. 3. **Commission process.** The commission shall provide for notice and comment
76.20 on the petition for a customer transition plan. The commission shall approve, modify, or
76.21 reject a petition filed under this section. The commission shall only approve a plan under
76.22 this section if it finds that the telephone company or telecommunications carrier:

76.23 (1) has met its burden of demonstrating to the commission that customers in the affected
76.24 area have at least one alternative provider available to those customers;

76.25 (2) has demonstrated that it will put sufficient resources into assisting customers to
76.26 transition to an alternate provider, including providing onetime connection fees and device
76.27 costs for households eligible for credit as defined in section 237.70, subdivision 4a; and

76.28 (3) has held a public meeting in the affected area as required by the commission and
76.29 provided written notice of the meeting to customers 60 days in advance.

76.30 Subd. 4. **Obligations upon approval.** Upon approval of a petition for a customer
76.31 transition plan under this section, the telephone company or telecommunications carrier
76.32 that proposed the petition must continue to serve an affected customer until the telephone
77.1 company or telecommunications carrier completes the required actions in subdivision 2 and
77.2 any disputes brought by the customer before the commission are resolved.

77.3 Subd. 5. **Dispute resolution.** The commission must resolve any dispute over whether a
77.4 location has service available at the rates described in subdivision 1 on an expedited basis
77.5 pursuant to section 237.61, prior to the date services will be discontinued. Such disputes
77.6 must be submitted at least 90 days prior to the date of service discontinuance and resolved
77.7 15 days prior to the date of service discontinuation.

77.8 Subd. 6. **Reinstatement of service.** (a) The commission may reinstate existing obligations
77.9 on the telephone company or telecommunications carrier to provide services to customers
77.10 affected by this section;

77.11 (1) on the commission's own initiative; or

77.12 (2) in response to a request for agency action.

95.25 Sec. 10. Minnesota Statutes 2024, section 239.761, subdivision 3, is amended to read:

95.26 Subd. 3. **Gasoline.** (a) Gasoline that is not blended with biofuel must not be contaminated

95.27 with water or other impurities and must comply with ASTM specification ~~D4814-11b~~

95.28 D4814-24a. Gasoline that is not blended with biofuel must also comply with the volatility

95.29 requirements in Code of Federal Regulations, title 40, part 1090.

96.1 (b) After gasoline is sold, transferred, or otherwise removed from a refinery or terminal,

96.2 a person responsible for the product:

96.3 (1) may blend the gasoline with agriculturally derived ethanol as provided in subdivision

96.4 ~~4~~;

96.5 (2) shall not blend the gasoline with any oxygenate other than biofuel;

96.6 (3) shall not blend the gasoline with other petroleum products that are not gasoline or

96.7 biofuel;

96.8 (4) shall not blend the gasoline with products commonly and commercially known as

96.9 casinghead gasoline, absorption gasoline, condensation gasoline, drip gasoline, or natural

96.10 gasoline; and

96.11 (5) may blend the gasoline with a detergent additive, an antiknock additive, or an additive

96.12 designed to replace tetra-ethyl lead, that is registered by the EPA.

77.13 (b) Before acting under this subdivision, the commission must:

77.14 (1) provide notice and conduct a hearing; and

77.15 (2) determine that reinstating any existing obligation to serve is necessary because

77.16 customers lack access to one or more providers.

77.17 (c) The telephone company or telecommunications carrier that would be affected by

77.18 modification or reinstatement of service shall bear the burden of proof in a proceeding under

77.19 this subdivision.

77.20 Subd. 7. **Local exchange carrier.** Nothing in this section relieves an incumbent local

77.21 exchange carrier as defined under United States Code, title 47, section 251(h)(1), of its

77.22 existing interconnection obligations or terminates existing interconnection agreements in a

77.23 manner other than according to their terms or other existing law.

77.24 Subd. 8. **No relinquishment of ETC status.** A petition approved under this section

77.25 shall not be deemed to be a relinquishment of any eligible telecommunications carrier

77.26 designation that has been granted to the petitioning telephone company or

77.27 telecommunications carrier under federal and state law.

77.28 **EFFECTIVE DATE.** This section is effective July 1, 2026.

96.13 Sec. 11. Minnesota Statutes 2024, section 239.761, subdivision 4, is amended to read:

96.14 Subd. 4. **Gasoline blended with ethanol; general.** (a) Gasoline may be blended with

96.15 agriculturally derived, denatured ethanol that complies with the requirements of subdivision

96.16 5.

96.17 (b) A gasoline-ethanol blend must:

96.18 (1) comply with the volatility requirements in Code of Federal Regulations, title 40, part

96.19 1090;

96.20 (2) comply with ASTM specification ~~D4814-11b~~ D4814-24a, or the gasoline base stock

96.21 from which a gasoline-ethanol blend was produced must comply with ASTM specification

96.22 ~~D4814-11b~~ D4814-24a; and

96.23 (3) not be blended with casinghead gasoline, absorption gasoline, condensation gasoline,

96.24 drip gasoline, or natural gasoline after the gasoline-ethanol blend has been sold, transferred,

96.25 or otherwise removed from a refinery or terminal.

96.26 Sec. 12. Minnesota Statutes 2024, section 239.761, subdivision 5, is amended to read:

96.27 Subd. 5. **Denatured ethanol.** Denatured ethanol that is to be blended with gasoline must

96.28 be agriculturally derived and must comply with ASTM specification ~~D4806-11a~~ D4806-21a.

96.29 This includes the requirement that ethanol may be denatured only as specified in Code of

96.30 Federal Regulations, title 27, parts 20 and 21.

97.1 Sec. 13. Minnesota Statutes 2024, section 239.761, subdivision 6, is amended to read:

97.2 Subd. 6. **Gasoline blended with nonethanol oxygenate.** (a) A person responsible for

97.3 the product shall comply with the following requirements:

97.4 (1) after July 1, 2000, gasoline containing in excess of one-third of one percent, in total,

97.5 of nonethanol oxygenates listed in paragraph (b) must not be sold or offered for sale at any

97.6 time in this state; and

97.7 (2) after July 1, 2005, gasoline containing any of the nonethanol oxygenates listed in

97.8 paragraph (b) must not be sold or offered for sale in this state.

97.9 (b) The oxygenates prohibited under paragraph (a) are:

97.10 (1) methyl tertiary butyl ether, as defined in section 296A.01, subdivision 34;

97.11 (2) ethyl tertiary butyl ether, as defined in section 296A.01, subdivision 18; or

97.12 (3) tertiary amyl methyl ether.

97.13 (c) Gasoline that is blended with a nonethanol oxygenate must comply with ASTM

97.14 specification ~~D4814-11b~~ D4814-24a. Nonethanol oxygenates must not be blended into

97.15 gasoline after the gasoline has been sold, transferred, or otherwise removed from a refinery

97.16 or terminal.

97.17 Sec. 14. Minnesota Statutes 2024, section 239.791, subdivision 11, is amended to read:

97.18 Subd. 11. **Exemption for motor sports racing.** (a) A person responsible for the product
97.19 may offer for sale, sell, or dispense at a public or private racecourse or a retail gasoline
97.20 station, gasoline that is not oxygenated in accordance with subdivision 1 if the gasoline is
97.21 intended to be used exclusively as a fuel for off-highway motor sports racing events.

97.22 (b) No more than one storage tank on the premises of a retail gasoline station may be
97.23 used for the storage of nonoxygenated motor sports racing gasoline that is offered for sale,
97.24 sold, or dispensed at the station. The pump stand at the station must be posted with a
97.25 permanent, conspicuously placed notice in full view of consumers stating: "FOR USE IN
97.26 OFF-HIGHWAY MOTOR SPORTS ENGINES ONLY."

77.29 Sec. 8. **[239.90] RETAIL ELECTRIC VEHICLE SUPPLY EQUIPMENT.**

77.30 Subdivision 1. **Definitions.** (a) For purposes of this section, the following terms have
77.31 the meanings given.

78.1 (b) "Electric vehicle supply equipment" or "EVSE" means a conductor, including an
78.2 ungrounded, grounded, and equipment grounding conductor, electric vehicle connector,
78.3 attachment plug, and other fitting, device, power outlet, or apparatus installed specifically
78.4 to measure, deliver, and compute the price of electrical energy delivered to an electric
78.5 vehicle.

78.6 (c) "Electricity sold as vehicle fuel" means electrical energy transferred to or stored
78.7 onboard an electric vehicle primarily to propel the electric vehicle.

78.8 (d) "Fixed service" means a service that continuously provides the nominal power that
78.9 is possible with the equipment as installed.

78.10 (e) "Nominal power" means the intended, named, or stated, as opposed to the actual,
78.11 rate of electrical energy transfer.

78.12 (f) "Variable service" means a service that may be controlled, resulting in periods of
78.13 reduced or interrupted transfer of electrical energy.

78.14 Subd. 2. **Inspection; fees.** The director must inspect a retail EVSE annually or as often
78.15 as is possible given budgetary and staffing limitations. The director must charge an EVSE
78.16 owner a \$100 fee to inspect and test each EVSE charging port.

78.17 Subd. 3. **EVSE program account; appropriation.** An EVSE program account is created
78.18 in the special revenue fund of the state treasury. The commissioner must credit to the account
78.19 fees collected from inspections under this section and appropriations and transfers made to
78.20 the account. Earnings, including interest, dividends, and any other earnings arising from

78.21 assets of the account, must be credited to the account. Money in the account is appropriated
78.22 to the commissioner to pay for operations of the EVSE program.

78.23 Subd. 4. **Method of sale.** (a) Electrical energy kept, offered, or exposed for sale and
78.24 sold at retail as a vehicle fuel must be expressed in kilowatt-hour units.

78.25 (b) In addition to the price per kilowatt-hour for the quantity of electrical energy sold,
78.26 a fee may be assessed for other services. A fee assessed for another service may be a fixed
78.27 fee or may be based on time measurement.

78.28 Subd. 5. **Labeling.** (a) A computing EVSE must display the unit price in whole cents
78.29 or tenths of one cent, based on the price per kilowatt-hour. If the electrical energy is unlimited
78.30 or free of charge, the computing EVSE must clearly indicate that the electrical energy is
78.31 unlimited or free of charge in lieu of the unit price.

78.32 (b) For a fixed service application, the following information must be conspicuously
78.33 displayed or posted on the face of the device:

79.1 (1) the level of electric vehicle service, expressed as the nominal power transfer; and
79.2 (2) the type of electrical energy transfer.

79.3 (c) If a fee is assessed for other services in direct connection with fueling the vehicle,
79.4 including but not limited to a fee based on time measurement or a fixed fee, the additional
79.5 fee must be displayed.

79.6 (d) An EVSE must be labeled in a manner that complies with Federal Trade
79.7 Commissioner labeling requirements for alternative fuels and alternative fueled vehicles,
79.8 Code of Federal Regulations, title 16, part 309.

79.9 (e) An EVSE must be listed and labeled in a manner that complies with the National
79.10 Electric Code NFPA 70, Article 625, Electric Vehicle Charging Systems.

79.11 Subd. 6. **Advertising; sign prices.** (a) When a sign or device is used to advertise the
79.12 price of electricity to fuel a vehicle, the price for electrical energy must be expressed in
79.13 price per kilowatt-hour, in whole cents or tenths of one cent. If the electrical energy is
79.14 unlimited or free of charge, the advertising or sign must clearly indicate that the electrical
79.15 energy is unlimited or free of charge in lieu of the unit price.

79.16 (b) If more than one electrical energy unit price may apply over the duration of a single
79.17 transaction or sale to the general public, the terms and conditions that determine each unit
79.18 price and the times each unit price apply must be clearly displayed.

79.19 (c) For a fixed service application, the following information must be conspicuously
79.20 displayed or posted:

79.21 (1) the level of electric vehicle service, expressed as the nominal power transfer; and

97.27 Sec. 15. Minnesota Statutes 2024, section 296A.01, subdivision 20, is amended to read:

97.28 Subd. 20. **Ethanol, denatured.** "Ethanol, denatured" means ethanol that is to be blended

97.29 with gasoline, has been agriculturally derived, and complies with ASTM specification

97.30 ~~D4806-11a~~ D4806-21a. This includes the requirement that ethanol may be denatured only

97.31 as specified in Code of Federal Regulations, title 27, parts 20 and 21.

98.1 Sec. 16. Minnesota Statutes 2024, section 296A.01, subdivision 23, is amended to read:

98.2 Subd. 23. **Gasoline.** (a) "Gasoline" means:

98.3 (1) all products commonly or commercially known or sold as gasoline regardless of

98.4 their classification or uses, except casinghead gasoline, absorption gasoline, condensation

98.5 gasoline, drip gasoline, or natural gasoline that under the requirements of section 239.761,

98.6 subdivision 3, must not be blended with gasoline that has been sold, transferred, or otherwise

98.7 removed from a refinery or terminal; and

98.8 (2) any liquid prepared, advertised, offered for sale or sold for use as, or commonly and

98.9 commercially used as, a fuel in spark-ignition, internal combustion engines, and that when

98.10 tested by the Weights and Measures Division meets the specifications in ASTM specification

98.11 ~~D4814-11b~~ D4814-24a.

98.12 (b) Gasoline that is not blended with ethanol must not be contaminated with water or

98.13 other impurities and must comply with both ASTM specification ~~D4814-11b~~ D4814-24a

98.14 and the volatility requirements in Code of Federal Regulations, title 40, part 1090.

98.15 (c) After gasoline is sold, transferred, or otherwise removed from a refinery or terminal,

98.16 a person responsible for the product:

98.17 (1) may blend the gasoline with agriculturally derived ethanol, as provided in subdivision

98.18 24;

79.22 (2) the type of electrical energy transfer.

79.23 (d) For a variable service application, the following information must be conspicuously

79.24 displayed or posted:

79.25 (1) the type of delivery;

79.26 (2) the minimum and maximum power transfer that may occur during a transaction,

79.27 including whether service may be reduced to zero;

79.28 (3) the conditions under which a variation in electrical energy transfer occurs; and

79.29 (4) the type of electrical energy transfer.

80.1 (e) If a fee is assessed for other services in direct connection with the fueling of the

80.2 vehicle, including but not limited to a fee based on time measurement or a fixed fee, the

80.3 additional fee must be included on all street signs or other advertising.

98.19 (2) must not blend the gasoline with any oxygenate other than denatured, agriculturally
98.20 derived ethanol;

98.21 (3) must not blend the gasoline with other petroleum products that are not gasoline or
98.22 denatured, agriculturally derived ethanol;

98.23 (4) must not blend the gasoline with products commonly and commercially known as
98.24 casinghead gasoline, absorption gasoline, condensation gasoline, drip gasoline, or natural
98.25 gasoline; and

98.26 (5) may blend the gasoline with a detergent additive, an antiknock additive, or an additive
98.27 designed to replace tetra-ethyl lead, that is registered by the EPA.

98.28 Sec. 17. Minnesota Statutes 2024, section 296A.01, subdivision 24, is amended to read:

98.29 Subd. 24. **Gasoline blended with nonethanol oxygenate.** "Gasoline blended with
98.30 nonethanol oxygenate" means gasoline blended with ETBE, MTBE, or other alcohol or
98.31 ether, except denatured ethanol, that is approved as an oxygenate by the EPA, and that
98.32 complies with ASTM specification ~~D4814-11b~~ D4814-24a. Oxygenates, other than denatured
99.1 ethanol, must not be blended into gasoline after the gasoline has been sold, transferred, or
99.2 otherwise removed from a refinery or terminal.

90.8 Sec. 3. Minnesota Statutes 2024, section 325E.3892, subdivision 1, is amended to read:

90.9 Subdivision 1. **Definitions.** (a) For purposes of this section, the following terms have
90.10 the meanings given.

90.11 (b) "Covered product" means any of the following products or product components:

90.12 (1) jewelry;

90.13 (2) toys;

90.14 (3) cosmetics and personal care products;

90.15 (4) puzzles, board games, card games, and similar games;

90.16 (5) play sets and play structures;

90.17 (6) outdoor games;

90.18 (7) school supplies, except ink pens and mechanical pencils;

90.19 (8) pots and pans;

90.20 (9) cups, bowls, and other food containers, except where cadmium is contained in a
90.21 vitreous enamel in a nonfood contact surface;

90.22 (10) craft supplies and jewelry-making supplies;

- 90.23 (11) chalk, crayons, children's paints, and other art supplies except professional artist
90.24 materials, including but not limited to oil-based paints, water-based paints, paints, pastels,
90.25 pigments, ceramic glazes, and markers;
- 90.26 (12) fidget spinners;
- 90.27 (13) costumes, costume accessories, and children's and seasonal party supplies;
- 90.28 (14) keys, key chains; and key rings; and
- 90.29 (15) clothing, footwear, headwear, and accessories.
- 91.1 (c) "Pastels" means a crayon composed of powdered pigments bonded with gum or resin.
- 91.2 **EFFECTIVE DATE.** This section is effective the day following final enactment.
- 91.3 Sec. 4. Minnesota Statutes 2024, section 325E.3892, subdivision 2, is amended to read:
- 91.4 Subd. 2. **Prohibition.** (a) A person must not import, manufacture, sell, hold for sale, or
91.5 distribute or offer for use in this state any covered product containing:
- 91.6 (1) lead at more than 0.009 percent by total weight (90 parts per million); or
- 91.7 (2) cadmium at more than 0.0075 percent by total weight (75 parts per million).
- 91.8 (b) This section does not apply to:
- 91.9 (1) covered products containing lead or cadmium, or both, when regulation is preempted
91.10 by federal law; or
- 91.11 (2) covered products that contain lead only in solder used in internal components or in
91.12 pen tips so long as:
- 91.13 (i) the product is not imported, manufactured, sold, held for sale, distributed, or offered
91.14 for use in this state after July 1, 2028; and
- 91.15 (ii) the manufacturer of the product submits biennial reports to the commissioner of the
91.16 Pollution Control Agency that explain the barriers to removing lead from the product,
91.17 progress towards adoption of lead-free alternatives, and a timeline to fully adopt a lead-free
91.18 alternative.
- 91.19 **EFFECTIVE DATE.** This section is effective the day following final enactment.
- 91.20 Sec. 5. **[325E.3893] LABELING REQUIREMENTS FOR MENSTRUAL PRODUCTS.**
- 91.21 Subdivision 1. **Labeling requirement.** A manufacturer of a menstrual product sold,
91.22 offered for sale, or distributed in the state that contains intentionally added synthetic
91.23 ingredients must disclose on the label the synthetic ingredients contained in the menstrual
91.24 product.

91.25 Subd. 2. **Enforcement.** This section shall be enforced in the manner provided in section
91.26 325E.3892, subdivision 3.

91.27 Sec. 6. Minnesota Statutes 2024, section 325F.072, subdivision 3, is amended to read:

91.28 Subd. 3. **Prohibition.** (a) No person, political subdivision, or state agency shall
91.29 manufacture or knowingly sell, offer for sale, distribute for sale, or distribute for use in this
92.1 state, and no person shall use in this state, class B firefighting foam containing PFAS
92.2 chemicals.

92.3 (b) This subdivision does not apply to the manufacture, sale, distribution, or use of class
92.4 B firefighting foam for which the inclusion of PFAS chemicals is required by federal law,
92.5 including but not limited to Code of Federal Regulations, title 14, section 139.317. If a
92.6 federal requirement to include PFAS chemicals in class B firefighting foam is revoked after
92.7 January 1, 2024, class B firefighting foam subject to the revoked requirements is no longer
92.8 exempt under this paragraph effective one year after the day of revocation.

92.9 (c) This subdivision does not apply to the manufacture, sale, distribution, or use of class
92.10 B firefighting foam for purposes of use at an airport, as defined under section 360.013,
92.11 subdivision 39, until the state fire marshal makes a determination that:

92.12 (1) the Federal Aviation Administration has provided policy guidance on the transition
92.13 to fluorine-free firefighting foam;

92.14 (2) a fluorine-free firefighting foam product is included in the Federal Aviation
92.15 Administration's Qualified Product Database; and

92.16 (3) a firefighting foam product included in the database under clause (2) is commercially
92.17 available in quantities sufficient to reliably meet the requirements under Code of Federal
92.18 Regulations, title 14, part 139.

92.19 (d) Until the state fire marshal makes a determination under paragraph (c), the operator
92.20 of an airport using class B firefighting foam containing PFAS chemicals must, on or before
92.21 December 31 each calendar year, submit a report to the state fire marshal regarding the
92.22 status of the airport's conversion to class B firefighting foam products without intentionally
92.23 added PFAS, the disposal of class B firefighting foam products with intentionally added
92.24 PFAS, and an assessment of the factors listed in paragraph (c) as applied to the airport.

92.25 (e) Until January 1, 2028, this subdivision does not apply to the manufacture, sale,
92.26 distribution, or use of class B firefighting foam for use in hangar fixed firefighting systems
92.27 at an airport, as defined under section 360.013, subdivision 39. The commissioner of the
92.28 Pollution Control Agency, in consultation with the state fire marshal, may provide the
92.29 operator of an airport using class B firefighting foam containing PFAS chemicals one year
92.30 extensions beyond this date upon a showing that the need for additional time is beyond the
92.31 operator's control and that public safety and the environment will be protected during the
92.32 period of the extension.

99.3 Sec. 18. **[325F.677] AVAILABILITY OF WATER AT PLACES OF**
99.4 **ENTERTAINMENT.**

99.5 Subdivision 1. **Definition.** For purposes of this section, "place of entertainment" has the
99.6 meaning given in section 325F.676, subdivision 1, paragraph (h).

99.7 Subd. 2. **Available water requirement.** When occupancy exceeds 100 attendees and
99.8 when an attendee must have a ticket in order to access the place of entertainment, a place
99.9 of entertainment must provide attendees with access to potable water by:

99.10 (1) providing water at no cost to the attendees;

99.11 (2) allowing attendees to bring factory-sealed bottled water into the place of
99.12 entertainment; or

99.13 (3) allowing attendees to bring an empty water bottle to the place of entertainment and
99.14 providing attendees with access to potable water to fill the bottle. A place of entertainment
99.15 may prohibit certain types and sizes of water bottles in order to protect the safety of others.

99.16 Subd. 3. **Exceptions.** A museum exhibit gallery or presentation space where beverages
99.17 are prohibited is not required to allow water into the museum exhibit gallery or presentation

80.4 Sec. 9. **[325F.079] SALE OF NITROUS OXIDE.**

80.5 Subdivision 1. **Definitions.** (a) For purposes of this section, the following terms have
80.6 the meanings given.

80.7 (b) "Nitrous oxide" means a canister containing nitrous oxide that is sold by a retailer.

80.8 (c) "Retailer" means a person, located within Minnesota or elsewhere, engaged in the
80.9 business of selling or offering for sale nitrous oxide to a consumer in Minnesota.

80.10 Subd. 2. **Prohibition.** A retailer is prohibited from selling or offering for sale nitrous
80.11 oxide to a consumer in Minnesota.

80.12 Subd. 3. **Exceptions.** Nitrous oxide may be purchased for the following reasons:

80.13 (1) care or treatment of a disease, condition, or injury by a licensed medical or dental
80.14 practitioner;

80.15 (2) possession and use by a manufacturer as part of a manufacturing process or industrial
80.16 operation;

80.17 (3) possession, use, or sale as a propellant in food preparation for restaurant, food service,
80.18 or houseware products; or

80.19 (4) possession, use, or sale of nitrous oxide for automative purposes.

80.20 Subd. 4. **Violation.** A person who violates this section is guilty of a misdemeanor.

80.21 Sec. 10. **[325F.677] AVAILABILITY OF WATER AT PLACES OF**
80.22 **ENTERTAINMENT.**

80.23 Subdivision 1. **Definition.** For purposes of this section, "place of entertainment" has the
80.24 meaning given in section 325F.676, subdivision 1, paragraph (h).

80.25 Subd. 2. **Available water requirement.** When occupancy exceeds 100 attendees and
80.26 where an attendee must have a ticket in order to access the place of entertainment, a place
80.27 of entertainment must provide attendees with access to potable water by:

80.28 (1) providing water at no cost to the attendees;

80.29 (2) allowing attendees to bring factory-sealed bottled water into the place of
80.30 entertainment; or

81.1 (3) allowing attendees to bring an empty water bottle to the place of entertainment and
81.2 providing attendees with access to potable water to fill the bottle. A place of entertainment
81.3 may prohibit certain types and sizes of water bottles in order to protect the safety of others.

81.4 Subd. 3. **Exceptions.** An exhibit, gallery, or presentation space where beverages are
81.5 prohibited is not required to allow water into the exhibit, gallery, or presentation space if

99.18 space if water is available at no cost in an accessible location outside of the museum exhibit
99.19 gallery or presentation space.

81.6 water is available at no cost in an accessible location outside of the museum exhibit gallery
81.7 or presentation space.

81.8 Sec. 11. Minnesota Statutes 2024, section 325G.24, subdivision 2, is amended to read:

81.9 Subd. 2. **Right of member unilateral termination.** (a) Any person who has elected to
81.10 become a member of a club may unilaterally terminate such membership, in the person's
81.11 exclusive discretion, by giving notice of termination at any time.

81.12 (b) If given by mail, the notice is effective upon deposit in a mailbox, properly addressed,
81.13 and postage prepaid.

81.14 (c) A club must not impose a termination fee or any other liability on the member for
81.15 termination under this subdivision.

81.16 (d) Termination under this subdivision is effective at the end of the membership term
81.17 in which the member provides the notice of termination. If membership is at-will without
81.18 a defined membership term, then termination under this subdivision is effective immediately,
81.19 unless no later than 30 days after the date of a verified consumer's notice of termination. If
81.20 the member indicates a future effective date of termination, in which event beyond those
81.21 set forth herein, the date indicated by the member is the effective date of termination.

81.22 (e) If a member provides notice of termination at any time before midnight of the third
81.23 business day following the date on which membership was attained, the club must treat the
81.24 notice as a notice of cancellation under subdivision 1, unless the member specifically
81.25 provides for a future termination effective date.

81.26 **EFFECTIVE DATE.** This section is effective July 1, 2025, and applies to contracts
81.27 entered into, modified, or renewed on or after that date.

81.28 Sec. 12. **[515B.5-101] COMMON INTEREST COMMUNITY REGISTRATION.**

81.29 Subdivision 1. **Definitions.** (a) For purposes of this section, the terms defined in this
81.30 subdivision have the meanings given.

81.31 (b) "Association" has the meaning given in section 515B.1-103, clause (4).

82.1 (c) "Common interest community" has the meaning given in section 515B.1-103, clause
82.2 (10).

82.3 (d) "Master declaration" has the meaning given in section 515B.1-103, clause (22).

82.4 (e) "Master developer" has the meaning given in section 515B.1-103, clause (23).

82.5 (f) "Unit" has the meaning given in section 515B.1-103, clause (35).

82.6 Subd. 2. **Establishment.** The Department of Commerce must establish a register that
82.7 contains the information required under subdivision 3 regarding each residential common

- 82.8 interest community or similar association governed by this chapter, operating within
82.9 Minnesota.
- 82.10 Subd. 3. **Registration required.** (a) A residential common interest community or similar
82.11 association governed by this chapter must annually register under this section if the common
82.12 interest community or similar association owns any number of units in Minnesota.
- 82.13 (b) A residential common interest community or similar association governed by this
82.14 chapter must provide the following information to the department when registering:
- 82.15 (1) the common interest community or association's legal name;
- 82.16 (2) the common interest community or association's federal employer identification
82.17 number;
- 82.18 (3) the common interest community or association's telephone number, email address,
82.19 and mailing and physical address;
- 82.20 (4) the current board officers' full names, titles, email addresses, and other contact
82.21 information;
- 82.22 (5) a copy of the common interest community or association's governing documents,
82.23 including but not limited to declarations, bylaws, rules, and any amendments;
- 82.24 (6) the total number of parcels in the common interest community or association; and
- 82.25 (7) the total amount of revenues and expenses from the common interest community or
82.26 association's annual budget.
- 82.27 (c) For residential common interest communities or associations governed by this chapter
82.28 that are under the control of a master developer, the register must include:
- 82.29 (1) the master developer's legal name;
- 82.30 (2) the master developer's telephone number, email address, and mailing and physical
82.31 address;
- 83.1 (3) the master developer's federal employer identification number;
- 83.2 (4) the total number of parcels owned by the master developer on the date of reporting;
- 83.3 (5) the master developer's master declaration required under section 515B.2-121;
- 83.4 (6) the master developer's anticipated timeline to transfer control to the owners; and
- 83.5 (7) how the master developer transfers control to the owners.
- 83.6 (d) Residential common interest communities or associations governed by this chapter
83.7 that contract with a property management company must also provide the following
83.8 information:

99.20 Sec. 19. **SECURITIES BROKER-DEALER CONDUCT; EXPEDITED**
99.21 **RULEMAKING.**

99.22 The commissioner of commerce must adopt rules amending Minnesota Rules, part
99.23 2876.5021, to reflect that NASD is now referred to as FINRA and to comply with FINRA's
99.24 new securities broker-dealer conduct rules. The commissioner of commerce may use the
99.25 expedited rulemaking process under Minnesota Statutes, section 14.389, to amend Minnesota
99.26 Rules, part 2876.5021, under this section.

99.27 Sec. 20. **REPEALER.**

99.28 Minnesota Statutes 2024, sections 325F.02; 325F.03; 325F.04; 325F.05; 325F.06; and
99.29 325F.07, are repealed.

83.9 (1) the property management company's legal name;

83.10 (2) the property management company's telephone number, email address, and mailing
83.11 and physical address; and

83.12 (3) a brief description of the property management company's legal obligations under
83.13 the terms of the contract.

83.14 Subd. 4. **Registration fee.** Each residential common interest community or association
83.15 must pay an annual registration fee of \$55 to support the register established in subdivision
83.16 2 and the common interest community ombudsperson under section 45.0137.

83.17 Subd. 5. **Data classification.** Data collected, created, received, or maintained pursuant
83.18 to this section is private data on individuals, as defined in section 13.02, subdivision 12.

83.19 Subd. 6. **Notice requirement.** The Department of Commerce must provide notice to a
83.20 common interest community or association that fails to register. The common interest
83.21 community or association must register as provided under this section within 60 days after
83.22 receiving the notice to register.

83.23 **EFFECTIVE DATE.** This section is effective January 1, 2026.