

325E.316 PENALTIES.

Subdivision 1. **Enforcement by commissioner.** In enforcing sections 325E.311 to 325E.316, the commissioner has all powers provided by section 45.027, including, but not limited to, the power to impose a civil penalty to a maximum of \$1,000 for each solicitation that violates section 325E.312.

Subd. 2. **Defenses.** (a) In any action or proceeding against a person under this section, it shall be a defense that the defendant has established and implemented, with due care, reasonable practices and procedures to effectively prevent telephone solicitations in violation of section 325E.312.

(b) No provider of caller identification service shall be held liable for violations of section 325E.312 committed by other persons or entities.

Subd. 3. **Time limitations.** No action or proceeding may be brought under this section:

(1) more than two years after the person bringing the action knew or should have known of the alleged violation; or

(2) more than two years after the termination of any proceeding or action by the state of Minnesota, whichever is later.

Subd. 4. **Jurisdiction.** A court of this state may exercise personal jurisdiction over any nonresident or the nonresident's executor or administrator as to an action or proceeding authorized by this section according to the provisions of section 543.19.

Subd. 5. **Other remedies.** The remedies, duties, prohibitions, and penalties of this section are not exclusive and are in addition to all other causes of action, remedies, and penalties provided by law.

History: 2002 c 367 s 6