300.71 DECLARATION OF WRONGFUL FILING.

Subdivision 1. **Form and contents of declaration.** (a) A complainant may deliver a declaration of wrongful filing to the office if the complainant believes that a document filed under chapters 301 to 323A:

(1) was not authorized to be filed; and

(2) was filed with the intent to: (i) modify the ownership, registered agent, business address, contact information, governance, or other information of a business on record; or (ii) register a business using another person's name, address, or identity.

(b) A declaration of wrongful filing must include:

(1) the file number of the allegedly wrongful filing;

(2) the complainant's name, mailing address, and email address;

(3) whether the complainant is employed by or has an ownership interest in the business that is the subject of the filing;

(4) any information or evidence supporting the complainant's allegations under this section;

(5) a statement verifying the complainant believes in good faith that the facts stated in the declaration are true; and

(6) any other information the office deems necessary.

(c) The office must provide a form for declarations filed under this section. A complainant must use the provided form when submitting a declaration of wrongful filing.

(d) A false material statement of fact in a declaration of wrongful filing or any other document submitted under sections 300.70 to 300.78 is a violation of section 609.48.

Subd. 2. **Review of declaration.** (a) The office must promptly accept or reject a declaration of wrongful filing.

(b) The office may reject a declaration of wrongful filing that is incomplete or does not use the provided form or if the office reasonably believes it was delivered with the intent to harass or defraud the filer. The office may reject a declaration of wrongful filing if the office has already issued a final order on the filing identified in the declaration.

Subd. 3. **Nonexclusive remedy.** The remedy in sections 300.70 to 300.78 is not exclusive. An aggrieved party may seek district court action regardless of whether the individual has initiated or completed the procedure described in these sections.

History: *2025 c 39 art 5 s 5*