325M.20 ATTORNEY GENERAL ENFORCEMENT.

(a) In the event that a controller or processor violates sections 325M.10 to 325M.21, the attorney general, prior to filing an enforcement action under paragraph (b), must provide the controller or processor with a warning letter identifying the specific provisions of sections 325M.10 to 325M.21 the attorney general alleges have been or are being violated. If, after 30 days of issuance of the warning letter, the attorney general believes the controller or processor has failed to cure any alleged violation, the attorney general may bring an enforcement action under paragraph (b). This paragraph expires January 31, 2026.

(b) The attorney general may bring a civil action against a controller or processor to enforce a provision of sections 325M.10 to 325M.21 in accordance with section 8.31. If the state prevails in an action to enforce sections 325M.10 to 325M.21, the state may, in addition to penalties provided by paragraph (c) or other remedies provided by law, be allowed an amount determined by the court to be the reasonable value of all or part of the state's litigation expenses incurred.

(c) Any controller or processor that violates sections 325M.10 to 325M.21 is subject to an injunction and liable for a civil penalty of not more than $7,500 for each violation.

(d) Nothing in sections 325M.10 to 325M.21 establishes a private right of action, including under section 8.31, subdivision 3a, for a violation of sections 325M.10 to 325M.21 or any other law.

History: *2024 c 121 art 5 s 12*

NOTE: Postsecondary institutions regulated by the Office of Higher Education are not required to comply with this section until July 31, 2029. Laws 2024, chapter 121, article 5, section 14.