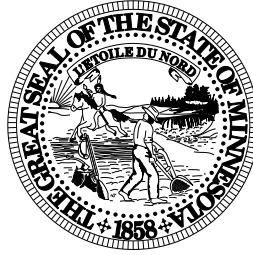


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Minnesota House of Representatives

Melissa Hortman, Speaker

FOR IMMEDIATE RELEASE
Date: July 20, 2022
Contact Mike Cook
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New Laws Effective Aug. 1, 2022

The following is a list of select new laws passed during the 2022 legislative session that take effect Aug. 1, 2022. The asterisk following the bill number denotes the language that became law. Summaries of all laws passed by the 2022 Legislature are available online from nonpartisan House Public Information Services at <http://www.house.mn/newlaws/search/2022>.

BUSINESS AND COMMERCE

Contracts can't require out-of-state venue

Sales representatives will get their day in Minnesota court.

Effective Aug. 1, 2022, a new law will bar sales representative agreement provisions that include a choice of venue in another state. This means sales representatives working in Minnesota won't face undue travel burdens in a dispute and manufacturers can't have sales contracts adjudicated out of state.

Rep. Zack Stephenson (DFL-Coon Rapids) and Sen. Eric Pratt (R-Prior Lake) sponsor the law.
HF3254*/SF2991/CH51

Enrolled agents expressly excluded from debt settlement statutes

In 2016, the Legislature took action targeting bad actors in the debt settlement field who were unqualified and unable to fulfill their promise of settling a tax debt. Some took payment upfront and failed to follow through.

A new law, effective Aug. 1, 2022, clarifies that professional firms and enrolled agents – those federally recognized to provide tax services – are not debt settlement providers and do not fall under statutes regulating that industry.

Rep. Andrew Carlson (DFL-Bloomington) and Sen. Jeff Howe (R-Rockville) sponsor the law.
HF2342/SF1391*/CH67

Continuing education requirements updated in real estate, insurance appraisal licensing

With more coursework moving online, language about continuing education requirements for real estate, insurance and appraisal licensing has been updated.

Much of a new law aims to make requirements more understandable without lowering standards. It takes effect Aug. 1, 2022.

For example, the law requires exam proctors be at least 18 years old; not be a relative, supervisor or fellow student in the class; or have a financial interest in the student passing.

It also puts requirements on on-demand courses. Among them, course providers cannot sell students' personal information without consent and must provide a course evaluation that, at a minimum, asks students about any technical difficulties.

Rep. Brian Pfarr (R-Le Sueur) and Sen. Gary Dahms (R-Redwood Falls) sponsor the law.
HF3345/SF3288*/CH74

Bullion dealer definition, registration clarified

A new law clarifies which bullion buyers and sellers fall under state regulations, including the types of transactions they perform.

Effective Aug. 1, 2022, it defines a “registered dealer” as someone with a shop or representative in the state, who delivers bullion to a Minnesota address or who purchases from a resident. A dealer will be prohibited from conducting a Minnesota transaction without being registered.

An exception to the dealer registration for someone who engages in 12 or less trade shows per year in the state is deleted.

A dealer’s surety bond requirement is altered. The amount required will be based on their Minnesota transactions during the 12-month period prior to registration, and the minimum Minnesota transaction amount to require a surety bond is increased from zero to \$25,000 in the preceding 12 months.

Rep. Aisha Gomez (DFL-Mpls) and Sen. Gary Dahms (R-Redwood Falls) sponsor the law.
HF4030*/SF4345/CH75

Life insurance policies can include long-term care

Effective Aug. 1, 2022, a new law will allow long-term care insurance to be sold “as part of or in conjunction with a life insurance product,” with an aim to offer the product to more Minnesotans.

Sales of the coverage is allowed if it is an “innovative or reasonable approach” to protect and is in the best interest of the consumer.

Rep. Leon Lillie (DFL-North St. Paul) and Sen. Gary Dahms (R-Redwood Falls) sponsor the law.
HF4031/SF3338*/CH79

Law addresses harassment through lien claims

A new law will offer Minnesotans protection from bad actors who maliciously use state resources.

Effective Aug. 1, 2022, the secretary of state’s office will have authority to reject — at the time or after the fact — clearly fraudulent Uniform Commercial Code lien filings meant to harass or intimidate. UCC filings are legal notices that the filer has a security interest against a debtor.

On occasion, claims are fraudulent and meant to retaliate, harass, or lay the groundwork for further fraud. The false claims are often filed against corrections officers, law enforcement personnel, judges or other public officials.

The new law allows the secretary of state’s office to set aside claims that fall under certain parameters; the false filings often include common characteristics such as imprecise addresses.

Filers can appeal if they believe their claim was improperly rejected, and will keep their place in line as creditors if reinstated.

If a filing is accepted and later shown to be fraudulent, there will be a process to remove the claim without going to court.

Rep. Athena Hollins (DFL-St. Paul) and Sen. Andrew Mathews (R-Princeton) sponsor the law.
HF3400*/SF3920/CH96

CIVIL LAW

Technical and clarifying changes made to torrens title registration system

Minnesota uses the torrens and abstract title system for registration of land. Under the torrens system, upon the landowner's application, a court may, after appropriate proceedings, direct the issuance of a certificate of title.

Effective Aug. 1, 2022, a new law makes technical and clarifying changes to torrens title statutes, including clarifying that a torrens registration can apply to two or more owners where the tracts contain a common title defect that requires substantially the same evidence needed for adjudication.

The new law also clarifies that applications for initial registration must be in a form approved by the examiner before filing with the court administrator, and specifies if a survey is required to certify land boundaries it must be certified by a licensed surveyor.

An applicant will need to file the final order with the registrar of titles and the county recorder. Rep. Kelly Moller (DFL-Shoreview) and Sen. Mark Johnson (R-East Grand Forks) sponsor the law. HF2841*/SF2638/CH37

Guardianship court procedure created for at-risk juveniles

A new procedure will be created in juvenile court for youth ages 18 to 21 to have a guardian appointed to meet their needs or to protect the youth from trafficking or abuse.

The law, effective Aug. 1, 2022, provides that the court must issue an order for a juvenile guardianship when the juvenile and guardian both agree to the guardianship, it is in the juvenile's best interest, and reunification with a parent is not viable due to abandonment, abuse, or neglect.

A guardianship will automatically terminate when the at-risk juvenile reaches age 21 or the juvenile requests it end.

Rep. Sandra Feist (DFL-New Brighton) and Sen. Zach Duckworth (R-Lakeville) are the sponsors. HF2671/SF2736*/CH45

New rules on release of data from criminal background checks to cities, counties

A new law removes restrictions on how law enforcement agencies release background check results of applicants seeking employment with, or a license from, a city or county.

Effective Aug. 1, 2022, law enforcement agencies will be authorized to release the full criminal history data of an applicant to a city or county, while no longer being restricted to only notify cities or counties whether a background check revealed disqualifying offenses.

Law enforcement agencies, cities, and counties must also securely maintain data resulting from a background check and notify an applicant of grounds and reasons for a denial or disqualification.

Rep. Kaohly Vang Her (DFL-St. Paul) and Sen. Mark Koran (R-North Branch) sponsor the law. HF2945*/SF3214/CH59

Uniform Registration of Canadian Money Judgments Act established

A new law will provide a process to register a Canadian court judgment for money in Minnesota.

This will be in addition to the existing process to register a foreign-money judgment from another jurisdiction, but has a court form that simplifies the filing and notice procedures and is specific to Canadian court judgments.

A judgment registered under the act is recognized and enforceable in the same manner and to the same extent as a judgment rendered in Minnesota.

Rep. Sandra Feist (DFL-New Brighton) and Sen. Mark Johnson (R-East Grand Forks) sponsor the law that takes effect Aug. 1, 2022.

HF2354*/SF2352/CH81

CONSUMERS

Strengthened consumer protections in structured settlement transfers

Structured settlements are payments made over time to an individual by an insurance company to settle civil lawsuits, such as personal injury, workers' compensation, and other cases where damages to the injured party may be substantial.

These payments over a lifetime can be sold or transferred to a company, often for a lump-sum, that may seem beneficial to the injured person, but are often not in their best financial interest.

Part of a new law effective Aug. 1, 2022, will increase protections to people transferring their settlement for a lump-sum payment by, in part, requiring an attorney to review the transfer and a judge to consider if a transfer is in the payee's best interest.

Sponsored by Rep. Erin Koegel (DFL-Spring Lake Park) and Sen. Paul Utke (R-Park Rapids), the law stipulates that an attorney assigned by a judge as an "evaluator" must "make an independent assessment and advise the court whether the proposed transfer is in the best interest of the payee, taking into consideration the payee's dependents, if any."

The cost of engaging an independent third-party evaluator will be paid for by the company proposing the settlement transfer.

A structured settlement purchase company must also provide a payee with a statement spelling out the financial ramifications of the proposed deal, specifically the equivalent annual interest rate the payee would be effectively paying by accepting the deal.

HF3768*/SF3636/CH62

EMPLOYMENT

Collective bargaining unit created for law enforcement supervisors

A new law creates a collective bargaining unit for law enforcement supervisors under the Public Employment Labor Relations Act.

Effective Aug. 1, 2022, it also removes state patrol supervisors, Department of Natural Resources' enforcement supervisors and criminal apprehension investigative supervisors from the right to separate from the general supervisory employees units under PELRA.

A transition will be allowed until a collective bargaining agreement can be negotiated and approved for the new law enforcement supervisors unit.

Rep. Rob Ecklund (DFL-International Falls) and Sen. Jeff Howe (R-Rockville) sponsor the law.
HF961*/SF1040/CH80

ENVIRONMENT AND NATURAL RESOURCES

Civil penalties increased for snowmobile and off-highway vehicle provisions

In an effort to promote responsible snowmobile and off-highway vehicle use — and to protect individuals who allow their land to be used for trails — civil penalties will increase Aug. 1, 2022 for certain off-highway vehicle violations, and new civil penalties are created for certain snowmobile violations and violations of trespass laws involving an off-highway vehicle or a snowmobile.

Fines for off-highway vehicle violations will increase from \$100 to \$250 for a first offense, \$200 to \$500 for a second offense and \$500 to \$1,000 for third and subsequent offenses. These increased amounts will also be the amounts for the new civil penalties for snowmobile violations and for trespass violations involving an off-highway vehicle or snowmobile. Fines collected from citations involving snowmobiles will go to the snowmobile trails and enforcement account.

Rep. Rick Hansen (DFL-South St. Paul) and Sen. Carrie Ruud (R-Breezy Point) are the sponsors.
HF2819*/SF3063/CH46

HEALTH AND HUMAN SERVICES

Law expands rights, duties, authority and legal protection of physician assistants

“Physician assistant,” “licensed physician assistant,” “physician assistant services,” and related terms will be added to more than 160 state statutes that give physicians and other health care providers certain rights, duties, and protections, or authority to perform certain acts.

Some of the changes include:

- updating statute allowing licensed physicians to authorize the administration of drugs, such as naloxone, to combat an opiate overdose;
- permitting licensed physician assistants to authorize the seclusion of patients at risk of self-harm in detox facilities; and
- permitting physician assistants to assess the level of care needed by children with disabilities who are eligible for Medical Assistance.

The law also removes language related to physician assistants acting under the direction of a physician and makes technical and clarifying changes.

Rep. Kristin Bahner (DFL-Maple Grove) and Sen. Rich Draheim (R-Madison Lake) sponsor the law that takes effect Aug. 1, 2022.

HF3989*/SF3501/CH58

Law bars insurer discrimination against tissue donors

A new law aims to help increase the number of living tissue donors by prohibiting discrimination by insurers.

Effective for insurance policies issued and renewed on or after Aug. 1, 2022, the law will bar discrimination in life, disability or long-term care policies due to a person’s status as a living organ or bone marrow donor. Discrimination due solely to status will be barred in the premium rating, issuance, cancellation or amount of coverage.

Research has shown no higher risk of death or disability after people have donated bone marrow, one of their kidneys or parts of other organs.

Rep. Kaohly Vang Her (DFL-St. Paul) and Sen. Paul Utke (R-Park Rapids) are the law sponsors.
HF1829*/SF1450/CH97

LOCAL GOVERNMENT

Qualified newspaper, online public notice requirements expanded

As times have changed, a section of state law last updated roughly 30 years ago needs a refresh.

A new law, effective Aug. 1, 2022, updates and modernizes statute that governs publication of public notices by synchronizing the distribution of public notices digitally and in print. It also ensures public notices disseminated in a digital format are considered a valid form of publication.

A result of the Minnesota Newspaper Association working with local units of government, the law addresses issues faced by modern-day newspapers, such as e-editions, formatting requirements, circulation thresholds and the availability of statewide public notice websites.

For example, it creates a rule for how the location of a newspaper where notices are to appear is determined, making it easier for government bodies and others to properly and efficiently publish public notices.

Additionally, per the law, “a newspaper’s website must include a link to its online public notices section, the contents of which must be accessible at no cost to the public.” If a qualified newspaper maintains a website it must also agree to publish public notices there and on the Minnesota Newspaper Association’s statewide public notice website.

Rep. Gene Pelowski Jr. (DFL-Winona) and Sen. John Jasinski (R-Faribault) sponsor the law.
HF3682*/SF3457/CH61

Optional online county-owned land sales

Folks wanting to acquire public land may be able to do it in a more modern way.

Sponsored by Rep. Julie Sandstede (DFL-Hibbing) and Sen. David Tomassoni (I-Chisholm), a new law requires counties, in addition to traditional newspaper notices, to advertise the sale, lease, or conveyance of county-owned property on the county’s website. The county may choose to solicit and accept bids via an online auction process.

Effective Aug. 1, 2022, it also adds “proposals” to state law that permits leases not exceeding \$15,000 a year to be negotiated nor be subject to a competitive bidding process.

HF3285*/SF3032/CH66

Compensation OK’d for all Hennepin County boards, committees

All counties, except the state’s most populous, are permitted to set reasonable allowances for expenses or per diems for members of advisory boards or committees.

Sponsored by Rep. Michael Nelson (DFL-Brooklyn Park) and Sen. Warren Limmer (R-Maple Grove), a new law gives Hennepin County that permission. It takes effect Aug. 1, 2022.

Exemptions in other statutes allow the county to compensate some advisory members, such as those serving on the library or human resources boards, and its capital budgeting task force.

HF4221*/SF4050/CH71

STATE GOVERNMENT

Administrative, clarifying changes to the Safe at Home program

People who fear for their safety, such as those attempting to escape domestic violence, sexual assault, harassment, or stalking, often establish new addresses to prevent their assailants or probable assailants from finding them.

The Safe at Home program is a statewide address confidentiality program for these people. The program assigns participants a P.O. Box to use as their legal address and also spells out how state and local agencies must respond to data requests on people in the program without disclosing their location.

A new law makes various administrative and clarifying changes to the program, administered by the Office of the Secretary of State, and to the Government Data Practices Act, which classifies as private most identity and location data about participants in the program.

Some of the changes include:

- clarifying the requirement that a landlord cannot display a participant’s name at an address rented by the participant;
- clarifying what information cannot be disclosed after a participant has notified a person about his or her participation in the Safe at Home program; and
- expanding the definition of “real property records” that are prohibited from disclosure.

Rep. Jamie Becker-Finn (DFL-Roseville) and Sen. Karla Bigham (DFL-Cottage Grove) sponsor the law, which takes effect Aug. 1, 2022.

HF3249*/SF3087/CH83

VETERANS AND MILITARY AFFAIRS

National Guard members can receive reenlistment, commissioning bonuses

All National Guard members “serving satisfactorily as determined by the adjutant general” will be eligible for reenlistment and commissioning bonuses.

Effective Aug. 1, 2022, a new law deletes a previous requirement that required no more than 12 years of service to be eligible for the bonuses when soldiers extend their term of service with the Minnesota National Guard.

It is sponsored by Rep. Luke Frederick (DFL-Mankato) and Sen. Jeff Howe (R-Rockville).
HF3379*/SF2635/CH64

Changes made to Minnesota Code of Military Justice

The Minnesota Code of Military Justice, which applies to members of the Minnesota National Guard, received several changes in 2022.

Sponsored by Rep. Tou Xiong (DFL-St. Paul) and Sen. Andrew Lang (R-Olivia), the law, effective Aug. 1, 2022, modifies the code, makes data provision changes, jurisdiction and appellate changes and provides updates to punitive articles, punishable offenses and penalties.

Among the changes:

- law enforcement data pertaining to any service member must be released to the adjutant general upon request of the Office of the Staff Judge Advocate;
- clarifies that certain data regarding members of the National Guard is inherently federal data;
- military attorneys who are not members of the Minnesota bar can, under some circumstances, practice law and serve as military judges in the state;
- jurisdiction of the Minnesota Code of Military Justice is broadened for service members who travel to and from their inactive-duty training site and intervals between consecutive periods of training;
- the law modifies how statute of limitation conflicts are resolved so that the lesser of the limitation set by the manual for court martial of the United States, Minnesota state law or Minnesota Code of Military Justice applies;
- the law directs a court-martial convening authority to issue a final order at the conclusion of court-martial proceedings and have it promptly served on the accused;
- the state supreme court is to hear appeals of the Minnesota Code of Military Justice;
- within 60 days after notice of final order, the petitioner shall receive a writ of certiorari from the state supreme court;
- authorizes Minnesota licensed peace officers to enforce a military search warrant for offenses occurring when a service member is in active service;
- authorizes either the governor or adjutant general to request investigation of military offenses by the Bureau of Criminal Apprehension; and
- punitive articles are updated. For example, the law authorizes a court-martial for service members determined to be under the influence of alcohol or controlled substances while on duty. It also adds to the code prohibited activities with recruits or trainees by a person in position of special trust, nonconsensual distribution of intimate images, unauthorized use of government computer, and retaliation.

HF1442*/SF724/CH89