

1.1 ..... moves to amend H.F. No. 2403 as follows:

1.2 Delete everything after the enacting clause and insert:

1.3 "ARTICLE 1  
1.4 FINANCIAL INSTITUTIONS

1.5 Section 1. Minnesota Statutes 2024, section 47.20, subdivision 2, is amended to read:

1.6 Subd. 2. **Definitions.** For the purposes of this section the terms defined in this subdivision  
1.7 have the meanings given them:

1.8 (1) "Actual closing costs" mean reasonable charges for or sums paid for the following,  
1.9 whether or not retained by the mortgagee or lender:

1.10 (a) Any insurance premiums including but not limited to premiums for title insurance,  
1.11 fire and extended coverage insurance, flood insurance, and private mortgage insurance, but  
1.12 excluding any charges or sums retained by the mortgagee or lender as self-insured retention.

1.13 (b) Abstracting, title examination and search, and examination of public records.

1.14 (c) The preparation and recording of any or all documents required by law or custom  
1.15 for closing a conventional or cooperative apartment loan.

1.16 (d) Appraisal and survey of real property securing a conventional loan or real property  
1.17 owned by a cooperative apartment corporation of which a share or shares of stock or a  
1.18 membership certificate or certificates are to secure a cooperative apartment loan.

1.19 (e) A single service charge, which includes any consideration, not otherwise specified  
1.20 herein as an "actual closing cost" paid by the borrower and received and retained by the  
1.21 lender for or related to the acquisition, making, refinancing or modification of a conventional  
1.22 or cooperative apartment loan, and also includes any consideration received by the lender  
1.23 for making a borrower's interest rate commitment or for making a borrower's loan

2.1 commitment, whether or not an actual loan follows the commitment. The term service charge  
2.2 does not include forward commitment fees. The service charge shall not exceed one percent  
2.3 of the original bona fide principal amount of the conventional or cooperative apartment  
2.4 loan, except that in the case of a construction loan, the service charge shall not exceed two  
2.5 percent of the original bona fide principal amount of the loan. That portion of the service  
2.6 charge imposed because the loan is a construction loan shall be itemized and a copy of the  
2.7 itemization furnished the borrower. A lender shall not collect from a borrower the additional  
2.8 one percent service charge permitted for a construction loan if it does not perform the service  
2.9 for which the charge is imposed or if third parties perform and charge the borrower for the  
2.10 service for which the lender has imposed the charge. A loan that meets the Federal Qualified  
2.11 Mortgage standards in Code of Federal Regulations, title 12, section 1026.43(e)(3), is exempt  
2.12 from the service charge limitations of this section.

2.13 (f) Charges and fees necessary for or related to the transfer of real or personal property  
2.14 securing a conventional or cooperative apartment loan or the closing of a conventional or  
2.15 cooperative apartment loan paid by the borrower and received by any party other than the  
2.16 lender.

2.17 (2) "Contract for deed" means an executory contract for the conveyance of real estate,  
2.18 the original principal amount of which is less than \$300,000. A commitment for a contract  
2.19 for deed shall include an executed purchase agreement or earnest money contract wherein  
2.20 the seller agrees to finance any part or all of the purchase price by a contract for deed.

2.21 (3) "Conventional loan" means a loan or advance of credit, other than a loan or advance  
2.22 of credit made by a credit union or made pursuant to section 334.011, to a noncorporate  
2.23 borrower in an original principal amount of less than or equal to the conforming loan limit  
2.24 established by the Federal Housing Finance Agency under the Housing and Recovery Act  
2.25 of 2018, Public Law 110-289, secured by a mortgage upon real property containing one or  
2.26 more residential units or upon which at the time the loan is made it is intended that one or  
2.27 more residential units are to be constructed, and which is not insured or guaranteed by the  
2.28 secretary of housing and urban development, by the administrator of veterans affairs, or by  
2.29 the administrator of the Farmers Home Administration, and which is not made pursuant to  
2.30 the authority granted in subdivision 1, clause (3) or (4). The term mortgage does not include  
2.31 contracts for deed or installment land contracts.

2.32 (4) "Cooperative apartment loan" means a loan or advance of credit, other than a loan  
2.33 or advance of credit made by a credit union or made pursuant to section 334.011, to a  
2.34 noncorporate borrower in an original principal amount of less than \$100,000, secured by a  
2.35 security interest on a share or shares of stock or a membership certificate or certificates

3.1 issued to a stockholder or member by a cooperative apartment corporation, which may be  
3.2 accompanied by an assignment by way of security of the borrower's interest in the proprietary  
3.3 lease or occupancy agreement in property issued by the cooperative apartment corporation  
3.4 and which is not insured or guaranteed by the secretary of housing and urban development,  
3.5 by the administrator of veterans affairs, or by the administrator of the Farmers Home  
3.6 Administration.

3.7 (5) "Cooperative apartment corporation" means a corporation or cooperative organized  
3.8 under chapter 308A or 317A, the shareholders or members of which are entitled, solely by  
3.9 reason of their ownership of stock or membership certificates in the corporation or  
3.10 association, to occupy one or more residential units in a building owned or leased by the  
3.11 corporation or association.

3.12 (6) "Forward commitment fee" means a fee or other consideration paid to a lender for  
3.13 the purpose of securing a binding forward commitment by or through the lender to make  
3.14 conventional loans to two or more credit worthy purchasers, including future purchasers,  
3.15 of residential units, or a fee or other consideration paid to a lender for the purpose of securing  
3.16 a binding forward commitment by or through the lender to make conventional loans to two  
3.17 or more credit worthy purchasers, including future purchasers, of units to be created out of  
3.18 existing structures pursuant to chapter 515B, or a fee or other consideration paid to a lender  
3.19 for the purpose of securing a binding forward commitment by or through the lender to make  
3.20 cooperative apartment loans to two or more credit worthy purchasers, including future  
3.21 purchasers, of a share or shares of stock or a membership certificate or certificates in a  
3.22 cooperative apartment corporation; provided, that the forward commitment rate of interest  
3.23 does not exceed the maximum lawful rate of interest effective as of the date the forward  
3.24 commitment is issued by the lender.

3.25 (7) "Borrower's interest rate commitment" means a binding commitment made by a  
3.26 lender to a borrower wherein the lender agrees that, if a conventional or cooperative  
3.27 apartment loan is made following issuance of and pursuant to the commitment, the  
3.28 conventional or cooperative apartment loan shall be made at a rate of interest not in excess  
3.29 of the rate of interest agreed to in the commitment, provided that the rate of interest agreed  
3.30 to in the commitment is not in excess of the maximum lawful rate of interest effective as  
3.31 of the date the commitment is issued by the lender to the borrower.

3.32 (8) "Borrower's loan commitment" means a binding commitment made by a lender to a  
3.33 borrower wherein the lender agrees to make a conventional or cooperative apartment loan  
3.34 pursuant to the provisions, including the interest rate, of the commitment, provided that the  
3.35 commitment rate of interest does not exceed the maximum lawful rate of interest effective

4.1 as of the date the commitment is issued and the commitment when issued and agreed to  
4.2 shall constitute a legally binding obligation on the part of the mortgagee or lender to make  
4.3 a conventional or cooperative apartment loan within a specified time period in the future at  
4.4 a rate of interest not exceeding the maximum lawful rate of interest effective as of the date  
4.5 the commitment is issued by the lender to the borrower; provided that a lender who issues  
4.6 a borrower's loan commitment pursuant to the provisions of a forward commitment is  
4.7 authorized to issue the borrower's loan commitment at a rate of interest not to exceed the  
4.8 maximum lawful rate of interest effective as of the date the forward commitment is issued  
4.9 by the lender.

4.10 (9) "Finance charge" means the total cost of a conventional or cooperative apartment  
4.11 loan including extensions or grant of credit regardless of the characterization of the same  
4.12 and includes interest, finders fees, and other charges levied by a lender directly or indirectly  
4.13 against the person obtaining the conventional or cooperative apartment loan or against a  
4.14 seller of real property securing a conventional loan or a seller of a share or shares of stock  
4.15 or a membership certificate or certificates in a cooperative apartment corporation securing  
4.16 a cooperative apartment loan, or any other party to the transaction except any actual closing  
4.17 costs and any forward commitment fee. The finance charges plus the actual closing costs  
4.18 and any forward commitment fee, charged by a lender shall include all charges made by a  
4.19 lender other than the principal of the conventional or cooperative apartment loan. The finance  
4.20 charge, with respect to wraparound mortgages, shall be computed based upon the face  
4.21 amount of the wraparound mortgage note, which face amount shall consist of the aggregate  
4.22 of those funds actually advanced by the wraparound lender and the total outstanding principal  
4.23 balances of the prior note or notes which have been made a part of the wraparound mortgage  
4.24 note.

4.25 (10) "Lender" means any person making a conventional or cooperative apartment loan,  
4.26 or any person arranging financing for a conventional or cooperative apartment loan. The  
4.27 term also includes the holder or assignee at any time of a conventional or cooperative  
4.28 apartment loan.

4.29 (11) "Loan yield" means the annual rate of return obtained by a lender over the term of  
4.30 a conventional or cooperative apartment loan and shall be computed as the annual percentage  
4.31 rate as computed in accordance with sections 226.5 (b), (c), and (d) of Regulation Z, Code  
4.32 of Federal Regulations, title 12, part 226, but using the definition of finance charge provided  
4.33 for in this subdivision. For purposes of this section, with respect to wraparound mortgages,  
4.34 the rate of interest or loan yield shall be based upon the principal balance set forth in the  
4.35 wraparound note and mortgage and shall not include any interest differential or yield

5.1 differential between the stated interest rate on the wraparound mortgage and the stated  
5.2 interest rate on the one or more prior mortgages included in the stated loan amount on a  
5.3 wraparound note and mortgage.

5.4 (12) "Person" means an individual, corporation, business trust, partnership or association  
5.5 or any other legal entity.

5.6 (13) "Residential unit" means any structure used principally for residential purposes or  
5.7 any portion thereof, and includes a unit in a common interest community, a nonowner  
5.8 occupied residence, and any other type of residence regardless of whether the unit is used  
5.9 as a principal residence, secondary residence, vacation residence, or residence of some other  
5.10 denomination.

5.11 (14) "Vendor" means any person or persons who agree to sell real estate and finance  
5.12 any part or all of the purchase price by a contract for deed. The term also includes the holder  
5.13 or assignee at any time of the vendor's interest in a contract for deed.

5.14 Sec. 2. Minnesota Statutes 2024, section 47.20, subdivision 4a, is amended to read:

5.15 Subd. 4a. **Maximum interest rate.** (a) No conventional or cooperative apartment loan  
5.16 or contract for deed shall be made at a rate of interest or loan yield in excess of a maximum  
5.17 lawful interest rate in an amount equal to the ~~Federal National Mortgage Association posted~~  
5.18 ~~yields on 30-year mortgage commitments for delivery within 60 days on standard~~  
5.19 ~~conventional fixed-rate mortgages published in the Wall Street Journal for the last business~~  
5.20 ~~day of the second preceding month~~ average prime offer rate, as defined in Code of Federal  
5.21 Regulations, title 12, section 1026.35(a)(2), that applies to a comparable transaction, as  
5.22 most recently published by the United States Consumer Financial Protection Bureau on the  
5.23 last date the discounted interest rate for the transaction is set before consummation, plus  
5.24 four percentage points. If the index is not available, a substitute index may be adopted by  
5.25 a commissioner order.

5.26 (b) The maximum lawful interest rate applicable to a cooperative apartment loan or  
5.27 contract for deed at the time the loan or contract is made is the maximum lawful interest  
5.28 rate for the term of the cooperative apartment loan or contract for deed. Notwithstanding  
5.29 the provisions of section 334.01, a cooperative apartment loan or contract for deed may  
5.30 provide, at the time the loan or contract is made, for the application of specified different  
5.31 consecutive periodic interest rates to the unpaid principal balance, if no interest rate exceeds  
5.32 the maximum lawful interest rate applicable to the loan or contract at the time the loan or  
5.33 contract is made.

6.1 (c) The maximum interest rate that can be charged on a conventional loan or a contract  
6.2 for deed, with a duration of ten years or less, for the purchase of real estate described in  
6.3 section 83.20, subdivisions 11 and 13, is three percentage points above the rate permitted  
6.4 under paragraph (a) or 15.75 percent per year, whichever is less. ~~This paragraph is effective~~  
6.5 ~~August 1, 1992.~~

6.6 (d) Contracts for deed executed pursuant to a commitment for a contract for deed, or  
6.7 conventional or cooperative apartment loans made pursuant to a borrower's interest rate  
6.8 commitment or made pursuant to a borrower's loan commitment, or made pursuant to a  
6.9 commitment for conventional or cooperative apartment loans made upon payment of a  
6.10 forward commitment fee including a borrower's loan commitment issued pursuant to a  
6.11 forward commitment, which commitment provides for consummation within some future  
6.12 time following the issuance of the commitment may be consummated pursuant to the  
6.13 provisions, including the interest rate, of the commitment notwithstanding the fact that the  
6.14 maximum lawful rate of interest at the time the contract for deed or conventional or  
6.15 cooperative apartment loan is actually executed or made is less than the commitment rate  
6.16 of interest, provided the commitment rate of interest does not exceed the maximum lawful  
6.17 interest rate in effect on the date the commitment was issued. The refinancing of: (1) an  
6.18 existing conventional or cooperative apartment loan, (2) a loan insured or guaranteed by  
6.19 the secretary of housing and urban development, the administrator of veterans affairs, or  
6.20 the administrator of the Farmers Home Administration, or (3) a contract for deed by making  
6.21 a conventional or cooperative apartment loan is deemed to be a new conventional or  
6.22 cooperative apartment loan for purposes of determining the maximum lawful rate of interest  
6.23 under this subdivision. The renegotiation of a conventional or cooperative apartment loan  
6.24 or a contract for deed is deemed to be a new loan or contract for deed for purposes of  
6.25 paragraph (b) and for purposes of determining the maximum lawful rate of interest under  
6.26 this subdivision. A borrower's interest rate commitment or a borrower's loan commitment  
6.27 is deemed to be issued on the date the commitment is hand delivered by the lender to, or  
6.28 mailed to the borrower. A forward commitment is deemed to be issued on the date the  
6.29 forward commitment is hand delivered by the lender to, or mailed to the person paying the  
6.30 forward commitment fee to the lender, or to any one of them if there should be more than  
6.31 one. A commitment for a contract for deed is deemed to be issued on the date the commitment  
6.32 is initially executed by the contract for deed vendor or the vendor's authorized agent.

6.33 (e) A contract for deed executed pursuant to a commitment for a contract for deed, or a  
6.34 loan made pursuant to a borrower's interest rate commitment, or made pursuant to a  
6.35 borrower's loan commitment, or made pursuant to a forward commitment for conventional

7.1 or cooperative apartment loans made upon payment of a forward commitment fee including  
7.2 a borrower's loan commitment issued pursuant to a forward commitment at a rate of interest  
7.3 not in excess of the rate of interest authorized by this subdivision at the time the commitment  
7.4 was made continues to be enforceable in accordance with its terms until the indebtedness  
7.5 is fully satisfied.

7.6 Sec. 3. Minnesota Statutes 2024, section 47.20, subdivision 8, is amended to read:

7.7 Subd. 8. **Conventional loan provisions.** (a) A lender making a conventional loan shall  
7.8 comply with the following:

7.9 (1) the promissory note and mortgage evidencing a conventional loan shall be printed  
7.10 in not less than the equivalent of 8-point type, .075 inch computer type, or elite-size  
7.11 typewritten numerals, or shall be legibly handwritten;

7.12 (2) the mortgage evidencing a conventional loan shall contain a provision whereby the  
7.13 lender agrees to furnish the borrower with a conformed copy of the promissory note and  
7.14 mortgage at the time they are executed or within a reasonable time after recordation of the  
7.15 mortgage; and

7.16 (3) the mortgage evidencing a conventional loan shall contain a provision whereby the  
7.17 lender, if it intends to foreclose, agrees to give the borrower written notice of any default  
7.18 under the terms or conditions of the promissory note or mortgage, by sending the notice by  
7.19 ~~certified~~: (i) first-class mail to the address of the mortgaged property or such other a different  
7.20 address as the borrower may have designated designates in writing to the lender; or (ii)  
7.21 email or other electronic communication, if agreed to by the lender and the borrower in  
7.22 writing. The lender need not give the borrower the notice required by this ~~paragraph~~ clause  
7.23 if the default consists of the borrower selling the mortgaged property without the required  
7.24 consent of the lender.

7.25 (b) The mortgage shall further provide that the notice under paragraph (a), clause (3),  
7.26 shall contain the following provisions:

7.27 ~~(a)~~ (1) the nature of the default by the borrower;

7.28 ~~(b)~~ (2) the action required to cure the default;

7.29 ~~(c)~~ (3) a date, not less than 30 days from the date the notice is mailed by which the  
7.30 default must be cured;

8.1 ~~(d)~~ (4) that failure to cure the default on or before the date specified in the notice may  
8.2 result in acceleration of the sums secured by the mortgage and sale of the mortgaged  
8.3 premises;

8.4 ~~(e)~~ (5) that the borrower has the right to reinstate the mortgage after acceleration; and

8.5 ~~(f)~~ (6) that the borrower has the right to bring a court action to assert the nonexistence  
8.6 of a default or any other defense of the borrower to acceleration and sale.

8.7 Sec. 4. [47.90] TITLE.

8.8 Sections 47.90 to 47.985 may be cited as the "Uniform Special Deposits Act."

8.9 Sec. 5. [47.905] DEFINITIONS.

8.10 (a) For purposes of sections 47.90 to 47.985, the following terms have the meanings  
8.11 given.

8.12 (b) "Account agreement" means an agreement that:

8.13 (1) is in a record between a bank and one or more depositors;

8.14 (2) may have one or more beneficiaries as additional parties; and

8.15 (3) states the intention of the parties to establish a special deposit governed by sections  
8.16 47.90 to 47.985.

8.17 (c) "Bank" means a person engaged in the business of banking and includes a savings  
8.18 bank; savings and loan association; credit union; trust company; and a banking institution,  
8.19 as defined in section 48.01, subdivision 2. Each branch or separate office of a bank is a  
8.20 separate bank for the purpose of sections 47.90 to 47.985.

8.21 (d) "Beneficiary" means a person that:

8.22 (1) is identified as a beneficiary in an account agreement; or

8.23 (2) if not identified as a beneficiary in an account agreement, may be entitled to payment  
8.24 from a special deposit:

8.25 (i) under the account agreement; or

8.26 (ii) on termination of the special deposit.

8.27 (e) "Contingency" means an event or circumstance stated in an account agreement that  
8.28 is not certain to occur but must occur before the bank is obligated to pay a beneficiary.



9.1 (f) "Creditor process" means attachment, garnishment, levy, notice of lien, sequestration,  
9.2 or similar process issued by or on behalf of a creditor or other claimant.

9.3 (g) "Depositor" means a person that establishes or funds a special deposit.

9.4 (h) "Good faith" means honesty in fact and observance of reasonable commercial  
9.5 standards of fair dealing.

9.6 (i) "Knowledge" of a fact means:

9.7 (1) with respect to a beneficiary, actual knowledge of the fact; or

9.8 (2) with respect to a bank holding a special deposit:

9.9 (i) if the bank:

9.10 (A) has established a reasonable routine for communicating material information to an  
9.11 individual to whom the bank has assigned responsibility for the special deposit; and

9.12 (B) maintains reasonable compliance with the routine, actual knowledge of the fact by  
9.13 that individual; or

9.14 (ii) if the bank has not established and maintained reasonable compliance with a routine  
9.15 described in item (i) or otherwise exercised due diligence, implied knowledge of the fact  
9.16 that would have come to the attention of an individual to whom the bank has assigned  
9.17 responsibility for the special deposit.

9.18 (j) "Obligated to pay a beneficiary" means a beneficiary is entitled under the account  
9.19 agreement to receive from the bank a payment when:

9.20 (1) a contingency has occurred; and

9.21 (2) the bank has knowledge the contingency has occurred.

9.22 "Obligation to pay a beneficiary" has a corresponding meaning.

9.23 (k) "Permissible purpose" means a governmental, regulatory, commercial, charitable,  
9.24 or testamentary objective of the parties stated in an account agreement. Permissible purpose  
9.25 includes an objective to:

9.26 (1) hold funds:

9.27 (i) in escrow, including for a purchase and sale, lease, buyback, or other transaction;

9.28 (ii) as a security deposit of a tenant;

10.1 (iii) that may be distributed to a person as remuneration, retirement or other benefit, or  
10.2 compensation under a judgment, consent decree, court order, or other decision of a tribunal;  
10.3 or

10.4 (iv) for distribution to a defined class of persons after identification of the class members  
10.5 and their interest in the funds;

10.6 (2) provide assurance with respect to an obligation created by contract, such as earnest  
10.7 money to ensure a transaction closes;

10.8 (3) settle an obligation that arises in the operation of a payment system, securities  
10.9 settlement system, or other financial market infrastructure;

10.10 (4) provide assurance with respect to an obligation that arises in the operation of a  
10.11 payment system, securities settlement system, or other financial market infrastructure; or

10.12 (5) hold margin, other cash collateral, or funds that support the orderly functioning of  
10.13 financial market infrastructure or the performance of an obligation with respect to the  
10.14 infrastructure.

10.15 (l) "Person" means an individual; estate; business or nonprofit entity; government or  
10.16 governmental subdivision, agency, or instrumentality; or other legal entity. Person includes  
10.17 a protected series, however denominated, of an entity if the protected series is established  
10.18 under law that limits, or limits if conditions specified under law are satisfied, the ability of  
10.19 a creditor of the entity or of any other protected series of the entity to satisfy a claim from  
10.20 assets of the protected series.

10.21 (m) "Record" means information:

10.22 (1) inscribed on a tangible medium; or

10.23 (2) stored in an electronic or other medium and retrievable in perceivable form.

10.24 (n) "Special deposit" means a deposit that satisfies section 47.92.

10.25 (o) "State" means a state of the United States, the District of Columbia, Puerto Rico, the  
10.26 United States Virgin Islands, or any other territory or possession subject to the jurisdiction  
10.27 of the United States. State includes an agency or instrumentality of the state.

10.28 **Sec. 6. [47.91] SCOPE; CHOICE OF LAW; FORUM.**

10.29 (a) Sections 47.90 to 47.985 apply to a special deposit under an account agreement that  
10.30 states the intention of the parties to establish a special deposit governed by sections 47.90

11.1 to 47.985, regardless of whether a party to the account agreement or a transaction related  
11.2 to the special deposit, or the special deposit itself, has a reasonable relation to this state.

11.3 (b) The parties to an account agreement may choose a forum in this state for settling a  
11.4 dispute arising out of the special deposit, regardless of whether a party to the account  
11.5 agreement or a transaction related to the special deposit, or the special deposit itself, has a  
11.6 reasonable relation to this state.

11.7 (c) Sections 47.90 to 47.985 do not affect:

11.8 (1) a right or obligation relating to a deposit other than a special deposit under sections  
11.9 47.90 to 47.985; or

11.10 (2) the voidability of a deposit or transfer that is fraudulent or voidable under other law.

11.11 **Sec. 7. [47.915] VARIATION BY AGREEMENT OF AMENDMENT.**

11.12 (a) The effect of sections 47.905 to 47.925, 47.935 to 47.96, and 47.975 may not be  
11.13 varied by agreement, except as provided in those sections. Subject to paragraph (b), the  
11.14 effect of sections 47.93, 47.965, and 47.97 may be varied by agreement.

11.15 (b) A provision in an account agreement or other record that substantially excuses liability  
11.16 or substantially limits remedies for failure to perform an obligation under sections 47.90 to  
11.17 47.985 is not sufficient to vary the effect of a provision of sections 47.90 to 47.985.

11.18 (c) If a beneficiary is a party to an account agreement, the bank and the depositor may  
11.19 amend the agreement without the consent of the beneficiary only if the agreement expressly  
11.20 permits the amendment.

11.21 (d) If a beneficiary is not a party to an account agreement and the bank and the depositor  
11.22 know the beneficiary has knowledge of the agreement's terms, the bank and the depositor  
11.23 may amend the agreement without the consent of the beneficiary only if the amendment  
11.24 does not adversely and materially affect a payment right of the beneficiary.

11.25 (e) If a beneficiary is not a party to an account agreement and the bank and the depositor  
11.26 do not know whether the beneficiary has knowledge of the agreement's terms, the bank and  
11.27 the depositor may amend the agreement without the consent of the beneficiary only if the  
11.28 amendment is made in good faith.

11.29 **Sec. 8. [47.92] REQUIREMENTS OF SPECIAL DEPOSIT.**

11.30 A deposit is a special deposit if it is:

11.31 (1) a deposit of funds in a bank under an account agreement;

- 12.1 (2) for the benefit of at least two beneficiaries, one or more of which may be a depositor;  
12.2 (3) denominated in a medium of exchange that is currently authorized or adopted by a  
12.3 domestic or foreign government;  
12.4 (4) for a permissible purpose stated in the account agreement; and  
12.5 (5) subject to a contingency.

12.6 Sec. 9. [47.925] PERMISSIBLE PURPOSE.

12.7 (a) A special deposit must serve at least one permissible purpose stated in the account  
12.8 agreement from the time the special deposit is created in the account agreement until  
12.9 termination of the special deposit.

12.10 (b) If, before termination of the special deposit, the bank or a court determines the special  
12.11 deposit no longer satisfies paragraph (a), sections 47.935 to 47.96 cease to apply to any  
12.12 funds deposited in the special deposit after the special deposit ceases to satisfy paragraph  
12.13 (a).

12.14 (c) If, before termination of a special deposit, the bank determines the special deposit  
12.15 no longer satisfies paragraph (a), the bank may take action it believes is necessary under  
12.16 the circumstances, including terminating the special deposit.

12.17 Sec. 10. [47.93] PAYMENT TO BENEFICIARY BY BANK.

12.18 (a) Unless the account agreement provides otherwise, the bank is obligated to pay a  
12.19 beneficiary if there are sufficient actually and finally collected funds in the balance of the  
12.20 special deposit.

12.21 (b) Except as provided in paragraph (c), the obligation to pay the beneficiary is excused  
12.22 if the funds available in the special deposit are insufficient to cover such payment.

12.23 (c) Unless the account agreement provides otherwise, if the funds available in the special  
12.24 deposit are insufficient to cover an obligation to pay a beneficiary, a beneficiary may elect  
12.25 to be paid the funds that are available or, if there is more than one beneficiary, a pro rata  
12.26 share of the funds available. Payment to the beneficiary making the election under this  
12.27 paragraph discharges the bank's obligation to pay a beneficiary and does not constitute an  
12.28 accord and satisfaction with respect to another person obligated to the beneficiary.

12.29 (d) Unless the account agreement provides otherwise, the obligation of the bank obligated  
12.30 to pay a beneficiary is immediately due and payable.

12.31 (e) The bank may discharge its obligation under this section by:

13.1 (1) crediting another transaction account of the beneficiary; or

13.2 (2) taking other action that:

13.3 (i) is permitted under the account agreement for the bank to obtain a discharge; or

13.4 (ii) otherwise would constitute a discharge under law.

13.5 (f) If the bank obligated to pay a beneficiary has incurred an obligation to discharge the  
13.6 obligation of another person, the obligation of the other person is discharged if action by  
13.7 the bank under paragraph (e) would constitute a discharge of the obligation of the other  
13.8 person under law that determines whether an obligation is satisfied.

13.9 **Sec. 11. [47.935] PROPERTY INTEREST OF DEPOSITOR OR BENEFICIARY.**

13.10 (a) Neither a depositor nor a beneficiary has a property interest in a special deposit.

13.11 (b) Any property interest with respect to a special deposit is only in the right to receive  
13.12 payment if the bank is obligated to pay a beneficiary and not in the special deposit itself.

13.13 Any property interest under this paragraph is determined under other law.

13.14 **Sec. 12. [47.94] WHEN CREDITOR PROCESS ENFORCEABLE AGAINST BANK.**

13.15 (a) Subject to paragraph (b), creditor process with respect to a special deposit is not  
13.16 enforceable against the bank holding the special deposit.

13.17 (b) Creditor process is enforceable against the bank holding a special deposit with respect  
13.18 to an amount the bank is obligated to pay a beneficiary or a depositor if the process:

13.19 (1) is served on the bank;

13.20 (2) provides sufficient information to permit the bank to identify the depositor or the  
13.21 beneficiary from the bank's books and records; and

13.22 (3) gives the bank a reasonable opportunity to act on the process.

13.23 (c) Creditor process served on a bank before it is enforceable against the bank under  
13.24 paragraph (b) does not create a right of the creditor against the bank or a duty of the bank  
13.25 to the creditor. Other law determines whether creditor process creates a lien enforceable  
13.26 against the beneficiary on a contingent interest of a beneficiary, including a depositor as a  
13.27 beneficiary, even if not enforceable against the bank.

14.1 Sec. 13. **[47.945] INJUNCTION OR SIMILAR RELIEF.**

14.2 A court may enjoin, or grant similar relief that would have the effect of enjoining, a  
14.3 bank from paying a depositor or beneficiary only if payment would constitute a material  
14.4 fraud or facilitate a material fraud with respect to a special deposit.

14.5 Sec. 14. **[47.96] RECOUPMENT OR SET OFF.**

14.6 (a) Except as provided in paragraph (b) or (c), a bank may not exercise a right of  
14.7 recoupment or set off against a special deposit.

14.8 (b) An account agreement may authorize the bank to debit the special deposit:

14.9 (1) when the bank becomes obligated to pay a beneficiary, in an amount that does not  
14.10 exceed the amount necessary to discharge the obligation;

14.11 (2) for a fee assessed by the bank that relates to an overdraft in the special deposit  
14.12 account;

14.13 (3) for costs incurred by the bank that relate directly to the special deposit; or

14.14 (4) to reverse an earlier credit posted by the bank to the balance of the special deposit  
14.15 account, if the reversal occurs under an event or circumstance warranted under other law  
14.16 of this state governing mistake and restitution.

14.17 (c) The bank holding a special deposit may exercise a right of recoupment or set off  
14.18 against an obligation to pay a beneficiary, even if the bank funds payment from the special  
14.19 deposit.

14.20 Sec. 15. **[47.965] DUTIES AND LIABILITY OF BANK.**

14.21 (a) A bank does not have a fiduciary duty to any person with respect to a special deposit.

14.22 (b) When the bank holding a special deposit becomes obligated to pay a beneficiary, a  
14.23 debtor-creditor relationship arises between the bank and beneficiary.

14.24 (c) The bank holding a special deposit has a duty to a beneficiary to comply with the  
14.25 account agreement and sections 47.90 to 47.985.

14.26 (d) If the bank holding a special deposit does not comply with the account agreement  
14.27 or sections 47.90 to 47.985, the bank is liable to a depositor or beneficiary only for damages  
14.28 proximately caused by the noncompliance. Except as provided by other law of this state,  
14.29 the bank is not liable for consequential, special, or punitive damages.

15.1 (e) The bank holding a special deposit may rely on records presented in compliance with  
15.2 the account agreement to determine whether the bank is obligated to pay a beneficiary.

15.3 (f) If the account agreement requires payment on presentation of a record, the bank shall  
15.4 determine within a reasonable time whether the record is sufficient to require payment. If  
15.5 the agreement requires action by the bank on presentation of a record, the bank is not liable  
15.6 for relying in good faith on the genuineness of the record if the record appears on its face  
15.7 to be genuine.

15.8 (g) Unless the account agreement provides otherwise, the bank is not required to  
15.9 determine whether a permissible purpose stated in the agreement continues to exist.

15.10 **Sec. 16. [47.97] TERM AND TERMINATION.**

15.11 (a) Unless otherwise provided in the account agreement, a special deposit terminates  
15.12 five years after the date the special deposit was first funded.

15.13 (b) Unless otherwise provided in the account agreement, if the bank cannot identify or  
15.14 locate a beneficiary entitled to payment when the special deposit is terminated, and a balance  
15.15 remains in the special deposit, the bank shall pay the balance to the depositor or depositors  
15.16 as a beneficiary or beneficiaries.

15.17 (c) A bank that pays the remaining balance as provided under paragraph (b) has no  
15.18 further obligation with respect to the special deposit.

15.19 **Sec. 17. [47.975] PRINCIPLES OF LAW AND EQUITY.**

15.20 Chapter 336; consumer protection law; law governing deposits generally; law related  
15.21 to escheat and abandoned or unclaimed property; and the principles of law and equity,  
15.22 including law related to capacity to contract, principal and agent, estoppel, fraud,  
15.23 misrepresentation, duress, coercion, mistake, and bankruptcy, supplement sections 47.90  
15.24 to 47.985 except to the extent inconsistent with sections 47.90 to 47.985.

15.25 **Sec. 18. [47.98] UNIFORMITY OF APPLICATION AND CONSTRUCTION.**

15.26 In applying and construing this uniform act, a court shall consider the promotion of  
15.27 uniformity of the law among jurisdictions that enact it.

15.28 **Sec. 19. [47.985] TRANSITIONAL PROVISION.**

15.29 Sections 47.90 to 47.985 apply to:

- 16.1 (1) a special deposit made under an account agreement executed on or after August 1,  
16.2 2025; and
- 16.3 (2) a deposit made under an agreement executed before August 1, 2025, if:
- 16.4 (i) all parties entitled to amend the agreement agree to make the deposit a special deposit  
16.5 governed by sections 47.90 to 47.985; and
- 16.6 (ii) the special deposit referenced in the amended agreement satisfies section 47.92.

16.7 Sec. 20. Minnesota Statutes 2024, section 334.01, subdivision 2, is amended to read:

16.8 Subd. 2. **Contracts of \$100,000 or more.** Notwithstanding any law to the contrary,  
16.9 except as stated in section 58.137, and with respect to ~~contracts~~ a conventional loan or  
16.10 contract for deed, section 47.20, subdivision 4a, no limitation on the rate or amount of  
16.11 interest, points, finance charges, fees, or other charges applies to a loan, mortgage, credit  
16.12 sale, or advance made under a written contract, signed by the debtor, for the extension of  
16.13 credit to the debtor in the amount of \$100,000 or more, or any written extension and other  
16.14 written modification of the written contract. The written contract, written extension, and  
16.15 written modification are exempt from the other provisions of this chapter.

16.16 Sec. 21. **CERTAIN COMPLIANCE OPTIONAL.**

16.17 A lender's compliance with Minnesota Statutes, section 47.20, subdivision 8, is optional  
16.18 with respect to conventional loan mortgage documents dated between August 1, 2024, and  
16.19 July 31, 2025.

16.20 **EFFECTIVE DATE.** This section is effective retroactively from July 31, 2024.

## 16.21 **ARTICLE 2**

## 16.22 **INSURANCE**

16.23 Section 1. Minnesota Statutes 2024, section 60C.09, subdivision 2, is amended to read:

16.24 Subd. 2. **Further definition.** In addition to subdivision 1, a covered claim does not  
16.25 include:

16.26 (1) claims by an affiliate of the insurer;

16.27 (2) claims due a reinsurer, insurer, insurance pool, or underwriting association, as  
16.28 subrogation recoveries, reinsurance recoveries, contribution, indemnification, or otherwise.  
16.29 This clause does not prevent a person from presenting the excluded claim to the insolvent  
16.30 insurer or its liquidator, but the claims shall not be asserted against another person, including



17.1 the person to whom the benefits were paid or the insured of the insolvent insurer, except to  
17.2 the extent that the claim is outside the coverage of the policy issued by the insolvent insurer;  
17.3 ~~and~~

17.4 (3) any claims, resulting from insolvencies which occur after July 31, 1996, by an insured  
17.5 whose net worth exceeds \$25,000,000 on December 31 of the year prior to the year in which  
17.6 the insurer becomes an insolvent insurer; provided that an insured's net worth on that date  
17.7 shall be deemed to include the aggregate net worth of the insured and all of its subsidiaries  
17.8 and affiliates as calculated on a consolidated basis. The board of directors may request  
17.9 financial information from an insured to determine the insured's net worth under this clause.  
17.10 If an insured fails to provide the requested financial information within 60 days of the date  
17.11 the board submits a request, the insured's net worth is deemed to exceed \$25,000,000 for  
17.12 purposes of the board's evaluation of the claim under section 60C.10. A request by the board  
17.13 to an insured seeking financial information under this clause must inform the insured of the  
17.14 consequences of failing to provide the requested information;

17.15 (4) any claims under a policy written by an insolvent insurer with a deductible or  
17.16 self-insured retention of \$300,000 or more, nor that portion of a claim that is within an  
17.17 insured's deductible or self-insured retention; and

17.18 (5) claims that are a fine, penalty, interest, or punitive or exemplary damages.

17.19 Sec. 2. Minnesota Statutes 2024, section 72A.20, is amended by adding a subdivision to  
17.20 read:

17.21 Subd. 42. **Availability of current policy.** After an original policy of automobile insurance  
17.22 under section 65B.14, subdivision 2, or homeowner's insurance under section 65A.27,  
17.23 subdivision 4, has been issued, an insurer must deliver a copy of the current policy to the  
17.24 first named insured within 21 days of the date a request for the current policy is received.  
17.25 The copy may be delivered in paper form, electronically, or via a website link. An insurer  
17.26 is required to provide a current policy in response to a request under this subdivision once  
17.27 per policy period.

## 17.28 **ARTICLE 3**

### 17.29 **LIMITED LONG-TERM CARE INSURANCE**

17.30 Section 1. **[62A.481] LIMITED LONG-TERM CARE INSURANCE.**

17.31 Subdivision 1. **Short title.** This section may be known and cited as the "Limited  
17.32 Long-Term Care Insurance Act."

18.1 Subd. 2. Definitions. (a) For purposes of this section, the following terms have the  
18.2 meanings given.

18.3 (b) "Applicant" means:

18.4 (1) in the case of an individual limited long-term care insurance policy, the person who  
18.5 seeks to contract for benefits; or

18.6 (2) in the case of a group limited long-term care insurance policy, the proposed certificate  
18.7 holder.

18.8 (c) "Certificate" means a certificate issued under a group limited long-term care insurance  
18.9 policy that has been delivered or issued for delivery in Minnesota.

18.10 (d) "Commissioner" means the commissioner of commerce.

18.11 (e) "Elimination period" means the length of time between meeting the eligibility for  
18.12 benefit payment and receiving benefit payments from an insurer.

18.13 (f) "Group limited long-term care insurance" means a limited long-term care insurance  
18.14 policy that is delivered or issued for delivery in Minnesota and issued to:

18.15 (1) one or more employers or labor organizations, a trust or the trustees of a fund  
18.16 established by one or more employers, labor organizations, or a combination of employers  
18.17 and labor organizations for: (i) employees, former employees, or a combination of employees  
18.18 or former employees; or (ii) members, former members, or a combination of members or  
18.19 former members of the labor organizations;

18.20 (2) a professional, trade, or occupational association for the association's members,  
18.21 former members, retired members, or a combination of members, former members, or retired  
18.22 members, if the association:

18.23 (i) is composed of individuals, all of whom are or were actively engaged in the same  
18.24 profession, trade, or occupation; and

18.25 (ii) has been maintained in good faith for purposes other than obtaining insurance;

18.26 (3) an association, a trust, or the trustees of a fund established, created, or maintained  
18.27 for the benefit of members of one or more associations. Prior to advertising, marketing, or  
18.28 offering the policy within Minnesota, the association or associations, or the insurer of the  
18.29 association or associations, must file evidence with the commissioner that the association  
18.30 or associations have at the outset:

18.31 (i) a minimum of 100 persons;

19.1 (ii) been organized and maintained in good faith for purposes other than obtaining  
19.2 insurance;

19.3 (iii) been in active existence for at least one year; and

19.4 (iv) a constitution and bylaws that provide:

19.5 (A) the association or associations hold regular meetings not less than annually to further  
19.6 purposes of the members;

19.7 (B) except for credit unions, the association or associations collect dues or solicit  
19.8 contributions from members; and

19.9 (C) the members have voting privileges and representation on the governing board and  
19.10 committees.

19.11 Thirty days after the filing, the association or associations are deemed to satisfy the  
19.12 organizational requirements unless the commissioner makes a finding that the association  
19.13 or associations do not satisfy the organizational requirements; or

19.14 (4) a group other than a group described in clauses (1) to (3), subject to the commissioner  
19.15 finding that:

19.16 (i) issuing the policy is not contrary to the public interest;

19.17 (ii) issuing the policy results in acquisition or administrative economies; and

19.18 (iii) the policy's benefits are reasonable in relation to the premiums charged.

19.19 (g) "Limited long-term care insurance" means an insurance policy or rider:

19.20 (1) issued by: (i) an insurer; (ii) a fraternal benefit society; (iii) a nonprofit health, hospital,  
19.21 or medical service corporation; (iv) a prepaid health plan; (v) a health maintenance  
19.22 organization; or (vi) a similar organization, to the extent the organization is authorized to  
19.23 issue life or health insurance;

19.24 (2) advertised, marketed, offered, or designed to provide coverage for less than 12  
19.25 consecutive months for each covered person on an expense-incurred, indemnity, prepaid,  
19.26 or other basis; and

19.27 (3) for one or more necessary or medically necessary diagnostic, preventive, therapeutic,  
19.28 rehabilitative, maintenance, or personal care service provided in a setting other than a  
19.29 hospital's acute care unit.

19.30 Limited long-term care insurance includes a policy or rider that provides for payment of  
19.31 benefits based upon cognitive impairment or the loss of functional capacity. Limited

20.1 long-term care insurance does not include an insurance policy that is offered primarily to  
20.2 provide basic Medicare supplement coverage, basic hospital expense coverage, basic  
20.3 medical-surgical expense coverage, hospital confinement indemnity coverage, major medical  
20.4 expense coverage, disability income or related asset-protection coverage, accident-only  
20.5 coverage, specified disease or specified accident coverage, or limited benefit health coverage.

20.6 (h) "Policy" means a policy, contract, subscriber agreement, rider, or endorsement  
20.7 delivered or issued for delivery in Minnesota by an insurer; fraternal benefit society; nonprofit  
20.8 health, hospital, or medical service corporation; prepaid health plan; health maintenance  
20.9 organization; or any similar organization.

20.10 (i) "Waiting period" means the time an insured individual must wait before some or all  
20.11 of the insured individual's coverage becomes effective.

20.12 Subd. 3. **Scope.** (a) This section applies to policies delivered or issued for delivery in  
20.13 Minnesota on or after January 1, 2026. This section does not supersede an obligation that  
20.14 an entity subject to this section has to comply with other applicable insurance laws to the  
20.15 extent the other insurance laws do not conflict with this section, except that laws and  
20.16 regulations designed and intended to apply to Medicare supplement insurance policies must  
20.17 not be applied to limited long-term care insurance.

20.18 (b) Notwithstanding any other provision of this section, a product, policy, certificate, or  
20.19 rider advertised, marketed, or offered as limited long-term care insurance is subject to this  
20.20 section.

20.21 Subd. 4. **Group limited long-term care insurance; extra-territorial jurisdiction.** Group  
20.22 limited long-term care insurance coverage must not be offered to a Minnesota resident under  
20.23 a group policy issued in another state to a group described in subdivision 2, paragraph (f),  
20.24 clause (4), unless Minnesota or another state having statutory and regulatory limited  
20.25 long-term care insurance requirements substantially similar to those adopted in Minnesota  
20.26 makes a determination that the statutory and regulatory limited long-term care insurance  
20.27 requirements have been met.

20.28 Subd. 5. **Limited long-term care insurance; disclosure and performance**  
20.29 **standards.** (a) A limited long-term care insurance policy must not:

20.30 (1) cancel, not renew, or otherwise terminate on the basis of the insured individual's or  
20.31 certificate holder's age, gender, or deterioration of mental or physical health;

20.32 (2) contain a provision that establishes a new waiting period in the event existing coverage  
20.33 is converted to or replaced by a new or other form of coverage within the same company,

21.1 except with respect to an increase in benefits voluntarily selected by the insured individual  
21.2 or group policyholder; or

21.3 (3) provide coverage for only skilled nursing care or provide significantly more coverage  
21.4 for skilled nursing care in a facility than coverage provided for lower levels of care.

21.5 (b) A limited long-term care insurance policy or certificate issued to a group identified  
21.6 in subdivision 2, paragraph (f), clauses (2) to (4), is prohibited from: (1) using a definition  
21.7 for preexisting condition that is more restrictive than or excludes a condition for which  
21.8 medical advice or treatment was recommended by or received from a health care services  
21.9 provider within the six months preceding the date an insured individual's coverage is  
21.10 effective; and (2) excluding coverage for a loss or confinement that is the result of a  
21.11 preexisting condition unless the loss or confinement begins within six months of the date  
21.12 an insured individual's coverage is effective. The commissioner may extend the limitation  
21.13 periods established in clauses (1) and (2) with respect to specific age group categories in  
21.14 specific policy forms upon a finding that the extension is in the public interest. The definition  
21.15 of preexisting condition required under clause (1) does not prohibit an insurer from using  
21.16 an application form designed to elicit the complete health history of an applicant and, on  
21.17 the basis of the applicant's answers on the application, from underwriting in accordance  
21.18 with that insurer's established underwriting standards. Unless otherwise provided in the  
21.19 policy or certificate, an insurer is not required to cover a preexisting condition, regardless  
21.20 of whether the preexisting condition is disclosed on the application, until the waiting period  
21.21 under clause (2) expires. A limited long-term care insurance policy or certificate is prohibited  
21.22 from excluding or using waivers or riders of any kind to exclude, limit, or reduce coverage  
21.23 or benefits for specifically named or described preexisting diseases or physical conditions  
21.24 beyond the waiting period established in clause (2).

21.25 (c) A limited long-term care insurance policy must not be delivered or issued for delivery  
21.26 in Minnesota if the policy conditions eligibility: (1) for any benefits, on a prior hospitalization  
21.27 requirement; (2) for benefits provided in an institutional care setting, on the receipt of a  
21.28 higher level of institutional care; or (3) for any benefits other than waiver of premium,  
21.29 post-confinement, post-acute care, or recuperative benefits, on a prior institutionalization  
21.30 requirement. A limited long-term care insurance policy, certificate, or rider is prohibited  
21.31 from conditioning eligibility for noninstitutional benefits on the prior or continuing receipt  
21.32 of skilled care services.

21.33 (d) The commissioner may adopt administrative rules that establish loss ratio standards  
21.34 for limited long-term care insurance policies if a specific reference to limited long-term  
21.35 care insurance policies is contained in the administrative rule.

22.1 (e) A limited long-term care insurance applicant has the right to: (1) return the policy,  
22.2 certificate, or rider to the company or the company's agent or insurance producer within 30  
22.3 days of the date the policy, certificate, or rider is received; and (2) have the premium refunded  
22.4 if, after examination of the policy, certificate, or rider, the applicant is not satisfied with the  
22.5 policy, certificate, or rider for any reason.

22.6 (f) A limited long-term care insurance policy, certificate, or rider must have a notice  
22.7 prominently printed on the first page or attached to the policy, certificate, or rider that  
22.8 includes specific instructions for a limited long-term care insurance applicant to return a  
22.9 policy, certificate, or rider under paragraph (e). The following statement or a substantially  
22.10 similar statement must be included with the instructions:

22.11 "You have 30 days from the date you receive this policy, certificate, or rider to review  
22.12 and return it to the company if you decide not to keep it. You do not have to tell the company  
22.13 why you are returning it. If you decide to not keep the policy, certificate, or rider, simply  
22.14 return it to the company at the company's administrative office, or you may return it to the  
22.15 agent or insurance producer that you bought it from. You must return the policy, certificate,  
22.16 or rider within 30 days of the date you first received it. The company must refund the full  
22.17 amount of any premium paid within 30 days of the date the company receives the returned  
22.18 policy, certificate, or rider. The premium refund is sent directly to the person who paid it.  
22.19 A returned policy, certificate, or rider is void, as if it never was issued."

22.20 This paragraph does not apply to certificates issued pursuant to a policy issued to a group  
22.21 defined in subdivision 2, paragraph (f), clause (1).

22.22 (g) A coverage outline must be delivered to a prospective applicant for limited long-term  
22.23 care insurance at the time an initial solicitation is made, using a means that prominently  
22.24 directs the recipient's attention to the coverage outline and the coverage outline's purpose.  
22.25 The commissioner must prescribe: (1) a standard format, including style, arrangement, and  
22.26 overall appearance; and (2) the content that must be contained on a coverage outline. With  
22.27 respect to an agent solicitation, the agent must deliver the coverage outline before presenting  
22.28 an application or enrollment form. With respect to a direct response solicitation, the coverage  
22.29 outline must be provided in conjunction with an application or enrollment form. Delivery  
22.30 of a coverage outline is not required for a policy issued to a group defined in subdivision  
22.31 2, paragraph (f), clause (1), if the information described in paragraph (h) is contained in  
22.32 other materials relating to enrollment. A copy of the other materials must be made available  
22.33 to the commissioner upon request.

22.34 (h) The coverage outline provided under paragraph (g) must include:

- 23.1 (1) a description of the principal benefits and coverage provided in the policy;
- 23.2 (2) a description of the eligibility triggers for benefits and how the eligibility triggers
- 23.3 are met;
- 23.4 (3) a statement identifying the principal exclusions, reductions, and limitations contained
- 23.5 in the policy;
- 23.6 (4) a statement describing the terms under which the policy, certificate, or both may be
- 23.7 continued in force or discontinued, including any reservation in the policy of a right to
- 23.8 change premium. A continuation or conversion provision for group coverage must be
- 23.9 specifically described;
- 23.10 (5) a statement indicating that coverage outline is a summary only and not an insurance
- 23.11 contract, and that the policy or group master policy contains the governing contractual
- 23.12 provisions;
- 23.13 (6) a description of the terms under which the policy or certificate may be returned and
- 23.14 premium refunded;
- 23.15 (7) a brief description of the relationship between cost of care and benefits; and
- 23.16 (8) a statement that discloses to the policyholder or certificate holder that the policy is
- 23.17 not long-term care insurance.
- 23.18 (i) A certificate issued pursuant to a group limited long-term care insurance policy that
- 23.19 is delivered or issued for delivery in Minnesota must include:
- 23.20 (1) a description of the principal benefits and coverage provided in the policy;
- 23.21 (2) a statement identifying the principal exclusions, reductions, and limitations contained
- 23.22 in the policy; and
- 23.23 (3) a statement indicating that the group master policy determines governing contractual
- 23.24 provisions.
- 23.25 (j) If an application for a limited long-term care insurance contract or certificate is
- 23.26 approved, the issuer must deliver the contract or certificate of insurance to the applicant no
- 23.27 later than 30 days after the date the application is approved.
- 23.28 (k) If a claim under a limited long-term care insurance contract is denied, the issuer
- 23.29 must, within 60 days of the date the policyholder, certificate holder, or a representative of
- 23.30 the policyholder or certificate holder submits a written request:
- 23.31 (1) provide a written explanation detailing the reasons for the denial; and

24.1 (2) make available all information directly related to the denial.

24.2 (1) A disclosure, statement, or written information and explanation required in this section,  
24.3 whether in print or electronic form, must accommodate the communication needs of  
24.4 individuals with disabilities and persons with limited English proficiency, as required by  
24.5 law.

24.6 Subd. 6. **Incontestability period.** (a) An insurer may (1) rescind a limited long-term  
24.7 care insurance policy or certificate, or (2) deny an otherwise valid limited long-term care  
24.8 insurance claim, for a policy or certificate that has been in force for less than six months  
24.9 upon a showing of misrepresentation that is material to the coverage acceptance.

24.10 (b) An insurer may (1) rescind a limited long-term care insurance policy or certificate,  
24.11 or (2) deny an otherwise valid limited long-term care insurance claim, for a policy or  
24.12 certificate that has been in force for at least six months but less than two years upon a  
24.13 showing of misrepresentation that is both material to the coverage acceptance and that  
24.14 pertains to the condition for which benefits are sought.

24.15 (c) A policy or certificate that has been in force for two years is not contestable upon  
24.16 the grounds of misrepresentation alone. A policy or certificate that has been in force for  
24.17 two years may be contested only upon a showing that the insured knowingly and intentionally  
24.18 misrepresented relevant facts relating to the insured individual's health.

24.19 (d) A limited long-term care insurance policy or certificate may be field issued if  
24.20 compensation to the field issuer is not based on the number of policies or certificates issued.  
24.21 For purposes of this paragraph, "field issued" means a policy or certificate issued by a  
24.22 producer or a third-party administrator (1) pursuant to the underwriting authority granted  
24.23 to the producer or third-party administrator by an insurer, and (2) using the insurer's  
24.24 underwriting guidelines.

24.25 (e) If an insurer paid benefits under the limited long-term care insurance policy or  
24.26 certificate, the benefit payments are not recoverable by the insurer if the policy or certificate  
24.27 is rescinded.

24.28 Subd. 7. **Nonforfeiture benefits.** (a) A limited long-term care insurance policy may  
24.29 offer the option to purchase a policy or certificate that includes a nonforfeiture benefit. A  
24.30 nonforfeiture benefit may be offered in the form of a rider that is attached to the policy. If  
24.31 the policyholder or certificate holder does not purchase the nonforfeiture benefit, the insurer  
24.32 must provide a contingent benefit upon lapse that must be available for a specified period  
24.33 of time after a substantial increase in premium rates, as determined by the commissioner  
24.34 under paragraph (c).



25.1 (b) When a group limited long-term care insurance policy is issued, a nonforfeiture  
25.2 benefit offer must be made to the group policyholder. If the policy is issued as group limited  
25.3 long-term care insurance, as defined in subdivision 2, paragraph (f), clause (4), to an entity  
25.4 other than a continuing care retirement community or other similar entity, a nonforfeiture  
25.5 benefit offer must be made to each proposed certificate holder.

25.6 (c) The commissioner must adopt administrative rules that specify: (1) the type or types  
25.7 of nonforfeiture benefits that must be offered as part of limited long-term care insurance  
25.8 policies and certificates; (2) the standards for nonforfeiture benefits; and (3) requirements  
25.9 regarding contingent benefit upon lapse, including determining the specified period of time  
25.10 during which a contingent benefit upon lapse is available and the substantial premium rate  
25.11 increase that triggers a contingent benefit upon lapse, as described in paragraph (a).

25.12 Subd. 8. **Administrative rulemaking.** (a) The commissioner must adopt reasonable  
25.13 administrative rules to: (1) promote premium adequacy; (2) protect a policyholder in the  
25.14 event of a substantial rate increase; and (3) establish minimum standards for producer  
25.15 education, marketing practices, producer compensation, producer testing, independent  
25.16 review of benefit determinations, penalties, and reporting practices for limited long-term  
25.17 care insurance.

25.18 (b) Administrative rules adopted under this section are subject to chapter 14.

25.19 Subd. 9. **Severability.** If any provision of this section or the application of the provision  
25.20 to any person or circumstance is held invalid for any reason, the remainder of the section  
25.21 and the application of the invalid provision to other persons or circumstances is not affected.

25.22 Subd. 10. **Penalties.** In addition to any other penalties provided by the laws of Minnesota,  
25.23 an insurer or producer that violates any requirement under this section or other law relating  
25.24 to the regulation of limited long-term care insurance or the marketing of limited long-term  
25.25 care insurance is subject to a fine of up to three times the amount of commissions paid for  
25.26 each policy involved in the violation or up to \$10,000, whichever is greater.

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

25.28 Sec. 2. Minnesota Statutes 2024, section 65B.02, subdivision 7, is amended to read:

25.29 Subd. 7. **Participation ratio.** "Participation ratio" means the ratio of the member's  
25.30 Minnesota premiums, or other measure of business written approved by the commissioner,  
25.31 in relation to the comparable statewide totals for all members.

25.32 (1) For private passenger nonfleet automobile insurance coverages the participation ratio  
25.33 shall be based on voluntary car years written in this state for the calendar year ending

26.1 December 31 of the second prior year, as reported by the statistical agent of each member  
26.2 as private passenger nonfleet exposures.

26.3 (2) For insurance coverages on all other automobiles, including insurance for fleets,  
26.4 commercial vehicles, public vehicles and garages, the ratio shall be based on the total  
26.5 Minnesota gross, direct automobile insurance premiums written, including both policy and  
26.6 membership fees less return premiums and premiums on policies not taken, without including  
26.7 reinsurance assumed and without deducting reinsurance ceded, and less the amount of such  
26.8 premiums reported as received for insurance on private passenger nonfleet vehicles, for the  
26.9 calendar year ending December 31 of the second prior year.

26.10 (3) For the purpose of determining each member's responsibility for expenses and  
26.11 assessments to operate the facility, the ratio shall be based on each member's total Minnesota  
26.12 car years and gross, direct premiums written, including both policy and membership fees  
26.13 less return premiums and premiums on policies not taken, without including reinsurance  
26.14 assumed and without deducting reinsurance ceded, for the calendar year ending December  
26.15 31 of the second prior year, provided, however, that the preliminary determination of each  
26.16 member's responsibility for expenses and assessments may use the calendar year ending  
26.17 December 31 of the third prior year.

26.18 Sec. 3. Minnesota Statutes 2024, section 65B.05, is amended to read:

26.19 **65B.05 POWER OF FACILITY, GOVERNING COMMITTEE.**

26.20 (a) The facility is authorized to: (1) issue or cause to be issued insurance policies in the  
26.21 name of the Minnesota automobile insurance plan to applicants for the types of insurance  
26.22 available under the plan, subject to limits specified in the plan of operation; (2) underwrite  
26.23 the insurance and adjust and pay losses with respect to the plan; and (3) retain, hire, or  
26.24 appoint an individual or company to perform a function under clause (1) or (2).

26.25 (b) The governing committee shall have the power to direct the operation of the facility  
26.26 in all pursuits consistent with the purposes and terms of sections 65B.01 to 65B.12, including  
26.27 but not limited to ~~the following~~:

26.28 (1) ~~To~~ sue and be sued in the name of the facility and ~~to~~ assess each member in accord  
26.29 with its participation ratio to pay any judgment against the facility as an entity, provided,  
26.30 however, that no judgment against the facility shall create any liabilities in one or more  
26.31 members disproportionate to their participation ratio or an individual representing members  
26.32 on the governing committee.;

27.1 (2) ~~To~~ delegate ministerial duties, ~~to~~ hire a manager, and ~~to~~ contract for goods and  
 27.2 services from others;

27.3 (3) ~~To~~ assess members on the basis of participation ratios to cover anticipated costs of  
 27.4 operation and administration of the facility; and

27.5 (4) ~~To~~ impose limitations on cancellation or nonrenewal by members of insureds covered  
 27.6 pursuant to placement through the facility in addition to the limitations imposed by chapter  
 27.7 72A and sections 65B.1311 to 65B.21.

27.8 Sec. 4. Minnesota Statutes 2024, section 65B.06, subdivision 1, is amended to read:

27.9 Subdivision 1. **Distribution of private passenger, nonfleet auto risks.** With respect  
 27.10 to private passenger, nonfleet automobiles, the facility shall provide for ~~the equitable~~  
 27.11 ~~distribution of qualified applicants to members to share premium, losses, costs, and expenses~~  
 27.12 in accordance with the participation ratio ~~or among these insurance companies as selected~~  
 27.13 ~~under the provisions of the plan of operation.~~

27.14 Sec. 5. Minnesota Statutes 2024, section 65B.06, subdivision 2, is amended to read:

27.15 Subd. 2. **Private passenger; nonfleet auto coverage.** With respect to private passenger,  
 27.16 nonfleet automobiles, the facility shall provide for the issuance of policies of automobile  
 27.17 insurance ~~by members~~ with coverage as follows:

27.18 (1) bodily injury liability and property damage liability coverage in the minimum amounts  
 27.19 specified in section 65B.49, subdivision 3;

27.20 (2) uninsured and underinsured motorist coverages as required by section 65B.49,  
 27.21 subdivisions 3a and 4a;

27.22 (3) a reasonable selection of higher limits of liability coverage up to \$50,000 because  
 27.23 of bodily injury to or death of one person in any one accident and, subject to such limit for  
 27.24 one person, up to \$100,000 because of bodily injury to or death of two or more persons in  
 27.25 any one accident, and up to \$25,000 because of injury to or destruction of property of others  
 27.26 in any one accident, or higher limits of liability coverage as recommended by the governing  
 27.27 committee and approved by the commissioner;

27.28 (4) basic economic loss benefits, as required by section 65B.44, and other optional  
 27.29 coverages as recommended by the governing committee and approved by the commissioner;  
 27.30 and

28.1 (5) automobile physical damage coverage, including coverage of loss by collision, subject  
28.2 to deductible options.

28.3 Sec. 6. Minnesota Statutes 2024, section 65B.06, subdivision 3, is amended to read:

28.4 Subd. 3. **Other auto coverage.** With respect to all automobiles not included in  
28.5 subdivisions 1 and 2, the facility shall provide:

28.6 (1) the minimum limits of coverage required by section 65B.49, subdivisions 2, 3, 3a,  
28.7 and 4a, or higher limits of liability coverage as recommended by the governing committee  
28.8 and approved by the commissioner;

28.9 (2) for the equitable ~~distribution of qualified applicants~~ sharing of premium, losses,  
28.10 costs, and expenses for this coverage among the members in ~~accord~~ accordance with the  
28.11 applicable participation ratio, ~~or among these insurance companies as selected under the~~  
28.12 ~~provisions of the plan of operation;~~ and

28.13 (3) for a school district or contractor transporting school children under contract with a  
28.14 school district, that amount of automobile liability insurance coverage, not to exceed  
28.15 \$1,000,000, required by the school district by resolution or contract, or that portion of such  
28.16 \$1,000,000 of coverage for which the school district or contractor applies and for which it  
28.17 is eligible under section 65B.10.

28.18 Sec. 7. Minnesota Statutes 2024, section 65B.10, subdivision 2, is amended to read:

28.19 Subd. 2. **Termination of eligibility.** Eligibility for placement through the facility will  
28.20 terminate if an insured is offered equivalent coverage in the voluntary market at a rate lower  
28.21 than the facility rate. ~~If the member that is required to provide coverage by the facility makes~~  
28.22 ~~such an offer after giving 30 days' advance written notice to the agent of record before~~  
28.23 ~~making the offer, the member shall have no further obligation to the agent of record.~~

28.24 Sec. 8. **REPEALER.**

28.25 Minnesota Statutes 2024, section 65B.10, subdivision 3, is repealed.

## ARTICLE 4

## INSURANCE HOLDING COMPANY SYSTEMS

29.1  
29.2  
29.3 Section 1. Minnesota Statutes 2024, section 60D.09, is amended by adding a subdivision  
29.4 to read:

29.5 Subd. 6. **Other violations.** If the commissioner believes a person has committed a  
29.6 violation of section 60D.17 that prevents the full understanding of the enterprise risk to the  
29.7 insurer by affiliates or by the insurance holding company system, the violation may serve  
29.8 as an independent basis for disapproving dividends or distributions and for placing the  
29.9 insurer under an order of supervision under chapter 60B.

29.10 Sec. 2. Minnesota Statutes 2024, section 60D.15, subdivision 4, is amended to read:

29.11 Subd. 4. **Control.** The term "control," including the terms "controlling," "controlled  
29.12 by," and "under common control with," means the possession, direct or indirect, of the  
29.13 power to direct or cause the direction of the management and policies of a person, whether  
29.14 through the ownership of voting securities, by contract other than a commercial contract  
29.15 for goods or nonmanagement services, or otherwise, unless the power is the result of an  
29.16 official position with, or corporate office held by, or court appointment of, the person.  
29.17 Control is presumed to exist if any person, directly or indirectly, owns, controls, holds with  
29.18 the power to vote, or holds proxies representing, ten percent or more of the voting securities  
29.19 of any other person. This presumption may be rebutted by a showing made in the manner  
29.20 provided by section 60D.19, subdivision 11, that control does not exist in fact. The  
29.21 commissioner may determine, after furnishing all persons in interest notice and opportunity  
29.22 to be heard and making specific findings of fact to support ~~such~~ the determination, that  
29.23 control exists in fact, notwithstanding the absence of a presumption to that effect.

29.24 Sec. 3. Minnesota Statutes 2024, section 60D.15, is amended by adding a subdivision to  
29.25 read:

29.26 Subd. 4c. **Group capital calculation instructions.** "Group capital calculation  
29.27 instructions" means the group capital calculation instructions adopted by the NAIC and as  
29.28 amended by the NAIC from time to time in accordance with procedures adopted by the  
29.29 NAIC.

29.30 Sec. 4. Minnesota Statutes 2024, section 60D.15, is amended by adding a subdivision to  
29.31 read:

29.32 Subd. 6b. **NAIC.** "NAIC" means the National Association of Insurance Commissioners.

30.1 Sec. 5. Minnesota Statutes 2024, section 60D.15, is amended by adding a subdivision to  
30.2 read:

30.3 Subd. 6c. **NAIC liquidity stress test framework.** "NAIC liquidity stress test framework"  
30.4 means an NAIC publication which includes a history of the NAIC's development of  
30.5 regulatory liquidity stress testing, the scope criteria applicable for a specific data year, and  
30.6 the liquidity stress test instructions and reporting templates for a specific data year, scope  
30.7 criteria, instructions, and reporting template being adopted by the NAIC, and as amended  
30.8 by the NAIC from time to time in accordance with the procedures adopted by the NAIC.

30.9 Sec. 6. Minnesota Statutes 2024, section 60D.15, subdivision 7, is amended to read:

30.10 Subd. 7. **Person.** A "person" is an individual, a corporation, a limited liability company,  
30.11 a partnership, an association, a joint stock company, a trust, an unincorporated organization,  
30.12 any similar entity or any combination of the foregoing acting in concert, but does not include  
30.13 any joint venture partnership exclusively engaged in owning, managing, leasing, or  
30.14 developing real or tangible personal property.

30.15 Sec. 7. Minnesota Statutes 2024, section 60D.15, is amended by adding a subdivision to  
30.16 read:

30.17 Subd. 7a. **Scope criteria.** "Scope criteria," as detailed in the NAIC liquidity stress test  
30.18 framework, means the designated exposure bases along with minimum magnitudes of the  
30.19 designated exposure bases for the specified data year that are used to establish a preliminary  
30.20 list of insurers considered scoped into the NAIC liquidity stress test framework for that data  
30.21 year.

30.22 Sec. 8. Minnesota Statutes 2024, section 60D.16, subdivision 2, is amended to read:

30.23 Subd. 2. **Additional investment authority.** In addition to investments in common stock,  
30.24 preferred stock, debt obligations, and other securities otherwise permitted under this chapter,  
30.25 a domestic insurer may also:

30.26 (a) Invest, in common stock, preferred stock, debt obligations, and other securities of  
30.27 one or more subsidiaries, amounts that do not exceed the lesser of ten percent of the insurer's  
30.28 assets or 50 percent of the insurer's surplus as regards policyholders, provided that after the  
30.29 investments, the insurer's surplus as regards policyholders ~~will be~~ is reasonable in relation  
30.30 to the insurer's outstanding liabilities and adequate to its financial needs. In calculating the  
30.31 amount of these investments, investments in domestic or foreign insurance subsidiaries and  
30.32 health maintenance organizations must be excluded, and there must be included:

31.1 (1) total net money or other consideration expended and obligations assumed in the  
 31.2 acquisition or formation of a subsidiary, including all organizational expenses and  
 31.3 contributions to capital and surplus of the subsidiary whether or not represented by the  
 31.4 purchase of capital stock or issuance of other securities; and

31.5 (2) all amounts expended in acquiring additional common stock, preferred stock, debt  
 31.6 obligations, and other securities; and all contributions to the capital or surplus; of a subsidiary  
 31.7 subsequent to its acquisition or formation.

31.8 (b) Invest any amount in common stock, preferred stock, debt obligations, and other  
 31.9 securities of one or more subsidiaries engaged or organized to engage exclusively in the  
 31.10 ownership and management of assets authorized as investments for the insurer provided  
 31.11 that the subsidiary agrees to limit its investments in any asset so that the investments ~~will~~  
 31.12 do not cause the amount of the total investment of the insurer to exceed any of the investment  
 31.13 limitations specified in paragraph (a) or other statutes applicable to the insurer. For the  
 31.14 purpose of this paragraph, "the total investment of the insurer" includes:

31.15 (1) any direct investment by the insurer in an asset; and

31.16 (2) the insurer's proportionate share of any investment in an asset by any subsidiary of  
 31.17 the insurer, which must be calculated by multiplying the amount of the subsidiary's  
 31.18 investment by the percentage of the ownership of the subsidiary.

31.19 (c) With the approval of the commissioner, invest any greater amount in common stock,  
 31.20 preferred stock, debt obligations, or other securities of one or more subsidiaries, if after the  
 31.21 investment the insurer's surplus as regards policyholders ~~will be~~ is reasonable in relation to  
 31.22 the insurer's outstanding liabilities and adequate to its financial needs.

31.23 Sec. 9. Minnesota Statutes 2024, section 60D.17, subdivision 1, is amended to read:

31.24 Subdivision 1. **Filing requirements.** (a) No person other than the issuer shall: (1) make  
 31.25 a tender offer for or a request or invitation for tenders of, or enter into any agreement to  
 31.26 exchange securities ~~or~~ for, seek to acquire, or acquire, in the open market or otherwise, any  
 31.27 voting security of a domestic insurer if, after the consummation thereof, the person would,  
 31.28 directly or indirectly, or by conversion or by exercise of any right to acquire, be in control  
 31.29 of the insurer; or (2) enter into an agreement to merge with or otherwise to acquire control  
 31.30 of a domestic insurer or any person controlling a domestic insurer unless, at the time the  
 31.31 offer, request, or invitation is made or the agreement is entered into, or before the acquisition  
 31.32 of the securities if no offer or agreement is involved, the person has filed with the  
 31.33 commissioner and has sent to the insurer, a statement containing the information required

32.1 by this section and the offer, request, invitation, agreement, or acquisition has been approved  
 32.2 by the commissioner in the manner prescribed in this section.

32.3 (b) For purposes of this section, a controlling person of a domestic insurer seeking to  
 32.4 divest its controlling interest in the domestic insurer, in any manner, shall file with the  
 32.5 commissioner, with a copy to the insurer, confidential notice of its proposed divestiture at  
 32.6 least 30 days before the cessation of control. The commissioner shall determine those  
 32.7 instances in which the party or parties seeking to divest or to acquire a controlling interest  
 32.8 in an insurer will be required to file for and obtain approval of the transaction. The  
 32.9 information must remain confidential until the conclusion of the transaction unless the  
 32.10 commissioner, in the commissioner's discretion, determines that confidential treatment  
 32.11 interferes with the enforcement of this section. This paragraph does not apply if the statement  
 32.12 referred to in paragraph (a) is otherwise filed.

32.13 (c) With respect to a transaction subject to this section, the acquiring person must also  
 32.14 file a preacquisition notification with the commissioner, which must contain the information  
 32.15 set forth in section 60D.18, subdivision 3, paragraph (b). A failure to file the notification  
 32.16 may be subject to penalties specified in section 60D.18, subdivision 5.

32.17 (d) For purposes of this section, a domestic insurer includes a person controlling a  
 32.18 domestic insurer unless the person, as determined by the commissioner, is either directly  
 32.19 or through its affiliates primarily engaged in business other than the business of insurance.  
 32.20 For the purposes of this section, "person" does not include any securities broker holding,  
 32.21 in the usual and customary ~~brokers~~ broker's function, less than 20 percent of the voting  
 32.22 securities of an insurance company or of any person that controls an insurance company.

32.23 ~~(e) The statement filed with the commissioner pursuant to subdivisions 1 and 2 must~~  
 32.24 ~~remain confidential until the transaction is approved by the commissioner, except that all~~  
 32.25 ~~attachments filed with the statement remain confidential after the approval unless the~~  
 32.26 ~~commissioner, in the commissioner's discretion, determines that confidential treatment of~~  
 32.27 ~~any of this information will interfere with enforcement of this section.~~

32.28 Sec. 10. Minnesota Statutes 2024, section 60D.18, subdivision 3, is amended to read:

32.29 Subd. 3. **Preacquisition notification; waiting period.** (a) An acquisition covered by  
 32.30 subdivision 2 may be subject to an order pursuant to subdivision ~~4~~ 5 unless the acquiring  
 32.31 person files a preacquisition notification and the waiting period has expired. The acquired  
 32.32 person may file a preacquisition notification. The commissioner shall give confidential  
 32.33 treatment to information submitted under this section in the same manner as provided in  
 32.34 section 60D.22.



33.1 (b) The preacquisition notification must be in the form and contain the information as  
33.2 prescribed by the National Association of Insurance Commissioners relating to those markets  
33.3 that, under subdivision 2, paragraph (b), clause ~~(5)~~ (4), cause the acquisition not to be  
33.4 exempted from the provisions of this section. The commissioner may require ~~the~~ additional  
33.5 material and information as the commissioner deems necessary to determine whether the  
33.6 proposed acquisition, if consummated, would violate the competitive standard of subdivision  
33.7 4. The required information may include an opinion of an economist as to the competitive  
33.8 impact of the acquisition in this state accompanied by a summary of the education and  
33.9 experience of the person indicating that person's ability to render an informed opinion.

33.10 (c) The waiting period required begins on the date of receipt of the commissioner of a  
33.11 preacquisition notification and ends on the earlier of the 30th day after the date of its receipt,  
33.12 or termination of the waiting period by the commissioner. Before the end of the waiting  
33.13 period, the commissioner on a onetime basis may require the submission of additional  
33.14 needed information relevant to the proposed acquisition, in which event the waiting period  
33.15 shall end on the earlier of the 30th day after receipt of the additional information by the  
33.16 commissioner or termination of the waiting period by the commissioner.

33.17 Sec. 11. Minnesota Statutes 2024, section 60D.19, subdivision 4, is amended to read:

33.18 Subd. 4. **Materiality.** No information need be disclosed on the registration statement  
33.19 filed pursuant to subdivision 2 if the information is not material for the purposes of this  
33.20 section. Unless the commissioner by rule or order provides otherwise; sales, purchases,  
33.21 exchanges, loans or extensions of credit, investments, or guarantees involving one-half of  
33.22 one percent or less of an insurer's admitted assets as of the 31st day of December next  
33.23 preceding shall not be deemed material for purposes of this section. The definition of  
33.24 materiality provided in this subdivision does not apply for purposes of the group capital  
33.25 calculation or the NAIC liquidity stress test framework.

33.26 Sec. 12. Minnesota Statutes 2024, section 60D.19, is amended by adding a subdivision to  
33.27 read:

33.28 Subd. 11b. **Group capital calculation.** (a) Except as otherwise provided in this paragraph,  
33.29 the ultimate controlling person of every insurer subject to registration must concurrently  
33.30 file with the registration an annual group capital calculation as directed by the commissioner.  
33.31 The report must be completed in accordance with the NAIC group capital calculation  
33.32 instructions, which may permit the commissioner to allow a controlling person that is not  
33.33 the ultimate controlling person to file the group capital calculation. The report must be filed

34.1 with the commissioner, as determined by the commissioner in accordance with the procedures  
34.2 within the Financial Analysis Handbook adopted by the NAIC. The following insurance  
34.3 holding company systems are exempt from filing the group capital calculation:

34.4 (1) an insurance holding company system that (i) has only one insurer within the insurance  
34.5 holding company system's holding company structure, (ii) only writes business and is only  
34.6 licensed in the insurance holding company system's domestic state, and (iii) assumes no  
34.7 business from any other insurer;

34.8 (2) an insurance holding company system that is required to perform a group capital  
34.9 calculation specified by the United States Federal Reserve Board. The commissioner must  
34.10 request the calculation from the Federal Reserve Board under the terms of information  
34.11 sharing agreements in effect. If the Federal Reserve Board is unable to share the calculation  
34.12 with the commissioner, the insurance holding company system is not exempt from the group  
34.13 capital calculation filing;

34.14 (3) an insurance holding company system whose non-United States groupwide supervisor  
34.15 is located within a reciprocal jurisdiction as described in section 60A.092, subdivision 10b,  
34.16 that recognizes the United States state regulatory approach to group supervision and group  
34.17 capital; or

34.18 (4) an insurance holding company system:

34.19 (i) that provides information to the commissioner that meets the requirements for  
34.20 accreditation under the NAIC financial standards and accreditation program, either directly  
34.21 or indirectly through the groupwide supervisor, that has determined the information is  
34.22 satisfactory to allow the commissioner to comply with the NAIC group supervision approach,  
34.23 as detailed in the NAIC Financial Analysis Handbook; and

34.24 (ii) whose non-United States groupwide supervisor that is not in a reciprocal jurisdiction  
34.25 recognizes and accepts, as specified by the commissioner by rule, the group capital  
34.26 calculation as the worldwide group capital assessment for United States insurance groups  
34.27 that operate in that jurisdiction.

34.28 (b) Notwithstanding paragraph (a), clauses (3) and (4), a commissioner must require the  
34.29 group capital calculation for the United States operations of any non-United States based  
34.30 insurance holding company system where, after any necessary consultation with other  
34.31 supervisors or officials, requiring the group capital calculation is deemed appropriate by  
34.32 the commissioner for prudential oversight and solvency monitoring purposes or for ensuring  
34.33 the competitiveness of the insurance marketplace.

35.1 (c) Notwithstanding the exemptions from filing the group capital calculation under  
35.2 paragraph (a), the commissioner may exempt the ultimate controlling person from filing  
35.3 the annual group capital calculation or accept a limited group capital filing or report in  
35.4 accordance with criteria specified by the commissioner by rule.

35.5 (d) If the commissioner determines that an insurance holding company system no longer  
35.6 meets one or more of the requirements for an exemption from filing the group capital  
35.7 calculation under this subdivision, the insurance holding company system must file the  
35.8 group capital calculation at the next annual filing date unless given an extension by the  
35.9 commissioner based on reasonable grounds shown.

35.10 Sec. 13. Minnesota Statutes 2024, section 60D.19, is amended by adding a subdivision to  
35.11 read:

35.12 Subd. 11c. **Liquidity stress test.** (a) The ultimate controlling person of every insurer  
35.13 subject to registration and also scoped into the NAIC liquidity stress test framework must  
35.14 file the results of a specific year's liquidity stress test. The filing must be made to the  
35.15 commissioner, as determined by the procedures within the Financial Analysis Handbook  
35.16 adopted by the NAIC.

35.17 (b) The NAIC liquidity stress test framework includes scope criteria applicable to a  
35.18 specific data year. The scope criteria must be reviewed at least annually by the NAIC  
35.19 Financial Stability Task Force or the NAIC Financial Stability Task Force's successor. Any  
35.20 change made to the NAIC liquidity stress test framework or to the data year for which the  
35.21 scope criteria must be measured is effective January 1 of the year following the calendar  
35.22 year in which the change is adopted. An insurer meeting at least one threshold of the scope  
35.23 criteria is scoped into the NAIC liquidity stress test framework for the specified data year  
35.24 unless the commissioner, in consultation with the NAIC Financial Stability Task Force or  
35.25 the NAIC Financial Stability Task Force's successor, determines the insurer should not be  
35.26 scoped into the framework for that data year. An insurer that does not trigger at least one  
35.27 threshold of the scope criteria is scoped out of the NAIC liquidity stress test framework for  
35.28 the specified data year unless the commissioner, in consultation with the NAIC Financial  
35.29 Stability Task Force or the NAIC Financial Stability Task Force's successor, determines  
35.30 the insurer should be scoped into the framework for the specified data year.

35.31 (c) The commissioner and other state insurance commissioners must avoid scoping  
35.32 insurers in and out of the NAIC liquidity stress test framework on a frequent basis. The  
35.33 commissioner, in consultation with the NAIC Financial Stability Task Force or the NAIC

36.1 Financial Stability Task Force's successor, must assess irregular scope status as part of an  
36.2 insurer's determination.

36.3 (d) The performance of and filing of the results from a specific year's liquidity stress  
36.4 test must comply with (1) the NAIC liquidity stress test framework's instructions and  
36.5 reporting templates for the specific year, and (2) any commissioner determinations, in  
36.6 consultation with the NAIC Financial Stability Task Force or the NAIC Financial Stability  
36.7 Task Force's successor, provided within the framework.

36.8 **Sec. 14. [60D.195] GROUP CAPITAL CALCULATION.**

36.9 Subdivision 1. **Annual group capital calculation; exemption permitted.** The  
36.10 commissioner may exempt the ultimate controlling person from filing the annual group  
36.11 capital calculation if the commissioner makes a determination that the insurance holding  
36.12 company system meets the following criteria:

36.13 (1) has annual direct written and unaffiliated assumed premium, including international  
36.14 direct and assumed premium but excluding premiums reinsured with the Federal Crop  
36.15 Insurance Corporation and Federal Flood Program, of less than \$1,000,000,000;

36.16 (2) has no insurers within the insurance holding company's structure that are domiciled  
36.17 outside of the United States or a United States territory;

36.18 (3) has no banking, depository, or other financial entity that is subject to an identified  
36.19 regulatory capital framework within the insurance holding company's structure;

36.20 (4) attests that no material changes in the transactions between insurers and noninsurers  
36.21 in the group have occurred since the last annual group capital filing; and

36.22 (5) the noninsurers within the holding company system do not pose a material financial  
36.23 risk to the insurer's ability to honor policyholder obligations.

36.24 Subd. 2. **Limited group capital filing.** The commissioner may accept a limited group  
36.25 capital filing in lieu of the group capital calculation if:

36.26 (1) the insurance holding company system has annual direct written and unaffiliated  
36.27 assumed premium, including international direct and assumed premium but excluding  
36.28 premiums reinsured with the Federal Crop Insurance Corporation and Federal Flood Program,  
36.29 of less than \$1,000,000,000; and

36.30 (2) the insurance holding company system:

36.31 (i) has no insurers within the insurance holding company's structure that are domiciled  
36.32 outside of the United States or a United States territory;

37.1 (ii) does not include a banking, depository, or other financial entity that is subject to an  
37.2 identified regulatory capital framework; and

37.3 (iii) attests that no material changes in transactions between insurers and noninsurers in  
37.4 the group have occurred and the noninsurers within the holding company system do not  
37.5 pose a material financial risk to the insurer's ability to honor policyholder obligations.

37.6 **Subd. 3. Previous exemption; required filing.** For an insurance holding company that  
37.7 has previously met an exemption with respect to the group capital calculation under  
37.8 subdivision 1 or 2, the commissioner may at any time require the ultimate controlling person  
37.9 to file an annual group capital calculation, completed in accordance with the NAIC group  
37.10 capital calculation instructions, if:

37.11 (1) an insurer within the insurance holding company system is in a risk-based capital  
37.12 action level event under section 60A.62 or a similar standard for a non-United States insurer;

37.13 (2) an insurer within the insurance holding company system meets one or more of the  
37.14 standards of an insurer deemed to be in hazardous financial condition, as defined under  
37.15 section 60E.02, subdivision 5; or

37.16 (3) an insurer within the insurance holding company system otherwise exhibits qualities  
37.17 of a troubled insurer, as determined by the commissioner based on unique circumstances,  
37.18 including but not limited to the type and volume of business written, ownership and  
37.19 organizational structure, federal agency requests, and international supervisor requests.

37.20 **Subd. 4. Non-United States jurisdictions; recognition and acceptance.** A non-United  
37.21 States jurisdiction is deemed to recognize and accept the group capital calculation if the  
37.22 non-United States jurisdiction:

37.23 (1) with respect to section 60D.19, subdivision 11b, paragraph (a), clause (4):

37.24 (i) recognizes the United States state regulatory approach to group supervision and group  
37.25 capital by providing confirmation by a competent regulatory authority in the non-United  
37.26 States jurisdiction that insurers and insurance groups whose lead state is accredited by the  
37.27 NAIC under the NAIC accreditation program: (A) are subject only to worldwide prudential  
37.28 insurance group supervision, including worldwide group governance, solvency and capital,  
37.29 and reporting, as applicable, by the lead state; and (B) are not subject to group supervision,  
37.30 including worldwide group governance, solvency and capital, and reporting, at the level of  
37.31 the worldwide parent undertaking of the insurance or reinsurance group by the non-United  
37.32 States jurisdiction; or

38.1 (ii) if no United States insurance group operates in the non-United States jurisdiction,  
38.2 indicates formally in writing to the lead state with a copy to the International Association  
38.3 of Insurance Supervisors that the group capital calculation is an acceptable international  
38.4 capital standard. The formal indication under this item serves as the documentation otherwise  
38.5 required under item (i); and

38.6 (2) provides confirmation by a competent regulatory authority in the non-United States  
38.7 jurisdiction that information regarding an insurer and the insurer's parent, subsidiary, or  
38.8 affiliated entities, if applicable, must be provided to the commissioner in accordance with  
38.9 a memorandum of understanding or similar document between the commissioner and the  
38.10 non-United States jurisdiction, including but not limited to the International Association of  
38.11 Insurance Supervisors Multilateral Memorandum of Understanding or other multilateral  
38.12 memoranda of understanding coordinated by the NAIC. The commissioner must determine,  
38.13 in consultation with the NAIC committee process, if the information sharing agreement  
38.14 requirements are effective.

38.15 Subd. 5. **Non-United States jurisdiction; publication.** (a) A list of non-United States  
38.16 jurisdictions that recognize and accept the group capital calculation under section 60D.19,  
38.17 subdivision 11b, paragraph (a), clause (4), must be published through the NAIC committee  
38.18 process to assist the commissioner determine what insurers must file an annual group capital  
38.19 calculation. The list must clarify the situations in which a jurisdiction is exempt from filing  
38.20 under section 60D.19, subdivision 11b, paragraph (a), clause (4). To assist with a  
38.21 determination under section 60D.19, subdivision 11b, paragraph (b), the list must also  
38.22 identify whether a jurisdiction that is exempt under section 60D.19, subdivision 11b,  
38.23 paragraph (a), clause (3) or (4), requires a group capital filing for any United States insurance  
38.24 group's operations in the non-United States jurisdiction.

38.25 (b) For a non-United States jurisdiction where no United States insurance group operates,  
38.26 the confirmation provided to comply with subdivision 4, clause (1), item (ii), serves as  
38.27 support for a recommendation to be published that the non-United States jurisdiction is a  
38.28 jurisdiction that recognizes and accepts the group capital calculation pursuant to the NAIC  
38.29 committee process.

38.30 (c) If the commissioner makes a determination pursuant to section 60D.19, subdivision  
38.31 11b, that differs from the NAIC list, the commissioner must provide thoroughly documented  
38.32 justification to the NAIC and other states.

38.33 (d) Upon a determination by the commissioner that a non-United States jurisdiction no  
38.34 longer meets one or more of the requirements to recognize and accept the group capital

39.1 calculation, the commissioner may provide a recommendation to the NAIC that the  
39.2 non-United States jurisdiction be removed from the list of jurisdictions that recognize and  
39.3 accept the group capital calculation.

39.4 Sec. 15. Minnesota Statutes 2024, section 60D.20, subdivision 1, is amended to read:

39.5 Subdivision 1. **Transactions within an insurance holding company system.** (a)

39.6 Transactions within an insurance holding company system to which an insurer subject to  
39.7 registration is a party are subject to the following standards:

39.8 (1) the terms shall be fair and reasonable;

39.9 (2) agreements for cost-sharing services and management shall include the provisions  
39.10 required by rule issued by the commissioner;

39.11 (3) charges or fees for services performed shall be reasonable;

39.12 (4) expenses incurred and payment received shall be allocated to the insurer in conformity  
39.13 with customary insurance accounting practices consistently applied;

39.14 (5) the books, accounts, and records of each party to all such transactions shall be so  
39.15 maintained as to clearly and accurately disclose the nature and details of the transactions  
39.16 including this accounting information as is necessary to support the reasonableness of the  
39.17 charges or fees to the respective parties; ~~and~~

39.18 (6) the insurer's surplus as regards policyholders following any dividends or distributions  
39.19 to shareholder affiliates shall be reasonable in relation to the insurer's outstanding liabilities  
39.20 and adequate to its financial needs;

39.21 (7) if the commissioner determines an insurer subject to this chapter is in a hazardous  
39.22 financial condition, as defined under section 60E.02, subdivision 5, or a condition that would  
39.23 be grounds for supervision, conservation, or a delinquency proceeding, the commissioner  
39.24 may require the insurer to secure and maintain either a deposit, held by the commissioner,  
39.25 or a bond, as determined by the insurer at the insurer's discretion, to protect the insurer for  
39.26 the duration of the contract, agreement, or the existence of the condition for which the  
39.27 commissioner required the deposit or bond. When determining whether a deposit or bond  
39.28 is required, the commissioner must consider whether concerns exist with respect to the  
39.29 affiliated person's ability to fulfill the contract or agreement if the insurer entered into  
39.30 liquidation. Once the insurer is deemed to be in a hazardous financial condition or a condition  
39.31 that would be grounds for supervision, conservation, or a delinquency proceeding, and a  
39.32 deposit or bond is necessary, the commissioner may determine the amount of the deposit  
39.33 or bond, not to exceed the value of the contract or agreement in any one year, and whether

40.1 the deposit or bond is required for a single contract, multiple contracts, or a contract only  
40.2 with a specific person or persons;

40.3 (8) all of an insurer's records and data held by an affiliate are and remain the property  
40.4 of the insurer, are subject to control of the insurer, are identifiable, and are segregated or  
40.5 readily capable of segregation, at no additional cost to the insurer, from all other persons'  
40.6 records and data. For purposes of this clause, records and data include all records and data  
40.7 that are otherwise the property of the insurer in whatever form maintained, including but  
40.8 not limited to claims and claim files, policyholder lists, application files, litigation files,  
40.9 premium records, rate books, underwriting manuals, personnel records, financial records,  
40.10 or similar records within the affiliate's possession, custody, or control. At the request of the  
40.11 insurer, the affiliate must provide that the receiver may (i) obtain a complete set of all records  
40.12 of any type that pertain to the insurer's business, (ii) obtain access to the operating systems  
40.13 on which the data are maintained, (iii) obtain the software that runs the operating systems  
40.14 either through assumption of licensing agreements or otherwise, and (iv) restrict the use of  
40.15 the data by the affiliate if the affiliate is not operating the insurer's business. The affiliate  
40.16 must provide a waiver of any landlord lien or other encumbrance to provide the insurer  
40.17 access to all records and data in the event the affiliate defaults under a lease or other  
40.18 agreement; and

40.19 (9) premiums or other funds belonging to the insurer that are collected or held by an  
40.20 affiliate are the exclusive property of the insurer and are subject to the control of the insurer.  
40.21 Any right of offset in the event an insurer is placed into receivership is subject to chapter  
40.22 576.

40.23 (b) The following transactions involving a domestic insurer and any person in its  
40.24 insurance holding company system, including amendments or modifications of affiliate  
40.25 agreements previously filed pursuant to this section, which are subject to any materiality  
40.26 standards contained in clauses (1) to (7), may not be entered into unless the insurer has  
40.27 notified the commissioner in writing of its intention to enter into the transaction at least 30  
40.28 days prior thereto, or a shorter period the commissioner permits, and the commissioner has  
40.29 not disapproved it within this period. The notice for amendments or modifications must  
40.30 include the reasons for the change and the financial impact on the domestic insurer. Informal  
40.31 notice must be reported, within 30 days after a termination of a previously filed agreement,  
40.32 to the commissioner for determination of the type of filing required, if any:

40.33 (1) sales, purchases, exchanges, loans or extensions of credit, guarantees, or investments  
40.34 provided the transactions are equal to or exceed: (i) with respect to nonlife insurers, the  
40.35 lesser of three percent of the insurer's admitted assets, or 25 percent of surplus as regards



41.1 policyholders; (ii) with respect to life insurers, three percent of the insurer's admitted assets;  
41.2 each as of the 31st day of December next preceding;

41.3 (2) loans or extensions of credit to any person who is not an affiliate, where the insurer  
41.4 makes the loans or extensions of credit with the agreement or understanding that the proceeds  
41.5 of the transactions, in whole or in substantial part, are to be used to make loans or extensions  
41.6 of credit to, to purchase assets of, or to make investments in, any affiliate of the insurer  
41.7 making such loans or extensions of credit provided the transactions are equal to or exceed:  
41.8 (i) with respect to nonlife insurers, the lesser of three percent of the insurer's admitted assets  
41.9 or 25 percent of surplus as regards policyholders; (ii) with respect to life insurers, three  
41.10 percent of the insurer's admitted assets; each as of the 31st day of December next preceding;

41.11 (3) reinsurance agreements or modifications to those agreements, including: (i) all  
41.12 reinsurance pooling agreements; and (ii) agreements in which the reinsurance premium or  
41.13 a change in the insurer's liabilities, or the projected reinsurance premium or a change in the  
41.14 insurer's liabilities in any of the next three years, equals or exceeds five percent of the  
41.15 insurer's surplus as regards policyholders, as of the 31st day of December next preceding,  
41.16 including those agreements which may require as consideration the transfer of assets from  
41.17 an insurer to a nonaffiliate, if an agreement or understanding exists between the insurer and  
41.18 nonaffiliate that any portion of ~~such~~ the assets will be transferred to one or more affiliates  
41.19 of the insurer;

41.20 (4) all management agreements, service contracts, tax allocation agreements, guarantees,  
41.21 and all cost-sharing arrangements;

41.22 (5) guarantees when made by a domestic insurer; provided, however, that a guarantee  
41.23 which is quantifiable as to amount is not subject to the notice requirements of this paragraph  
41.24 unless it exceeds the lesser of one-half of one percent of the insurer's admitted assets or ten  
41.25 percent of surplus as regards policyholders as of the 31st day of December next preceding.  
41.26 Further, all guarantees which are not quantifiable as to amount are subject to the notice  
41.27 requirements of this paragraph;

41.28 (6) direct or indirect acquisitions or investments in a person that controls the insurer or  
41.29 in an affiliate of the insurer in an amount which, together with its present holdings in the  
41.30 investments, exceeds 2-1/2 percent of the insurer's surplus to policyholders. Direct or indirect  
41.31 acquisitions or investments in subsidiaries acquired pursuant to section 60D.16, as otherwise  
41.32 authorized under this chapter, or in nonsubsidiary insurance affiliates that are subject to the  
41.33 provisions of sections 60D.15 to 60D.29, are exempt from this requirement; and

42.1 (7) any material transactions, specified by regulation, which the commissioner determines  
42.2 may adversely affect the interests of the insurer's policyholders.

42.3 Nothing contained in this section authorizes or permits any transactions that, in the case  
42.4 of an insurer not a member of the same insurance holding company system, would be  
42.5 otherwise contrary to law.

42.6 (c) A domestic insurer may not enter into transactions which are part of a plan or series  
42.7 of like transactions with persons within the insurance holding company system if the purpose  
42.8 of those separate transactions is to avoid the statutory threshold amount and thus avoid the  
42.9 review that would occur otherwise. If the commissioner determines that the separate  
42.10 transactions were entered into over any 12-month period for the purpose, the commissioner  
42.11 may exercise the authority under section 60D.25.

42.12 (d) The commissioner, in reviewing transactions pursuant to paragraph (b), shall consider  
42.13 whether the transactions comply with the standards set forth in paragraph (a), and whether  
42.14 they may adversely affect the interests of policyholders.

42.15 (e) The commissioner shall be notified within 30 days of any investment of the domestic  
42.16 insurer in any one corporation if the total investment in the corporation by the insurance  
42.17 holding company system exceeds ten percent of the corporation's voting securities.

42.18 (f) An affiliate that is party to an agreement or contract with a domestic insurer that is  
42.19 subject to paragraph (b), clause (4), is subject to the jurisdiction of any supervision, seizure,  
42.20 conservatorship, or receivership proceedings against the insurer and to the authority of a  
42.21 supervisor, conservator, rehabilitator, or liquidator for the insurer appointed pursuant to  
42.22 chapters 60B and 576 for the purpose of interpreting, enforcing, and overseeing the affiliate's  
42.23 obligations under the agreement or contract to perform services for the insurer that are: (1)  
42.24 an integral part of the insurer's operations, including but not limited to management,  
42.25 administrative, accounting, data processing, marketing, underwriting, claims handling,  
42.26 investment, or any other similar functions; or (2) essential to the insurer's ability to fulfill  
42.27 the insurer's obligations under insurance policies. The commissioner may require that an  
42.28 agreement or contract pursuant to paragraph (b), clause (4), to provide the services described  
42.29 in clauses (1) and (2) must specify that the affiliate consents to the jurisdiction as provided  
42.30 under this paragraph.

43.1 Sec. 16. Minnesota Statutes 2024, section 60D.217, is amended to read:

43.2 **60D.217 GROUPWIDE SUPERVISION OF INTERNATIONALLY ACTIVE**  
 43.3 **INSURANCE GROUPS.**

43.4 (a) The commissioner is authorized to act as the groupwide supervisor for any  
 43.5 internationally active insurance group in accordance with the provisions of this section.  
 43.6 However, the commissioner may otherwise acknowledge another regulatory official as the  
 43.7 groupwide supervisor where the internationally active insurance group:

43.8 (1) does not have substantial insurance operations in the United States;

43.9 (2) has substantial insurance operations in the United States, but not in this state; or

43.10 (3) has substantial insurance operations in the United States and this state, but the  
 43.11 commissioner has determined pursuant to the factors set forth in ~~subsections~~ paragraphs (b)  
 43.12 and (f) that the other regulatory official is the appropriate groupwide supervisor.

43.13 An insurance holding company system that does not otherwise qualify as an internationally  
 43.14 active insurance group may request that the commissioner make a determination or  
 43.15 acknowledgment as to a groupwide supervisor pursuant to this section.

43.16 (b) In cooperation with other state, federal, and international regulatory agencies, the  
 43.17 commissioner ~~will~~ must identify a single groupwide supervisor for an internationally active  
 43.18 insurance group. The commissioner may determine that the commissioner is the appropriate  
 43.19 groupwide supervisor for an internationally active insurance group that conducts substantial  
 43.20 insurance operations concentrated in this state. However, the commissioner may acknowledge  
 43.21 that a regulatory official from another jurisdiction is the appropriate groupwide supervisor  
 43.22 for the internationally active insurance group. The commissioner shall consider the following  
 43.23 factors when making a determination or acknowledgment under this ~~subsection~~ paragraph:

43.24 (1) the place of domicile of the insurers within the internationally active insurance group  
 43.25 that hold the largest share of the group's written premiums, assets, or liabilities;

43.26 (2) the place of domicile of the top-tiered ~~insurer(s)~~ insurer or insurers in the insurance  
 43.27 holding company system of the internationally active insurance group;

43.28 (3) the location of the executive offices or largest operational offices of the internationally  
 43.29 active insurance group;

43.30 (4) whether another regulatory official is acting or is seeking to act as the groupwide  
 43.31 supervisor under a regulatory system that the commissioner determines to be:

44.1 (i) substantially similar to the system of regulation provided under the laws of this state;  
44.2 or

44.3 (ii) otherwise sufficient in terms of providing for groupwide supervision, enterprise risk  
44.4 analysis, and cooperation with other regulatory officials; and

44.5 (5) whether another regulatory official acting or seeking to act as the groupwide  
44.6 supervisor provides the commissioner with reasonably reciprocal recognition and cooperation.

44.7 However, a commissioner identified under this section as the groupwide supervisor may  
44.8 determine that it is appropriate to acknowledge another supervisor to serve as the groupwide  
44.9 supervisor. The acknowledgment of the groupwide supervisor shall be made after  
44.10 consideration of the factors listed in clauses (1) to (5), and shall be made in cooperation  
44.11 with and subject to the acknowledgment of other regulatory officials involved with  
44.12 supervision of members of the internationally active insurance group, and in consultation  
44.13 with the internationally active insurance group.

44.14 (c) Notwithstanding any other provision of law, when another regulatory official is acting  
44.15 as the groupwide supervisor of an internationally active insurance group, the commissioner  
44.16 shall acknowledge that regulatory official as the groupwide supervisor. However, in the  
44.17 event of a material change in the internationally active insurance group that results in:

44.18 (1) the internationally active insurance group's insurers domiciled in this state holding  
44.19 the largest share of the group's premiums, assets, or liabilities; or

44.20 (2) this state being the place of domicile of the top-tiered ~~insurer(s)~~ insurer or insurers  
44.21 in the insurance holding company system of the internationally active insurance group,  
44.22 the commissioner shall make a determination or acknowledgment as to the appropriate  
44.23 groupwide supervisor for such an internationally active insurance group pursuant to  
44.24 ~~subsection~~ paragraph (b).

44.25 (d) Pursuant to section 60D.21, the commissioner is authorized to collect from any  
44.26 insurer registered pursuant to section 60D.19 all information necessary to determine whether  
44.27 the commissioner may act as the groupwide supervisor of an internationally active insurance  
44.28 group or if the commissioner may acknowledge another regulatory official to act as the  
44.29 groupwide supervisor. Prior to issuing a determination that an internationally active insurance  
44.30 group is subject to groupwide supervision by the commissioner, the commissioner shall  
44.31 notify the insurer registered pursuant to section 60D.19 and the ultimate controlling person  
44.32 within the internationally active insurance group. The internationally active insurance group  
44.33 shall have not less than 30 days to provide the commissioner with additional information

45.1 pertinent to the pending determination. The commissioner shall publish in the State Register  
45.2 and on the department's website the identity of internationally active insurance groups that  
45.3 the commissioner has determined are subject to groupwide supervision by the commissioner.

45.4 (e) If the commissioner is the groupwide supervisor for an internationally active insurance  
45.5 group, the commissioner is authorized to engage in any of the following groupwide  
45.6 supervision activities:

45.7 (1) assess the enterprise risks within the internationally active insurance group to ensure  
45.8 that:

45.9 (i) the material financial condition and liquidity risks to the members of the internationally  
45.10 active insurance group that are engaged in the business of insurance are identified by  
45.11 management; and

45.12 (ii) reasonable and effective mitigation measures are in place; or

45.13 (2) request, from any member of an internationally active insurance group subject to the  
45.14 commissioner's supervision, information necessary and appropriate to assess enterprise risk,  
45.15 including but not limited to information about the members of the internationally active  
45.16 insurance group regarding:

45.17 (i) governance, risk assessment, and management;

45.18 (ii) capital adequacy; and

45.19 (iii) material intercompany transactions;

45.20 (3) coordinate and, through the authority of the regulatory officials of the jurisdictions  
45.21 where members of the internationally active insurance group are domiciled, compel  
45.22 development and implementation of reasonable measures designed to ensure that the  
45.23 internationally active insurance group is able to timely recognize and mitigate enterprise  
45.24 risks to members of ~~such~~ the internationally active insurance group that are engaged in the  
45.25 business of insurance;

45.26 (4) communicate with other state, federal and international regulatory agencies for  
45.27 members within the internationally active insurance group and share relevant information  
45.28 subject to the confidentiality provisions of section 60D.22, through supervisory colleges as  
45.29 set forth in section 60D.215 or otherwise;

45.30 (5) enter into agreements with or obtain documentation from any insurer registered under  
45.31 section 60D.19, any member of the internationally active insurance group, and any other  
45.32 state, federal, and international regulatory agencies for members of the internationally active

46.1 insurance group, providing the basis for or otherwise clarifying the commissioner's role as  
46.2 groupwide supervisor, including provisions for resolving disputes with other regulatory  
46.3 officials. ~~Such~~ Agreements or documentation under this clause shall not serve as evidence  
46.4 in any proceeding that any insurer or person within an insurance holding company system  
46.5 not domiciled or incorporated in this state is doing business in this state or is otherwise  
46.6 subject to jurisdiction in this state; and

46.7 (6) other groupwide supervision activities, consistent with the authorities and purposes  
46.8 enumerated above, as considered necessary by the commissioner.

46.9 (f) If the commissioner acknowledges that another regulatory official from a jurisdiction  
46.10 that is not accredited by the NAIC is the groupwide supervisor, the commissioner is  
46.11 authorized to reasonably cooperate, through supervisory colleges or otherwise, with  
46.12 groupwide supervision undertaken by the groupwide supervisor, provided that:

46.13 (1) the commissioner's cooperation is in compliance with the laws of this state; and

46.14 (2) the regulatory official acknowledged as the groupwide supervisor also recognizes  
46.15 and cooperates with the commissioner's activities as a groupwide supervisor for other  
46.16 internationally active insurance groups where applicable. Where ~~such~~ recognition and  
46.17 cooperation by the groupwide supervisor is not reasonably reciprocal, the commissioner is  
46.18 authorized to refuse recognition and cooperation.

46.19 (g) The commissioner is authorized to enter into agreements with or obtain documentation  
46.20 from any insurer registered under section 60D.19, any affiliate of the insurer, and other  
46.21 state, federal, and international regulatory agencies for members of the internationally active  
46.22 insurance group, that provide the basis for or otherwise clarify a regulatory official's role  
46.23 as groupwide supervisor.

46.24 (h) A registered insurer subject to this section shall be liable for and shall pay the  
46.25 reasonable expenses of the commissioner's participation in the administration of this section,  
46.26 including the engagement of attorneys, actuaries, and any other professionals and all  
46.27 reasonable travel expenses.

46.28 Sec. 17. Minnesota Statutes 2024, section 60D.22, subdivision 1, is amended to read:

46.29 Subdivision 1. **Classification protection and use of information by commissioner.** (a)  
46.30 Documents, materials, or other information in the possession or control of the department  
46.31 that are obtained by or disclosed to the commissioner or any other person in the course of  
46.32 an examination or investigation made pursuant to section 60D.21 and all information reported  
46.33 pursuant to sections 60D.17, except as provided in section 60D.17, subdivision 1, paragraph

47.1 (e); ~~60D.18~~; 60D.19; ~~and 60D.20~~; and 60D.217, are classified as confidential or protected  
 47.2 nonpublic or both, are not subject to subpoena, and are not subject to discovery or admissible  
 47.3 in evidence in a private civil action. However, the commissioner may use the documents,  
 47.4 materials, or other information in the furtherance of any regulatory or legal action brought  
 47.5 as a part of the commissioner's official duties. The commissioner shall not otherwise make  
 47.6 the documents, materials, or other information public without the prior written consent of  
 47.7 the insurer to which it pertains unless the commissioner, after giving the insurer and its  
 47.8 affiliates who would be affected by this action notice and opportunity to be heard, determines  
 47.9 that the interest of policyholders, shareholders, or the public ~~will be~~ is served by the  
 47.10 publication of it, in which event the commissioner may publish all or any part in the manner  
 47.11 the commissioner deems appropriate.

47.12 (b) For purposes of the information reported and provided to the department pursuant  
 47.13 to section 60D.19, subdivision 11b, the commissioner must maintain the confidentiality of  
 47.14 the group capital calculation and group capital ratio produced within the calculation and  
 47.15 any group capital information received from an insurance holding company supervised by  
 47.16 the Federal Reserve Board or any United States groupwide supervisor.

47.17 (c) For purposes of the information reported and provided to the department pursuant  
 47.18 to section 60D.19, subdivision 11c, the commissioner must maintain the confidentiality of  
 47.19 the liquidity stress test results and supporting disclosures and any liquidity stress test  
 47.20 information received from an insurance holding company supervised by the Federal Reserve  
 47.21 Board and non-United States groupwide supervisors.

47.22 Sec. 18. Minnesota Statutes 2024, section 60D.22, subdivision 3, is amended to read:

47.23 Subd. 3. **Sharing of information.** In order to assist in the performance of the  
 47.24 commissioner's duties, the commissioner:

47.25 (1) may share documents, materials, or other information, including the confidential,  
 47.26 protected nonpublic, and privileged documents, materials, or information subject to this  
 47.27 section, including proprietary and trade secret documents and materials, with: (i) other state,  
 47.28 federal, and international regulatory agencies, with; (ii) the NAIC ~~and its affiliates and~~  
 47.29 ~~subsidiaries;~~ (iii) any third-party consultants designated by the commissioner; and with  
 47.30 (iv) state, federal, and international law enforcement authorities, including members of any  
 47.31 supervisory college described in section 60D.215, provided that the recipient agrees in  
 47.32 writing to maintain the confidentiality and privileged status of the document, material, or  
 47.33 other information, and has verified in writing the legal authority to maintain confidentiality;

48.1 (2) notwithstanding clause (1), may only share confidential, protected nonpublic, and  
48.2 privileged documents, materials, or information reported pursuant to section 60D.19,  
48.3 subdivision 11a, with commissioners of states having statutes or regulations substantially  
48.4 similar to subdivision 1 and who have agreed in writing not to disclose this information;

48.5 (3) may receive documents, materials, or information, including otherwise confidential  
48.6 and privileged documents, materials, or information from the NAIC and ~~its~~ the NAIC's  
48.7 affiliates and subsidiaries and from regulatory and law enforcement officials of other foreign  
48.8 or domestic jurisdictions, and shall maintain as confidential, protected nonpublic, or  
48.9 privileged any document, material, or information received with notice or the understanding  
48.10 that it is confidential or privileged under the laws of the jurisdiction that is the source of the  
48.11 document, material, or information; and

48.12 (4) shall enter into written agreements with the NAIC and a third-party consultant  
48.13 designated by the commissioner governing sharing and use of information provided pursuant  
48.14 to sections 60D.15 to 60D.29 consistent with this clause that shall:

48.15 (i) specify procedures and protocols regarding the confidentiality and security of  
48.16 information shared with the NAIC ~~and its affiliates and subsidiaries~~ or a third-party consultant  
48.17 designated by the commissioner pursuant to sections 60D.15 to 60D.29, including procedures  
48.18 and protocols for sharing by the NAIC with other state, federal, or international regulators.  
48.19 The agreement must provide that the recipient agrees in writing to maintain the confidentiality  
48.20 and privileged status of the documents, materials, or other information, and has verified in  
48.21 writing the legal authority to maintain confidentiality;

48.22 (ii) specify that ownership of information shared with the NAIC ~~and its affiliates and~~  
48.23 ~~subsidiaries~~ or a third-party consultant pursuant to sections 60D.15 to 60D.29 remains with  
48.24 the commissioner and the NAIC's or a third-party consultant's, as designated by the  
48.25 commissioner, use of the information is subject to the direction of the commissioner;

48.26 (iii) excluding documents, material, or information reported pursuant to section 60D.19,  
48.27 subdivision 11c, prohibit the NAIC or a third-party consultant designated by the  
48.28 commissioner from storing the information shared pursuant to sections 60D.15 to 60D.29  
48.29 in a permanent database after the underlying analysis is completed;

48.30 ~~(iii)~~ (iv) require prompt notice to be given to an insurer whose confidential or protected  
48.31 nonpublic information in the possession of the NAIC or a third-party consultant designated  
48.32 by the commissioner pursuant to sections 60D.15 to 60D.29 is subject to a request or  
48.33 subpoena to the NAIC or a third-party consultant designated by the commissioner for  
48.34 disclosure or production; ~~and~~



49.1 ~~(iv)~~ (v) require the NAIC and its affiliates and subsidiaries or a third-party consultant  
49.2 designated by the commissioner to consent to intervention by an insurer in any judicial or  
49.3 administrative action in which the NAIC and its affiliates and subsidiaries or a third-party  
49.4 consultant designated by the commissioner may be required to disclose confidential or  
49.5 protected nonpublic information about the insurer shared with the NAIC and its affiliates  
49.6 and subsidiaries or a third-party consultant designated by the commissioner pursuant to  
49.7 sections 60D.15 to 60D.29-; and

49.8 (vi) for documents, material, or information reported pursuant to section 60D.19,  
49.9 subdivision 11c, in the case of an agreement involving a third-party consultant, provide for  
49.10 notification of the identity of the consultant to the applicable insurers.

49.11 Sec. 19. Minnesota Statutes 2024, section 60D.22, subdivision 6, is amended to read:

49.12 **Subd. 6. Classification protection and use by others.** Documents, materials, or other  
49.13 information in the possession or control of the NAIC or a third-party consultant designated  
49.14 by the commissioner pursuant to sections 60D.15 to 60D.29 are confidential, protected  
49.15 nonpublic, or privileged, are not subject to subpoena, and are not subject to discovery or  
49.16 admissible in evidence in a private civil action.

49.17 Sec. 20. Minnesota Statutes 2024, section 60D.22, is amended by adding a subdivision to  
49.18 read:

49.19 **Subd. 7. Certain disclosures or publication prohibited.** (a) The group capital calculation  
49.20 and resulting group capital ratio required under section 60D.19, subdivision 11b, and the  
49.21 liquidity stress test along with the liquidity stress test's results and supporting disclosures  
49.22 required under section 60D.19, subdivision 11c, are regulatory tools to assess group risks  
49.23 and capital adequacy and group liquidity risks, respectively, and are not intended as a means  
49.24 to rank insurers or insurance holding company systems generally.

49.25 (b) Except as otherwise required under sections 60D.09 to 60D.29, making, publishing,  
49.26 disseminating, circulating, or placing before the public, or causing directly or indirectly to  
49.27 be made, published, disseminated, circulated, or placed before the public in a newspaper,  
49.28 magazine, or other publication, or in the form of a notice, circular, pamphlet, letter, or poster,  
49.29 or over any radio, television station, or any electronic means of communication available  
49.30 to the public, or in any other way as an advertisement, announcement, or statement containing  
49.31 a representation or statement with regard to the group capital calculation, group capital ratio,  
49.32 the liquidity stress test results, or supporting disclosures for the liquidity stress test of any  
49.33 insurer or any insurer group, or of any component derived in the calculation by any insurer,

50.1 broker, or other person engaged in any manner in the insurance business is misleading and  
50.2 is prohibited.

50.3 (c) Notwithstanding paragraph (b), an insurer may publish an announcement in a written  
50.4 publication if any materially false statement with respect to the group capital calculation,  
50.5 resulting group capital ratio, an inappropriate comparison of any amount to an insurer's or  
50.6 insurance group's group capital calculation or resulting group capital ratio, liquidity stress  
50.7 test result, supporting disclosures for the liquidity stress test, or an inappropriate comparison  
50.8 of any amount to an insurer's or insurance group's liquidity stress test result or supporting  
50.9 disclosures is published in any written publication and the insurer is able to demonstrate to  
50.10 the commissioner with substantial proof the statement's falsity or inappropriateness. The  
50.11 sole purpose of an announcement under this paragraph must be to rebut the materially false  
50.12 statement.

50.13 Sec. 21. Minnesota Statutes 2024, section 60D.24, subdivision 2, is amended to read:

50.14 Subd. 2. **Voting of securities; when prohibited.** No security that is the subject of any  
50.15 agreement or arrangement regarding acquisition, or that is acquired or to be acquired, in  
50.16 contravention of the provisions of this chapter or of any rule or order issued by the  
50.17 commissioner may be voted at any shareholder's meeting, or may be counted for quorum  
50.18 purposes, and any action of shareholders requiring the affirmative vote of a percentage of  
50.19 shares may be taken as though the securities were not issued and outstanding. No action  
50.20 taken at the meeting shall be invalidated by the voting of the securities, unless the action  
50.21 would materially affect control of the insurer or unless the courts of this state have so  
50.22 ordered. If an insurer or the commissioner has reason to believe that any security of the  
50.23 insurer has been or is about to be acquired in contravention of the provisions of this chapter  
50.24 or of any rule or order issued by the commissioner, the insurer or the commissioner may  
50.25 apply to the district court for the county in which the insurer has its principal place of  
50.26 business to enjoin any offer, request, invitation, agreement, or acquisition made in  
50.27 contravention of section ~~60D.16~~ 60D.17 or any rule or order issued by the commissioner  
50.28 to enjoin the voting of any security so acquired, to void any vote of the security already cast  
50.29 at any meeting of shareholders and for other equitable relief as the nature of the case and  
50.30 the interest of the insurer's policyholders or the public requires.

51.1 Sec. 22. Minnesota Statutes 2024, section 60D.25, is amended to read:

51.2 **60D.25 RECEIVERSHIP.**

51.3 Whenever it appears to the commissioner that any person has committed a violation of  
51.4 this chapter that so impairs the financial condition of a domestic insurer as to threaten  
51.5 insolvency or make the further transaction of business by it hazardous to its policyholders,  
51.6 creditors, shareholders, or the public, ~~then~~ the commissioner may proceed as provided in  
51.7 chapter 60B to take possessions of the property of the domestic insurer and to conduct the  
51.8 business of ~~that~~ the domestic insurer.

51.9 **ARTICLE 5**

51.10 **MINNESOTA BUSINESS CORPORATIONS ACT**

51.11 Section 1. Minnesota Statutes 2024, section 302A.011, subdivision 41, is amended to  
51.12 read:

51.13 Subd. 41. **Beneficial owner; beneficial ownership.** (a) "Beneficial owner," when used  
51.14 with respect to shares or other securities, includes, but is not limited to, any person who,  
51.15 directly or indirectly through any written or oral agreement, arrangement, relationship,  
51.16 understanding, or otherwise, has or shares the power to vote, or direct the voting of, the  
51.17 shares or securities or has or shares the power to dispose of, or direct the disposition of, the  
51.18 shares or securities, except that:

51.19 (1) a person shall not be deemed the beneficial owner of shares or securities tendered  
51.20 pursuant to a tender or exchange offer made by the person or any of the person's affiliates  
51.21 or associates until the tendered shares or securities are accepted for purchase or exchange;  
51.22 and

51.23 (2) a person shall not be deemed the beneficial owner of shares or securities with respect  
51.24 to which the person has the power to vote or direct the voting arising solely from a revocable  
51.25 proxy given in response to a proxy solicitation required to be made and made in accordance  
51.26 with the applicable rules and regulations under the Securities Exchange Act of 1934 and is  
51.27 not then reportable under that act on a Schedule 13D or comparable report, or, if the  
51.28 corporation is not subject to the rules and regulations under the Securities Exchange Act of  
51.29 1934, would have been required to be made and would not have been reportable if the  
51.30 corporation had been subject to the rules and regulations.

51.31 (b) "Beneficial ownership" includes, but is not limited to, the right to acquire shares or  
51.32 securities through the exercise of options, warrants, or rights, or the conversion of convertible  
51.33 securities, or otherwise. The shares or securities subject to the options, warrants, rights, or

52.1 conversion privileges held by a person shall be deemed to be outstanding for the purpose  
52.2 of computing the percentage of outstanding shares or securities of the class or series owned  
52.3 by the person, but shall not be deemed to be outstanding for the purpose of computing the  
52.4 percentage of the class or series owned by any other person. A person ~~shall be~~ is deemed  
52.5 the beneficial owner of shares and securities beneficially owned by: (1) any relative or  
52.6 spouse of the person or any relative of the spouse, residing in the home of the person; (2)  
52.7 any trust or estate in which the person (i) owns ten percent or more of the total beneficial  
52.8 interest of the trust or estate, or (ii) serves as trustee or executor or in a similar fiduciary  
52.9 capacity; for the trust or estate; (3) any organization in which the person owns ten percent  
52.10 or more of the equity; and (4) any affiliate of the person.

52.11 (c) When two or more persons act or agree to act as a partnership, limited partnership,  
52.12 syndicate, or other group for the purposes of acquiring, owning, or voting shares or other  
52.13 securities of a corporation, all members of the partnership, syndicate, or other group are  
52.14 deemed to constitute a "person" and to have acquired beneficial ownership, as of the date  
52.15 they first so act or agree to act together, of all shares or securities of the corporation  
52.16 beneficially owned by the person.

52.17 Sec. 2. Minnesota Statutes 2024, section 302A.011, is amended by adding a subdivision  
52.18 to read:

52.19 Subd. 72. **Defective corporate act.** "Defective corporate act" means an overissue, an  
52.20 election or appointment of directors that is void or voidable due to a failure of authorization,  
52.21 or an act or transaction purportedly taken by or on behalf of the corporation that is and, at  
52.22 the time the act or transaction was purportedly taken, would have been within the  
52.23 corporation's power under section 302A.101 but is void or voidable due to a failure of  
52.24 authorization.

52.25 Sec. 3. Minnesota Statutes 2024, section 302A.011, is amended by adding a subdivision  
52.26 to read:

52.27 Subd. 73. **Emergency.** "Emergency" means a situation during which it is impracticable  
52.28 for the corporation to conduct the corporation's affairs in accordance with this chapter, the  
52.29 articles, the bylaws, or as specified in a notice for the meeting previously given as a result  
52.30 of a catastrophic event or condition, including but not limited to an act of nature, an epidemic  
52.31 or pandemic, a technological failure or malfunction, a terrorist incident or an act of war, a  
52.32 cyber attack, a civil disturbance, or a governmental authority's emergency declaration.

53.1 Sec. 4. Minnesota Statutes 2024, section 302A.011, is amended by adding a subdivision  
53.2 to read:

53.3 Subd. 74. **Failure of authorization.** "Failure of authorization" means the failure: (1) to  
53.4 authorize or effect an act or transaction in compliance with (i) this chapter, (ii) the articles  
53.5 or bylaws, (iii) any plan or agreement to which the corporation is a party, or (iv) the  
53.6 disclosure set forth in any proxy or consent solicitation statement, if and to the extent the  
53.7 failure renders the act or transaction void or voidable; or (2) of the board or an officer to  
53.8 authorize or approve an act or transaction taken by or on behalf of the corporation that  
53.9 requires board or officer approval for the act or transaction's due authorization.

53.10 Sec. 5. Minnesota Statutes 2024, section 302A.011, is amended by adding a subdivision  
53.11 to read:

53.12 Subd. 75. **Overissue.** "Overissue" means the purported issuance of: (1) shares of a class  
53.13 or series in excess of the number of shares of the class or series the corporation has the  
53.14 power under the articles to issue under section 302A.401, subdivision 1, at the time of the  
53.15 issuance; or (2) shares of any class or series that are not then authorized for issuance by the  
53.16 articles.

53.17 Sec. 6. Minnesota Statutes 2024, section 302A.011, is amended by adding a subdivision  
53.18 to read:

53.19 Subd. 76. **Putative shares.** "Putative shares" means shares, including shares issued upon  
53.20 exercise of rights to purchase, in each case, that were created or issued pursuant to a defective  
53.21 corporate act, that: (1) but for a failure of authorization, would constitute valid shares; or  
53.22 (2) the board is unable to determine are valid shares.

53.23 Sec. 7. Minnesota Statutes 2024, section 302A.011, is amended by adding a subdivision  
53.24 to read:

53.25 Subd. 77. **Time of defective corporate act.** "Time of defective corporate act" means  
53.26 the date and time at which the defective corporate act was purportedly taken.

53.27 Sec. 8. Minnesota Statutes 2024, section 302A.011, is amended by adding a subdivision  
53.28 to read:

53.29 Subd. 78. **Validation effective time.** "Validation effective time," with respect to a  
53.30 defective corporate act ratified under section 302A.166 or 302A.167, means the latest of:

54.1 (1) the time when a defective corporate act submitted to shareholders for approval under  
54.2 section 302A.166, subdivision 4, is approved by shareholders or, if no vote of the  
54.3 shareholders is required to approve the ratification of the defective corporate act, immediately  
54.4 following the time when the board adopts the resolutions required under section 302A.166,  
54.5 subdivision 2 or 3;

54.6 (2) if no certificate of validation must be filed under section 302A.166, subdivision 6,  
54.7 the time, if any, specified by the board of directors in the resolutions adopted under section  
54.8 302A.166, subdivision 2 or 3, provided the time specified by the board of directors does  
54.9 not precede the time when the resolutions are adopted; or

54.10 (3) the time when any certificate of validation filed under section 302A.166, subdivision  
54.11 6, is filed with the secretary of state.

54.12 Sec. 9. Minnesota Statutes 2024, section 302A.011, is amended by adding a subdivision  
54.13 to read:

54.14 Subd. 79. **Valid shares.** "Valid shares" means shares that have been duly authorized  
54.15 and validly issued as required under this chapter.

54.16 Sec. 10. Minnesota Statutes 2024, section 302A.111, subdivision 2, is amended to read:

54.17 Subd. 2. **Statutory provisions that may be modified only in articles or in a**  
54.18 **shareholder control agreement.** The following provisions govern a corporation unless  
54.19 modified in the articles or in a shareholder control agreement under section 302A.457:

54.20 (a) a corporation has general business purposes (section 302A.101);

54.21 (b) a corporation has perpetual existence and certain powers (section 302A.161);

54.22 (c) the power to adopt, amend, or repeal the bylaws is vested in the board (section  
54.23 302A.181);

54.24 (d) a corporation must allow cumulative voting for directors (section 302A.215,  
54.25 subdivision 2);

54.26 (e) the affirmative vote of a majority of directors present is required for an action of the  
54.27 board (section 302A.237);

54.28 (f) a written action by the board taken without a meeting must be signed by all directors  
54.29 (section 302A.239);

54.30 (g) the board may authorize the issuance of securities and rights to purchase securities  
54.31 (section 302A.401, subdivision 1);

55.1 (h) all shares are common shares entitled to vote and are of one class and one series  
55.2 (section 302A.401, subdivision 2, clauses (a) and (b));

55.3 (i) all shares have equal rights and preferences in all matters not otherwise provided for  
55.4 by the board (section 302A.401, subdivision 2, clause (b));

55.5 (j) the par value of shares is fixed at one cent per share for certain purposes and may be  
55.6 fixed by the board for certain other purposes (section 302A.401, subdivision 2, clause (c));

55.7 (k) the board or the shareholders may issue shares for any consideration or for no  
55.8 consideration to effectuate share dividends, divisions, or combinations, and determine the  
55.9 value of nonmonetary consideration (section 302A.405, subdivision 1);

55.10 (l) shares of a class or series must not be issued to holders of shares of another class or  
55.11 series to effectuate share dividends, divisions, or combinations, unless authorized by a  
55.12 majority of the voting power of the shares of the same class or series as the shares to be  
55.13 issued (section 302A.405, subdivision 1);

55.14 (m) a corporation may issue rights to purchase securities whose terms, provisions, and  
55.15 conditions are fixed by the board (section 302A.409);

55.16 (n) a shareholder has certain preemptive rights, unless otherwise provided by the board  
55.17 (section 302A.413);

55.18 (o) the affirmative vote of the holders of a majority of the voting power of the shares  
55.19 present and entitled to vote at a duly held meeting is required for an action of the  
55.20 shareholders, except where this chapter requires the affirmative vote of a plurality of the  
55.21 votes cast (section 302A.215, subdivision 1) or a majority of the voting power of all shares  
55.22 entitled to vote (section 302A.437, subdivision 1);

55.23 (p) shares of a corporation acquired by the corporation may be reissued (section  
55.24 302A.553, subdivision 1);

55.25 (q) each share has one vote unless otherwise provided in the terms of the share (section  
55.26 302A.445, subdivision 3);

55.27 (r) a corporation may issue shares for a consideration less than the par value, if any, of  
55.28 the shares (section 302A.405, subdivision 2);

55.29 (s) the board may effect share dividends, divisions, and combinations under certain  
55.30 circumstances without shareholder approval (section 302A.402);

55.31 (t) a written action of shareholders must be signed by all shareholders (section 302A.441);

56.1 (u) specified amendments of the articles create dissenters' rights (section 302A.471,  
56.2 subdivision 1, clause (a)); ~~and~~

56.3 (v) shareholders are entitled to vote as a class or series upon proposed amendments to  
56.4 the articles in specified circumstances (section 302A.137); and

56.5 (w) the corporation's business and affairs must be managed by or under the board's  
56.6 direction (section 302A.201).

56.7 Sec. 11. Minnesota Statutes 2024, section 302A.161, is amended by adding a subdivision  
56.8 to read:

56.9 Subd. 23a. **Emergency powers.** (a) During an emergency, unless emergency bylaws  
56.10 provide otherwise:

56.11 (1) notice of a meeting of the board must be given only to the directors that are practicable  
56.12 to reach and may, if ordinary notice is impracticable or inadvisable due to the emergency,  
56.13 be given in any practicable manner; and

56.14 (2) the officers designated on a list approved by the board of directors before the  
56.15 emergency, in the priority order and subject to conditions as may be provided in the board  
56.16 resolution approving the list, must, to the extent required to provide a quorum at any meeting  
56.17 of the board, be deemed directors for the meeting.

56.18 (b) During an emergency that makes it impracticable to convene a meeting of shareholders  
56.19 in accordance with this chapter, the articles, the bylaws, or as specified in a notice for the  
56.20 meeting previously given, unless emergency bylaws provide otherwise, the board may  
56.21 postpone a meeting of shareholders for which notice has been given or authorize shareholders  
56.22 to participate in a meeting by any means of remote communication that conforms with  
56.23 section 302A.436. The corporation must give notice to shareholders, by the means and with  
56.24 shorter advance notice as are reasonable in the circumstances, of a postponement, including  
56.25 any new date, time, or place, and describe any means of remote communication to be used.  
56.26 The notice to shareholders by a publicly held corporation may be given solely by means of  
56.27 a document publicly filed by the corporation with the Securities and Exchange Commission  
56.28 pursuant to the rules and regulations under the Securities Exchange Act of 1934, United  
56.29 States Code, title 15, section 78a, et seq.

56.30 (c) A corporate action taken in good faith under this subdivision during an emergency  
56.31 to further the business and affairs of the corporation binds the corporation.



57.1 Sec. 12. **[302A.166] DEFECTIVE CORPORATE ACTS AND SHARES;**  
57.2 **RATIFICATION.**

57.3 Subdivision 1. **Effect of ratification or validation.** Subject to subdivision 7, a defective  
57.4 corporate act or putative share is not void or voidable solely as a result of a failure of  
57.5 authorization if the defective corporate act or putative share is ratified under this section or  
57.6 validated by a court in a proceeding brought under section 302A.167.

57.7 Subd. 2. **Board approval; generally.** (a) In order to ratify one or more defective corporate  
57.8 acts under this section other than ratifying an election of the first board under subdivision  
57.9 3, the board must adopt resolutions stating:

57.10 (1) the defective corporate act or acts to be ratified;

57.11 (2) the date of each defective corporate act or acts;

57.12 (3) if the defective corporate act or acts involved the issuance of putative shares, the  
57.13 number and type of putative shares issued and the date or dates upon which the putative  
57.14 shares were purported to have been issued;

57.15 (4) the nature of the failure of authorization in respect of each defective corporate act  
57.16 to be ratified; and

57.17 (5) that the board approves ratification of the defective corporate act or acts.

57.18 (b) The resolutions also may provide that, at any time before the validation effective  
57.19 time in respect of a defective corporate act set forth in the resolutions, notwithstanding the  
57.20 approval of the ratification of the defective corporate act by shareholders, the board may  
57.21 abandon the ratification of the defective corporate act without further action of the  
57.22 shareholders.

57.23 (c) The quorum and voting requirements that apply to the board's ratification of any  
57.24 defective corporate act must be the quorum and voting requirements applicable to the type  
57.25 of defective corporate act proposed to be ratified at the time the board adopts the resolutions  
57.26 ratifying the defective corporate act. If the articles or bylaws, any plan or agreement to  
57.27 which the corporation was a party, or any provision of this chapter, in each case as in effect  
57.28 as of the time of the defective corporate act, require a larger number or portion of directors  
57.29 or of specified directors for a quorum to be present or to approve the defective corporate  
57.30 act, the larger number or portion of the directors or the specified directors must be required  
57.31 for a quorum to be present or to adopt the resolutions to ratify the defective corporate act,  
57.32 as applicable; except that the presence or approval of a director elected, appointed, or  
57.33 nominated by holders of any class or series of which no shares are outstanding at the time

58.1 the board adopts the resolutions ratifying the defective corporate act, or by any person that  
58.2 is no longer a shareholder at the time the board adopts the resolutions ratifying the defective  
58.3 corporate act, is not required.

58.4 Subd. 3. **Board approval; election of first board.** To ratify a defective corporate act  
58.5 in respect of the election of the first board under section 302A.201, subdivision 1, a majority  
58.6 of the persons who, at the time the resolutions required by this subdivision are adopted, are  
58.7 exercising the powers of directors under claim and color of an election or appointment as  
58.8 such may adopt resolutions stating:

58.9 (1) the name of the person or persons who first took action in the name of the corporation  
58.10 as the first board;

58.11 (2) the earlier of the date on which the persons first took the action or were purported  
58.12 to have been elected as the first board; and

58.13 (3) that the ratification of the election of the person or persons as the first board is  
58.14 approved.

58.15 Subd. 4. **Shareholder approval; when required.** A defective corporate act ratified  
58.16 under subdivision 2 must be submitted to shareholders for approval under subdivision 5,  
58.17 unless:

58.18 (1)(i) no other provision of this chapter, and no provision of the articles or bylaws, or  
58.19 of any plan or agreement to which the corporation is a party, requires shareholder approval  
58.20 of the defective corporate act to be ratified, either at the time of the defective corporate act  
58.21 or at the time the board adopts the resolutions ratifying the defective corporate act under  
58.22 subdivision 2, and (ii) the defective corporate act did not result from a failure to comply  
58.23 with section 302A.673; or

58.24 (2) as of the adoption of the resolutions of the board under subdivision 2, there are no  
58.25 valid shares outstanding and entitled to vote thereon, regardless of whether there then exist  
58.26 any putative shares.

58.27 Subd. 5. **Shareholder approval; process.** (a) If the ratification of a defective corporate  
58.28 act must be submitted to shareholders for approval under subdivision 4, notice of the meeting  
58.29 must be given in the manner set forth in section 302A.435 to each holder of valid shares  
58.30 and putative shares, whether voting or nonvoting.

58.31 (b) The notice under this subdivision must be given as follows:

58.32 (1) in the case of a defective corporate act that did not involve the establishment of a  
58.33 record date for notice of or voting at any meeting of shareholders, for written action of

59.1 shareholders in lieu of a meeting, or for any other purpose, to the shareholders of valid  
59.2 shares and putative shares, whether voting or nonvoting, as of the time of the defective  
59.3 corporate act, other than holders whose identities or addresses cannot be determined from  
59.4 the corporation's records; or

59.5 (2) in the case of a defective corporate act that involved the establishment of a record  
59.6 date for notice of or voting at any meeting of shareholders, for written action of shareholders  
59.7 in lieu of a meeting, or for any other purpose, to the shareholders of valid shares and putative  
59.8 shares, whether voting or nonvoting, as of the record date for notice of or voting at the  
59.9 meeting, the record date for written action, or the record date for the other action, as the  
59.10 case may be, other than holders whose identities or addresses cannot be determined from  
59.11 the corporation's records.

59.12 (c) The notice must contain a copy of the resolutions adopted by the board under  
59.13 subdivision 2 or the information required by subdivision 2, paragraph (a), clauses (1) to (5).  
59.14 The notice must include a statement that any claim that the defective corporate act or putative  
59.15 shares ratified under this section is void or voidable due to the failure of authorization, or  
59.16 that a court should declare in the court's discretion that a ratification in accordance with this  
59.17 section is not effective or is effective only on certain conditions, must be brought within  
59.18 120 days from the applicable validation effective time.

59.19 (d) At the meeting, the quorum and voting requirements that apply to ratification of the  
59.20 defective corporate act must be the same quorum and voting requirements that apply to the  
59.21 type of defective corporate act proposed to be ratified at the time of the approval of the  
59.22 ratification, except that:

59.23 (1) if the articles or bylaws, a plan or agreement to which the corporation was a party,  
59.24 or a provision under this chapter in effect as of the time of the defective corporate act requires  
59.25 a larger number or portion of shares or of any class or series thereof or of specified  
59.26 shareholders for a quorum to be present or to approve the defective corporate act, the presence  
59.27 or approval of the larger number or portion of stock or of the class or series thereof or of  
59.28 the specified shareholders must be required for a quorum to be present or to approve the  
59.29 ratification of the defective corporate act, as applicable; except that the presence or approval  
59.30 of shares of any class or series of which no shares are outstanding at the time of the approval  
59.31 of the ratification, or of any person that is no longer a shareholder at the time of the approval  
59.32 of the ratification, is not required; and

59.33 (2) the approval by shareholders of the ratification of a director's election requires the  
59.34 affirmative vote of a plurality of shares present at the meeting and entitled to vote on the

60.1 election of the director in the manner set forth in section 302A.215, except that, if the articles  
60.2 or bylaws then in effect or in effect at the time of the defective election require or required  
60.3 a larger number or portion of shares or of any class or series thereof or of specified  
60.4 shareholders to elect the director, the affirmative vote of the larger number or portion of  
60.5 shares or of any class or series thereof or of the specified shareholders must be required to  
60.6 ratify the election of the director; except that the presence or approval of shares of any class  
60.7 or series of which no shares are outstanding at the time of the approval of the ratification,  
60.8 or of any person that is no longer a shareholder at the time of the approval of the ratification,  
60.9 is not required.

60.10 (e) Putative shares, measured as of the adoption by the board of resolutions under  
60.11 subdivision 2 and without giving effect to any ratification that becomes effective after the  
60.12 adoption, are neither entitled to vote nor counted for quorum purposes in a vote to ratify a  
60.13 defective corporate act.

60.14 Subd. 6. **Certificate of validation.** (a) If a defective corporate act ratified under this  
60.15 section requires under any other section of this chapter a certificate to be filed with the  
60.16 secretary of state, and either (1) the certificate requires any change to give effect to the  
60.17 defective corporate act in accordance with this section, including a change to the date and  
60.18 time of the effectiveness of the certificate, or (2) a certificate was not previously filed with  
60.19 respect to the defective corporate act, the corporation must file with the secretary of state  
60.20 a certificate of validation with respect to the defective corporate act in lieu of filing the  
60.21 certificate otherwise required by this chapter.

60.22 (b) A separate certificate of validation is required for each defective corporate act that  
60.23 requires the filing of a certificate of validation under this section, except that (1) two or  
60.24 more defective corporate acts may be included in a single certificate of validation if the  
60.25 corporation filed with the secretary of state, or to comply with this chapter would have filed  
60.26 with the secretary of state, a single certificate under another provision of this chapter to  
60.27 effect the acts, and (2) two or more overissues of shares, or of any class or series of shares,  
60.28 may be included in a single certificate of validation; provided that the increase in the number  
60.29 of authorized shares, or of each class or series, set forth in the certificate of validation is  
60.30 effective on the date of the first overissue.

60.31 (c) The certificate of validation must set forth:

60.32 (1) that the corporation has ratified one or more defective corporate acts that would have  
60.33 required filing with the secretary of state of a certificate under this chapter;

61.1 (2) that each defective corporate act has been ratified in accordance with this section;  
61.2 and

61.3 (3) the following information:

61.4 (i) if a certificate was previously filed with the secretary of state under this chapter with  
61.5 respect to the defective corporate act and the certificate requires any change to give effect  
61.6 to the defective corporate act in accordance with this section, including a change to the date  
61.7 and time of the effectiveness of the certificate, the certificate of validation must set forth:

61.8 (A) the name, title, and filing date of the certificate previously filed and any certificate  
61.9 of correction to the certificate previously filed;

61.10 (B) a statement that a certificate containing all of the information that must be included  
61.11 under the applicable section or sections of this chapter to give effect to the defective corporate  
61.12 act is attached as an exhibit to the certificate of validation; and

61.13 (C) the date and time that the certificate is deemed effective pursuant to this section; or

61.14 (ii) if a certificate was not previously filed with the secretary of state under this chapter  
61.15 in respect of the defective corporate act and the defective corporate act ratified pursuant to  
61.16 this section would have required under any other section of this chapter the filing with the  
61.17 secretary of state of a certificate, the certificate of validation shall set forth:

61.18 (A) a statement that a certificate containing all of the information required to be included  
61.19 under the applicable section or sections of this chapter to give effect to the defective corporate  
61.20 act is attached as an exhibit to the certificate of validation; and

61.21 (B) the date and time that the certificate shall be deemed to have become effective  
61.22 pursuant to this section.

61.23 (d) A certificate attached to a certificate of validation need not be separately executed  
61.24 and acknowledged and need not include a statement required by another section under this  
61.25 chapter that the instrument has been approved and adopted in accordance with the provisions  
61.26 of the other section under this chapter.

61.27 Subd. 7. **Retroactive effect.** From and after the validation effective time, unless otherwise  
61.28 determined in an action brought pursuant to section 302A.167, subject to subdivision 5,  
61.29 paragraph (e):

61.30 (1) each defective corporate act ratified in accordance with this section is no longer  
61.31 deemed void or voidable as a result of the failure of authorization described in the resolutions

62.1 adopted under subdivision 2, effective retroactively from the time of the defective corporate  
62.2 act; and

62.3 (2) each share or fraction of a share of putative shares issued or purportedly issued  
62.4 pursuant to the defective corporate act is no longer deemed void or voidable, and is deemed  
62.5 to be an identical outstanding share or fraction of an outstanding share as of the time the  
62.6 share or fraction of a share was purportedly issued.

62.7 Subd. 8. **Postratification notice.** (a) Except as provided under paragraph (b), with respect  
62.8 to each defective corporate act ratified by the board under subdivision 2 or subdivision 3,  
62.9 prompt notice of the ratification must be given to all shareholders of valid shares and putative  
62.10 shares, whether voting or nonvoting, as of the date the board adopts the resolutions approving  
62.11 the defective corporate act, or as of a date within 60 days after the date of adoption, as  
62.12 established by the board. The notice must be sent to the address of the holder as the address  
62.13 appears or most recently appeared, as appropriate, on the corporation's records. The notice  
62.14 must be given to the shareholders of valid shares and putative shares, whether voting or  
62.15 nonvoting, as of the time of the defective corporate act, other than holders whose identities  
62.16 or addresses cannot be determined from the records of the corporation. The notice must  
62.17 contain a copy of the resolutions adopted under subdivision 2 or the information specified  
62.18 under subdivision 2, paragraph (a), clauses (1) to (5), or subdivision 3, clauses (1) to (3),  
62.19 as applicable, and a statement that any claim that the defective corporate act or putative  
62.20 shares ratified under this section is void or voidable due to the failure of authorization, or  
62.21 that a court should declare in the court's discretion that a ratification in accordance with this  
62.22 section is not effective or is effective only on certain conditions, must be brought within  
62.23 120 days from the latter of the validation effective time or the time at which the notice  
62.24 required by this subdivision is given.

62.25 (b) Notice is not required if notice of the ratification of the defective corporate act is  
62.26 given in accordance with subdivision 5 and, in the case of a corporation that has a class of  
62.27 shares listed on a national securities exchange, the notice required by this subdivision and  
62.28 subdivision 5 may be deemed given if disclosed in a document publicly filed by the  
62.29 corporation with the Securities and Exchange Commission pursuant to section 13, 14, or  
62.30 15(d) of the Securities Exchange Act of 1934, as amended, United States Code, title 15,  
62.31 section 78a, et seq., and rules and regulations promulgated under the Securities Exchange  
62.32 Act of 1934, as amended, or the corresponding provisions of any subsequent United States  
62.33 securities laws, rules, or regulations.

62.34 (c) If a defective corporate act has been approved by shareholders acting pursuant to  
62.35 section 302A.441, the notice required by this subdivision may be included in a notice

63.1 required under section 302A.441, subdivision 3. If the notice is given under section  
63.2 302A.441, the notice must be sent to the shareholders entitled to the notice under section  
63.3 302A.441, subdivision 3, and to all holders of valid shares and putative shares to whom  
63.4 notice is required under this subdivision if the defective corporate act had been approved  
63.5 at a meeting and the record date for determining the shareholders entitled to notice of the  
63.6 meeting had been the date for determining the shareholders entitled to notice under paragraph  
63.7 (a) other than any shareholder who approved the written action in lieu of a meeting under  
63.8 section 302A.441 or any holder of putative shares who otherwise consented thereto in  
63.9 writing.

63.10 (d) For purposes of this subdivision and subdivision 5 only, notice to holders of putative  
63.11 shares, and notice to holders of valid shares and putative shares as of the time of the defective  
63.12 corporate act, is treated as notice to holders of valid shares for purposes of sections 302A.435  
63.13 and 302A.441.

63.14 **Sec. 13. [302A.167] VALIDITY OF DEFECTIVE CORPORATE ACTS AND**  
63.15 **SHARES; PROCEEDINGS.**

63.16 Subdivision 1. **When permitted.** Subject to subdivision 5, upon application by the  
63.17 corporation, a successor entity to the corporation, a member of the board, a shareholder or  
63.18 beneficial owner of valid shares or putative shares, a shareholder or beneficial owner of  
63.19 valid shares or putative shares as of the time of a defective corporate act ratified pursuant  
63.20 to section 302A.166, or other person claiming to be substantially and adversely affected by  
63.21 a ratification pursuant to section 302A.166, a court may:

63.22 (1) determine the validity and effectiveness of any defective corporate act ratified pursuant  
63.23 to section 302A.166;

63.24 (2) determine the validity and effectiveness of the ratification of any defective corporate  
63.25 act pursuant to section 302A.166;

63.26 (3) determine the validity and effectiveness of any defective corporate act not ratified  
63.27 or not ratified effectively pursuant to section 302A.166;

63.28 (4) determine the validity of any corporate act or transaction and any shares or rights to  
63.29 purchase; and

63.30 (5) modify or waive any of the procedures set forth in section 302A.166 to ratify a  
63.31 defective corporate act.

63.32 Subd. 2. **Remedies.** In connection with an action under this section, a court may:

64.1 (1) declare that a ratification under section 302A.166 is not effective or is only effective  
64.2 at a time or upon conditions established by the court;

64.3 (2) validate and declare effective a defective corporate act or putative shares and impose  
64.4 conditions upon the court's validation;

64.5 (3) require measures to remedy or avoid harm to a person substantially and adversely  
64.6 affected by a ratification under section 302A.166 or from a court order pursuant to this  
64.7 section, excluding harm that would have resulted if the defective corporate act had been  
64.8 valid when approved or effectuated;

64.9 (4) order the secretary of state to accept an instrument for filing with an effective time  
64.10 specified by the court, which may be before or after the time of the order, provided that the  
64.11 filing date of the instrument must be determined in accordance with section 302A.011,  
64.12 subdivision 11;

64.13 (5) approve a share register for the corporation that includes any shares ratified or  
64.14 validated in accordance with this section or section 302A.166;

64.15 (6) declare that putative shares are valid shares or require a corporation to issue and  
64.16 deliver valid shares in place of any putative shares;

64.17 (7) order a meeting of holders of valid shares or putative shares and determine the right  
64.18 and power of persons claiming to hold valid shares or putative shares to vote at the ordered  
64.19 meeting;

64.20 (8) declare that a defective corporate act validated by a court is effective as of the time  
64.21 of the defective corporate act or at another time the court may determine;

64.22 (9) declare that putative shares validated by a court shall be deemed to be an identical  
64.23 share or fraction of a valid share as of the time originally issued or purportedly issued or at  
64.24 such other time as the court may determine; and

64.25 (10) make other orders regarding matters as the court deems proper under the  
64.26 circumstances.

64.27 Subd. 3. **Service.** Service of the application under subdivision 1 upon the registered  
64.28 agent of the corporation is deemed to be service upon the corporation, and no other party  
64.29 needs to be joined in order for a court to adjudicate the matter. In an action filed by the  
64.30 corporation, a court may require notice of the action be provided to other persons specified  
64.31 by the court and permit the other persons to intervene in the action.



65.1 Subd. 4. **Considerations.** In connection with resolving matters pursuant to subdivisions  
65.2 1 and 2, a court may consider the following:

65.3 (1) whether the defective corporate act was originally approved or effectuated with the  
65.4 good faith belief that the approval or effectuation was in compliance with the provisions of  
65.5 this chapter, the articles, or the bylaws;

65.6 (2) whether the corporation and board have treated the defective corporate act as a valid  
65.7 act or transaction and whether a person has acted in reliance on the public record that the  
65.8 defective corporate act was valid;

65.9 (3) whether any person may be or was harmed by the ratification or validation of the  
65.10 defective corporate act, excluding harm that would have resulted if the defective corporate  
65.11 act had been valid when approved or effectuated;

65.12 (4) whether any person is harmed by the failure to ratify or validate the defective corporate  
65.13 act; and

65.14 (5) any other factors or considerations the court deems just and equitable.

65.15 Subd. 5. **Statute of limitations.** An action asserting that (1) a defective corporate act or  
65.16 putative shares ratified in accordance with section 302A.166 is void or voidable due to a  
65.17 failure of authorization identified in the resolution adopted in accordance with section  
65.18 302A.166, subdivision 2 or 3, or (2) a court should declare in its discretion that a ratification  
65.19 in accordance with section 302A.166 not be effective or be effective only on certain  
65.20 conditions, is prohibited from being brought after the expiration of 120 days from the later  
65.21 of the validation effective time and the time notice, if any, that is required to be given  
65.22 pursuant to section 302A.166, subdivision 8, is given with respect to the ratification; except  
65.23 that this subdivision does not apply to an action asserting that a ratification was not  
65.24 accomplished in accordance with section 302A.166 or to any person to whom notice of the  
65.25 ratification was required to have been given pursuant to 302A.166, subdivision 5 or 8, but  
65.26 to whom the notice was not given.

65.27 Sec. 14. Minnesota Statutes 2024, section 302A.181, is amended by adding a subdivision  
65.28 to read:

65.29 Subd. 4. **Emergency bylaws.** (a) Unless the articles provide otherwise, bylaws may  
65.30 contain provisions that are effective only during an emergency. The emergency bylaws may  
65.31 contain provisions necessary to manage the corporation during the emergency, including:

65.32 (1) procedures for calling a meeting of the board;

66.1 (2) quorum requirements for the meeting;

66.2 (3) designation of additional or substitute directors; and

66.3 (4) procedures for the board to determine the duration of an emergency.

66.4 (b) All provisions of the regular bylaws that are not inconsistent with the emergency  
66.5 bylaws remain effective during the emergency.

66.6 (c) Corporate action taken in good faith in accordance with the emergency bylaws binds  
66.7 the corporation.

66.8 Sec. 15. Minnesota Statutes 2024, section 302A.201, subdivision 1, is amended to read:

66.9 Subdivision 1. **Board to manage.** The business and affairs of a corporation shall be  
66.10 managed by or under the direction of a board, subject to the provisions of subdivision 2 and  
66.11 section 302A.457, and except as may be otherwise provided in the articles. If a provision  
66.12 is made in the articles: (1) the powers and duties conferred or imposed upon the board of  
66.13 directors by this chapter must be exercised or performed to the extent and by the natural  
66.14 persons provided in the articles, (2) the directors have no duties, liabilities, or responsibilities  
66.15 as directors under this chapter with respect to or arising from the exercise or performance  
66.16 of, or from the failure to exercise or perform, the conferred or imposed powers and duties  
66.17 by the other persons, and (3) the other persons have all of the duties, liabilities, and  
66.18 responsibilities of directors under this chapter with respect to and arising from the exercise  
66.19 or performance of, or the failure to exercise or perform, the conferred or imposed powers  
66.20 and duties. The members of the first board may be named in the articles or elected by the  
66.21 incorporators pursuant to section 302A.171 or by the shareholders.

66.22 Sec. 16. Minnesota Statutes 2024, section 302A.237, is amended by adding a subdivision  
66.23 to read:

66.24 Subd. 3. **Agreements and other instruments; authorization.** When this chapter requires  
66.25 the board to approve or to take other action with respect to an agreement, instrument, plan,  
66.26 or document, the agreement, instrument, plan, or document may be approved by the board  
66.27 in final form or in substantially final form. If the board acts to approve or take other action  
66.28 with respect to an agreement, instrument, plan, or document that this chapter requires to be  
66.29 filed with the secretary of state or referenced in any certificate filed, the board may, at any  
66.30 time after providing the approval or taking other action and prior to the effectiveness of the  
66.31 filing with the secretary of state, adopt a resolution ratifying the agreement, instrument,  
66.32 plan, or document. The ratification under this subdivision is effective as of the time of the

67.1 original approval or other action by the board and to satisfy any requirement under this  
67.2 chapter that the board approve or take other action with respect to the agreement, instrument,  
67.3 plan, or document in a specific manner or sequence.

67.4 Sec. 17. Minnesota Statutes 2024, section 302A.361, is amended to read:

67.5 **302A.361 STANDARD OF CONDUCT.**

67.6 Subdivision 1. **Standard; liability.** An officer shall discharge the duties of an office in  
67.7 good faith, in a manner the officer reasonably believes to be in the best interests of the  
67.8 corporation, and with the care an ordinarily prudent person in a like position would exercise  
67.9 under similar circumstances. A person who so performs those duties is not liable by reason  
67.10 of being or having been an officer of the corporation. A person exercising the principal  
67.11 functions of an office or to whom some or all of the duties and powers of an office are  
67.12 delegated pursuant to section 302A.351 is deemed an officer for purposes of this section  
67.13 and sections 302A.467 and 302A.521.

67.14 Subd. 2. **Liability; elimination or limitation.** The articles of a corporation may provide  
67.15 that an officer's personal liability to the shareholders for monetary damages for breach,  
67.16 during the time the corporation is a publicly held corporation, of fiduciary duty as an officer  
67.17 may be eliminated or limited. The articles must not eliminate or limit the liability of an  
67.18 officer:

67.19 (1) for any breach of the officer's duty of loyalty to the corporation or the corporation's  
67.20 shareholders;

67.21 (2) for acts or omissions not in good faith or that involve intentional misconduct or a  
67.22 knowing violation of law;

67.23 (3) under section 80A.76;

67.24 (4) for any transaction from which the officer derived an improper personal benefit;

67.25 (5) in any action by or in the right of the corporation; or

67.26 (6) for any act or omission occurring prior to the date when the provision in the articles  
67.27 eliminating or limiting liability becomes effective.

67.28 Sec. 18. Minnesota Statutes 2024, section 302A.461, subdivision 4, is amended to read:

67.29 **Subd. 4. Right to inspect.** (a) A shareholder, beneficial owner, or a holder of a voting  
67.30 trust certificate of a corporation that is not a publicly held corporation has an absolute right,  
67.31 upon written demand, to examine and copy, in person or by a legal representative, at any

68.1 reasonable time, and the corporation shall make available within ten days after receipt by  
68.2 an officer of the corporation of the written demand:

68.3 (1) the share register; and

68.4 (2) all documents referred to in subdivision 2.

68.5 (b) A shareholder, beneficial owner, or a holder of a voting trust certificate of a  
68.6 corporation that is not a publicly held corporation has a right, upon written demand, to  
68.7 examine and copy, in person or by a legal representative, other corporate records at any  
68.8 reasonable time only if the shareholder, beneficial owner, or holder of a voting trust certificate  
68.9 demonstrates a proper purpose for the examination.

68.10 (c) A shareholder, beneficial owner, or a holder of a voting trust certificate of a publicly  
68.11 held corporation has, upon written demand stating the purpose and acknowledged or verified  
68.12 in the manner provided in chapter 358, a right at any reasonable time to examine and copy  
68.13 the corporation's share register and other corporate records reasonably related to the stated  
68.14 purpose and described with reasonable particularity in the written demand upon  
68.15 demonstrating the stated purpose to be a proper purpose. The acknowledged or verified  
68.16 demand must be directed to the corporation at its registered office in this state or at its  
68.17 principal place of business.

68.18 (d) For purposes of this section, a "proper purpose" is one reasonably related to the  
68.19 person's interest as a shareholder, beneficial owner, or holder of a voting trust certificate of  
68.20 the corporation.

68.21 (e) If a corporation or an officer or director of the corporation violates this section, a  
68.22 court in Minnesota may, in an action brought by a shareholder, beneficial owner, or a holder  
68.23 of a voting trust certificate of the corporation, specifically enforce this section and award  
68.24 expenses, including attorney fees and disbursements, to the shareholder, beneficial owner,  
68.25 or a holder of a voting trust certificate.

68.26 Sec. 19. Minnesota Statutes 2024, section 302A.471, subdivision 1, is amended to read:

68.27 Subdivision 1. **Actions creating rights.** A shareholder of a corporation may dissent  
68.28 from, and obtain payment for the fair value of the shareholder's shares in the event of, any  
68.29 of the following corporate actions:

68.30 (a) unless otherwise provided in the articles, an amendment of the articles that materially  
68.31 and adversely affects the rights or preferences of the shares of the dissenting shareholder  
68.32 in that it:

- 69.1 (1) alters or abolishes a preferential right of the shares;
- 69.2 (2) creates, alters, or abolishes a right in respect of the redemption of the shares, including  
69.3 a provision respecting a sinking fund for the redemption or repurchase of the shares;
- 69.4 (3) alters or abolishes a preemptive right of the holder of the shares to acquire shares,  
69.5 securities other than shares, or rights to purchase shares or securities other than shares;
- 69.6 (4) excludes or limits the right of a shareholder to vote on a matter, or to cumulate votes,  
69.7 except as the right may be excluded or limited through the authorization or issuance of  
69.8 securities of an existing or new class or series with similar or different voting rights; except  
69.9 that an amendment to the articles of an issuing public corporation that provides that section  
69.10 302A.671 does not apply to a control share acquisition does not give rise to the right to  
69.11 obtain payment under this section; ~~or~~
- 69.12 (5) eliminates the right to obtain payment under this subdivision; or
- 69.13 (6) pursuant to section 302A.201, subdivision 1, diminishes or abolishes the board's  
69.14 right to manage, or to direct the management of, the corporation's business and affairs;
- 69.15 (b) a sale, lease, transfer, or other disposition of property and assets of the corporation  
69.16 that requires shareholder approval under section 302A.661, subdivision 2, but not including  
69.17 a disposition in dissolution described in section 302A.725, subdivision 2, or a disposition  
69.18 pursuant to an order of a court, or a disposition for cash on terms requiring that all or  
69.19 substantially all of the net proceeds of disposition be distributed to the shareholders in  
69.20 accordance with their respective interests within one year after the date of disposition;
- 69.21 (c) a plan of merger, whether under this chapter or under chapter 322C, to which the  
69.22 corporation is a constituent organization, except as provided in subdivision 3, and except  
69.23 for a plan of merger adopted under section 302A.626;
- 69.24 (d) a plan of exchange, whether under this chapter or under chapter 322C, to which the  
69.25 corporation is a party as the corporation whose shares will be acquired by the acquiring  
69.26 organization, except as provided in subdivision 3;
- 69.27 (e) a plan of conversion is adopted by the corporation and becomes effective;
- 69.28 (f) an amendment of the articles in connection with a combination of a class or series  
69.29 under section 302A.402 that reduces the number of shares of the class or series owned by  
69.30 the shareholder to a fraction of a share if the corporation exercises its right to repurchase  
69.31 the fractional share so created under section 302A.423; or

70.1 (g) any other corporate action taken pursuant to a shareholder vote with respect to which  
70.2 the articles, the bylaws, or a resolution approved by the board directs that dissenting  
70.3 shareholders may obtain payment for their shares.

70.4 Sec. 20. Minnesota Statutes 2024, section 302A.471, subdivision 3, is amended to read:

70.5 Subd. 3. **Rights not to apply.** (a) Unless the articles, the bylaws, or a resolution approved  
70.6 by the board otherwise provide, the right to obtain payment under this section does not  
70.7 apply to a shareholder of (1) the surviving corporation in a merger with respect to shares  
70.8 of the shareholder that are not entitled to be voted on the merger and are not canceled or  
70.9 exchanged in the merger or (2) the corporation whose shares will be acquired by the acquiring  
70.10 organization in a plan of exchange with respect to shares of the shareholder that are not  
70.11 entitled to be voted on the plan of exchange and are not exchanged in the plan of exchange.

70.12 (b) If a date is fixed according to section 302A.445, subdivision 1, for the determination  
70.13 of shareholders entitled to receive notice of and to vote on an action described in subdivision  
70.14 1, only shareholders as of the date fixed, and beneficial owners as of the date fixed who  
70.15 hold through shareholders, as provided in subdivision 2, may exercise dissenters' rights.

70.16 (c) Notwithstanding subdivision 1, the right to obtain payment under this section, other  
70.17 than in connection with a plan of merger adopted under section 302A.613, subdivision 4,  
70.18 or 302A.621, is limited in accordance with the following provisions:

70.19 (1) The right to obtain payment under this section is not available for the holders of  
70.20 shares of any class or series of shares that is listed on ~~the New York Stock Exchange, NYSE~~  
70.21 ~~MKT LLC, the Nasdaq Global Market, the NASDAQ Global Select Market, the Nasdaq~~  
70.22 ~~Capital Market, or any successor to any such market~~ any national securities exchange  
70.23 registered with the United States Securities and Exchange Commission under Section 6 of  
70.24 the Securities Exchange Act of 1934, United States Code, title 15, section 78a, et seq.

70.25 (2) The applicability of clause (1) is determined as of:

70.26 (i) the record date fixed to determine the shareholders entitled to receive notice of, and  
70.27 to vote at, the meeting of shareholders to act upon the corporate action described in  
70.28 subdivision 1; or

70.29 (ii) the day before the effective date of corporate action described in subdivision 1 if  
70.30 there is no meeting of shareholders.

70.31 (3) Clause (1) is not applicable, and the right to obtain payment under this section is  
70.32 available pursuant to subdivision 1, for the holders of any class or series of shares who are  
70.33 required by the terms of the corporate action described in subdivision 1 to accept for such

71.1 shares anything other than shares, or cash in lieu of fractional shares, of any class or any  
71.2 series of shares of a domestic or foreign corporation, or any other ownership interest of any  
71.3 other organization, that satisfies the standards set forth in clause (1) at the time the corporate  
71.4 action becomes effective.

71.5 Sec. 21. Minnesota Statutes 2024, section 302A.611, is amended by adding a subdivision  
71.6 to read:

71.7 Subd. 1a. **Additional remedies; shareholder representatives.** A plan of merger or  
71.8 exchange may provide:

71.9 (1) that: (i) a party to the plan that fails to perform the party's obligations under the plan  
71.10 in accordance with the terms and conditions of the plan, or that otherwise fails to comply  
71.11 with the terms and conditions of the plan, in each case required to be performed or complied  
71.12 with prior to the time the merger or exchange becomes effective, or that otherwise fails to  
71.13 consummate, or fails to cause the consummation of, the merger or exchange, whether prior  
71.14 to a specified date, upon satisfaction or, to the extent permitted by law, waiver of all  
71.15 conditions to consummation set forth in the plan or otherwise, is subject, in addition to any  
71.16 other remedies available at law or in equity, to penalties or consequences set forth in the  
71.17 plan of merger or exchange, which may include an obligation to pay to the other party or  
71.18 parties to the plan an amount representing or based on the loss of any premium or other  
71.19 economic entitlement the shareholders or holders of rights to purchase of the other party  
71.20 would be entitled to receive pursuant to the terms of the plan if the merger or exchange  
71.21 were consummated in accordance with the terms of the plan; and (ii) if, pursuant to the  
71.22 terms of the plan of merger or exchange, the corporation is entitled to receive payment from  
71.23 another party to the plan of any amount representing a penalty or consequence, the  
71.24 corporation is entitled to enforce the other party's payment obligation and upon receipt of  
71.25 a payment is entitled to retain the amount of the payment received; or

71.26 (2)(i) for the appointment, at or after the time at which the plan of merger or exchange  
71.27 is approved by the shareholders of the corporation in accordance with the requirements of  
71.28 this chapter, of one or more persons, which may include the surviving or resulting  
71.29 organization or any officer, representative, or agent of the surviving or resulting organization,  
71.30 as representative of the shareholders or the holders of rights to purchase of the corporation,  
71.31 including the shareholders and holders whose shares or rights to purchase must be canceled,  
71.32 converted, or exchanged in the merger or exchange and for the delegation to the person or  
71.33 persons of the sole and exclusive authority to take action and bring claims on behalf of the  
71.34 shareholders and the holders pursuant to the plan, including taking actions and bringing

72.1 claims, including by entering into settlements, as the representative determines to enforce  
 72.2 the rights of the shareholders and holders under the plan of merger or exchange, on the  
 72.3 terms and subject to the conditions set forth in the plan; (ii) that an appointment is irrevocable  
 72.4 and binding on all shareholders and holders from and after the approval of the plan of merger  
 72.5 or exchange by the requisite vote of shareholders pursuant to this chapter; and (iii) that a  
 72.6 provision adopted pursuant to this clause may not be amended after the merger or exchange  
 72.7 has become effective or may be amended only with the consent or approval of persons  
 72.8 specified in the plan of merger or exchange.

ARTICLE 6

GARNISHMENT FORMS

72.11 Section 1. Minnesota Statutes 2024, section 550.136, subdivision 6, is amended to read:

72.12 Subd. 6. **Earnings exemption notice.** Before the first levy on earnings under this chapter,  
 72.13 the judgment creditor shall serve upon the judgment debtor no less than ten days before the  
 72.14 service of the writ of execution, a notice that the writ of execution may be served on the  
 72.15 judgment debtor's employer. The notice must: (1) be substantially in the form set forth  
 72.16 below; (2) be served personally, in the manner of a summons and complaint, or by first  
 72.17 class mail to the last known address of the judgment debtor; (3) inform the judgment debtor  
 72.18 that an execution levy may be served on the judgment debtor's employer in ten days, and  
 72.19 that the judgment debtor may, within that time, cause to be served on the judgment creditor  
 72.20 a signed statement under penalties of perjury asserting an entitlement to an exemption from  
 72.21 execution; (4) inform the judgment debtor of the earnings exemptions contained in section  
 72.22 550.37, subdivision 14; and (5) advise the judgment debtor of the relief set forth in this  
 72.23 chapter to which the debtor may be entitled if a judgment creditor in bad faith disregards a  
 72.24 valid claim and the fee, costs, and penalty that may be assessed against a judgment debtor  
 72.25 who in bad faith falsely claims an exemption or in bad faith takes action to frustrate the  
 72.26 execution process. The notice requirement of this subdivision does not apply to a levy on  
 72.27 earnings being retained by an employer pursuant to a garnishment previously served in  
 72.28 compliance with chapter 571.

72.29 The ten-day notice informing a judgment debtor that a writ of execution may be used  
72.30 to levy the earnings of an individual must be substantially in the following form:

72.31 ~~STATE OF MINNESOTA~~ ~~DISTRICT COURT~~  
 72.32 ~~COUNTY OF .....~~ ~~..... JUDICIAL DISTRICT~~  
 72.33 ~~..... (Judgment Creditor)~~  
 72.34 ~~against~~ ~~EXECUTION EXEMPTION~~



73.1 ..... (Judgment Debtor)  
 73.2 **and**  
 73.3 ..... (Third Party)

~~NOTICE AND NOTICE OF INTENT TO  
 LEVY ON EARNINGS~~

73.4 **State of Minnesota**

**District Court**

73.5 County of: .....

Judicial District: .....

73.6 Court File Number: .....

73.7 Case Type: .....

73.8 Creditor's full name

73.9 .....

**Execution Exemption**

73.10 against

**Notice and Notice of**

73.11 Debtor's full name

**Intent to Levy on Earnings**

73.12 .....

73.13 and

73.14 Third Party (bank, employer, or other)

73.15 .....

73.16 ~~PLEASE TAKE NOTICE that a levy may be served upon your employer or other third~~  
 73.17 ~~parties, without any further court proceedings or notice to you, ten days or more from the~~  
 73.18 ~~date hereof. Your earnings are completely exempt from execution levy if you are now a~~  
 73.19 ~~recipient of relief based on need, if you have been a recipient of relief within the last six~~  
 73.20 ~~months, or if you have been an inmate of a correctional institution in the last six months.~~

73.21 ~~Relief based on need includes Minnesota Family Investment Program (MFIP), Emergency~~  
 73.22 ~~Assistance (EA), Work First, Medical Assistance (MA), General Assistance (GA), Emergency~~  
 73.23 ~~General Assistance (EGA), Minnesota Supplemental Aid (MSA), MSA Emergency~~  
 73.24 ~~Assistance (MSA-EA), Supplemental Security Income (SSI), and Energy Assistance.~~

73.25 ~~If you wish to claim an exemption, you should fill out the appropriate form below, sign~~  
 73.26 ~~it, and send it to the judgment creditor's attorney.~~

73.27 ~~You may wish to contact the attorney for the judgment creditor in order to arrange for~~  
 73.28 ~~a settlement of the debt or contact an attorney to advise you about exemptions or other~~  
 73.29 ~~rights.~~

73.30 **Notice: A levy may be served on your employer or other third parties. A levy means**  
 73.31 **that part of your earnings can be taken to pay off debts that you owe. This can happen**  
 73.32 **in 10 days or more after you get this notice. This can happen without any other court action**  
 73.33 **or notice to you. But some of your money may be protected.**

73.34 **Your earnings cannot be taken if:**

- 74.1 (i) you are getting government assistance based on need,
- 74.2 (ii) you got any government assistance based on need in the last 6 months, or
- 74.3 (iii) you were an inmate of a correctional institution in the last 6 months.

74.4 **These are called exemptions. Your money is NOT protected unless you fill out the**

74.5 **Exemption Claim Notice attached and send it back to the creditor or the creditor's**

74.6 **lawyer. If you are not sure if you have any exemptions, talk to a lawyer.**

74.7 You can also contact the creditor or their lawyer to talk about a settlement of the debt.

74.8 Examples of government assistance based on need:

- 74.9 (i) **MFIP** - Minnesota Family Investment Program
- 74.10 (ii) **DWP** - MFIP Diversionary Work Program
- 74.11 (iii) **SNAP** - Supplemental Nutrition Assistance Program
- 74.12 (iv) **GA** - General Assistance
- 74.13 (v) **EGA** - Emergency General Assistance
- 74.14 (vi) **MSA** - Minnesota Supplemental Aid
- 74.15 (vii) **MSA-EA** - MSA Emergency Assistance
- 74.16 (viii) **EA** - Emergency Assistance
- 74.17 (ix) **Energy or Fuel Assistance**
- 74.18 (x) **Work Participation Cash Benefit**
- 74.19 (xi) **MA** - Medical Assistance
- 74.20 (xii) **MinnesotaCare**
- 74.21 (xiii) **Medicare Part B** - Premium Payments help
- 74.22 (xiv) **Medicare Part D** - Extra
- 74.23 (xv) **SSI** - Supplemental Security Income
- 74.24 (xvi) **Tax Credits** - federal Earned Income Tax Credit (EITC), MN Working family
- 74.25 credit
- 74.26 (xvii) **Renter's Refund** (also called Renter's Property Tax Credit)

74.27 **PENALTIES**

74.28 **Warnings and Fines**

75.1 (1) ~~Be advised that~~ Even if you claim an exemption, ~~an execution~~ a levy may still be  
 75.2 served on your employer. If ~~your earnings are levied on~~ they take money from you after  
 75.3 you claim an exemption, you may ~~petition~~ ask the court for a ~~determination of~~ to review  
 75.4 your exemption. If the court finds that the ~~judgment~~ creditor ~~disregarded~~ ignored your  
 75.5 claim of exemption in bad faith, you ~~will be~~ are entitled to costs, reasonable ~~attorney~~  
 75.6 lawyer fees, actual damages, and ~~an amount not~~ a fine up to ~~exceed~~ \$100. Bad faith is  
 75.7 when someone does something wrong on purpose.

75.8 (2) ~~HOWEVER, BE WARNED BUT~~ if you claim an exemption, the ~~judgment~~ creditor  
 75.9 can also ~~petition~~ ask the court for a ~~determination of~~ to review your exemption, ~~and~~. If  
 75.10 the court finds that you claimed an exemption in bad faith, you ~~will be assessed~~ are  
 75.11 charged costs and reasonable ~~attorney's~~ lawyer fees ~~plus an amount not~~ and a fine up to  
 75.12 ~~exceed~~ \$100.

75.13 (3) ~~If after receipt of this notice, you in bad faith take action to frustrate the execution~~  
 75.14 ~~levy, thus requiring the judgment creditor to petition the court to resolve the problem,~~  
 75.15 ~~you will be liable to the judgment creditor for costs and reasonable attorney's fees plus~~  
 75.16 ~~an amount not to exceed \$100.~~

75.17 (3) If you get this notice, then do something in bad faith to try to block or stop the levy  
 75.18 and the creditor has to take you to court because of it, you will have to pay the creditor's  
 75.19 costs, and reasonable lawyer fees, and a fine up to \$100.

75.20 DATED: .....  
 75.21 .....  
 75.22 .....  
 75.23 (Attorney for Judgment Creditor)  
 75.24 .....  
 75.25 Address  
 75.26 .....  
 75.27 Telephone

75.26 Date: .....  
 75.27 Creditor's Signature: .....  
 75.28 (or creditor's lawyer's signature)  
 75.29 Creditor's Name: .....  
 75.30 (or creditor's lawyer's name)  
 75.31 Street Address: .....  
 75.32 City/State/Zip: .....  
 75.33 Phone: ..... Fax: .....  
 75.34 Email: .....

76.1 **JUDGMENT Debtor's Exemption Claim Notice**

76.2 I ~~hereby~~ claim that my earnings are exempt ~~from execution~~ because: (check all that  
76.3 apply)

76.4 ~~(1) ... I am presently a recipient of relief getting government assistance based on need.~~  
76.5 ~~(Specify State the program, case number if you know it, and the county from which~~  
76.6 ~~relief is being received you got it from.)~~

76.7 .....

76.8 <del>Program</del>	<del>Case Number (if known)</del>	<del>County</del>
76.9 <del>Program: .....</del>	<del>Case #: .....</del>	<del>County: .....</del>
76.10 <del>Program: .....</del>	<del>Case #: .....</del>	<del>County: .....</del>
76.11 <del>Program: .....</del>	<del>Case #: .....</del>	<del>County: .....</del>

76.12 ~~(2) ... I am not now receiving relief getting assistance based on need right now, but I~~  
76.13 ~~have received relief did get government assistance based on need within the last six 6~~  
76.14 ~~months. (Specify State the program, case number if you know it, and the county you got~~  
76.15 ~~it from which relief has been received.)~~

76.16 .....

76.17 <del>Program</del>	<del>Case Number (if known)</del>	<del>County</del>
76.18 <del>Program: .....</del>	<del>Case #: .....</del>	<del>County: .....</del>
76.19 <del>Program: .....</del>	<del>Case #: .....</del>	<del>County: .....</del>
76.20 <del>Program: .....</del>	<del>Case #: .....</del>	<del>County: .....</del>

76.21 ~~(3) ... I have been was an inmate of a correctional institution within the last six 6 months.~~  
76.22 ~~(Specify State the correctional institution and location.)~~

76.23 .....

76.24 ~~Correctional Institution .....~~ ~~Location .....~~

76.25 ~~I hereby authorize any agency that has distributed relief to me or any correctional~~  
76.26 ~~institution in which I was an inmate to disclose to the above named judgment creditor or~~  
76.27 ~~the judgment creditor's attorney only whether or not I am or have been a recipient of relief~~  
76.28 ~~based on need or an inmate of a correctional institution within the last six months. I have~~  
76.29 ~~mailed or delivered a copy of this form to the judgment creditor or judgment creditor's~~  
76.30 ~~attorney.~~

76.31 .....

76.32 ~~Debtor~~

76.33 .....

77.1 Address  
77.2 .....

77.3 Debtor Telephone Number

77.4 I give my permission to any agency listed above to give information about my benefits  
77.5 to the creditor named above, or to the creditor's lawyer. The information will ONLY be if  
77.6 I get assistance, or if I have gotten assistance in the past 6 months. If I was an inmate in the  
77.7 last 6 months, I give my permission to the correctional institution to tell the creditor named  
77.8 above or the creditor's lawyer that I was an inmate there.

77.9 Date: .....

77.10 Debtor's Signature: .....

77.11 Debtor's Name: .....

77.12 Street Address: .....

77.13 City/State/Zip: .....

77.14 Phone: .....

77.15 Email: .....

77.16 Sec. 2. Minnesota Statutes 2024, section 550.136, subdivision 9, is amended to read:

77.17 Subd. 9. **Execution earnings disclosure form and worksheet.** The judgment creditor  
77.18 shall provide to the sheriff for service upon the judgment debtor's employer an execution  
77.19 earnings disclosure form and an earnings disclosure worksheet with the writ of execution,  
77.20 that must be substantially in the form set forth below.

77.21 ~~STATE OF MINNESOTA~~ ~~DISTRICT COURT~~

77.22 ~~COUNTY OF .....~~ ~~..... JUDICIAL DISTRICT~~

77.23 ~~FILE NO. ....~~

77.24 ~~..... (Judgment Creditor)~~

77.25 ~~against~~ ~~EARNINGS~~

77.26 ~~..... (Judgment Debtor)~~ ~~EXECUTION~~

77.27 ~~and~~ ~~DISCLOSURE~~

77.28 ~~..... (Third Party)~~

77.29 State of Minnesota District Court

77.30 County of: ..... Judicial District: .....

77.31 Court File Number: .....

77.32 Case Type: .....

77.33 Creditor's full name

77.34 ..... Earnings Execution Disclosure

77.35 and For Non-Child Support Judgments

78.1 Debtor's full name  
78.2 .....

78.3 Third Party (bank, employer, or other)  
78.4 .....

78.5 This form is called an "Earnings Execution Disclosure" or "Disclosure." It is for the  
78.6 employer to fill out. The "debtor" is the person who owes money. The debtor gets a copy  
78.7 of this form for their own information.

78.8 The employer is also called the "third party garnishee" or "third party." The debtor is  
78.9 also called a "judgment debtor." If the debtor asks how the calculations in this document  
78.10 were made, the employer **must** provide information about it.

78.11 ~~"EARNINGS": For the purpose of execution, "earnings" means compensation paid or~~  
78.12 ~~payable to an employee for personal services or compensation paid or payable to the producer~~  
78.13 ~~for the sale of agricultural products; milk or milk products; or fruit or other horticultural~~  
78.14 ~~products produced when the producer is operating a family farm, a family farm corporation,~~  
78.15 ~~or an authorized farm corporation, as defined in section 500.24, subdivision 2, whether~~  
78.16 ~~denominated as wages, salary, commission, bonus, or otherwise, and includes periodic~~  
78.17 ~~payments pursuant to a pension or retirement.~~

78.18 ~~"DISPOSABLE EARNINGS": Means that part of the earnings of an individual remaining~~  
78.19 ~~after the deduction from those earnings of amounts required by law to be withheld. (Amounts~~  
78.20 ~~required by law to be withheld do not include items such as health insurance, charitable~~  
78.21 ~~contributions, or other voluntary wage deductions.)~~

78.22 **DEFINITIONS**

78.23 "Earnings": what is paid or payable to an employee, independent contractor, or  
78.24 self-employed person for personal services (a job). Also called compensation. Compensation  
78.25 can be wages, salary, commission, bonuses, payments, profit-sharing distributions, severance  
78.26 payment, fees, or other. It includes periodic payments from a pension or retirement. It can  
78.27 also be compensation paid or payable to a producer for the sale of agricultural products.  
78.28 This can be things like milk or milk products, or fruit or other horticultural products. Or  
78.29 things produced in the operation of a family farm, a family farm corporation, or an authorized  
78.30 farm corporation. This is defined in Minnesota Statutes, section 500.24, subdivision 2.

78.31 "Disposable Earnings": the part of a person's earnings that are left after subtracting  
78.32 the amounts required by law to be withheld. **Note:** Amounts required by law to be withheld  
78.33 do not include things like health insurance, charitable contributions, or other voluntary wage  
78.34 deductions.

79.1 **"Payday":** ~~For the purpose of execution, "payday(s)" means the date(s) upon which~~  
 79.2 ~~the date when the employer pays earnings to the debtor in the ordinary course of business~~  
 79.3 ~~for doing their job. If the judgment debtor has no regular payday, payday(s) then "payday"~~  
 79.4 means the 15th and the last day of each month.

79.5 **The Third Party/Employer Must Answer The Following Questions:**

79.6 (1) ~~Right now, do you now owe, or within 90 days from the date the execution levy was~~  
 79.7 ~~served on you, will you or may you owe money to the judgment debtor for earnings?~~

79.8 Yes ..... No .....

79.9 (2) ~~Does the judgment debtor earn more than \$... per week? (this amount is the greater~~  
 79.10 ~~of \$9.50 per hour or the federal minimum wage per week)~~

79.11 (2) Within 90 days from the date you were served with the levy, will you or may you  
 79.12 owe money to the debtor for earnings?

79.13 Yes ..... No .....

79.14 (3) Does the debtor earn more than the current Minnesota or federal minimum wage per  
 79.15 week? (use the number that is more)

79.16 Yes ..... No .....

79.17 A. If you answer "No" to question 1, 2, or 3, you don't need to answer the rest of the  
 79.18 questions. You don't have to do the Earnings Disclosure Worksheet. Sign the Earnings  
 79.19 Disclosure Affirmation below and return this disclosure form to the sheriff. You must return  
 79.20 it within 20 days after it was served on you.

79.21 B. If you answer "Yes" to question 1 or 2, and "Yes" to question 3, sign the Earnings  
 79.22 Disclosure Affirmation below. You must return it to the sheriff within 20 days. You must  
 79.23 also fill out the rest of this form. Read the instructions for the Earnings Disclosure Worksheet.

79.24 **Earnings Disclosure Affirmation**

79.25 I, ..... (person signing Affirmation), am the third party/employer or I am  
 79.26 authorized by the third party/employer to complete this earnings disclosure and have done  
 79.27 so truthfully and to the best of my knowledge.

79.28 Date: .....

79.29 Third Party's Name: .....

79.30 Third Party's Signature: .....

79.31 Phone: ..... Fax: .....

79.32 Email: .....

80.1 **Instructions for Completing the Earnings Disclosure Worksheet**

80.2 ~~A. If your answer to either question 1 or 2 is "No," then you must sign the affirmation~~  
80.3 ~~below and return this disclosure to the sheriff within 20 days after it was served on you,~~  
80.4 ~~and you do not need to answer the remaining questions.~~

80.5 ~~B. If your answers to both questions 1 and 2 are "Yes," you must complete this form~~  
80.6 ~~and the Earnings Disclosure Worksheet as follows:~~

80.7 For each payday that falls within 90 days from the date the execution levy was served  
80.8 on you, you **must** calculate the amount of earnings to be retained by completing steps  
80.9 3 through 11 on page 2, and enter the amounts on the Earnings Disclosure Worksheet.  
80.10 ~~UPON REQUEST, THE EMPLOYER MUST PROVIDE THE DEBTOR WITH~~  
80.11 ~~INFORMATION AS TO HOW THE CALCULATIONS REQUIRED BY THIS~~  
80.12 ~~DISCLOSURE WERE MADE~~ withheld. Enter the amounts on the Earnings Disclosure  
80.13 Worksheet.

80.14 You must:

80.15 (1) Withhold the amount of earnings listed in Column I on the Earnings Disclosure  
80.16 Worksheet each payday.

80.17 (2) After 90 days, return this Earnings Disclosure Worksheet to the sheriff. Include all  
80.18 the money withheld. Sign the Affirmation at the end of the worksheet before returning.

80.19 (3) Deliver a copy of the disclosure and worksheet to the debtor within 10 days after the  
80.20 last payday that falls within the 90-day period.

80.21 If the debt (judgment) is fully paid off or if the debtor's job ends before the 90-day period  
80.22 is over, you need to do the last disclosure and withholdings within 10 days of their last  
80.23 payday that you withheld money.

80.24 ~~Each payday, you must retain the amount of earnings listed in column I on the Earnings~~  
80.25 ~~Disclosure Worksheet.~~

80.26 ~~You must pay the attached earnings and return this earnings disclosure form and the~~  
80.27 ~~Earnings Disclosure Worksheet to the sheriff and deliver a copy of the disclosure and~~  
80.28 ~~worksheet to the judgment debtor within ten days after the last payday that falls within~~  
80.29 ~~the 90-day period. If the judgment is wholly satisfied or if the judgment debtor's~~  
80.30 ~~employment ends before the expiration of the 90-day period, your disclosure and~~  
80.31 ~~remittance should be made within ten days after the last payday for which earnings were~~  
80.32 ~~attached.~~



81.1 For steps 3 through 11, "columns" refers to columns on the Earnings Disclosure

81.2 ~~Worksheet.~~

- 81.3 (3) COLUMN A. ~~Enter the date of judgment debtor's payday.~~
- 81.4 (4) COLUMN B. ~~Enter judgment debtor's gross earnings for each payday.~~
- 81.5 (5) COLUMN C. ~~Enter judgment debtor's disposable earnings for each~~  
81.6 ~~payday.~~
- 81.7 (6) COLUMN D. ~~Enter 25 percent of disposable earnings. (Multiply~~  
81.8 ~~column C by .25.)~~
- 81.9 (7) COLUMN E. ~~Enter here the greater of 40 times \$9.50 or 40 times the~~  
81.10 ~~hourly federal minimum wage (\$.....) times the~~  
81.11 ~~number of work weeks included in each payday. (Note:~~  
81.12 ~~If a payday includes days in excess of whole work~~  
81.13 ~~weeks, the additional days should be counted as a~~  
81.14 ~~fraction of a work week equal to the number of~~  
81.15 ~~workdays in excess of a whole work week divided by~~  
81.16 ~~the number of workdays in a normal work week.)~~
- 81.17 (8) COLUMN F. ~~Subtract the amount in column E from the amount in~~  
81.18 ~~column C, and enter here.~~
- 81.19 (9) COLUMN G. ~~Enter here the lesser of the amount in column D and the~~  
81.20 ~~amount in column F.~~
- 81.21 (10) COLUMN H. ~~Enter here any amount claimed by you as a setoff,~~  
81.22 ~~defense, lien, or claim, or any amount claimed by any~~  
81.23 ~~other person as an exemption or adverse interest which~~  
81.24 ~~would reduce the amount of earnings owing to the~~  
81.25 ~~judgment debtor. (Note: Any indebtedness to you~~  
81.26 ~~incurred within ten days prior to your receipt of the first~~  
81.27 ~~execution levy on a debt may not be set off against the~~  
81.28 ~~earnings otherwise subject to this levy. Any wage~~  
81.29 ~~assignment made by the judgment debtor within ten~~  
81.30 ~~days prior to your receipt of the first execution levy on~~  
81.31 ~~a debt is void.)~~

81.32 ~~You must also describe your claim(s) and the claims of~~  
81.33 ~~others, if known, in the space provided below the~~  
81.34 ~~worksheet and state the name(s) and address(es) of these~~  
81.35 ~~persons.~~

81.36 ~~Enter zero in column H if there are no claims by you or~~  
81.37 ~~others which would reduce the amount of earnings~~  
81.38 ~~owing to the judgment debtor.~~

- 81.39 (11) COLUMN I. ~~Subtract the amount in column H from the amount in~~  
81.40 ~~column G and enter here. This is the amount of earnings~~  
81.41 ~~that you must remit for the payday for which the~~  
81.42 ~~calculations were made.~~

81.43 ~~AFFIRMATION~~

81.44 ~~I, ..... (person signing Affirmation), am the third party/employer or I am~~  
81.45 ~~authorized by the third party/employer to complete this earnings disclosure, and have done~~  
81.46 ~~so truthfully and to the best of my knowledge.~~

82.1 **DATED:** .....

82.2 Signature

82.3 .....

82.4 Title

82.5 .....

82.6 Telephone Number

82.7 **EARNINGS DISCLOSURE WORKSHEET** .....

82.8 Debtor's Name

82.9 **Calculating Percentage of Disposable Earnings**

82.10 **Note to Creditor:** You must fill out this chart before sending this form to the employer.

82.11 Use the current minimum wage found online at: <https://www.dli.mn.gov/minwage>.

82.12 Minimum Wage = \$MW/hour.

82.13 if the weekly gross earnings are: then this percentage of the disposable  
82.14 earnings are withheld:

82.15 Less than [40 X MW] 0%

82.16 [40 X MW + .01] to [60 X MW] 10%

82.17 [60 X MW + .01] to [80 X MW] 15%

82.18 [80 x MW + .01] or more 25%

82.19 **Employer:** Use this creditor's calculation chart to know what percentage of earnings  
82.20 should be withheld.

82.21 **Earnings Disclosure Worksheet**

82.22 .....

82.23 Debtor's name

82.24		B - Gross	C - Disposable
82.25	A - Payday Date	Earnings	Earnings

82.26 1. .... \$ ..... \$ .....

82.27 2. .... .....

82.28 3. .... .....

82.29 4. .... .....

82.30 5. .... .....

82.31 6. .... .....

82.32 7. .... .....

82.33 8. .... .....

82.34 9. .... .....

82.35 10. .... .....

83.1 **Column A.** Enter the debtor's payday.

83.2 **Column B.** Enter the debtor's gross earnings for each payday.

83.3 **Column C.** Enter the debtor's disposable earnings for each payday.

83.4	D <del>25</del> - % of	E - Greater of 40	
83.5	withholding of	<del>X \$9.50 or 40 X</del>	
83.6	Column C (Use the	MN or Fed.	F - Column C
83.7	<u>creditor's calculation</u> )	Min. Wage	minus Column E
83.8	1. ....	.....	.....
83.9	2. ....	.....	.....
83.10	3. ....	.....	.....
83.11	4. ....	.....	.....
83.12	5. ....	.....	.....
83.13	6. ....	.....	.....
83.14	7. ....	.....	.....
83.15	8. ....	.....	.....
83.16	9. ....	.....	.....
83.17	10. ....	.....	.....

83.18 **Column D.** Enter the percentage of disposable earnings that will be withheld. Get this  
83.19 number from the creditor's calculation chart.

83.20 **Column E.** Calculate 40 times the current MN minimum wage (or 40 times the current  
83.21 federal minimum wage) times the number of work weeks in each payday. Enter the bigger  
83.22 number here. Note: If a payday has extra days that are more than a full work week, count  
83.23 those extra days as part of a work week. Do this by dividing the number of extra workdays  
83.24 by the number of workdays in a normal week.

83.25 **Column F.** Subtract the amount in Column E from the amount in Column C and enter  
83.26 here.

83.27		H - Setoff, Lien,	
83.28	G - Lesser of	Adverse	I - Column G
83.29	Column D and	Interest, or	minus Column
83.30	Column F	Other Claims	H
83.31	1. ....	.....	.....
83.32	2. ....	.....	.....
83.33	3. ....	.....	.....
83.34	4. ....	.....	.....
83.35	5. ....	.....	.....
83.36	6. ....	.....	.....

84.1 7. ....

84.2 8. ....

84.3 9. ....

84.4 10. ....

84.5 TOTAL OF COLUMN I \$ .....

84.6 **Column G.** Look at Column D and Column F. Enter the smaller amount of the two here  
84.7 in Column G.

84.8 **Column H.** Enter any amount claimed by you that would lower the amount of earnings  
84.9 that will go to the debtor. Things like:

84.10 (i) a setoff,

84.11 (ii) a defense,

84.12 (iii) a lien,

84.13 (iv) a claim, or

84.14 (v) any amount claimed by any other person as an exemption or adverse interest.

84.15 **Note:** You must describe your claim(s) and the claims of others, if known, in the spaces  
84.16 after this worksheet.

84.17 Enter zero in Column H if there are no claims by you or others which would lower the  
84.18 amount of earnings owed to the debtor.

84.19 **Note:** Any debt that happened within 10 days before you got the first levy on a debt  
84.20 may not be set off against the earnings that are affected by this levy. Any wage assignment  
84.21 made by the debtor within 10 days before you got the first levy on a debt is void. Wage  
84.22 assignment is when a debtor voluntarily agrees to money being taken out of their earnings.

84.23 **Column I.** Subtract the amount in Column H from the amount in Column G and enter  
84.24 here. This is the amount of earnings that go to the creditor.

84.25 **\*If you entered any amount in Column H** for any payday(s) payday, you must describe  
84.26 those claims below either your claims, or the claims of others. It doesn't matter if they are  
84.27 your claims, or the claims of others. For amounts claimed claims by others, you must both  
84.28 state list the names and addresses of such persons each, and the nature of describe their  
84.29 claim claims, if known you know.

84.30 .....

84.31 .....

85.1 .....  
85.2 .....

85.3 **Earnings Worksheet Affirmation**

85.4 I, ..... (person signing Affirmation), am the third ~~party~~ party/employer or I am  
85.5 authorized by the third ~~party~~ party/employer to complete this earnings disclosure ~~worksheet~~,  
85.6 and have done so truthfully and to the best of my knowledge.

85.7 .....

85.8 Signature

85.9 Dated: ..... (.....) .....

85.10 Title Phone Number

85.11 Date: .....

85.12 Third Party's Name: .....

85.13 Third Party's Signature: .....

85.14 Phone: ..... Fax: .....

85.15 Email: .....

85.16 Sec. 3. Minnesota Statutes 2024, section 550.143, subdivision 2, is amended to read:

85.17 Subd. 2. **Disclosure form.** Along with the writ of execution, the notice, instructions,  
85.18 and the exemption notice described in subdivision 3, the sheriff shall serve upon the financial  
85.19 institution an execution disclosure form which must be substantially in the following form:

85.20 ~~STATE OF MINNESOTA~~ ~~DISTRICT COURT~~

85.21 ~~COUNTY OF .....~~ ~~.....JUDICIAL DISTRICT~~

85.22 ~~.....(Judgment Creditor)~~

85.23 ~~against~~ ~~FINANCIAL INSTITUTIONS~~

85.24 ~~.....(Judgment Debtor)~~ ~~EXECUTION~~

85.25 ~~and~~ ~~DISCLOSURE~~

85.26 ~~.....(Third Party)~~

85.27 **State of Minnesota** **District Court**

85.28 County of: ..... Judicial District: .....

85.29 Court File Number: .....

85.30 Case Type: .....

85.31 Creditor's full name

85.32 ..... **Execution Disclosure**

85.33 against

86.1 Debtor's full name  
86.2 .....

86.3 and  
86.4 Third Party (bank, employer, or other)  
86.5 .....

86.6 This form is called a "Non-Earnings Disclosure" or "Disclosure." It is being sent to you  
86.7 because you might be holding property that belongs to the debtor, or you might owe money  
86.8 to the debtor.

86.9 You are the "third party" or "garnishee." The "debtor" is the person who owes money.  
86.10 The debtor is also called the "judgment debtor." The creditor is the person the debtor owes  
86.11 money to. The creditor is also called the "judgment creditor." The debtor owes  
86.12 \$..... to the creditor.

86.13 You must list any money or property you owe the debtor on the lines below and sign  
86.14 the affirmation. Write "none" on the line if that is your answer. You must then return this  
86.15 disclosure to the creditor (or the creditor's lawyer) within 20 days after you got it.

86.16 ~~On the ..... day of ....., ....., the time of service of execution herein, there was due~~  
86.17 ~~and owing the judgment debtor from the third party the following:~~

86.18 Fill in the date you got this disclosure:  
86.19 ..... (month) ..... (day), ..... (year)

86.20 On the date you got this disclosure, you owed the debtor:

86.21 ~~(1) Money. Enter on the line below any amounts due and owing the judgment debtor,~~  
86.22 ~~except earnings, from the third party. Write down the amount of money you owe the debtor~~  
86.23 ~~(except earnings).~~

86.24 .....

86.25 (2) Property. Write a short description of any personal property, instruments, or papers  
86.26 belonging to the debtor that you have in your possession. List the monetary value of each  
86.27 thing.

86.28 .....

86.29 ~~(2) (3) Setoff. Enter on the line below the amount of any setoff, defense, lien, or claim~~  
86.30 ~~which the third party claims against the amount set forth on line (1). State the facts by which~~  
86.31 ~~such setoff, defense, lien, or claim is claimed. (Any indebtedness to a third party incurred~~  
86.32 ~~by the judgment debtor within ten days prior to the receipt of the first execution levy on a~~

87.1 ~~debt is void as to the judgment creditor.)~~ If you claim a setoff, defense, lien, or claim against  
 87.2 the amount on lines (1) and (2) above, enter that amount on the line below. State the facts  
 87.3 about your claim. Note: Any payment the debtor makes to the garnishee within the 10 days  
 87.4 before they get the first garnishment order on that debt can't be used to lower the amount  
 87.5 that is being garnished.

87.6 .....

87.7 ~~(3)~~ (4) Exemption. Enter any amounts or property that the debtor claims is exempt on  
 87.8 the line below any amounts or property claimed by the judgment debtor to be exempt from  
 87.9 execution.

87.10 .....

87.11 ~~(4)~~ (5) Adverse Interest. Enter on the line below any amounts claimed by other persons  
 87.12 by reason of ownership or interest in the judgment of the debtor's property that other people  
 87.13 claim they own or have interest in.

87.14 .....

87.15 ~~(5)~~ (6) Enter on the line below the total of lines (2), (3), and (4) (3), (4), and (5) on the  
 87.16 line below.

87.17 .....

87.18 ~~(6)~~ (7) Enter on the line below the difference obtained (never less than zero) when line  
 87.19 (5) (6) is subtracted from the amount on line sum of lines (1) and (2) on the line below.

87.20 .....

87.21 ~~(7)~~ Enter on the line below (8) Figure out 110 percent of the amount of the judgment  
 87.22 creditor's claim which remains is still unpaid. Enter it on the line below.

87.23 .....

87.24 ~~(8)~~ Enter on the line below the lesser of line (6) and line (7). You are hereby instructed  
 87.25 to remit this amount only if it is \$10 or more.

87.26 (9) Look at (7) and (8). Put the smaller number on the line below. Hold this amount only  
 87.27 if it is \$10 or more.

87.28 .....

87.29 **AFFIRMATION**

88.1 I, ..... (person signing Affirmation), am the ~~third party~~ garnishee or I am  
 88.2 authorized by the ~~third party~~ garnishee to complete this ~~non-earnings~~ non-earnings  
 88.3 garnishment disclosure, and have done so truthfully and to the best of my knowledge.

88.4 **Dated:** .....  
 88.5 **Signature**  
 88.6 .....  
 88.7 **Title**  
 88.8 .....  
 88.9 **Telephone Number**

88.10 **Date:** .....  
 88.11 **Name:** .....  
 88.12 **Signature:** .....  
 88.13 **Title:** .....  
 88.14 **Phone:** ..... **Email:** .....

88.15 Sec. 4. Minnesota Statutes 2024, section 550.143, subdivision 3a, is amended to read:

88.16 Subd. 3a. **Form of notice.** The notice required by subdivision 3 must be provided as a  
 88.17 separate form and must be substantially in the following form:

88.18 ~~STATE OF MINNESOTA~~ ~~DISTRICT COURT~~  
 88.19 ~~COUNTY OF~~ ..... ~~JUDICIAL DISTRICT~~  
 88.20 .....(~~Creditor~~)  
 88.21 .....(~~Debtor~~)  
 88.22 .....(~~Financial institution~~)

88.23 **State of Minnesota** **District Court**  
 88.24 **County of:** ..... **Judicial District:** .....  
 88.25 **Court File Number:** .....  
 88.26 **Case Type:** .....

88.27 **Creditor's full name**  
 88.28 ..... **Notice of Levied Funds**  
 88.29 **Debtor's full name**  
 88.30 .....  
 88.31 **Third Party (bank, employer, or other)**  
 88.32 .....

88.33 **IMPORTANT NOTICE**



89.1 ~~**YOUR FUNDS HAVE BEEN LEVIED**~~

89.2 **Money in Your Account Has Been Frozen**

89.3 The creditor has frozen money in your account at your ~~financial institution~~ bank.

89.4 **Your account balance is \$.....**

89.5 **The amount being held is \$.....**

89.6 The amount being held ~~will be~~ is frozen for 14 days from the date of this notice.

89.7 **Some of your money in your account may be protected (the legal word is exempt).**

89.8 **You may be able to get it sooner than 14 days if you act quickly and follow the**  
89.9 **instructions on the next page.**

89.10 The attached exemption form lists some different ~~sources of~~ ways money in your account  
89.11 ~~that~~ may be protected. If your money is comes from ~~one or more of these sources~~ a benefit  
89.12 on this list, ~~place~~ put a check ~~on the line on the form next to the sources of your money in~~  
89.13 the box next to it. If it is ~~from one of these sources~~, The creditor ~~cannot~~ can't take it.

89.14 BUT, if you want the bank to unfreeze your money, you must follow the instructions  
89.15 and return the exemption form and with copies of your bank statements from the last  
89.16 60 days to have the bank unfreeze your money. Instructions and the form are attached. If  
89.17 you ~~do not~~ don't follow the instructions, your ~~financial institution will give~~ bank gives the  
89.18 money to ~~the Sheriff~~ your creditor. If your creditor gets an order from the court or writ of  
89.19 execution, your bank gives the money to them. If that happens and ~~if~~ your money is protected,  
89.20 you can still get it back from the creditor later, ~~but that is not as easy to do as filling in the~~  
89.21 ~~form now.~~ But filling out the form now is easiest.

89.22 ~~See next pages for instructions and the exemption form.~~

89.23 See the attached *Exemption Form Instructions* and *Exemption Form* for your next steps.

89.24 Sec. 5. Minnesota Statutes 2024, section 550.143, subdivision 3b, is amended to read:

89.25 Subd. 3b. **Form of instructions.** The instructions required by this section must be in a  
89.26 separate form and must be substantially in the following form:

89.27 **Exemption Form Instructions**

89.28 **Note:** The creditor is who you owe the money to. You are the debtor.

89.29 1. Fill out **both** of the attached exemption forms in this packet.

89.30 If you check one of the lines, you should also give proof. Use proof that shows show  
89.31 that some or all of the money in your account is from one or more of the protected sources.

90.1 This might be letters or account statements. Creditors may ask for a hearing if they question  
90.2 your exemptions.

90.3 **To avoid a hearing:**

90.4 (i) Case numbers should be added to the form.

90.5 (ii) Copies of documents should be sent with the form.

90.6 **Notice:** You must send ~~to the creditor's attorney (or to the creditor, if no attorney)~~ copies  
90.7 of your bank statements for the past 60 days before the levy garnishment. Send them to the  
90.8 creditor's lawyer (or to the creditor, if there isn't a lawyer). Keep a copy of your bank  
90.9 statements in case there are questions about your claim. If you ~~do not~~ don't send bank  
90.10 statements to the creditor's attorney lawyer (or to the creditor, if no attorney) bank statements  
90.11 along with your exemption claim, the financial institution may release give your money to  
90.12 the Sheriff creditor. They would do this once the creditor gives them a court order saying  
90.13 they have to turn over the funds.

90.14 **2. Sign the exemption forms. Make ~~one~~ a copy to keep for yourself.**

90.15 **3. Mail or deliver** the other copies of the form by (insert date).

90.16 **Both Copies Must Be Mailed or Delivered the Same Day.**

90.17 One copy of the form and the copies of your bank statements go to:

90.18 .....

90.19 (~~Insert name of creditor or creditor's attorney~~)

90.20 .....

90.21 (~~Insert address of creditor or creditor's attorney~~)

90.22 ~~One copy goes to:~~

90.23 .....

90.24 (~~Insert name of bank~~)

90.25 .....

90.26 (~~Insert address of bank~~)

90.27 Creditor's Name: .....

90.28 (or creditor's lawyer's name)

90.29 Street Address: .....

90.30 City/State/Zip: .....

91.1 Phone: ..... Fax: .....

91.2 Email: .....

91.3 One copy goes to:

91.4 Bank's Name: .....

91.5 Street Address: .....

91.6 City/State/Zip: .....

91.7 Phone: ..... Fax: .....

91.8 Email: .....

**How The Process Works**

**If You ~~Do Not~~ Don't Send in the Exemption Form and Bank Statements:**

14 days after the date of this letter some or all of your money may be turned over to the creditor ~~or to the sheriff~~. This happens once they get an order from the court telling the bank to do this.

**If You Do Send in the Exemption Form and Bank Statements:**

Any money that is NOT protected can be turned over to the ~~sheriff~~ creditor once they get an order from the court.

**If the Creditor Does Not Object to Your Claimed Exemptions:**

The ~~financial institution will~~ bank should unfreeze your money ~~six~~ 6 business days after ~~the institution gets~~ they get your completed form. If they don't, ask the creditor or the creditor's lawyer to send a release letter to the bank.

**If the Creditor Objects to Your Claimed Exemptions:**

The money you ~~have~~ said is protected on the form ~~will be~~ is held by the bank. The creditor has ~~six~~ 6 business days to object (disagree) and ask the court to hold a hearing. You ~~will receive~~ get a Notice of Objection and a Notice of Hearing.

The ~~financial institution will hold~~ bank holds the money until a court decides ~~whether~~ if your money is protected or not. Some reasons a creditor may object are because you ~~did not~~ didn't send copies of your bank statements or other proof of the benefits you ~~received~~ got. Be sure to include these when you send your exemption form.

You may want to talk to a lawyer for advice about this process. If you are low income you can call Legal Aid statewide at 1(877) 696-6529.

**PENALTIES:**

92.1

**Warnings and Fines**

92.2

If you claim that your money is protected and a court decides you made that claim in

92.3

bad faith, ~~the court~~ they can order you to pay costs, actual damages, ~~attorney~~ lawyer fees,

92.4

and ~~an additional amount of a fine~~ up to \$100. Bad faith is when someone does something

92.5

wrong on purpose. For example, it may be bad faith if you claim you ~~receive~~ get government

92.6

benefits ~~that and you do not receive~~ don't.

92.7

If the creditor made a bad faith objection to your claim that your money is protected,

92.8

the court can order them to pay costs, actual damages, ~~attorney~~ lawyer fees, and ~~an additional~~

92.9

~~amount of a fine~~ up to \$100.

92.10

Sec. 6. Minnesota Statutes 2024, section 550.143, subdivision 3c, is amended to read:

92.11

Subd. 3c. **Form of exemption form.** The exemption form required by this subdivision

92.12

must be sent as a separate form and must be in substantially the following form:

92.13

~~STATE OF MINNESOTA~~

~~DISTRICT COURT~~

92.14

~~COUNTY OF .....~~

~~.....JUDICIAL DISTRICT~~

92.15

~~.....(Creditor)~~

92.16

~~.....(Debtor)~~

92.17

~~.....(Financial institution)~~

92.18

**State of Minnesota**

**District Court**

92.19

County of: .....

Judicial District: .....

92.20

Court File Number: .....

92.21

Case Type: .....

92.22

Creditor's full name

92.23

.....

**Exemption Form**

92.24

against

92.25

Debtor's full name

92.26

.....

92.27

Bank's name

92.28

.....

92.29

**EXEMPTION FORM**

92.30

**A. How Much Money is Protected (Exempt)**

92.31

..... I claim ALL of the money being frozen by the bank is protected.

92.32

..... I claim SOME of the money is protected. The amount I claim is protected is \$.....

92.33

**B. Why The Money is Protected**

93.1 My money is protected because I get it from one or more of the following places:

93.2 *(Check all that apply)*

93.3 **Earnings (Wages)**

93.4 ALL or SOME of my wages may be protected.

93.5 ..... Some of my wages are protected because they were only deposited in my account  
93.6 in the last 20 days.

93.7 For wages that were deposited in your account within the last 20 days, the amount  
93.8 protected is whichever is more:

93.9 (i) 75% or more of your wages (after taxes are taken out), or

93.10 (ii) The current minimum wage times 40 per week. You can find the current minimum  
93.11 wage here: <https://www.dli.mn.gov/minwage>.

93.12 All of my wages are protected because:

93.13 ..... I get government benefits (a list of government benefits is on the next page)

93.14 ..... I am getting other assistance based on need

93.15 ..... I have gotten government benefits in the last 6 months

93.16 ..... I was in jail or prison in the last 6 months

93.17 If you check one of these 4 boxes, your wages are only protected for 60 days after  
93.18 they are deposited in your account. You **MUST send the creditor copies of bank**  
93.19 **statements** that show what was in your account **for the 60 days right before the**  
93.20 **bank froze your money.**

93.21 ..... **Government benefits**

93.22 Government benefits ~~include, but are not limited to, the following~~ can include many  
93.23 things. For example:

93.24 ~~MFIP—Minnesota Family Investment Program,~~

93.25 ~~MFIP Diversionary Work Program,~~

93.26 ~~Work participation cash benefit,~~

93.27 ~~GA—General Assistance,~~

93.28 ~~EA—emergency assistance,~~

93.29 ~~MA—medical assistance,~~

93.30 ~~ECA—emergency general assistance,~~

93.31 ~~MSA—Minnesota Supplemental Aid,~~

93.32 ~~MSA-EA—MSA Emergency Assistance,~~

93.33 ~~Supplemental Nutrition Assistance Program (SNAP),~~

93.34 ~~SSI—Supplemental Security Income,~~

93.35 ~~MinnesotaCare,~~

93.36 ~~Medicare Part B premium payments,~~

93.37 ~~Medicare Part D extra help,~~

93.38 ~~Energy or fuel assistance.~~

93.39 (i) **MFIP - Minnesota Family Investment Program**

93.40 (ii) **DWP - MFIP Diversionary Work Program**

93.41 (iii) **SNAP - Supplemental Nutrition Assistance Program**

- 94.1 (iv) GA - General Assistance
- 94.2 (v) EGA - Emergency General Assistance
- 94.3 (vi) MSA - Minnesota Supplemental Aid
- 94.4 (vii) MSA-EA - MSA Emergency Assistance
- 94.5 (viii) EA - Emergency Assistance
- 94.6 (ix) Energy or Fuel Assistance
- 94.7 (x) Work Participation Cash Benefit
- 94.8 (xi) MA - Medical Assistance
- 94.9 (xii) MinnesotaCare
- 94.10 (xiii) Medicare Part B - Premium Payments help
- 94.11 (xiv) Medicare Part D - Extra
- 94.12 (xv) SSI - Supplemental Security Income
- 94.13 (xvi) Tax Credits - federal Earned Income Tax Credit (EITC), MN Working family
- 94.14 credit
- 94.15 (xvii) Renter's Refund (also called Renter's Property Tax Credit)

**~~LIST SOURCE(S) OF FUNDING IN YOUR ACCOUNT~~**

94.16 .....  
94.17 .....

List the case number and county for every box you checked:

94.18 Case Number: ..... County: .....

94.19 Case Number: ..... County: .....

94.20 Case Number: ..... County: .....

94.21 County: .....

94.22 Government benefits also include:

94.23 ..... Social Security benefits

94.24 ..... Unemployment benefits

94.25 ..... Workers' compensation

94.26 ..... ~~Veterans~~ Veterans' benefits

94.27 If you ~~receive~~ get any of these government benefits, include copies of any documents you have that show you ~~receive Social Security, unemployment, workers' compensation, or veterans benefits~~ get them.

94.28 ..... ~~Other assistance based on need~~

94.29 ..... I get other assistance based on need that is not on the list. It comes from: .....

94.30 .....  
94.31 Make sure you include copies of any documents that show this.

94.32 ~~You may have assistance based on need from another source that is not on the list. If you do, check this box, and fill in the source of your money on the line below:~~

94.33 ~~Source:.....~~

94.34 ~~Include copies of any documents you have that show the source of this money.~~

95.1 **EARNINGS**95.2 ~~ALL or SOME of your earnings (wages) may also be protected.~~95.3 ..... ~~All of your earnings (wages) are protected if:~~95.4 ..... ~~You get government benefits (see list of government benefits)~~95.5 ..... ~~You currently receive other assistance based on need~~95.6 ..... ~~You have received government benefits in the last six months~~95.7 ..... ~~You were in jail or prison in the last six months~~95.8 ~~If you check one of these lines, your wages are only protected for 60 days after~~  
95.9 ~~they are deposited in your account so you MUST send the creditor a copy of~~  
95.10 ~~BANK STATEMENTS that show what was in your account for the 60 days right~~  
95.11 ~~before the bank froze your money.~~95.12 ..... ~~Some of your earnings (wages) are protected.~~95.13 ~~If all of your earnings are not exempt, then some of your earnings are still protected~~  
95.14 ~~for 20 days after they were deposited in your account. The amount protected is the~~  
95.15 ~~larger amount of:~~95.16 ~~75 percent of your wages (after taxes are taken out); or~~95.17 ~~(insert the sum of the current federal minimum wage) multiplied by 40.~~95.18 **C. Other Exempt Protected Funds**95.19 The money from ~~the following~~ these things are also completely protected after they  
95.20 are deposited in ~~your~~ my account.95.21 ..... Child support95.22 ..... ~~An accident, disability, or retirement~~ A retirement, disability, or accident pension  
95.23 or annuity95.24 ..... Earnings of my child who is under 18 years of age95.25 ..... Payments to ~~you~~ me from a life insurance policy95.26 ..... ~~Earnings of your child who is under 18 years of age~~95.27 ..... ~~Child support~~95.28 ..... Money paid to ~~you~~ me from a claim for damage or destruction of property. Property  
95.29 includes household goods, farm tools or machinery, tools for ~~your~~ my job, business  
95.30 equipment, a mobile home, a car, a musical instrument, a pew or burial lot, clothes,  
95.31 furniture, or appliances.95.32 ..... Death benefits paid to ~~you~~ me95.33 I give my permission to any agency that has given me ~~each~~ benefits to give information  
95.34 about my benefits to the ~~above-named~~ creditor; or its attorney named above or to the creditor's  
95.35 lawyer. The information will **ONLY** ~~concern whether~~ be if I get benefits or not assistance,  
95.36 or whether if I have gotten them assistance in the past six 6 months. If I was an inmate in  
95.37 the last 6 months, I give my permission to the correctional institution to tell the creditor  
95.38 named above or the creditor's lawyer that I was an inmate there.95.39 ~~If I was an inmate in the last six months, I give my permission to the correctional~~  
95.40 ~~institution to tell the above-named creditor that I was an inmate there.~~

96.1 **You must sign ~~and send this form~~ and send it back to the creditor's ~~Attorney lawyer~~**  
 96.2 **(or to the creditor, if there is no attorney lawyer) and the bank. Remember to include**  
 96.3 **a copy of your bank statements for the past 60 days. Fill in the blanks below and go**  
 96.4 **back to the instructions to make sure you ~~do~~ did it correctly.**

96.5 I ~~have~~ mailed or delivered a copy of this form to: the creditor's lawyer (or to the creditor,  
 96.6 if there is no lawyer) at the address listed below.

96.7 .....

96.8 (~~Insert name of creditor or creditor's attorney~~)

96.9 .....

96.10 (~~Insert address of creditor or creditor's attorney~~)

96.11 Creditor's Signature: .....

96.12 (or creditor's lawyer's signature)

96.13 Creditor's Name: .....

96.14 (or creditor's lawyer's name)

96.15 Street Address: .....

96.16 City/State/Zip: .....

96.17 Phone: ..... Fax: .....

96.18 Email: .....

96.19 I ~~have~~ also mailed or delivered a copy of this exemption form to my bank at the address  
 96.20 listed ~~in the instructions.~~ below:

96.21 ~~DATED: .....~~

96.22 ~~DEBTOR~~

96.23 .....

96.24 ~~DEBTOR ADDRESS~~

96.25 .....

96.26 ~~DEBTOR TELEPHONE NUMBER~~

96.27 Bank's Name: .....

96.28 Street Address: .....

96.29 City/State/Zip: .....

96.30 Phone: ..... Fax: .....

96.31 Email: .....

96.32 Date: .....

96.33 Debtor's Signature: .....



97.1 Debtor's Name: .....  
 97.2 Street Address: .....  
 97.3 City/State/Zip: .....  
 97.4 Phone: .....  
 97.5 Email: .....

97.6 Sec. 7. Minnesota Statutes 2024, section 551.05, subdivision 1b, is amended to read:

97.7 Subd. 1b. **Form of notice.** The notice must be a separate form and must be substantially  
 97.8 in the following form:

97.9 ~~STATE OF MINNESOTA~~ ~~DISTRICT COURT~~  
 97.10 ~~COUNTY OF .....~~ ~~.....JUDICIAL DISTRICT~~  
 97.11 ~~..... (Creditor)~~  
 97.12 ~~..... (Debtor)~~  
 97.13 ~~..... (Financial~~  
 97.14 ~~..... institution)~~

97.15 State of Minnesota District Court  
 97.16 County of: ..... Judicial District: .....  
 97.17 Court File Number: .....  
 97.18 Case Type: .....

97.19 Creditor's full name:  
 97.20 .....  
 97.21 Debtor's full name:  
 97.22 .....  
 97.23 Third Party (bank, employer, or other):  
 97.24 .....

**IMPORTANT NOTICE**

~~**YOUR FUNDS HAVE BEEN LEVIED**~~

**Money in Your Account Has Been Frozen**

97.28 The creditor has frozen money in your account at your ~~financial institution~~ bank.

97.29 **Your account balance is \$.....**

97.30 **The amount being held is \$.....**

97.31 The amount being held ~~will be~~ is frozen for 14 days from the date of this notice.

98.1 **Some of your money in your account may be protected (the legal word is exempt). You**  
 98.2 **may be able to get it sooner than 14 days if you act quickly and follow the instructions**  
 98.3 **on the next page.**

98.4 The attached exemption form lists some different ~~sources of~~ ways money in your account  
 98.5 ~~that~~ may be protected. If your money is ~~from one or more of these sources,~~ place a check  
 98.6 ~~on the line on the form next to the sources of your money.~~ If it is from one of these sources,  
 98.7 ~~the Creditor cannot take it~~ comes from a benefit on this list, put a check on the line next to  
 98.8 it. The creditor can't take it.

98.9 BUT, if you want the bank to unfreeze your money, you must follow the instructions and  
 98.10 return the exemption form and with copies of your bank statements from the last 60  
 98.11 days to have the bank unfreeze your money. Instructions and the form are attached. If you  
 98.12 ~~do not~~ don't follow the instructions, your ~~financial institution will give~~ bank gives the money  
 98.13 ~~to the~~ your creditor. If your creditor gets an order from the court or writ of execution, your  
 98.14 bank gives the money to them. If that happens and ~~it~~ your money is protected, you can still  
 98.15 get it back from the creditor later, ~~but that is not as easy to do as filling in the form now.~~  
 98.16 But filling out the form now is easiest.

98.17 ~~See next pages for instructions and the exemption form.~~

98.18 Sec. 8. Minnesota Statutes 2024, section 551.05, subdivision 1c, is amended to read:

98.19 Subd. 1c. **Form of instructions.** The instructions required must be in a separate form  
 98.20 and must be substantially in the following form:

### 98.21 INSTRUCTIONS

98.22 **Note:** The creditor is who you owe the money to. You are the debtor.

98.23 1. Fill out **both** of the attached exemption forms in this packet.

98.24 ~~If you check one of the lines, you should also give proof that shows that some or all of~~  
 98.25 ~~the money in your account is from one or more of the protected sources. Creditors~~  
 98.26 ~~may ask for a hearing if they question your exemptions. To avoid a hearing:~~

98.27 ~~Case numbers should be added to the form. Copies of documents should be sent~~  
 98.28 ~~with the form.~~

98.29 If you check one of the lines, you should also give proof. Use proof that shows that some  
 98.30 or all of the money in your account is from one or more of the protected sources. This might  
 98.31 be letters or account statements. Creditors may ask for a hearing if they question your  
 98.32 exemptions.

99.1 **To avoid a hearing:**

99.2 (i) Case numbers should be added to the form.

99.3 (ii) Copies of documents should be sent with the form.

99.4 ~~**Notice: YOU MUST SEND TO THE CREDITOR'S ATTORNEY (OR TO THE**~~  
99.5 ~~**CREDITOR, IF NO ATTORNEY) COPIES OF YOUR BANK STATEMENTS FOR**~~  
99.6 ~~**THE PAST 60 DAYS BEFORE THE LEVY. Keep a copy of your bank statements in**~~  
99.7 ~~**case there are questions about your claim. If you do not send to the creditor's attorney**~~  
99.8 ~~**(or to the creditor, if no attorney) bank statements with your exemption claim, the**~~  
99.9 ~~**financial institution may release your money to the creditor.**~~

99.10 **Notice:** You must send copies of your bank statements for the past 60 days before the  
99.11 garnishment. Send them to the creditor (or to the creditor's lawyer). Keep a copy of your  
99.12 bank statements in case there are questions about your claim. If you don't send bank  
99.13 statements to the creditor (or to the creditor's lawyer) along with your exemption claim, the  
99.14 financial institution may give your money to the creditor. They would do this once the  
99.15 creditor gives them a court order saying they have to turn over the funds.

99.16 **2. Sign** the exemption forms. **Make one copy to keep for yourself.**

99.17 **3. Mail or deliver** the other copies of the form by (insert date).

99.18 **Both Copies Must Be Mailed or Delivered the Same Day.**

99.19 One copy of the form and the copies of your bank statements go to:

99.20 Creditor's Name: .....

99.21 ~~(Insert name of creditor or creditor's attorney)~~ (or creditor's lawyer's name)

99.22 Street Address: .....

99.23 ~~(Insert address of creditor or creditor's attorney)~~ City/State/Zip: .....

99.24 Phone: ..... Fax: .....

99.25 Email: .....

99.26 One copy goes to:

99.27 Bank's Name: .....

99.28 ~~(Insert name of bank)~~ Street Address: .....

99.29 City/State/Zip: .....

99.30 ~~(Insert address of bank)~~ Phone: ..... Fax: .....

99.31 Email: .....

99.32 **How The Process Works**

100.1 **If You ~~Do Not~~ Don't Send in the Exemption Form and Bank Statements:**

100.2 14 days after the date of this letter some or all of your money may be turned over to the  
100.3 creditor ~~pursuant to Minnesota statute.~~ This happens once they get an order from the court  
100.4 telling the bank to do this.

100.5 **If You Do Send in the Exemption Form and Bank Statements:**

100.6 Any money that is NOT protected can be turned over to the creditor once they get an order  
100.7 from the court.

100.8 **If the Creditor Does Not Object to Your Claimed Exemptions:**

100.9 ~~The financial institution will unfreeze your money six business days after the institution~~  
100.10 ~~gets your completed form.~~ The bank should unfreeze your money 6 business days after they  
100.11 get your completed form. If they don't, ask the creditor or the creditor's lawyer to send a  
100.12 release letter to the bank.

100.13 **If the Creditor Objects to Your Claimed Exemptions:**

100.14 The money you ~~have~~ said is protected on the form ~~will be~~ is held by the bank. The creditor  
100.15 has ~~six~~ 6 business days to object (disagree) and ask the court to hold a hearing. You ~~will~~  
100.16 ~~receive~~ get a Notice of Objection and a Notice of Hearing.

100.17 ~~The financial institution will hold~~ bank holds the money until a court decides ~~whether if~~  
100.18 your money is protected or not. Some reasons a creditor may object are because you ~~did~~  
100.19 ~~not~~ didn't send copies of your bank statements or other proof of the benefits you ~~received~~  
100.20 got. Be sure to include these when you send your exemption form.

100.21 You may want to talk to a lawyer for advice about this process. If you are low income you  
100.22 can call Legal Aid statewide at 1(877) 696-6529.

100.23 **~~PENALTIES~~ Warnings and Fines:**

100.24 If you claim that your money is protected and a court decides you made that claim in bad  
100.25 faith, ~~the court~~ they can order you to pay costs, actual damages, ~~attorney~~ lawyer fees, and  
100.26 ~~an additional amount of~~ a fine up to \$100. Bad faith is when someone does something wrong  
100.27 on purpose. For example, it may be bad faith if you claim you ~~receive~~ get government  
100.28 benefits ~~that you do not receive~~ and you don't.

100.29 If the creditor made a bad faith objection to your claim that your money is protected, the  
100.30 court can order them to pay costs, actual damages, ~~attorney~~ lawyer fees, and ~~an additional~~  
100.31 ~~amount of~~ a fine up to \$100.

101.1 Sec. 9. Minnesota Statutes 2024, section 551.05, subdivision 1d, is amended to read:

101.2 Subd. 1d. **Form of exemption form.** The exemption form required by this subdivision  
101.3 must be a separate form and must be in substantially the following form:

101.4 ~~STATE OF MINNESOTA~~ ~~DISTRICT COURT~~

101.5 ~~COUNTY OF .....~~ ~~.....JUDICIAL DISTRICT~~

101.6 ~~..... (Creditor)~~

101.7 ~~..... (Debtor)~~

101.8 ~~..... (Financial~~

101.9 ~~..... institution)~~

101.10 State of Minnesota District Court

101.11 County of: ..... Judicial District: .....

101.12 Court File Number: .....

101.13 Case Type: .....

101.14 Creditor's full name:

101.15 ..... **Exemption Form**

101.16 against

101.17 Debtor's full name:

101.18 .....

101.19 Bank's name:

101.20 .....

101.21 **EXEMPTION FORM**

101.22 A. **How Much Money Is Protected** (exempt)

101.23 ~~.....~~ ... I claim ALL of the money being frozen by the bank is protected.

101.24 ~~.....~~ ... I claim SOME of the money is protected. The amount I claim is protected is \$.....

101.25 B. **Why The Money Is Protected**

101.26 My money is protected because I get it from one or more of the following places:  
101.27 *(Check all that apply)*

101.28 **Earnings (Wages)**

101.29 ALL or SOME of my wages may be protected.

101.30 ... Some of my wages are protected because they were only deposited in my  
101.31 account in the last 20 days.

101.32 For wages that were deposited in your account within the last 20 days, the amount  
101.33 protected is whichever is more:

101.34 (i) 75% of your wages or more (after taxes are taken out), or

101.35 (ii) The current minimum wage times 40 per week. You can find the current  
101.36 minimum wage here: <https://www.dli.mn.gov/minwage>.

101.37 All of my wages are protected because:

101.38 ... I get government benefits (a list of government benefits is on the next page)

102.1 ... I am getting other assistance based on need

102.2 ... I have gotten government benefits in the last 6 months

102.3 ... I was in jail or prison in the last 6 months

102.4 If you check one of these 4 boxes, your wages are only protected for 60 days  
102.5 after they are deposited in your account. You **MUST send the creditor copies**  
102.6 **of bank statements that show what was in your account for the 60 days right**  
102.7 **before the bank froze your money.**

102.8 ~~.....~~ **Government benefits**

102.9 Government benefits can include, but are not limited to, the following many things.  
102.10 For example:

102.11 ~~MFIP~~ -- Minnesota family investment program,

102.12 ~~MFIP Diversionary Work Program,~~

102.13 ~~Work participation cash benefit,~~

102.14 ~~GA~~ -- general assistance,

102.15 ~~EA~~ -- emergency assistance,

102.16 ~~MA~~ -- medical assistance,

102.17 ~~ECA~~ -- emergency general assistance,

102.18 ~~MSA~~ -- Minnesota supplemental aid,

102.19 ~~MSA-EA~~ -- MSA emergency assistance,

102.20 ~~Supplemental Nutrition Assistance Program (SNAP),~~

102.21 ~~SSI~~ -- Supplemental Security Income,

102.22 ~~MinnesotaCare,~~

102.23 ~~Medicare Part B premium payments,~~

102.24 ~~Medicare Part D extra help,~~

102.25 ~~Energy or fuel assistance.~~

102.26 ~~LIST SOURCE(S) OF FUNDING IN YOUR ACCOUNT~~

102.27 ~~.....~~

102.28 ~~LIST THE CASE NUMBER AND COUNTY~~

102.29 ~~Case Number: .....~~

102.30 ~~County: .....~~

102.31 ~~Government benefits also include:~~

102.32 ~~..... Social Security benefits~~

102.33 ~~..... Unemployment benefits~~

102.34 ~~..... Workers' compensation~~

102.35 ~~..... Veterans benefits~~

102.36 ~~If you receive any of these government benefits, include copies of any documents~~  
102.37 ~~you have that show you receive Social Security, unemployment, workers'~~  
102.38 ~~compensation, or veterans benefits.~~

102.39 ~~..... Other assistance based on need~~

103.1 ~~You may have assistance based on need from another source that is not on the list. If you~~  
103.2 ~~do, check this box, and fill in the source of your money on the line below:~~

103.3 ~~Source:.....~~

103.4 ~~Include copies of any documents you have that show the source of this money.~~

103.5 **EARNINGS**

103.6 ~~ALL or SOME of your earnings (wages) may also be protected.~~

103.7 ~~..... All of your earnings (wages) are protected if:~~

103.8 ~~..... You get government benefits (see list of government benefits)~~

103.9 ~~..... You currently receive other assistance based on need~~

103.10 ~~..... You have received government benefits in the last six months~~

103.11 ~~..... You were in jail or prison in the last six months~~

103.12 ~~If you check one of these lines, your wages are only protected for 60 days after they~~  
103.13 ~~are deposited in your account so you MUST send the creditor a copy of BANK~~  
103.14 ~~STATEMENTS that show what was in your account for the 60 days right before~~  
103.15 ~~the bank froze your money.~~

103.16 ~~..... Some of your earnings (wages) are protected.~~

103.17 ~~If all of your earnings are not exempt, then some of your earnings are still protected~~  
103.18 ~~for 20 days after they were deposited in your account. The amount protected is the~~  
103.19 ~~larger amount of:~~

103.20 ~~75 percent of your wages (after taxes are taken out); or~~

103.21 ~~(insert the sum of the current federal minimum wage) multiplied by 40.~~

103.22 **OTHER EXEMPT FUNDS**

103.23 ~~The money from the following are also completely protected after they are deposited~~  
103.24 ~~in your account.~~

103.25 ~~..... An accident, disability, or retirement pension or annuity~~

103.26 ~~..... Payments to you from a life insurance policy~~

103.27 ~~..... Earnings of your child who is under 18 years of age~~

103.28 ~~..... Child support~~

103.29 ~~..... Money paid to you from a claim for damage or destruction of property~~ Property  
103.30 ~~includes household goods, farm tools or machinery, tools for your job, business~~  
103.31 ~~equipment, a mobile home, a car, a musical instrument, a pew or burial lot, clothes,~~  
103.32 ~~furniture, or appliances.~~

103.33 ~~..... Death benefits paid to you~~

103.34 ~~(i) MFIP - Minnesota Family Investment Program~~

103.35 ~~(ii) DWP - MFIP Diversionary Work Program~~

103.36 ~~(iii) SNAP - Supplemental Nutrition Assistance Program~~

103.37 ~~(iv) GA - General Assistance~~

103.38 ~~(v) EGA - Emergency General Assistance~~

103.39 ~~(vi) MSA - Minnesota Supplemental Aid~~

- 104.1 (vii) MSA-EA - MSA Emergency Assistance
- 104.2 (viii) EA - Emergency Assistance
- 104.3 (ix) Energy or Fuel Assistance
- 104.4 (x) Work Participation Cash Benefit
- 104.5 (xi) MA - Medical Assistance
- 104.6 (xii) MinnesotaCare
- 104.7 (xiii) Medicare Part B - Premium Payments help
- 104.8 (xiv) Medicare Part D - Extra
- 104.9 (xv) SSI - Supplemental Security Income
- 104.10 (xvi) Tax Credits - federal Earned Income Tax Credit (EITC), Minnesota Working
- 104.11 Family Credit
- 104.12 (xvii) Renter's Refund (also called Renter's Property Tax Credit)

104.13 List the case number and county for every  
 104.14 box you checked:

104.15 Case Number: ..... County: .....

104.16 Case Number: ..... County: .....

104.17 Case Number: ..... County: .....

104.18 Government benefits also include:

- 104.19 ... Social Security benefits
- 104.20 ... Unemployment benefits
- 104.21 ... Workers' compensation
- 104.22 ... Veterans' benefits

104.23 If you get any of these government benefits, include copies of any documents that show  
 104.24 you get them.

104.25 ... I get other assistance based on need that is not on the list. It comes from:

104.26 .....

104.27 Make sure you include copies of any documents that show this.

104.28 **C. Other Protected Funds**

104.29 The money from these things are also completely protected after they are deposited  
 104.30 in my account.

104.31 ... Child Support

104.32 ... A retirement, disability, or accident pension or annuity

104.33 ... Earnings of my child who is under 18 years of age

104.34 ... Payments to me from a life insurance policy

104.35 ... Money paid to me from a claim for damage or destruction of property. Property  
 104.36 includes household goods, farm tools or machinery, tools for my job, business



105.1 equipment, a mobile home, a car, a musical instrument, a pew or burial lot, clothes,  
105.2 furniture, or appliances.

105.3 ... Death benefits paid to me

105.4 I give my permission to any agency that has given me ~~each~~ benefits to give information  
105.5 about my benefits to the ~~above-named creditor, or its attorney~~ creditor named above or to  
105.6 the creditor's lawyer. The information will **ONLY** ~~concern whether I get benefits or not, or~~  
105.7 ~~whether I have gotten them in the past six months~~ be if I get assistance, or if I have gotten  
105.8 assistance in the past 6 months. If I was an inmate in the last ~~six~~ 6 months, I give my  
105.9 permission to the correctional institution to tell the ~~above-named~~ creditor named above or  
105.10 the creditor's lawyer that I was an inmate there.

105.11 ~~**YOU MUST SIGN AND SEND THIS FORM BACK TO THE CREDITOR'S**~~  
105.12 ~~**ATTORNEY (OR TO THE CREDITOR, IF NO ATTORNEY) AND THE BANK.**~~  
105.13 ~~**REMEMBER TO INCLUDE A COPY OF YOUR BANK STATEMENTS FOR THE**~~  
105.14 ~~**PAST 60 DAYS. FILL IN THE BLANKS BELOW AND GO BACK TO THE**~~  
105.15 ~~**INSTRUCTIONS TO MAKE SURE YOU DO IT CORRECTLY.**~~

105.16 **You must sign this form and send it back to the creditor's lawyer (or to the creditor,**  
105.17 **if there is no lawyer) and the bank. Remember to include a copy of your bank**  
105.18 **statements for the past 60 days. Fill in the blanks below and go back to the instructions**  
105.19 **to make sure you did it correctly.**

105.20 I have mailed or delivered a copy of this form to: the creditor (or creditor's lawyer) at  
105.21 the address listed below.

105.22 Creditor's Signature: .....

105.23 (~~Insert name of creditor~~ or creditor's ~~attorney~~ lawyer's signature)

105.24 Creditor's Name: .....

105.25 (~~Insert address of creditor~~ or creditor's ~~attorney~~ lawyer's name)

105.26 Street Address: .....

105.27 City/State/Zip: .....

105.28 Phone: ..... Fax: .....

105.29 Email: .....

105.30 I ~~have~~ also mailed or delivered a copy of this exemption form to my bank at the address  
105.31 listed ~~in the instructions.~~ below:

105.32 DATED: .....

105.33 DEBTOR

105.34 .....

106.1 ~~DEBTOR ADDRESS~~  
106.2 .....

106.3 ~~DEBTOR TELEPHONE NUMBER~~

106.4 Bank's Name: .....

106.5 Street Address: .....

106.6 City/State/Zip: .....

106.7 Phone: ..... Fax: .....

106.8 Email: .....

106.9 Date: .....

106.10 Debtor's Signature: .....

106.11 Debtor's Name: .....

106.12 Street Address: .....

106.13 City/State/Zip: .....

106.14 Phone: .....

106.15 Email: .....

106.16 Sec. 10. Minnesota Statutes 2024, section 551.06, subdivision 6, is amended to read:

106.17 Subd. 6. **Earnings exemption notice.** Before the first levy on earnings, the attorney for  
106.18 the judgment creditor shall serve upon the judgment debtor no less than ten days before the  
106.19 service of the writ of execution, a notice that the writ of execution may be served on the  
106.20 judgment debtor's employer. The notice must: (1) be substantially in the form set forth  
106.21 below; (2) be served personally, in the manner of a summons and complaint, or by first  
106.22 class mail to the last known address of the judgment debtor; (3) inform the judgment debtor  
106.23 that an execution levy may be served on the judgment debtor's employer in ten days, and  
106.24 that the judgment debtor may, within that time, cause to be served on the judgment creditor's  
106.25 attorney a signed statement under penalties of perjury asserting an entitlement to an  
106.26 exemption from execution; (4) inform the judgment debtor of the earnings exemptions  
106.27 contained in section 550.37, subdivision 14; and (5) advise the judgment debtor of the relief  
106.28 set forth in this chapter to which the judgment debtor may be entitled if a judgment creditor  
106.29 in bad faith disregards a valid claim and the fee, costs, and penalty that may be assessed  
106.30 against a judgment debtor who in bad faith falsely claims an exemption or in bad faith takes  
106.31 action to frustrate the execution process. The notice requirement of this subdivision does  
106.32 not apply to a levy on earnings being held by an employer pursuant to a garnishment  
106.33 summons served in compliance with chapter 571.

106.34 The ten-day notice informing a judgment debtor that a writ of execution may be used  
106.35 to levy the earnings of an individual must be substantially in the following form:

107.1 ~~STATE OF MINNESOTA~~ ~~DISTRICT COURT~~  
 107.2 ~~COUNTY OF .....~~ ~~.....JUDICIAL DISTRICT~~  
 107.3 ~~..... (Judgment Creditor)~~  
 107.4 ~~against~~  
 107.5 ~~EXECUTION EXEMPTION~~  
 107.6 ~~NOTICE AND NOTICE OF~~  
 107.7 ~~..... (Judgment Debtor)~~ ~~INTENT TO LEVY ON EARNINGS~~  
 107.8 ~~and~~ ~~WITHIN TEN DAYS~~  
 107.9 ~~..... (Third Party)~~

107.10 ~~PLEASE TAKE NOTICE that A levy may be served upon your employer or other third~~  
 107.11 ~~parties, without any further court proceedings or notice to you, ten days or more from the~~  
 107.12 ~~date hereof. Your earnings are completely exempt from execution levy if you are now a~~  
 107.13 ~~recipient of relief based on need, if you have been a recipient of relief within the last six~~  
 107.14 ~~months, or if you have been an inmate of a correctional institution in the last six months.~~

107.15 ~~Relief based on need includes the Minnesota Family Investment Program (MFIP),~~  
 107.16 ~~Emergency Assistance (EA), Work First Program, Medical Assistance (MA), General~~  
 107.17 ~~Assistance (GA), Emergency General Assistance (EGA), Minnesota Supplemental Aid~~  
 107.18 ~~(MSA), MSA Emergency Assistance (MSA- EA), Supplemental Security Income (SSI), and~~  
 107.19 ~~Energy Assistance.~~

107.20 ~~If you wish to claim an exemption, you should fill out the appropriate form below, sign~~  
 107.21 ~~it, and send it to the judgment creditor's attorney.~~

107.22 ~~You may wish to contact the attorney for the judgment creditor in order to arrange for~~  
 107.23 ~~a settlement of the debt or contact an attorney to advise you about exemptions or other~~  
 107.24 ~~rights.~~

107.25 State of Minnesota District Court  
 107.26 County of: ..... Judicial District: .....  
 107.27 Court File Number: .....  
 107.28 Case Type: .....  
 107.29 Creditor's full name:  
 107.30 ..... **Execution Exemption Notice and Notice of**  
 107.31 against **Intent to Levy on Earnings**  
 107.32 Debtor's full name:  
 107.33 .....  
 107.34 and

108.1 Third Party (bank, employer, or other):

108.2 .....

108.3 **Notice: A levy may be served on your employer or other third parties. A levy means that**  
108.4 **part of your earnings can be taken to pay off debts that you owe. This can happen in**  
108.5 **10 days or more after you get this notice. This can happen without any other court action**  
108.6 **or notice to you. But some of your money may be protected.**

108.7 **Your earnings cannot be taken if:**

108.8 **(i) you are getting government assistance based on need,**

108.9 **(ii) you got any government assistance based on need in the last 6 months, or**

108.10 **(iii) you were an inmate of a correctional institution in the last 6 months.**

108.11 **These are called exemptions. Your money is NOT protected unless you fill out the**  
108.12 **Exemption Claim Notice attached and send it back to the creditor or the creditor's**  
108.13 **lawyer. If you are not sure if you have any exemptions, talk to a lawyer.**

108.14 **You can also contact the creditor or their lawyer to talk about a settlement of the debt.**

108.15 **Examples of government assistance based on need:**

108.16 **(i) MFIP - Minnesota Family Investment Program**

108.17 **(ii) DWP - MFIP Diversionary Work Program**

108.18 **(iii) SNAP - Supplemental Nutrition Assistance Program**

108.19 **(iv) GA - General Assistance**

108.20 **(v) EGA - Emergency General Assistance**

108.21 **(vi) MSA - Minnesota Supplemental Aid**

108.22 **(vii) MSA-EA - MSA Emergency Assistance**

108.23 **(viii) EA - Emergency Assistance**

108.24 **(ix) Energy or Fuel Assistance**

108.25 **(x) Work Participation Cash Benefit**

108.26 **(xi) MA - Medical Assistance**

108.27 **(xii) MinnesotaCare**

108.28 **(xiii) Medicare Part B - Premium Payments help**

108.29 **(xiv) Medicare Part D - Extra**

108.30 **(xv) SSI - Supplemental Security Income**

108.31 **(xvi) Tax Credits - federal Earned Income Tax Credit (EITC), Minnesota Working**  
108.32 **Family Credit**

108.33 **(xvii) Renter's Refund (also called Renter's Property Tax Credit)**

108.34 **PENALTIES Warnings and Fines**

109.1 ~~(1) Be advised that even if you claim an exemption, an execution levy may still be served~~  
 109.2 ~~on your employer. If your earnings are levied on after you claim an exemption, you may~~  
 109.3 ~~petition the court for a determination of your exemption. If the court finds that the~~  
 109.4 ~~judgment creditor disregarded your claim of exemption in bad faith, you will be entitled~~  
 109.5 ~~to costs, reasonable attorney fees, actual damages, and an amount not to exceed \$100.~~  
 109.6 Even if you claim an exemption, a levy may still be served on your employer. If they  
 109.7 take money from you after you claim an exemption, you may ask the court to review  
 109.8 your exemption. If the court finds that the creditor ignored your claim of exemption in  
 109.9 bad faith, you are entitled to costs, reasonable lawyer fees, actual damages, and a fine  
 109.10 up to \$100. Bad faith is when someone does something wrong on purpose.

109.11 ~~(2) HOWEVER, BE WARNED if you claim an exemption, the judgment creditor can~~  
 109.12 ~~also petition the court for a determination of your exemption, and if the court finds that~~  
 109.13 ~~you claimed an exemption in bad faith, you will be assessed costs and reasonable~~  
 109.14 ~~attorney's fees plus an amount not to exceed \$100. BUT if you claim an exemption, the~~  
 109.15 creditor can also ask the court to review your exemption. If the court finds that you  
 109.16 claimed an exemption in bad faith, you are charged costs and reasonable lawyer fees,  
 109.17 and a fine up to \$100.

109.18 ~~(3) If after receipt of this notice, you in bad faith take action to frustrate the execution~~  
 109.19 ~~levy, thus requiring the judgment creditor to petition the court to resolve the problem,~~  
 109.20 ~~you will be liable to the judgment creditor for costs and reasonable attorney's fees plus~~  
 109.21 ~~an amount not to exceed \$100. If you get this notice, then do something in bad faith to~~  
 109.22 try to block or stop the levy and the creditor has to take you to court because of it, you  
 109.23 will have to pay the creditor's costs, and reasonable lawyer's fees, and a fine up to \$100.

109.24 DATED: .....  
 109.25 .....  
 109.26 .....  
 109.27 (Attorney for Judgment Creditor)  
 109.28 .....  
 109.29 Address  
 .....  
 Telephone

109.30 Date: .....  
 109.31 Creditor's Signature: .....  
 109.32 (or creditor's lawyer's signature)  
 109.33 Creditor's Name: .....  
 109.34 (or creditor's lawyer's name)  
 109.35 Street Address: .....

110.1 City/State/Zip: .....  
 110.2 Phone: ..... Fax: .....  
 110.3 Email: .....

JUDGMENT DEBTOR'S EXEMPTION CLAIM NOTICE

**Debtor's Exemption Claim Notice**

110.6 I hereby claim that my earnings are exempt ~~from execution~~ because: (check all that  
 110.7 apply)

110.8 ~~(1) ... I am presently a recipient of relief getting government assistance~~ based on need.  
 110.9 ~~(Specify State the program, case number if you know it, and the county from which~~  
 110.10 ~~relief is being received you got it from.)~~

110.11	.....	.....	.....
110.12	<del>Program</del>	<del>Case Number (if known)</del>	<del>County</del>
110.13	<u>Program: .....</u>	<u>Case #: .....</u>	<u>County: .....</u>
110.14	<u>Program: .....</u>	<u>Case #: .....</u>	<u>County: .....</u>
110.15	<u>Program: .....</u>	<u>Case #: .....</u>	<u>County: .....</u>

110.16 ~~(2) ... I am not now receiving relief getting assistance~~ based on need right now, but I  
 110.17 ~~have received relief did get government assistance~~ based on need within the last ~~six~~ 6  
 110.18 ~~months. (Specify State the program, case number if you know it, and the county from~~  
 110.19 ~~which relief has been received you got it from.)~~

110.20	.....	.....	.....
110.21	<del>Program</del>	<del>Case Number (if known)</del>	<del>County</del>
110.22	<u>Program: .....</u>	<u>Case #: .....</u>	<u>County: .....</u>
110.23	<u>Program: .....</u>	<u>Case #: .....</u>	<u>County: .....</u>
110.24	<u>Program: .....</u>	<u>Case #: .....</u>	<u>County: .....</u>

110.25 ~~(3) ... I have been was~~ an inmate of a correctional institution within the last ~~six~~ 6 months.  
 110.26 ~~(Specify State the correctional institution and location.)~~

110.27 .....  
 110.28 Correctional Institution..... Location.....

110.29 I hereby ~~authorize any agency that has distributed relief to me or any correctional~~  
 110.30 ~~institution in which I was an inmate to disclose to the above named judgment creditor or~~  
 110.31 ~~the judgment creditor's attorney only whether or not I am or have been a recipient of relief~~  
 110.32 ~~based on need or an inmate of a correctional institution within the last six months. I have~~  
 110.33 ~~mailed or delivered a copy of this form to the creditor or creditor's attorney.~~

111.1 ~~DATE:~~ .....

111.2 ~~Judgment Debtor~~

111.3 .....

111.4 ~~Address~~

111.5 I give my permission to any agency listed above to give information about my benefits to  
111.6 the creditor named above, or to the creditor's lawyer. The information will ONLY be if I  
111.7 get assistance, or if I have gotten assistance in the past 6 months. If I was an inmate in the  
111.8 last 6 months, I give my permission to the correctional institution to tell the creditor named  
111.9 above or the creditor's lawyer that I was an inmate there.

111.10 Date: .....

111.11 Debtor's Signature: .....

111.12 Debtor's Name: .....

111.13 Street Address: .....

111.14 City/State/Zip: .....

111.15 Phone: .....

111.16 Email: .....

111.17 Sec. 11. Minnesota Statutes 2024, section 551.06, subdivision 9, is amended to read:

111.18 Subd. 9. **Notice of levy on earnings, disclosure, and worksheet.** The attorney for the  
111.19 judgment creditor shall serve upon the judgment debtor's employer a notice of levy on  
111.20 earnings and an execution earnings disclosure form and an earnings disclosure worksheet  
111.21 with the writ of execution, that must be substantially in the form set forth below.

111.22 STATE OF MINNESOTA DISTRICT COURT

111.23 COUNTY OF ..... JUDICIAL DISTRICT

111.24 FILE NO. ....

111.25 ..... (Judgment Creditor)

111.26 against NOTICE OF LEVY ON

111.27 EARNINGS AND DISCLOSURE

111.28 ..... (Judgment Debtor)

111.29 and

111.30 ..... (Third Party)

111.31 ~~PLEASE TAKE NOTICE that pursuant to Minnesota Statutes, sections 551.04 and~~  
111.32 ~~551.06, the undersigned, as attorney for the judgment creditor, hereby makes demand and~~  
111.33 ~~levies execution upon all earnings due and owing by you (up to \$10,000) to the judgment~~

112.1 ~~debtor for the amount of the judgment specified below. A copy of the writ of execution~~  
112.2 ~~issued by the court is enclosed. The unpaid judgment balance is \$.....~~

112.3 ~~This levy attaches all unpaid nonexempt disposable earnings owing or to be owed by~~  
112.4 ~~you and earned or to be earned by the judgment debtor before and within the pay period in~~  
112.5 ~~which the writ of execution is served and within all subsequent pay periods whose paydays~~  
112.6 ~~occur within the 90 days after the service of this levy.~~

112.7 ~~In responding to this levy, you are to complete the attached disclosure form and worksheet~~  
112.8 ~~and mail it to the undersigned attorney for the judgment creditor, together with your check~~  
112.9 ~~payable to the above named judgment creditor, for the nonexempt amount owed by you to~~  
112.10 ~~the judgment debtor or for which you are obligated to the judgment debtor, within the time~~  
112.11 ~~limits set forth in the aforementioned statutes.~~

112.12 .....  
112.13 **Attorney for the Judgment Creditor**  
112.14 .....  
112.15 .....  
112.16 .....

112.17 **Address**  
112.18 (...) .....  
112.19 **Phone Number**

112.20 **DISCLOSURE**

112.21 **DEFINITIONS**

112.22 ~~"EARNINGS": For the purpose of execution, "earnings" means compensation paid or~~  
112.23 ~~payable to an employee for personal services or compensation paid or payable to the producer~~  
112.24 ~~for the sale of agricultural products; milk or milk products; or fruit or other horticultural~~  
112.25 ~~products produced when the producer is operating a family farm, a family farm corporation,~~  
112.26 ~~or an authorized farm corporation, as defined in section 500.24, subdivision 2, whether~~  
112.27 ~~denominated as wages, salary, commission, bonus, or otherwise, and includes periodic~~  
112.28 ~~payments pursuant to a pension or retirement.~~

112.29 ~~"DISPOSABLE EARNINGS": Means that part of the earnings of an individual remaining~~  
112.30 ~~after the deduction from those earnings of amounts required by law to be withheld. (Amounts~~  
112.31 ~~required by law to be withheld do not include items such as health insurance, charitable~~  
112.32 ~~contributions, or other voluntary wage deductions.)~~

112.33 ~~"PAYDAY": For the purpose of execution, "payday(s)" means the date(s) upon which~~  
112.34 ~~the employer pays earnings to the judgment debtor in the ordinary course of business. If~~



113.1 ~~the judgment debtor has no regular payday, payday(s) means the 15th and the last day of~~  
113.2 ~~each month.~~

113.3 State of Minnesota

District Court

113.4 County of: .....

Judicial District: .....

113.5

Court File Number: .....

113.6

Case Type: .....

113.7 Creditor's full name:

113.8

Notice of Levy on Earnings for  
Non-Child Support Judgements

113.9 .....

113.10 against

113.11 Debtor's full name:

113.12 .....

113.13 and

113.14 Third Party (Debtor's Employer):

113.15 .....

113.16 To the employer:

113.17 An employee of yours owes a judgment (money) to a creditor. The creditor's lawyer is

113.18 starting a levy on the earnings you owe the employee. A levy means that you might have

113.19 to hold part of the employee's earnings and send it to the creditor. By law, you have to do

113.20 this. The limit on the levy is \$10,000. A copy of the writ of execution from the court is

113.21 enclosed. The amount of the judgment is \$.....

113.22 The levy applies to "nonexempt disposable earnings" that you owe the employee. There are

113.23 definitions and instructions below on how to calculate the amount, if any, you have to hold.

113.24 The levy starts with the pay period when you got this levy. It continues for all pay periods

113.25 in the 90 days after you got this levy.

113.26 You must complete the attached disclosure form and worksheet. Then mail it to the lawyer

113.27 listed below. If any money is owed under the levy, you must also send a check payable to

113.28 the creditor listed above. Follow the steps and the deadlines explained below.

113.29 Creditor's Name: .....

113.30 Creditor's Lawyer's Name: .....

113.31 Street Address: .....

113.32 City/State/Zip: .....

113.33 Phone: ..... Fax: .....

113.34 Email: .....

114.1 State of Minnesota

District Court

114.2 County of: .....

Judicial District: .....

114.3

Court File Number: .....

114.4

Case Type: .....

114.5 Creditor's full name:

114.6

**Earnings Disclosure and Worksheet  
For Non-Child Support Judgements**

114.7 .....

114.8 against

114.9 Debtor's full name:

114.10 .....

114.11 and

114.12 Third Party (Debtor's Employer):

114.13 .....

114.14 This form is called an "Earnings Execution Disclosure" or "Disclosure." It is for the employer  
114.15 to fill out. The "debtor" is the person who owes money. The debtor gets a copy of this form  
114.16 for their own information.

114.17 The employer is the "third party." The debtor is also called a "judgment debtor." If the debtor  
114.18 asks how the calculations in this document were made, the employer **must** provide  
114.19 information about it.

114.20 **Definitions**

114.21 **"Earnings":** what is paid or payable to an employee, independent contractor, or  
114.22 self-employed person for personal services (a job). Also called compensation. Compensation  
114.23 can be wages, salary, commission, bonuses, payments, profit-sharing distributions, severance  
114.24 payment, fees, or other. It includes periodic payments from a pension or retirement. It can  
114.25 also be compensation paid or payable to a producer for the sale of agricultural products.  
114.26 This can be things like milk or milk products, or fruit or other horticultural products. Or  
114.27 things produced in the operation of a family farm, a family farm corporation, or an authorized  
114.28 farm corporation. This is defined in Minnesota Statutes, section 500.24, subdivision 2.

114.29 **"Disposable Earnings":** the part of a person's earnings that are left after subtracting  
114.30 the amounts required by law to be withheld. **Note:** Amounts required by law to be withheld  
114.31 do not include things like health insurance, charitable contributions, or other voluntary wage  
114.32 deductions.

114.33 **"Payday":** the date when the employer pays earnings to the debtor for doing their job.  
114.34 If the debtor has no regular payday, then "payday" means the 15th and the last day of each  
114.35 month.

115.1 **THE THIRD PARTY/EMPLOYER MUST ANSWER THE FOLLOWING**  
115.2 **QUESTIONS:**

115.3 1. ~~Do you now owe, or within 90 days from the date the execution levy was served on~~  
115.4 ~~you, will you or may you owe money to the judgment debtor for earnings? Right now, do~~  
115.5 ~~you owe money to the debtor for earnings?~~

115.6 Yes ..... No .....

115.7 2. ~~Does the judgment debtor earn more than \$... per week? (This amount is the greater~~  
115.8 ~~of \$9.50 per hour of the federal minimum wage per week.) Within 90 days from the date~~  
115.9 ~~you were served with the levy, will you or may you owe money to the debtor for earnings?~~

115.10 Yes ..... No .....

115.11 3. Does the debtor earn more than the current Minnesota or federal minimum wage per  
115.12 week? (use the number that is more)

115.13 Yes ..... No .....

115.14 ~~INSTRUCTIONS FOR COMPLETING THE~~  
115.15 ~~EARNINGS DISCLOSURE~~

115.16 ~~A. If your answer to either question 1 or 2 is "No," then you must sign the affirmation~~  
115.17 ~~on page 2 and return this disclosure to the judgment creditor's attorney within 20 days after~~  
115.18 ~~it was served on you, and you do not need to answer the remaining questions. If you answer~~  
115.19 ~~"No" to question 1, 2, or 3, you don't need to answer the rest of the questions. You don't~~  
115.20 ~~have to do the Earnings Disclosure Worksheet. Sign the Earnings Disclosure Affirmation~~  
115.21 ~~below and return this disclosure form to the sheriff. You must return it within 20 days after~~  
115.22 ~~it was served on you.~~

115.23 ~~B. If your answers to both questions 1 and 2 are "Yes," you must complete this form~~  
115.24 ~~and the Earnings Disclosure Worksheet as follows: If you answer "Yes" to question 1 or 2,~~  
115.25 ~~and "Yes" to question 3, sign the Earnings Disclosure Affirmation below. You must return~~  
115.26 ~~it to the sheriff within 20 days. You must also fill out the rest of this form. Read the~~  
115.27 ~~instructions for the Earnings Disclosure Worksheet.~~

115.28 ~~For each payday that falls within 90 days from the date the execution levy was served~~  
115.29 ~~on you, YOU MUST calculate the amount of earnings to be retained by completing steps~~  
115.30 ~~3 through 11 on page 2, and enter the amounts on the Earnings Disclosure Worksheet.~~  
115.31 ~~UPON REQUEST, THE EMPLOYER MUST PROVIDE THE DEBTOR WITH~~  
115.32 ~~INFORMATION AS TO HOW THE CALCULATIONS REQUIRED BY THIS~~  
115.33 ~~DISCLOSURE WERE MADE.~~

116.1 ~~Each payday, you must retain the amount of earnings listed in column I on the Earnings~~  
 116.2 ~~Disclosure Worksheet.~~

116.3 ~~You must pay the attached earnings and return this Earnings Disclosure Form and the~~  
 116.4 ~~Earnings Disclosure Worksheet to the judgment creditor's attorney and deliver a copy~~  
 116.5 ~~to the judgment debtor within ten days after the last payday that falls within the 90-day~~  
 116.6 ~~period.~~

116.7 ~~If the judgment is wholly satisfied or if the judgment debtor's employment ends before~~  
 116.8 ~~the expiration of the 90-day period, your disclosure and remittance should be made~~  
 116.9 ~~within ten days after the last payday for which earnings were attached.~~

116.10 ~~For steps 3 through 11, "columns" refers to columns on the Earnings Disclosure Worksheet.~~

116.11 ~~3. COLUMN A. Enter the date of judgment debtor's payday.~~

116.12 ~~4. COLUMN B. Enter judgment debtor's gross earnings for each payday.~~

116.13 ~~5. COLUMN C. Enter judgment debtor's disposable earnings for each~~  
 116.14 ~~payday.~~

116.15 ~~6. COLUMN D. Enter 25 percent of disposable earnings. (Multiply~~  
 116.16 ~~Column C by .25.)~~

116.17 ~~7. COLUMN E. Enter here the greater of 40 times \$9.50 or 40 times the~~  
 116.18 ~~hourly federal minimum wage (\$.....) times the number~~  
 116.19 ~~of work weeks included in each payday. (Note: If a pay~~  
 116.20 ~~period includes days in excess of whole work weeks,~~  
 116.21 ~~the additional days should be counted as a fraction of a~~  
 116.22 ~~work week equal to the number of workdays in excess~~  
 116.23 ~~of a whole work week divided by the number of~~  
 116.24 ~~workdays in a normal work week.)~~

116.25 ~~8. COLUMN F. Subtract the amount in Column E from the amount in~~  
 116.26 ~~Column C, and enter here.~~

116.27 ~~9. COLUMN G. Enter here the lesser of the amount in Column D and~~  
 116.28 ~~the amount in Column F.~~

116.29 ~~10. COLUMN H. Enter here any amount claimed by you as a setoff,~~  
 116.30 ~~defense, lien, or claim, or any amount claimed by any~~  
 116.31 ~~other person as an exemption or adverse interest which~~  
 116.32 ~~would reduce the amount of earnings owing to the~~  
 116.33 ~~judgment debtor. (Note: Any indebtedness to you~~  
 116.34 ~~incurred within ten days prior to your receipt of the first~~  
 116.35 ~~execution levy on a debt may not be set off against the~~  
 116.36 ~~earnings otherwise subject to this levy. Any wage~~  
 116.37 ~~assignment made by the judgment debtor within ten~~  
 116.38 ~~days prior to your receipt of the first execution levy on~~  
 116.39 ~~a debt is void.)~~

116.40 ~~You must also describe your claim(s) and the claims of~~  
 116.41 ~~others, if known, in the space provided below the~~  
 116.42 ~~worksheet and state the name(s) and address(es) of these~~  
 116.43 ~~persons.~~

117.1 ~~Enter zero in Column H if there are no claims by you~~  
 117.2 ~~or others which would reduce the amount of earnings~~  
 117.3 ~~owing to the judgment debtor.~~

117.4 ~~H. COLUMN I. Subtract the amount in Column H from the amount in~~  
 117.5 ~~Column G and enter here. This is the amount of earnings~~  
 117.6 ~~that you must retain for the payday for which the~~  
 117.7 ~~calculations were made. The total of all amounts entered~~  
 117.8 ~~in Column I is the amount to be remitted to the attorney~~  
 117.9 ~~for the judgment creditor.~~

117.10 **Earnings Disclosure Affirmation**

117.11 I, ..... (person signing Affirmation), am the third party/employer or I am  
 117.12 authorized by the third party/employer to complete this earnings disclosure; and have done  
 117.13 so truthfully and to the best of my knowledge.

117.14 ~~Dated: .....~~ .....

117.15 ~~Signature~~

117.16 .....

117.17 ~~Title~~

117.18 .....

117.19 ~~Telephone Number~~

117.20 **EARNINGS DISCLOSURE WORKSHEET**

117.21 .....

117.22 **Judgment Debtor's Name**

117.23 **Date:** .....

117.24 **Third Party's Name:** .....

117.25 **Third Party's Signature:** .....

117.26 **Phone:** ..... **Fax:** .....

117.27 **Email:** .....

117.28 **Instructions for Completing the Earnings Disclosure Worksheet**

117.29 For each payday that falls within 90 days from the date the levy was served on you, you  
 117.30 **must** calculate the amount of earnings to be withheld. Enter the amounts on the Earnings  
 117.31 Disclosure Worksheet.

117.32 **You must:**

117.33 1. Withhold the amount of earnings listed in column I on the Earnings Disclosure  
 117.34 Worksheet each payday.

118.1 2. After 90 days, return this Earnings Disclosure Worksheet to the sheriff. Include all  
118.2 the money withheld. Sign the Affirmation at the end of the worksheet before returning.

118.3 3. Deliver a copy of the disclosure and worksheet to the debtor within 10 days after the  
118.4 last payday that falls within the 90-day period.

118.5 If the debt (judgment) is fully paid off or if the debtor's job ends before the 90-day period  
118.6 is over, you need to do the last disclosure and withholdings within 10 days of their last  
118.7 payday that you withheld money.

118.8 **Calculating Percentage of Disposable Earnings**

118.9 **Note to Creditor:** You must fill out this chart before sending this form to the employer.  
118.10 Use the current minimum wage found online at: <https://www.dli.mn.gov/minwage>.

118.11 Minimum Wage = \$MW/hour.

118.12		<u>then this percentage of the disposable</u>
118.13	<u>if the weekly gross earnings are:</u>	<u>earnings are withheld:</u>
118.14	<u>Less than [40 X MW]</u>	<u>0%</u>
118.15	<u>[40 X MW + .01] to [60 X MW]</u>	<u>10%</u>
118.16	<u>[60 X MW + .01] to [80 X MW]</u>	<u>15%</u>
118.17	<u>[80 X MW + .01] or more</u>	<u>25%</u>

118.18 **Employer:** Use this creditor's calculation chart to know what percentage of earnings  
118.19 should be withheld.

118.20 **Earnings Disclosure Worksheet**

118.21 .....

118.22 Debtor's Name

118.23	A	B	C
118.24	Payday Date	Gross Earnings	Disposable Earnings
118.25			
118.26	1. ....	\$.....	\$.....
118.27	2. ....	.....	.....
118.28	3. ....	.....	.....
118.29	4. ....	.....	.....
118.30	5. ....	.....	.....
118.31	6. ....	.....	.....
118.32	7. ....	.....	.....
118.33	8. ....	.....	.....

119.1 ~~9.~~ .....

119.2 ~~10.~~ .....

119.3 **Column A.** Enter the debtor's payday.

119.4 **Column B.** Enter the debtor's gross earnings for each payday.

119.5 **Column C.** Enter the debtor's disposable earnings for each payday.

119.6	D	E	F
119.7	<del>25%</del> of withholding	Greater of 40 X	
119.8	of Column C	<del>\$9.50 or 40 X</del>	
119.9	(Use the creditor's	MN or Fed.	Column C
119.10	calculation chart)	Min. Wage	minus Column E

119.11 1. ....

119.12 2. ....

119.13 3. ....

119.14 4. ....

119.15 5. ....

119.16 6. ....

119.17 7. ....

119.18 ~~8.~~ .....

119.19 ~~9.~~ .....

119.20 ~~10.~~ .....

119.21 **Column D.** Enter the percentage of disposable earnings that will be withheld. Get this  
119.22 number from the creditor's calculation chart.

119.23 **Column E.** Calculate 40 times the current Minnesota minimum wage (or 40 times the  
119.24 current federal minimum wage) times the number of work weeks in each payday. Enter the  
119.25 bigger number here. **Note:** If a payday has extra days that are more than a full work week,  
119.26 count those extra days as part of a work week. Do this by dividing the number of extra  
119.27 workdays by the number of workdays in a normal week.

119.28 **Column F.** Subtract the amount in Column E from the amount in Column C and enter  
119.29 here.

119.30	G	H	I
119.31		Setoff, Lien,	
119.32		Adverse	Column G
119.33	Lesser of Column D	Interest, or	minus Column
119.34	and Column F	Other Claims	H

119.35 1. ....

119.36 2. ....

120.1	3.	.....	.....	.....
120.2	4.	.....	.....	.....
120.3	5.	.....	.....	.....
120.4	6.	.....	.....	.....
120.5	7.	.....	.....	.....
120.6	8.	.....	.....	.....
120.7	9.	.....	.....	.....
120.8	10.	.....	.....	.....

120.9 TOTAL OF COLUMN I \$ .....

120.10 **Column G.** Look at column D and column F. Enter the smaller amount of the two here  
120.11 in column G.

120.12 **Column H.** Enter any amount claimed by you that would lower the amount of earnings  
120.13 that will go to the debtor. Things like:

120.14 (i) a setoff,

120.15 (ii) a defense,

120.16 (iii) a lien,

120.17 (iv) a claim, or

120.18 (v) any amount claimed by any other person as an exemption or adverse interest.

120.19 **Note:** You must describe your claim(s) and the claims of others, if known, in the spaces  
120.20 after this worksheet.

120.21 Enter zero in column H if there are no claims by you or others which would lower the  
120.22 amount of earnings owed to the debtor.

120.23 **Note:** Any debt that happened within 10 days before you got the first levy on a debt  
120.24 may not be set off against the earnings that are affected by this levy. Any wage assignment  
120.25 made by the debtor within 10 days before you got the first levy on a debt is void. Wage  
120.26 assignment is when a debtor voluntarily agrees to money being taken out of their earnings.

120.27 **Column I.** Subtract the amount in column H from the amount in column G and enter  
120.28 here. This is the amount of earnings that go to the creditor.

120.29 ~~\*If you entered any amount in Column H for any payday(s), you must describe below~~  
120.30 ~~either your claims, or the claims of others. For amounts claimed by others, you must both~~  
120.31 ~~state the names and addresses of these persons, and the nature of their claim, if known.~~  
120.32 payday, describe those claims below. It doesn't matter if they are your claims, or the claims



121.1 of others. For claims by others, list the names and addresses of each, and describe their  
121.2 claims, if you know.

121.3 .....

121.4 .....

121.5 .....

121.6 .....

121.7 **Earnings Worksheet Affirmation**

121.8 I, ..... (person signing Affirmation), am the third party/employer or I am authorized  
121.9 by the third party/employer to complete this earnings disclosure ~~worksheet~~, and have done  
121.10 so truthfully and to the best of my knowledge.

121.11 .....

121.12 Title

121.13 **Dated:** ..... (.....)

121.14 Signature Phone Number

121.15 **Date:** .....

121.16 **Third Party's Name:** .....

121.17 **Third Party's Signature:** .....

121.18 **Phone:** ..... **Fax:** .....

121.19 **Email:** .....

121.20 Sec. 12. Minnesota Statutes 2024, section 571.72, subdivision 8, is amended to read:

121.21 Subd. 8. **Exemption notice.** In every garnishment where the debtor is a natural person,  
121.22 the debtor shall be provided with a garnishment exemption notice. If the creditor is garnishing  
121.23 earnings, the earnings exemption notice provided in section 571.924 must be served ten or  
121.24 more days before the service of the first garnishment summons. If the creditor is garnishing  
121.25 funds in a financial institution, the exemption notice provided in section 571.912 must be  
121.26 served with the garnishment summons. In all other cases, the exemption notice must be in  
121.27 the following form and served on the debtor with a copy of the garnishment summons.

121.28 ~~STATE OF MINNESOTA~~ DISTRICT COURT

121.29 ~~COUNTY OF~~ ..... JUDICIAL DISTRICT

121.30 .....(Creditor)

121.31 against

121.32 .....(Debtor)

~~EXEMPTION NOTICE~~

122.1 ~~and~~

122.2 .....(Garnishee)

122.3 State of Minnesota

District Court

122.4 County of: .....

Judicial District: .....

122.5

Court File Number: .....

122.6

Case Type: .....

122.7 Creditor's full name

122.8 .....

Exemption Notice

122.9 against

122.10 Debtor's full name

122.11 .....

122.12 and

122.13 Third Party (bank, employer, or other)

122.14 .....

122.15 A Garnishment Summons is being served ~~upon~~ on you. This means a creditor with a court

122.16 judgment against you wants to take some of your money or property to pay the judgment.

122.17 Some of your property may be exempt and ~~cannot~~ can't be ~~garnished~~ taken. 'Exempt' means

122.18 protected. The following is a list of some ~~of the more~~ common exemptions. It is not a

122.19 complete and is subject to list. For full details and dollar amounts set by law see section

122.20 550.37 of the Minnesota Statutes and other state and federal laws. The dollar amounts

122.21 contained in this list are subject to the provisions of section 550.37, subdivision 4a, at the

122.22 time of garnishment. If you have questions about an exemption, ~~you should obtain~~ contact

122.23 a lawyer for legal advice.

122.24 These things you or your family might have are protected:

122.25 (1) ~~a homestead or the proceeds from the sale of a homestead~~ equity in your home, or

122.26 money from recently selling your home - up to \$510,000 total;

122.27 (2)(i) all clothing, one watch, utensils, and foodstuffs;

122.28 (ii) household furniture, household appliances, ~~phonographs~~, radios, and computers,

122.29 tablets, televisions up to a total current value of \$5,850; printers, cell phones, smart phones,

122.30 and other consumer electronics up to \$12,150 in all; and

122.31 (iii) jewelry - total value can't be more than \$3,308;

122.32 (3) a manufactured (mobile) home ~~used as your home~~ you live in;

122.33 (4) one motor vehicle ~~currently worth less than \$2,600 after deducting any security~~

122.34 interest; counting only the amount you have paid off:

- 123.1 (i) \$10,000;
- 123.2 (ii) \$12,500 if it is necessary for your business, trade, or profession;
- 123.3 (iii) \$25,000 if used by or to help someone with a disability that makes it hard to walk;
- 123.4 or
- 123.5 (iv) \$100,000 if designed or modified for someone with a disability that makes it hard
- 123.6 to walk;
- 123.7 ~~(5) farm machinery used by an individual principally engaged in farming, or if your~~
- 123.8 ~~main business is farming. Tools, machines, or office furniture used in your business or trade.~~
- 123.9 ~~This exemption is limited to - the total value can't be more than \$13,000;~~
- 123.10 (6) relief based on need. This includes:
- 123.11 (i) MFIP - Minnesota Family Investment Program (MFIP) and Work First Program;
- 123.12 (ii) DWP - MFIP Diversionary Work Program;
- 123.13 ~~(ii) Medical Assistance (MA);~~
- 123.14 (iii) SNAP - Supplemental Nutrition Assistance Program;
- 123.15 ~~(iii)~~ (iv) GA - General Assistance (GA);
- 123.16 ~~(iv)~~ (v) EGA - Emergency General Assistance (EGA);
- 123.17 ~~(v)~~ (vi) MSA - Minnesota Supplemental Aid (MSA);
- 123.18 ~~(vi) MSA-Emergency~~ (vii) MSA-EA - MSA Emergency Assistance (MSA-EA);
- 123.19 ~~(vii) Supplemental Security Income (SSI);~~
- 123.20 ~~(viii) Energy Assistance; and~~
- 123.21 ~~(ix)~~ (viii) EA - Emergency Assistance (EA);
- 123.22 (ix) Energy or Fuel Assistance;
- 123.23 (x) Work Participation Cash Benefit;
- 123.24 (xi) MA - Medical Assistance;
- 123.25 (xii) MinnesotaCare;
- 123.26 (xiii) Medicare Part B - Premium Payments help;
- 123.27 (xiv) Medicare Part D - Extra;
- 123.28 (xv) SSI - Supplemental Security Income;

- 124.1 (xvi) Tax Credits - federal Earned Income Tax Credit (EITC), Minnesota Working  
 124.2 Family Credit; and
- 124.3 (xvii) Renter's Refund (also called Renter's Property Tax Credit);
- 124.4 (7) wages. 100% is protected if you get government assistance based on need. Otherwise,  
 124.5 between 75-100% is protected depending on how much you earn;
- 124.6 (8) retirement benefits - the total interest under all plans and contracts can't be more than  
 124.7 \$81,000;
- 124.8 ~~(7)~~ (9) Social Security benefits;
- 124.9 ~~(8)~~ (10) unemployment benefits, workers' compensation, or veteran's veterans' benefits;
- 124.10 ~~(9) an accident, disability, or retirement~~ (11) a retirement, disability, or accident pension  
 124.11 or annuity;
- 124.12 ~~(10)~~ (12) life insurance proceeds that are not more than \$54,000;
- 124.13 ~~(11)~~ (13) earnings of your minor child; and
- 124.14 ~~(12)~~ (14) money from a claim for damage or destruction of exempt property (such as -  
 124.15 like household goods, farm tools, business equipment, a manufactured (mobile) home, or  
 124.16 a car); car;
- 124.17 (15) sacred possessions - like the Bible, Torah, Qur'an, prayer rug, and other religious  
 124.18 items. Total value can't be more than \$2,000;
- 124.19 (16) personal library - total value can't be more than \$750;
- 124.20 (17) musical instruments - total value can't be more than \$2,000;
- 124.21 (18) family pets - current value can't be more than \$1,000;
- 124.22 (19) a seat or pew in any house or place of public worship and a lot in any burial ground;
- 124.23 (20) tools you need to work in your business or profession - the total value can't be more  
 124.24 than \$13,500;
- 124.25 (21) household tools and equipment - things like hand and power tools, snow removal  
 124.26 equipment, lawnmowers, and more. Total value can't be more than \$3,000; and
- 124.27 (22) health savings accounts, medical savings accounts - the total value can't be more  
 124.28 than \$25,000.

125.1 Sec. 13. Minnesota Statutes 2024, section 571.72, subdivision 10, is amended to read:

125.2 Subd. 10. **Exemption notice for prejudgment garnishment.**

125.3 **Exemption Notice**

125.4 **Important Notice:** A garnishment summons may be served on your employer, bank,  
125.5 or other third parties. This can happen without any further court proceeding or notice to  
125.6 you. See the attached Notice of Intent to Garnish for more information.

125.7 ~~The following money and wages~~ Some of your money in your account may be  
125.8 protected (the legal word is exempt) from garnishment.

125.9 **1. Financial institutions/bank**

125.10 ~~Some of the money in your account may be protected because you receive government~~  
125.11 ~~benefits from one or more of the following places:~~

125.12 **Earnings (Wages)**

125.13 ALL or SOME of my wages may be protected.

125.14 ... Some of my wages are protected because they were only deposited in my account in  
125.15 the last 20 days.

125.16 For wages that were deposited in your account within the last 20 days, the amount protected  
125.17 is whichever is more:

125.18 (i) 75 percent of your wages or more (after taxes are taken out), or

125.19 (ii) The current minimum wage times 40 per week. You can find the current minimum  
125.20 wage here: <https://www.dli.mn.gov/minwage>.

125.21 All of my wages are protected because:

125.22 ... I get government benefits (a list of government benefits is on the next page)

125.23 ... I am getting other assistance based on need

125.24 ... I have gotten government benefits in the last 6 months

125.25 ... I was in jail or prison in the last 6 months

125.26 If you check one of these four boxes, your wages are only protected for 60 days after they  
125.27 are deposited in your account. You **MUST send the creditor copies of bank statements**  
125.28 that show what was in your account **for the 60 days right before the bank froze your**  
125.29 **money.**

125.30 **Government Benefits**

- 126.1 Government benefits can include many things. For example:
- 126.2 ... MFIP - Minnesota Family Investment Program;
- 126.3 ... DWP - MFIP Diversionary Work Program;
- 126.4 ~~Work participation cash benefit,~~
- 126.5 ... SNAP - Supplemental Nutrition Assistance Program
- 126.6 ... GA - General Assistance;
- 126.7 ... EGA - Emergency General Assistance
- 126.8 ... MSA - Minnesota Supplemental Aid
- 126.9 ... MSA-EA - MSA Emergency Assistance
- 126.10 ... EA - Emergency Assistance;
- 126.11 ... Energy or Fuel Assistance
- 126.12 ... Work Participation Cash Benefit
- 126.13 ... MA - Medical Assistance;
- 126.14 ~~EGA - emergency general assistance or county crisis funds;~~
- 126.15 ~~MSA - Minnesota supplemental aid;~~
- 126.16 ~~MSA-EA - MSA emergency assistance;~~
- 126.17 ~~Supplemental Nutrition Assistance Program (SNAP);~~
- 126.18 ~~SSI - Supplemental Security Income;~~
- 126.19 ... MinnesotaCare;
- 126.20 ... Medicare Part B - Premium Payments; help
- 126.21 ... Medicare Part D - Extra help;
- 126.22 ... SSI - Supplemental Security Income
- 126.23 ~~Energy or fuel assistance;~~
- 126.24 ... Tax Credits - federal Earned Income Tax Credit (EITC), Minnesota Working Family
- 126.25 Credit
- 126.26 ... Renter's Refund (also called Renter's Property Tax Credit)
- 126.27 List the case number and county for every box you checked:

127.1 Case Number: ..... County: .....  
 127.2 Case Number: ..... County: .....  
 127.3 Case Number: ..... County: .....

127.4 Government benefits also include:

127.5 ... Social Security benefits,

127.6 ... Unemployment benefits,

127.7 ... Workers' compensation,

127.8 Veterans ... Veterans' benefits.

127.9 **~~Sending the creditor's attorney (or creditor, if no attorney) a copy of BANK~~**  
 127.10 **~~STATEMENTS that show what was in your account for the past 60 days may give the~~**  
 127.11 **~~creditor enough information about your exemption claim to avoid a garnishment.~~**

127.12 **~~2. Earnings~~**

127.13 ~~All or some of your earnings may be completely protected from garnishment if:~~

127.14 **~~All of your earnings (wages) may be protected if:~~**

127.15 ~~You get government benefits (see list of government benefits)~~

127.16 ~~You currently receive other assistance based on need~~

127.17 ~~You have received government benefits in the last six months~~

127.18 ~~You were in jail or prison in the last six months~~

127.19 ~~Your wages are only protected for 60 days after they are deposited in your account so~~

127.20 **~~it would be helpful if you immediately send the undersigned creditor a copy of BANK~~**

127.21 **~~STATEMENTS that show what was in your account for the past 60 days.~~**

127.22 **~~Some of your earnings (wages) may be protected if:~~**

127.23 ~~If all of your earnings are not exempt, some of your earnings may still be protected for~~

127.24 ~~20 days after they were deposited in your account. The amount protected is the larger amount~~

127.25 ~~of:~~

127.26 ~~75 percent of your wages (after taxes are taken out); or~~

127.27 ~~(insert the sum of the current federal minimum wage) multiplied by 40.~~

127.28 If you get any of these government benefits, include copies of any documents that show

127.29 you get them.

127.30 ... I get other assistance based on need that is not on the list. It comes from:.....

128.1 .....

128.2 Make sure you include copies of any documents that show this.

128.3 **Other Protected Funds**

128.4 The money from ~~the following~~ these things are also ~~exempt for 20 days~~ completely  
128.5 protected after they are deposited in ~~your~~ my account.

128.6 ... Child Support

128.7 ~~An accident, disability, or retirement~~ ... A retirement, disability, or accident pension  
128.8 or annuity

128.9 ~~Payments to you from a life insurance policy~~

128.10 ... Earnings of your my child who is under 18 years of age

128.11 ... Payments to me from a life insurance policy

128.12 ~~Child support~~

128.13 ... Money paid to you me from a claim for damage or destruction of property. Property  
128.14 includes household goods, farm tools or machinery, tools for ~~your~~ my job, business  
128.15 equipment, a mobile home, a car, a musical instrument, a pew or burial lot, clothes, furniture,  
128.16 or appliances:

128.17 ... Death benefits paid to you. me

128.18 ~~You WILL BE ABLE TO~~ can claim these exemptions when you ~~RECEIVE~~ get a  
128.19 **notice.** You will get the notice at least ~~ten~~ 10 days BEFORE a wage garnishment. BUT if  
128.20 the creditor garnishes your bank account, you ~~will not~~ won't get the notice until AFTER the  
128.21 account has been frozen. If you believe the money in your bank account or your wages are  
128.22 exempt, ~~YOU SHOULD IMMEDIATELY~~ contact the person below right away. ~~YOU~~  
128.23 ~~SHOULD~~ Tell them why you think your account or wages are exempt to see if you can  
128.24 avoid garnishment.

128.25 Creditor .....

128.26 Creditor Address .....

128.27 Creditor telephone number .....

128.28 Creditor's Name: .....

128.29 (or creditor's lawyer's name)

128.30 Street Address: .....

128.31 City/State/Zip: .....



129.1 Phone: ..... Fax: .....

129.2 Email: .....

129.3 Sec. 14. Minnesota Statutes 2024, section 571.74, is amended to read:

129.4 **571.74 GARNISHMENT SUMMONS AND NOTICE TO DEBTOR.**

129.5 The garnishment summons and notice to debtor must be substantially in the following  
129.6 form. The notice to debtor must be in no smaller than 14-point type.

129.7 ~~GARNISHMENT SUMMONS~~

129.8 ~~STATE OF MINNESOTA~~

~~DISTRICT COURT~~

129.9 ~~COUNTY OF .....~~

~~..... JUDICIAL DISTRICT~~

129.10 ~~..... (Creditor)~~

~~UNPAID BALANCE .....~~

129.11 ~~..... (Debtor)~~

129.12 ~~..... (Debtor's Address)~~

~~Date of Entry~~

129.13 ~~..... (Garnishee)~~

~~of Judgment (or) Subject to Minnesota  
Statutes, section 571.71, clause (2)~~

129.14

129.15 State of Minnesota

District Court

129.16 County of: .....

Judicial District: .....

129.17

Court File Number: .....

129.18

Case Type: .....

129.19 Creditor's full name

129.20 .....

Garnishment Summons

129.21 and

129.22 Debtor's full name

129.23 .....

129.24 Third Party (bank, employer, or other)

129.25 .....

129.26 Unpaid Balance: .....

129.27 ~~GARNISHMENT SUMMONS~~

129.28 ~~The State of Minnesota~~

129.29 To the ~~Garnishee~~ Third Party (garnishee) named above:

129.30 ~~You are hereby summoned and required to serve upon the creditor's attorney (or the~~  
129.31 ~~creditor if not represented by an attorney) and on the debtor within 20 days after service of~~  
129.32 ~~this garnishment summons upon you, a written disclosure, of the nonexempt indebtedness,~~  
129.33 ~~money, or other property due or belonging to the debtor and owing by you or in your~~  
129.34 ~~possession or under your control and answers to all written interrogatories that are served~~

130.1 ~~with the garnishment summons. However, if the garnishment is on earnings and the debtor~~  
130.2 ~~has garnishable earnings, you shall serve the completed disclosure form on the creditor's~~  
130.3 ~~attorney, or the creditor if not represented by an attorney, within ten days of the last payday~~  
130.4 ~~to occur within the 90 days after the date of the service of this garnishment summons.~~

130.5 ~~"Payday" means the day which you pay earnings in the ordinary course of business. If the~~  
130.6 ~~debtor has no regular paydays, "payday" means the 15th day and the last day of each month.~~

130.7 ~~Your disclosure need not exceed 110 percent of the amount of the creditor's claim that~~  
130.8 ~~remains unpaid.~~

130.9 ~~You shall retain garnishable earnings, other indebtedness, money, or other property in~~  
130.10 ~~your possession in an amount not to exceed 110 percent of the creditor's claim until such~~  
130.11 ~~time as the creditor causes a writ of execution to be served upon you, until the debtor~~  
130.12 ~~authorizes you in writing to release the property to the creditor, or until the expiration of~~  
130.13 ~~..... days from the date of service of this garnishment summons upon you, at which time~~  
130.14 ~~you shall return the disposable earnings, other indebtedness, money, or other property to~~  
130.15 ~~the debtor.~~

130.16 A court has ordered that you must serve a written statement to the creditor (or to the  
130.17 creditor's lawyer). You must do this within 20 days after you get this notice. Your written  
130.18 statement should include any money, or other property of the debtor that you have or owe  
130.19 to them. It should also include answers to any questions that are in this summons.

130.20 But, if the garnishment is on earnings and the debtor has earnings that can be garnished,  
130.21 fill out the completed disclosure form. Then serve it on the creditor (or the creditor's lawyer).  
130.22 It must be served within 10 days of the last payday within the 90 days after the date you  
130.23 got this summons. If the debtor has no regular paydays, "payday" means the 15th day and  
130.24 the last day of each month.

130.25 You don't have to disclose more than 110% of the unpaid amount that is owed to the  
130.26 creditor. Keep earnings that can be garnished, other indebtedness, money, or other property  
130.27 in your possession in an amount not to exceed 110 percent of the creditor's claim. Keep this  
130.28 until:

130.29 (i) the creditor has a writ of execution served on you;

130.30 (ii) the debtor gives you permission in writing to release the property to the creditor; or

130.31 (iii) it's been ... days from the day you got this garnishment summons.

130.32 Then you give the debtor back the disposable earnings, other indebtedness, money, or other  
130.33 property.

131.1

**Earnings**

131.2 ~~In the event~~ If you are summoned as a garnishee because you owe "earnings" (as defined  
 131.3 on the Earnings Garnishment Disclosure form attached to this Garnishment Summons, if  
 131.4 applicable) to the debtor, then you are required to must serve upon the creditor's attorney,  
 131.5 or the creditor if not represented by an attorney, a written an Earnings Disclosure Form  
 131.6 within on the creditor (or the creditor's lawyer). The Earnings Disclosure Form must be in  
 131.7 writing and must be served in the time limit set forth above. "Earnings" are defined on the  
 131.8 Earnings Garnishment Disclosure Form attached to this Garnishment Summons.

131.9 In the case of earnings, you ~~are further required to retain in your possession~~ must keep  
 131.10 all unpaid, nonexempt disposable earnings owed or to be owed by you and earned or to be  
 131.11 earned that you owe or will owe to the debtor within during the pay period in which when  
 131.12 this garnishment summons notice is served and within all subsequent pay periods whose  
 131.13 paydays (defined above) occur within the 90 days after the date of service of this garnishment  
 131.14 summons delivered and for all pay periods within 90 days after this notice is served.

131.15 ~~Any assignment of earnings made by the debtor to any party within ten days before the~~  
 131.16 ~~receipt of the first garnishment on a debt is void. Any indebtedness to you incurred by the~~  
 131.17 ~~debtor within the ten days before the receipt of the first garnishment on a debt may not be~~  
 131.18 ~~set off against amounts otherwise subject to the garnishment.~~

131.19 Any transfer of earnings made by the debtor to someone else within 10 days before the  
 131.20 first garnishment notice is invalid. Any debt the debtor owes you from within those 10 days  
 131.21 can't be used to lower the amount that can be garnished.

131.22 ~~You are prohibited By law from discharging or disciplining~~ you can't fire or discipline  
 131.23 the debtor because the debtor's their earnings have been subject to garnishment.

131.24 This Garnishment Summons includes:

131.25 (check ~~applicable box~~ the boxes that apply)

131.26 ... Earnings garnishment (see attached Earnings Disclosure Form)

131.27 ... Nonearnings garnishment (see attached Nonearnings Disclosure Form)

131.28 ... Both Earnings and Nonearnings garnishment (see both attached Earnings and  
 131.29 Nonearnings Disclosure Form)

131.30

**Notice to Debtor**

131.31 You are being served copies of a Garnishment Summons, Earnings Garnishment  
 131.32 Disclosure Form, Nonwage Garnishment Disclosure Form, Garnishment Exemption Notices  
 131.33 and/or written Interrogatories (strike out if not applicable);. Copies of ~~which are hereby~~

132.1 ~~served on you, were served upon the Garnishee by delivering copies~~ these same documents  
132.2 were also delivered to the Garnishee. The Garnishee was paid \$15.

132.3 ~~Dated:~~ .....  
.....

132.4 ~~Attorney for Creditor (or creditor)~~

132.5 .....  
.....

132.6 .....  
.....

132.7 .....  
.....

132.8 ~~Address~~

132.9 .....  
.....

132.10 ~~Telephone~~

132.11 .....  
.....

132.12 ~~Attorney I.D. No~~

132.13 ~~Date:~~ .....  
.....

132.14 ~~Creditor's Signature:~~ .....  
.....

132.15 ~~(or creditor's lawyer's signature)~~

132.16 ~~Creditor's Name:~~ .....  
.....

132.17 ~~(or creditor's lawyer's name)~~

132.18 ~~Street Address:~~ .....  
.....

132.19 ~~City/State/Zip:~~ .....  
.....

132.20 ~~Phone:~~ ..... ~~Fax:~~ .....

132.21 ~~Email:~~ .....  
.....

132.22 Sec. 15. Minnesota Statutes 2024, section 571.75, subdivision 2, is amended to read:

132.23 Subd. 2. **Contents of disclosure.** The disclosure must state:

132.24 (a) If an earnings garnishment disclosure, the amount of disposable earnings earned by  
132.25 the debtor within the debtor's pay periods as specified in section 571.921.

132.26 (b) If a nonearnings garnishment disclosure, a description of any personal property or  
132.27 any instrument or papers relating to this property belonging to the judgment debtor or in  
132.28 which the debtor is interested or other indebtedness of the garnishee to the debtor.

132.29 (c) If the garnishee asserts any setoff, defense, claim, or lien on disposable earnings,  
132.30 other indebtedness, money, or property, the garnishee shall disclose the amount and the  
132.31 facts concerning the same.

132.32 (d) Whether the debtor asserts any exemption, or any other objection, known to the  
132.33 garnishee against the right of the creditor to garnish the disposable earnings, other  
132.34 indebtedness, money, or property disclosed.

133.1 (e) If other persons assert claims to any disposable earnings, other indebtedness, money,  
 133.2 or property disclosed, the garnishee shall disclose the names and addresses of these claimants  
 133.3 and, so far as known by the garnishee, the nature of their claims.

133.4 (f) The garnishment disclosure forms and earnings disclosure worksheet must be the  
 133.5 same or substantially similar to the following forms. If the garnishment affects earnings of  
 133.6 the debtor, the creditor shall use the earnings garnishment disclosure form. If the garnishment  
 133.7 affects any indebtedness, money, or property of the debtor, other than earnings, the creditor  
 133.8 shall use the nonearnings garnishment disclosure form. Nothing contained in this paragraph  
 133.9 limits the simultaneous use of the earnings and nonearnings garnishment disclosure forms.

133.10 EARNINGS DISCLOSURE FORM AND WORKSHEET

133.11	<del>STATE OF MINNESOTA</del>	<del>DISTRICT COURT</del>
133.12	<del>COUNTY OF .....</del>	<del>..... JUDICIAL DISTRICT</del>
133.13	<del>..... (Creditor)</del>	
133.14	<del>..... (Debtor)</del>	<del>GARNISHMENT</del>
133.15	<del>..... (Garnishee)</del>	<del>EARNINGS DISCLOSURE</del>

133.16	<u>State of Minnesota</u>	<u>District Court</u>
133.17	County of: .....	Judicial District: .....
133.18		Court File Number: .....
133.19		Case Type: .....
133.20	<u>Creditor's full name</u>	
133.21	.....	<u>Garnishment Earnings Disclosure</u>
133.22	<u>and</u>	<u>For Non-Child Support Judgments</u>
133.23	<u>Debtor's full name</u>	
133.24	.....	
133.25	<u>Third Party (bank, employer, or other)</u>	
133.26	.....	

133.27 This form is called a "Garnishment Earnings Disclosure" or "Disclosure." It is for the  
 133.28 employer to fill out. The "debtor" is the person who owes money. The debtor gets a copy  
 133.29 of this form for their own information. The debtor is also called a "judgment debtor."

133.30 The "creditor" is the party owed the money. The creditor is also called a "judgment  
 133.31 creditor."

133.32 The "employer" is the "third party" or "garnishee." If the debtor asks how the calculations  
 133.33 in this document were made, the employer **must** provide information about it.

133.34 **Definitions**

134.1 **"Earnings":** ~~For the purpose of garnishment, "earnings" means compensation~~ what is  
 134.2 paid or payable to an employee, independent contractor or self-employed person for personal  
 134.3 services or (a job). Also called compensation. Compensation can be wages, salary,  
 134.4 commission, bonus, payments, profit-sharing distributions, severance payment, fees or  
 134.5 other. It includes periodic payments from a pension or retirement. It can also be compensation  
 134.6 paid or payable to the a producer for the sale of agricultural products; This can be things  
 134.7 like milk or milk products, or fruit or other horticultural products. Or things produced when  
 134.8 the producer is operating in the operation of a family farm, a family farm corporation, or  
 134.9 an authorized farm corporation, as. This is defined in section 500.24, subdivision 2, whether  
 134.10 denominated as wages, salary, commission, bonus, or otherwise, and includes periodic  
 134.11 payments pursuant to a pension or retirement.

134.12 **"Disposable Earnings":** ~~Means that the part of the a person's earnings of an individual~~  
 134.13 ~~remaining after the deduction from those earnings of that are left after subtracting the~~  
 134.14 ~~amounts required by law to be withheld. (Amounts **Note:** Amounts required by law to be~~  
 134.15 ~~withheld do not include items such as things like health insurance, charitable contributions,~~  
 134.16 ~~or other voluntary wage deductions.)~~

134.17 **"Payday":** ~~For the purpose of garnishment, "payday(s)" means the date(s) upon which~~  
 134.18 the date when the employer pays earnings to the debtor in the ordinary course of business  
 134.19 for doing their job. If the debtor has no regular payday, payday(s) then "payday" means the  
 134.20 ~~fifteenth~~ 15th and the last day of each month.

134.21 **The Employer/Garnishee Must Answer The Following Questions:**

134.22 1. ~~Do you Right now owe, or within 90 days from the date the garnishment summons~~  
 134.23 ~~was served on you, will you or,~~ do you expect to owe money to the debtor for earnings?

134.24 Yes ..... No .....  
 134.25 Yes ..... No .....

134.26 2. Within 90 days from the date you were served with the garnishment, will you or may  
 134.27 you owe money to the debtor for earnings?

134.28 Yes ..... No .....

134.29 3. Does the debtor earn more than \$..... per week? (This amount is the greater of  
 134.30 \$9.50 per hour or the current Minnesota or federal minimum wage per week.)? (use the  
 134.31 number that is more)

134.32 Yes ..... No .....  
 134.33 Yes ..... No .....

135.1 ~~INSTRUCTIONS FOR COMPLETING THE~~  
135.2 ~~EARNINGS DISCLOSURE~~

135.3 ~~A. If your answer to either question 1 or 2 is "No," then you must sign the affirmation~~  
135.4 ~~on Page 2 and return this disclosure to the creditor's attorney (or the creditor if not represented~~  
135.5 ~~by an attorney) within 20 days after it was served on you, and you do not need to answer~~  
135.6 ~~the remaining questions.~~

135.7 ~~B. If your answers to both questions 1 and 2 are "Yes," you must complete this form~~  
135.8 ~~and the Earnings Disclosure Worksheet as follows:~~

135.9 A. If you answer "No" to question 1, 2, or 3, you don't need to answer the rest of the  
135.10 questions. You don't have to do the Earnings Disclosure Worksheet. Sign the Earnings  
135.11 Disclosure Affirmation below and return this disclosure form to the creditor's attorney (or  
135.12 the creditor if not represented by an attorney). You must return it within 20 days after it  
135.13 was served on you.

135.14 B. If you answer "Yes" to question 1 or 2, and "Yes" to question 3, sign the Earnings  
135.15 Disclosure Affirmation below. You must return it to the creditor's attorney (or the creditor  
135.16 if not represented by an attorney) within 20 days. You must also fill out the rest of this form.  
135.17 Read the instructions for the Earnings Disclosure Worksheet.

135.18 **Earnings Disclosure Affirmation**

135.19 I, ..... (person signing Affirmation), am the third party/employer or I am  
135.20 authorized by the third party/employer to complete this earnings disclosure and have done  
135.21 so truthfully and to the best of my knowledge.

135.22 Date: .....

135.23 Signature of Third Party/Employer:

135.24 .....

135.25 Title: .....

135.26 Phone: .....

135.27 **Instructions for Completing the Earnings Disclosure Worksheet**

135.28 For each payday that falls within 90 days from the date the garnishment summons was  
135.29 served on you, you **must** calculate the amount of earnings to be retained by completing  
135.30 Steps 3 through 11, and enter the amounts on the Earnings Disclosure Worksheet. UPON  
135.31 REQUEST, THE EMPLOYER MUST PROVIDE THE DEBTOR WITH  
135.32 INFORMATION AS TO HOW THE CALCULATIONS REQUIRED BY THIS

136.1 ~~DISCLOSURE WERE MADE.~~ withheld. Enter the amounts on the Earnings Disclosure  
 136.2 Worksheet.

136.3 ~~Each payday, you must retain the amount of earnings listed in Column I on the Earnings~~  
 136.4 ~~Disclosure Worksheet.~~

136.5 ~~You must return this Earnings Disclosure Form and the Earnings Disclosure Worksheet~~  
 136.6 ~~to the creditor's attorney (or the creditor if not represented by an attorney) and deliver~~  
 136.7 ~~a copy to the debtor within ten days after the last payday that falls within the 90-day~~  
 136.8 ~~period.~~

136.9 ~~If the claim is wholly satisfied or if the debtor's employment ends before the expiration~~  
 136.10 ~~of the 90-day period, your disclosure should be made within ten days after the last payday~~  
 136.11 ~~for which earnings were attached.~~

136.12 ~~For Steps 3 through 11, "Columns" refers to columns on the Earnings Disclosure Worksheet.~~

- 136.13 3. COLUMN A. ~~Enter the date of debtor's payday.~~
- 136.14 4. COLUMN B. ~~Enter debtor's gross earnings for each payday.~~
- 136.15 5. COLUMN C. ~~Enter debtor's disposable earnings for each payday.~~
- 136.16 6. COLUMN D. ~~Enter 25 percent of disposable earnings. (Multiply~~  
 136.17 ~~Column C by .25.)~~
- 136.18 7. COLUMN E. ~~Enter here the greater of 40 times \$9.50 or 40 times the~~  
 136.19 ~~hourly federal minimum wage (\$.....) times the~~  
 136.20 ~~number of work weeks included in each payday. (Note:~~  
 136.21 ~~If a pay period includes days in excess of whole work~~  
 136.22 ~~weeks, the additional days should be counted as a~~  
 136.23 ~~fraction of a work week equal to the number of~~  
 136.24 ~~workdays in excess of a whole work week divided by~~  
 136.25 ~~the number of workdays in a normal work week.)~~
- 136.26 8. COLUMN F. ~~Subtract the amount in Column E from the amount in~~  
 136.27 ~~Column C, and enter here.~~
- 136.28 9. COLUMN G. ~~Enter here the lesser of the amount in Column D and~~  
 136.29 ~~the amount in Column F.~~
- 136.30 10. COLUMN H. ~~Enter here any amount claimed by you as a setoff,~~  
 136.31 ~~defense, lien, or claim, or any amount claimed by any~~  
 136.32 ~~other person as an exemption or adverse interest which~~  
 136.33 ~~would reduce the amount of earnings owing to the~~  
 136.34 ~~debtor. (Note: Any indebtedness to you incurred by the~~  
 136.35 ~~debtor within the ten days before the receipt of the first~~  
 136.36 ~~garnishment on a debt may not be set off against~~  
 136.37 ~~amounts otherwise subject to the garnishment. Any~~  
 136.38 ~~assignment of earnings made by the debtor to any party~~  
 136.39 ~~within ten days before the receipt of the first~~  
 136.40 ~~garnishment on a debt is void.)~~

136.41 ~~You must also describe your claim(s) and the claims of~~  
 136.42 ~~others, if known, in the space provided below the~~



137.1 ~~worksheet and state the name(s) and address(es) of these~~  
137.2 ~~persons.~~

137.3 ~~Enter zero in Column H if there are no claims by you~~  
137.4 ~~or others which would reduce the amount of earnings~~  
137.5 ~~owing to the debtor.~~

137.6 ~~11. COLUMN I. Subtract the amount in Column H from the amount in~~  
137.7 ~~Column G and enter here. This is the amount of earnings~~  
137.8 ~~that you must retain for the payday for which the~~  
137.9 ~~calculations were made.~~

137.10 ~~AFFIRMATION~~

137.11 ~~I, ..... (person signing Affirmation), am the garnishee or I am authorized by~~  
137.12 ~~the garnishee to complete this earnings disclosure, and have done so truthfully and to the~~  
137.13 ~~best of my knowledge.~~

137.14 ~~Dated: .....~~ .....

137.15 ~~Signature~~

137.16 .....

137.17 ~~Title~~

137.18 .....

137.19 ~~Telephone Number~~

137.20 ~~EARNINGS DISCLOSURE WORKSHEET~~

137.21 .....

137.22 ~~Debtor's Name~~

137.23 You must:

137.24 1. Withhold the amount of earnings listed in column I on the Earnings Disclosure  
137.25 Worksheet each payday.

137.26 2. After 90 days, return this Earnings Disclosure Worksheet to the creditor's attorney  
137.27 (or the creditor if not represented by an attorney). Include all the money withheld. Sign the  
137.28 Affirmation at the end of the worksheet before returning.

137.29 3. Deliver a copy of the disclosure and worksheet to the debtor within 10 days after the  
137.30 last payday that falls within the 90-day period.

137.31 If the debt (judgment) is fully paid off or if the debtor's job ends before the 90-day period  
137.32 is over, you need to do the last disclosure and withholdings within 10 days of their last  
137.33 payday that you withheld money.

137.34 Calculating Percentage of Disposable Earnings

138.1 **Note to Creditor:** You must fill out this chart before sending this form to the employer.

138.2 Use the current minimum wage found online at: <https://www.dli.mn.gov/minwage>.

138.3 Minimum Wage = \$MW/hour.

138.4 then this percentage of the disposable  
138.5 if the weekly gross earnings are: earnings are withheld:

138.6 Less than [40 X MW] 0%

138.7 [40 X MW + .01] to [60 X MW] 10%

138.8 [60 X MW + .01] to [80 X MW] 15%

138.9 [80 X MW + .01] or more 25%

138.10 **Employer:** Use this creditor's calculation chart to know what percentage of earnings  
138.11 should be withheld.

138.12 **Earnings Disclosure Worksheet**

138.13 .....

138.14 Debtor's Name

138.15	A	B	C
138.16	Payday Date	Gross Earnings	Disposable Earnings
138.17			
138.18	1. ....	\$.....	\$.....
138.19	2. ....	.....	.....
138.20	3. ....	.....	.....
138.21	4. ....	.....	.....
138.22	5. ....	.....	.....
138.23	6. ....	.....	.....
138.24	7. ....	.....	.....
138.25	8. ....	.....	.....
138.26	9. ....	.....	.....
138.27	10. ....	.....	.....

138.28 **Column A.** Enter the debtor's payday.

138.29 **Column B.** Enter the debtor's gross earnings for each payday.

138.30 **Column C.** Enter the debtor's disposable earnings for each payday.

138.31	D	E	F
138.32	<del>25%</del> of withholding	Greater of 40 X	
138.33	of Column C	<del>\$9.50 or 40 X</del>	
138.34	<u>(Use the creditor's</u>	<u>MN or Fed. Min.</u>	Column C minus
138.35	<u>calculation chart)</u>	<u>Wage</u>	Column E

139.1	1.	.....	.....	.....
139.2	2.	.....	.....	.....
139.3	3.	.....	.....	.....
139.4	4.	.....	.....	.....
139.5	5.	.....	.....	.....
139.6	6.	.....	.....	.....
139.7	7.	.....	.....	.....
139.8	8.	.....	.....	.....
139.9	9.	.....	.....	.....
139.10	10.	.....	.....	.....

139.11 Column D. Enter the percentage of disposable earnings that will be withheld. Get this  
 139.12 number from the creditor's calculation chart.

139.13 Column E. Calculate 40 times the current Minnesota minimum wage (or 40 times the  
 139.14 current federal minimum wage) times the number of work weeks in each payday. Enter the  
 139.15 bigger number here. Note: If a payday has extra days that are more than a full work week,  
 139.16 count those extra days as part of a work week. Do this by dividing the number of extra  
 139.17 workdays by the number of workdays in a normal week.

139.18 Column F. Subtract the amount in column E from the amount in column C and enter  
 139.19 here.

139.20	G	H	I
139.21		Setoff, Lien,	
139.22	Lesser of Column D	Adverse Interest,	Column G minus
139.23	and Column F	or Other Claims	Column H
139.24	1.	.....	.....
139.25	2.	.....	.....
139.26	3.	.....	.....
139.27	4.	.....	.....
139.28	5.	.....	.....
139.29	6.	.....	.....
139.30	7.	.....	.....
139.31	8.	.....	.....
139.32	9.	.....	.....
139.33	10.	.....	.....

139.34 Total of Column I = \$ .....

139.35 Column G. Look at column D and column F. Enter the smaller amount of the two here  
 139.36 in column G.

140.1 **Column H.** Enter any amount claimed by you that would lower the amount of earnings  
140.2 that will go to the debtor. Things like:

140.3 (i) a setoff,

140.4 (ii) a defense,

140.5 (iii) a lien,

140.6 (iv) a claim, or

140.7 (v) any amount claimed by any other person as an exemption or adverse interest.

140.8 **Note:** You must describe your claim(s) and the claims of others, if known, in the spaces  
140.9 after this worksheet.

140.10 Enter zero in column H if there are no claims by you or others which would lower the  
140.11 amount of earnings owed to the debtor.

140.12 **Note:** Any debt that happened within 10 days before you got the first garnishment on a  
140.13 debt may not be set off against the earnings that are affected by this garnishment. Any wage  
140.14 assignment made by the debtor within 10 days before you got the first garnishment on a  
140.15 debt is void. Wage assignment is when a debtor voluntarily agrees to money being taken  
140.16 out of their earnings.

140.17 **Column I.** Subtract the amount in column H from the amount in column G and enter  
140.18 here. This is the amount of earnings that go to the creditor.

140.19 \*If you entered any amount in Column H for any payday(s), you must payday, describe  
140.20 those claims below ~~either~~. It doesn't matter if they are your claims, or the claims of others.  
140.21 For ~~amounts claimed~~ claims by others you must ~~both state~~, list the names and addresses of  
140.22 ~~these persons each~~, and ~~the nature of~~ describe their ~~claim~~ claims, if ~~known~~ you know.

140.23 .....  
140.24 .....  
140.25 .....

140.26 **AFFIRMATION**

140.27 **Earnings Worksheet Affirmation**

140.28 I, ..... (person signing Affirmation), am the third ~~party~~ party/employer or I  
140.29 am authorized by the third ~~party~~ party/employer to complete this earnings disclosure  
140.30 ~~worksheet~~, and have done so truthfully and to the best of my knowledge.

141.1 ~~Dated:~~ .....

141.2 ~~Signature~~ .....

141.3 ~~Title~~ .....

141.4 ~~Telephone Number (....)~~ .....

141.5 Date: .....

141.6 Third Party's Name: .....

141.7 Third Party's Signature: .....

141.8 Phone: ..... Fax: .....

141.9 Email: .....

141.10 EARNINGS DISCLOSURE FORM AND WORKSHEET

141.11 FOR CHILD SUPPORT DEBTOR

141.12 STATE OF MINNESOTA DISTRICT COURT

141.13 COUNTY OF ..... JUDICIAL DISTRICT

141.14 ..... (Creditor)

141.15 ..... (Debtor)

141.16 ..... (Garnishee) GARNISHMENT EARNINGS DISCLOSURE

141.17 DEFINITIONS

141.18 "EARNINGS": For the purpose of execution, "earnings" means compensation paid or  
141.19 payable to an employee for personal services or compensation paid or payable to the producer  
141.20 for the sale of agricultural products; milk or milk products; or fruit or other horticultural  
141.21 products produced when the producer is operating a family farm, a family farm corporation,  
141.22 or an authorized farm corporation, as defined in section 500.24, subdivision 2, whether  
141.23 denominated as wages, salary, commission, bonus, or otherwise, and includes periodic  
141.24 payments pursuant to a pension or retirement, workers' compensation, or unemployment  
141.25 benefits.

141.26 "DISPOSABLE EARNINGS": Means that part of the earnings of an individual remaining  
141.27 after the deduction from those earnings of amounts required by law to be withheld. (Amounts  
141.28 required by law to be withheld do not include items such as health insurance, charitable  
141.29 contributions, or other voluntary wage deductions.)

141.30 "PAYDAY": For the purpose of execution, "payday(s)" means the date(s) upon which  
141.31 the employer pays earnings to the debtor in the ordinary course of business. If the judgment  
141.32 debtor has no regular payday, payday(s) means the 15th and the last day of each month.

141.33 THE GARNISHEE MUST ANSWER THE FOLLOWING QUESTION:

142.1 (1) Do you now owe, or within 90 days from the date the execution levy was served on  
142.2 you, will you or may you owe money to the debtor for earnings?

142.3 Yes ..... No .....

142.4 INSTRUCTIONS FOR COMPLETING THE  
142.5 EARNINGS DISCLOSURE

142.6 A. If your answer to question 1 is "No," then you must sign the affirmation below and  
142.7 return this disclosure to the creditor's attorney (or the creditor if not represented by an  
142.8 attorney) within 20 days after it was served on you, and you do not need to answer the  
142.9 remaining questions.

142.10 B. If your answer to question 1 is "Yes," you must complete this form and the Earnings  
142.11 Disclosure Worksheet as follows:

142.12 For each payday that falls within 90 days from the date the garnishment summons was  
142.13 served on you, YOU MUST calculate the amount of earnings to be retained by completing  
142.14 steps 2 through 8 on page 2, and enter the amounts on the Earnings Disclosure Worksheet.  
142.15 UPON REQUEST, THE EMPLOYER MUST PROVIDE THE DEBTOR WITH  
142.16 INFORMATION AS TO HOW THE CALCULATIONS REQUIRED BY THIS  
142.17 DISCLOSURE WERE MADE.

142.18 Each payday, you must retain the amount of earnings listed in column G on the Earnings  
142.19 Disclosure Worksheet.

142.20 You must pay the attached earnings and return this earnings disclosure form and the  
142.21 Earnings Disclosure Worksheet to the creditor's attorney (or the creditor if not represented  
142.22 by an attorney) and deliver a copy to the debtor within ten days after the last payday  
142.23 that falls within the 90-day period. If the claim is wholly satisfied or if the debtor's  
142.24 employment ends before the expiration of the 90-day period, your disclosure should be  
142.25 made within ten days after the last payday for which earnings were attached.

142.26 For steps 2 through 8, "columns" refers to columns on the Earnings Disclosure Worksheet.

142.27 (2) COLUMN A. Enter the date of debtor's payday.

142.28 (3) COLUMN B. Enter debtor's gross earnings for each payday.

142.29 (4) COLUMN C. Enter debtor's disposable earnings for each payday.

142.30 (5) COLUMN D. Enter either 50, 55, 60, or 65 percent of disposable earnings, based  
142.31 on which of the following descriptions fits the child support judgment debtor:

143.1 (a) 50 percent of the judgment debtor's disposable income, if the judgment debtor is  
 143.2 supporting a spouse or dependent child and the judgment is 12 weeks old or less (12 weeks  
 143.3 to be calculated to the beginning of the work week in which the execution levy is received);

143.4 (b) 55 percent of the judgment debtor's disposable income, if the judgment debtor is  
 143.5 supporting a spouse or dependent child, and the judgment is over 12 weeks old (12 weeks  
 143.6 to be calculated to the beginning of the work week in which the execution levy is received);

143.7 (c) 60 percent of the judgment debtor's disposable income, if the judgment debtor is not  
 143.8 supporting a spouse or dependent child and the judgment is 12 weeks old or less (12 weeks  
 143.9 to be calculated to the beginning of the work week in which the execution levy is received);

143.10 or

143.11 (d) 65 percent of the judgment debtor's disposable income, if the judgment debtor is not  
 143.12 supporting a spouse or dependent child, and the judgment is over 12 weeks old (12 weeks  
 143.13 to be calculated to the beginning of the work week in which the execution levy is received).

143.14 (Multiply column C by .50, .55, .60, or .65, as appropriate.)

143.15 (6) COLUMN E. Enter here any amount claimed by you as a setoff, defense, lien, or  
 143.16 claim, or any amount claimed by any other person as an exemption or adverse interest that  
 143.17 would reduce the amount of earnings owing to the debtor. (Note: Any assignment of earnings  
 143.18 made by the debtor to any party within ten days before the receipt of the first garnishment  
 143.19 on a debt is void. Any indebtedness to you incurred by the debtor within the ten days before  
 143.20 the receipt of the first garnishment on a debt may not be set off against amounts otherwise  
 143.21 subject to the garnishment.)

143.22 You must also describe your claim(s) and the claims of others, if known, in the space  
 143.23 provided below the worksheet and state the name(s) and address(es) of these persons.

143.24 Enter zero in column E if there are no claims by you or others that would reduce the  
 143.25 amount of earnings owing to the judgment debtor.

143.26 (7) COLUMN F. Subtract the amount in column E from the amount in column D and  
 143.27 enter here. This is the amount of earnings that you must remit for the payday for which the  
 143.28 calculations were made.

143.29 AFFIRMATION

143.30 I, ..... (person signing Affirmation), am the garnishee or I am authorized by the  
 143.31 garnishee to complete this earnings disclosure, and have done so truthfully and to the best  
 143.32 of my knowledge.

144.1 Dated: .....

144.2 Signature

144.3 .....

144.4 Title

144.5 .....

144.6 Telephone Number

144.7 EARNINGS DISCLOSURE  
144.8 WORKSHEET

144.8 .....

144.9 Debtor's Name

144.10 A B C

144.11 Payday Date Gross Earnings Disposable  
144.12 Earnings

144.13 1. .... \$..... \$.....

144.14 2. ....

144.15 3. ....

144.16 4. ....

144.17 5. ....

144.18 6. ....

144.19 7. ....

144.20 8. ....

144.21 9. ....

144.22 10. ....

144.23 D E F

144.24 Either 50, 55, 60, or Setoff, Lien, Column D minus  
144.25 65% of Column C Adverse Interest, Column E  
144.26 or Other Claims

144.27 1. ....

144.28 2. ....

144.29 3. ....

144.30 4. ....

144.31 5. ....

144.32 6. ....

144.33 7. ....

144.34 8. ....

144.35 9. ....

144.36 10. ....

144.37 TOTAL OF COLUMN F \$.....



145.1 \*If you entered any amount in column E for any payday(s), you must describe below  
 145.2 either your claims, or the claims of others. For amounts claimed by others, you must both  
 145.3 state the names and addresses of such persons, and the nature of their claim, if known.

145.4 .....  
 145.5 .....  
 145.6 .....

AFFIRMATION

145.8 I, ..... (person signing Affirmation), am the third party or I am authorized by the  
 145.9 third party to complete this earnings disclosure worksheet, and have done so truthfully and  
 145.10 to the best of my knowledge.

145.11 .....  
 145.12 Signature  
 145.13 Dated: ..... (....) .....  
 145.14 Title Phone Number

NONEARNINGS DISCLOSURE FORM

145.16 ~~STATE OF MINNESOTA~~ ~~DISTRICT COURT~~  
 145.17 ~~COUNTY OF .....~~ ~~..... JUDICIAL DISTRICT~~  
 145.18 ..... (Creditor)  
 145.19 against  
 145.20 ..... (Debtor) NONEARNINGS DISCLOSURE  
 145.21 and  
 145.22 ..... (Garnishee)

145.23 On the ..... day of ....., ....., the time of service of garnishment summons  
 145.24 herein, there was due and owing the debtor from the garnishee the following:

145.25 State of Minnesota District Court  
 145.26 County of: ..... Judicial District: .....  
 145.27 Court File Number: .....  
 145.28 Case Type: .....  
 145.29 Creditor's full name  
 145.30 ..... Non-Earnings Disclosure  
 145.31 against For Non-Child Support Judgments  
 145.32 Debtor's full name  
 145.33 .....

146.1 and  
 146.2 Third Party (bank, employer, or other)  
 146.3 .....

146.4 This form is called a "Non-Earnings Disclosure" or "Disclosure." It is being sent to you  
 146.5 because you might be holding property that belongs to the debtor, or you might owe money  
 146.6 to the debtor.

146.7 You are the "third party" or "garnishee." The "debtor" is the person who owes money.  
 146.8 The debtor is also called the "judgment debtor." The "creditor" is the person the debtor owes  
 146.9 money to. The creditor is also called the "judgment creditor." The debtor owes \$.....  
 146.10 to the creditor.

146.11 You must list any money or property you owe the debtor on the lines below and sign  
 146.12 the affirmation. Write "none" on the line if that is your answer. You must then return this  
 146.13 disclosure to the creditor (or the creditor's lawyer) within 20 days after you got it.

146.14 Fill in the date you got this disclosure:  
 146.15 ..... (month) ..... (day), ..... (year)

146.16 On the date you got this disclosure, you owed the debtor:

146.17 ~~(1) Money. Enter on the line below any amounts due and owing the debtor, except~~  
 146.18 ~~earnings, from the garnishee~~ Write down the amount of money you owe the debtor (except  
 146.19 earnings).

146.20 .....

146.21 ~~(2) Property. Describe on the line below~~ Write a short description of any personal  
 146.22 property, instruments, or papers belonging to the debtor and in the possession of the garnishee  
 146.23 that you have in your possession. List the monetary value of each thing.

146.24 .....

146.25 ~~(3) Setoff. Enter on the line below the amount of any~~ If you claim a setoff, defense, lien,  
 146.26 or claim which the garnishee claims against the amount set forth on lines (1) and (2) above  
 146.27 enter that amount on the line below. State the facts by which the setoff, defense, lien, or  
 146.28 about your claim is claimed. (Any indebtedness to a garnishee incurred by the debtor within  
 146.29 the ten days before the receipt of the first garnishment on a debt may not be set off against  
 146.30 amounts otherwise subject to the garnishment.) **Note:** Any payment the debtor makes to  
 146.31 the garnishee within the 10 days before they get the first garnishment order on that debt  
 146.32 can't be used to lower the amount that is being garnished.

147.1 .....

147.2 (4) Exemption. Enter ~~on the line below~~ any amounts or property ~~claimed by the debtor~~  
147.3 ~~to be exempt from execution~~ that the debtor claims is exempt on the line below.

147.4 .....

147.5 (5) Adverse Interest. Enter on the line below any amounts ~~claimed by other persons by~~  
147.6 ~~reason of ownership or interest in the debtor's property~~ of the debtor's property that other  
147.7 people claim they own or have interest in.

147.8 .....

147.9 (6) Enter ~~on the line below~~ the total of lines (3), (4), and (5) on the line below.

147.10 .....

147.11 (7) Enter ~~on the line below~~ the difference obtained (never less than zero) when line (6)  
147.12 is subtracted from the sum of lines (1) and (2) on the line below.

147.13 .....

147.14 (8) ~~Enter on the line below~~ Figure out 110 percent of the amount of the creditor's claim  
147.15 ~~which remains~~ is still unpaid. Enter it on the line below.

147.16 .....

147.17 (9) ~~Enter on the line below the lesser of line~~ Look at (7) and ~~line~~ (8). ~~Retain~~ Put the  
147.18 smaller number on the line below. Hold this amount only if it is \$10 or more.

147.19 .....

147.20 **AFFIRMATION**

147.21 I, ..... (person signing Affirmation), am the garnishee or I am authorized  
147.22 by the garnishee to complete this nonearnings garnishment disclosure, ~~and~~ I have done so  
147.23 truthfully and to the best of my knowledge.

147.24 ~~Dated:~~ ..... Signature

147.25 ..... Signature

147.26 ..... Title

147.27 ..... Title

147.28 ..... Telephone Number

147.29 ..... Telephone Number

147.30 Date: .....

147.31 Name: .....

148.1 Signature: .....

148.2 Title: .....

148.3 Phone: ..... Email: .....

148.4 Sec. 16. Minnesota Statutes 2024, section 571.912, is amended to read:

148.5 **571.912 FORM OF NOTICE, INSTRUCTIONS, AND EXEMPTION NOTICE.**

148.6 Subdivision 1. **Form of notice.** The notice, instructions, and exemption notice informing  
148.7 a debtor that a garnishment summons has been used to attach funds of the debtor to satisfy  
148.8 a claim must be a separate notice and must be substantially in the following form:

148.9 ~~STATE OF MINNESOTA~~ ~~DISTRICT COURT~~

148.10 ~~COUNTY OF .....~~ ~~.....JUDICIAL DISTRICT~~

148.11 ~~.....(Creditor)~~

148.12 ~~.....(Debtor)~~

148.13 ~~.....(Financial institution)~~

148.14 **State of Minnesota** **District Court**

148.15 County of: ..... Judicial District: .....

148.16 Court File Number: .....

148.17 Case Type: .....

148.18 Creditor's full name

148.19 .....

148.20 Debtor's full name

148.21 .....

148.22 Third Party (bank, employer, or other)

148.23 .....

148.24 **Important Notice**

148.25 ~~**YOUR FUNDS HAVE BEEN GARNISHED**~~

148.26 **Money in Your Account Has Been Frozen**

148.27 The Creditor has frozen money in your account at your ~~financial institution~~ bank.

148.28 **Your account balance is \$.....**

148.29 **The amount being held is \$.....**

148.30 The amount being held ~~will be~~ is frozen for 14 days from the date of this notice.

149.1 **Some of your money in your account may be protected (the legal word is exempt).**  
 149.2 **You may be able to get it sooner than 14 days if you act quickly and follow the**  
 149.3 **instructions on the next page.**

149.4 The attached exemption form lists some different ~~sources of ways~~ money in your account  
 149.5 ~~that~~ may be protected. If your money is comes from ~~one or more of these sources~~, place a  
 149.6 benefit on the list, put a check on the line on the form next to the sources of your money.  
 149.7 ~~If it is from one of these sources,~~ next to it. The creditor ~~cannot~~ can't take it.

149.8 BUT, if you want the bank to unfreeze your money, you must follow the instructions  
 149.9 and return the exemption form and with copies of your bank statements from the last  
 149.10 60 days to have the bank unfreeze your money. Instructions and the form are attached. If  
 149.11 you do not don't follow the instructions or your Creditor gets an order from the court or writ  
 149.12 of execution, your financial institution will give bank gives the money to your creditor. If  
 149.13 your creditor gets an order from the court or writ of execution, your bank gives the money  
 149.14 to them. If that happens and if your money is protected, you can still get it back from the  
 149.15 creditor later, But that is not as easy to do as filling in out the form now is easiest.

149.16 See next pages for instructions and the exemption form.

149.17 Subd. 2. **Form of instructions.** The instructions required must be in a separate form  
 149.18 and must be substantially in the following form:

149.19 **Instructions**

149.20 **Note:** The creditor is who you owe the money to. You are the debtor.

149.21 1. Fill out **both** of the attached exemption forms in this packet.

149.22 If you check one of the lines, you should also give proof. Use proof that shows show  
 149.23 that some or all of the money in your account is from one or more of the protected sources.  
 149.24 This might be letters or account statements. Creditors may ask for a hearing if they question  
 149.25 your exemptions.

149.26 **To avoid a hearing:**

149.27 (i) Case numbers should be added to the form.

149.28 (ii) Copies of documents should be sent with the form.

149.29 **Notice:** You must send ~~to the creditor's attorney (or to the creditor, if no attorney)~~ copies  
 149.30 of your bank statements for the past 60 days before the garnishment. Send them to the  
 149.31 creditor (or to the creditor's lawyer). Keep a copy of your bank statements in case there are  
 149.32 questions about your claim. If you ~~do not~~ don't send bank statements to the ~~creditor's attorney~~

150.1 ~~(or to the creditor, if no attorney)~~ bank statements creditor (or to the creditor's lawyer) along  
 150.2 with your exemption claim, the financial institution may ~~release~~ give your money to the  
 150.3 creditor. They would do this once the creditor gives ~~the financial institution~~ them a court  
 150.4 order ~~directing it~~ saying they have to turn over the funds.

150.5 **2. Sign** the exemption forms. **Make ~~one~~ a copy to keep for yourself.**

150.6 **3. Mail or deliver** the other copies of the form by (insert date).

150.7 **Both Copies Must Be Mailed or Delivered the Same Day.**

150.8 One copy of the form and the copies of your bank statements go to:

150.9 .....

150.10 ~~(Insert name of creditor or creditor's attorney)~~

150.11 .....

150.12 ~~(Insert address of creditor or creditor's attorney)~~

150.13 Creditor's Name: .....

150.14 (or creditor's lawyer's name)

150.15 Street Address: .....

150.16 City/State/Zip: .....

150.17 Phone: ..... Fax: .....

150.18 Email: .....

150.19 One copy goes to:

150.20 .....

150.21 ~~(Insert name of bank)~~

150.22 .....

150.23 ~~(Insert address of bank)~~

150.24 Bank's Name: .....

150.25 Street Address: .....

150.26 City/State/Zip: .....

150.27 Phone: ..... Fax: .....

150.28 Email: .....

150.29 **How The Process Works**

150.30 **If You ~~Do Not~~ Don't Send in the Exemption Form and Bank Statements:**

150.31 14 days after the date of this letter some or all of your money may be turned over to the  
 150.32 creditor. This happens once they get an order from the court telling the ~~financial institution~~  
 150.33 bank to do this.

151.1 **If You Do Send in the Exemption Form and Bank Statements:**

151.2 Any money that is NOT protected can be turned over to the creditor once they get an  
151.3 order from the court.

151.4 **If the Creditor Does Not Object to Your Claimed Exemptions:**

151.5 The ~~financial institution will~~ bank should unfreeze your money ~~six~~ 6 business days after  
151.6 ~~the institution gets~~ they get your completed form. If they don't, ask the creditor or the  
151.7 creditor's lawyer to send a release letter to the bank.

151.8 **If the Creditor Objects to Your Claimed Exemptions:**

151.9 The money you ~~have~~ said is protected on the form ~~will be~~ is held by the bank. The  
151.10 creditor has ~~six~~ 6 business days to object (disagree) and ask the court to hold a hearing. You  
151.11 ~~will receive~~ get a Notice of Objection and a Notice of Hearing.

151.12 The ~~financial institution will hold~~ bank holds the money until a court decides ~~whether~~  
151.13 if your money is protected or not. Some reasons a creditor may object are because you ~~did~~  
151.14 ~~not~~ didn't send copies of your bank statements or other proof of the benefits you ~~received~~  
151.15 got. Be sure to include these when you send your exemption form.

151.16 You may want to talk to a lawyer for advice about this process. If you are low income  
151.17 you can call Legal Aid statewide at 1(877) 696-6529.

151.18 **PENALTIES:**

151.19 **Warnings and Fines**

151.20 If you claim that your money is protected and a court decides you made that claim in  
151.21 bad faith, ~~the court~~ they can order you to pay costs, actual damages, ~~attorney~~ lawyer fees,  
151.22 ~~and an additional amount of a fine up to \$100.~~ Bad faith is when someone does something  
151.23 wrong on purpose. For example, it may be bad faith if you claim you ~~receive~~ get government  
151.24 benefits ~~that you do not receive~~ and you don't.

151.25 If the creditor made a bad faith objection to your claim that your money is protected,  
151.26 the court can order them to pay costs, actual damages, ~~attorney~~ lawyer fees, and ~~an additional~~  
151.27 ~~amount of a fine~~ up to \$100.

151.28 Subd. 3. **Exemption notice.** The exemption notice must be a separate form and must  
151.29 be in substantially the following form:

151.30 ~~STATE OF MINNESOTA~~ ~~DISTRICT COURT~~  
151.31 ~~COUNTY OF .....~~ ~~.....JUDICIAL DISTRICT~~  
151.32 ~~.....(Creditor)~~

152.1 .....(Debtor)

152.2 .....(Financial institution)

152.3 **State of Minnesota**

**District Court**

152.4 County of: .....

Judicial District: .....

152.5

Court File Number: .....

152.6

Case Type: .....

152.7 Creditor's full name

152.8 .....

**Exemption Form**

152.9 vs.

152.10 Debtor's full name

152.11 .....

152.12 Bank's name

152.13 .....

152.14 **~~EXEMPTION FORM~~**

152.15 A. **How Much Money is Protected (exempt)**

152.16 ..... ... I claim ALL of the money being frozen by the bank is protected.

152.17 ..... ... I claim SOME of the money is protected. The amount I claim is protected is \$.....

152.18 B. **Why The Money is Protected**

152.19 My money is protected because I get it from one or more of the following places:  
152.20 **(Check all that apply)**

152.21 **Earnings (Wages)**

152.22 ALL or SOME of my wages may be protected.

152.23 ... **Some** of my wages are protected because they were only deposited in my account  
152.24 in the last 20 days.

152.25 For wages that were deposited in your account within the last 20 days, the amount  
152.26 protected is whichever is more:

152.27 (i) 75% of your wages or more (after taxes are taken out), or

152.28 (ii) The current minimum wage times 40 per week. You can find the current minimum  
152.29 wage here: <https://www.dli.mn.gov/minwage>.

152.30 All of my wages are protected because:

152.31 ... I get government benefits (a list of government benefits is on the next page)

152.32 ... I am getting other assistance based on need

152.33 ... I have gotten government benefits in the last 6 months

152.34 ... I was in jail or prison in the last 6 months

152.35 If you check one of these 4 boxes, your wages are only protected for 60 days after  
152.36 they are deposited in your account. You **MUST send the creditor copies of bank**  
152.37 **statements** that show what was in your account **for the 60 days right before the**  
152.38 **bank froze your money.**

152.39 ..... **Government Benefits**



- 153.1 Government benefits can include, but are not limited to, the following many things.
- 153.2 For example:
- 153.3 ... MFIP - Minnesota Family Investment Program;
- 153.4 ... DWP - MFIP Diversionary Work Program;
- 153.5 ... SNAP - Supplemental Nutrition Assistance Program
- 153.6 ~~**Work participation cash benefit,**~~
- 153.7 ... GA - General Assistance;
- 153.8 ~~**EA - emergency assistance;**~~
- 153.9 ~~**MA - medical assistance;**~~
- 153.10 ... EGA - Emergency General Assistance;
- 153.11 ... MSA - Minnesota Supplemental Aid;
- 153.12 ... MSA-EA - MSA Emergency Assistance;
- 153.13 ... EA - Emergency Assistance
- 153.14 ... Energy or Fuel Assistance
- 153.15 ... Work Participation Cash Benefit
- 153.16 ... MA - Medical Assistance
- 153.17 ~~**Supplemental Nutrition Assistance Program (SNAP),**~~
- 153.18 ~~**SSI - Supplemental Security Income,**~~
- 153.19 ... MinnesotaCare;
- 153.20 ... Medicare Part B - Premium Payments; help
- 153.21 ... Medicare Part D - Extra help;
- 153.22 ~~**Energy or fuel assistance.**~~
- 153.23 ... SSI - Supplemental Security Income
- 153.24 ... Tax Credits - federal Earned Income Tax Credit (EITC), Minnesota Working
- 153.25 Family Credit
- 153.26 ... Renter's Refund (also called Renter's Property Tax Credit)

153.27 ~~**LIST SOURCE(S) OF FUNDING IN YOUR ACCOUNT**~~

153.28 .....

153.29 ~~**LIST THE CASE NUMBER AND COUNTY**~~

153.30 Case Number: .....

153.31 County: .....

153.32 ~~**Government benefits also include:**~~

153.33 ..... ~~**Social Security benefits**~~

153.34 ..... ~~**Unemployment benefits**~~

153.35 ..... ~~**Workers' compensation**~~

153.36 ..... ~~**Veterans benefits**~~

154.1 ~~If you receive any of these government benefits, include copies of any documents~~  
 154.2 ~~you have that show you receive Social Security, unemployment, workers'~~  
 154.3 ~~compensation, or veterans benefits.~~

154.4 ~~..... Other assistance based on need~~

154.5 ~~You may have assistance based on need from another source that is not on the list. If you~~  
 154.6 ~~do, check this box, and fill in the source of your money on the line below:~~

154.7 ~~Source:.....~~

154.8 ~~Include copies of any documents you have that show the source of this money.~~

154.9 **EARNINGS**

154.10 ~~ALL or SOME of your earnings (wages) may also be protected.~~

154.11 ~~..... All of your earnings (wages) are protected if:~~

154.12 ~~..... You get government benefits (see list of government benefits)~~

154.13 ~~..... You currently receive other assistance based on need~~

154.14 ~~..... You have received government benefits in the last six months~~

154.15 ~~..... You were in jail or prison in the last six months~~

154.16 ~~If you check one of these lines, your wages are only protected for 60 days after~~  
 154.17 ~~they are deposited in your account so you MUST send the creditor a copy of~~  
 154.18 ~~BANK STATEMENTS that show what was in your account for the 60 days right~~  
 154.19 ~~before the bank froze your money.~~

154.20 ~~..... Some of your earnings (wages) are protected.~~

154.21 ~~If all of your earnings are not exempt, then some of your earnings are still protected~~  
 154.22 ~~for 20 days after they were deposited in your account. The amount protected is the~~  
 154.23 ~~larger amount of:~~

154.24 ~~75 percent of your wages (after taxes are taken out); or~~

154.25 ~~(insert the sum of the current federal minimum wage) multiplied by 40.~~

154.26 **OTHER EXEMPT FUNDS**

154.27 ~~The money from the following are also completely protected after they are deposited~~  
 154.28 ~~in your account.~~

154.29 ~~..... An accident, disability, or retirement pension or annuity~~

154.30 ~~..... Payments to you from a life insurance policy~~

154.31 ~~..... Earnings of your child who is under 18 years of age~~

154.32 ~~..... Child support~~

154.33 ~~..... Money paid to you from a claim for damage or destruction of property~~ Property  
 154.34 ~~includes household goods, farm tools or machinery, tools for your job, business~~  
 154.35 ~~equipment, a mobile home, a car, a musical instrument, a pew or burial lot, clothes,~~  
 154.36 ~~furniture, or appliances.~~

154.37 ~~..... Death benefits paid to you~~

154.38 List the case number and county for every  
 154.39 box you checked:

154.40 Case Number: ..... County: .....

155.1 Case Number: ..... County: .....

155.2 Case Number: ..... County: .....

155.3 Government benefits also include:

155.4 ... Social Security benefits

155.5 ... Unemployment benefits

155.6 ... Workers' compensation

155.7 ... Veterans' benefits

155.8 If you get any of these government benefits, include copies of any documents that show  
155.9 you get them.

155.10 ... I get other assistance based on need that is not on the list. It comes from: .....

155.11 .....

155.12 Make sure you include copies of any documents that show this.

155.13 **C. Other Protected Funds**

155.14 The money from these things are also completely protected after they are deposited in  
155.15 my account.

155.16 ... Child Support

155.17 ... A retirement, disability, or accident pension or annuity

155.18 ... Earnings of my child who is under 18 years of age

155.19 ... Payments to me from a life insurance policy

155.20 ... Money paid to me from a claim for damage or destruction of property. Property  
155.21 includes household goods, farm tools or machinery, tools for my job, business equipment,  
155.22 a mobile home, a car, a musical instrument, a pew or burial lot, clothes, furniture, or  
155.23 appliances

155.24 ... Death benefits paid to me

155.25 I give my permission to any agency that has given me ~~cash~~ benefits to give information  
155.26 about my benefits to the ~~above-named~~ creditor; named above or ~~its attorney~~ to the creditor's  
155.27 lawyer. The information will **ONLY** ~~concern whether~~ be if I get ~~benefits or not, or whether~~  
155.28 ~~I have gotten them~~ assistance, or if I have gotten assistance in the past ~~six~~ 6 months. If I  
155.29 was an inmate in the last 6 months, I give my permission to the correctional institution to  
155.30 tell the creditor named above or the creditor's lawyer that I was an inmate there.

155.31 ~~If I was an inmate in the last six months, I give my permission to the correctional~~  
155.32 ~~institution to tell the above-named creditor that I was an inmate there.~~

156.1 **You must sign this form and send ~~THIS FORM~~ it back to the creditor's**  
 156.2 **~~ATTORNEY~~ lawyer (or to the creditor, if there is no ~~ATTORNEY~~ lawyer) and the**  
 156.3 **bank. Remember to include a copy of your bank statements for the past 60 days. Fill**  
 156.4 **in the blanks below and go back to the instructions to make sure you ~~do~~ did it correctly.**

156.5 I ~~have~~ mailed or delivered a copy of this form to: the creditor (or to the creditor's lawyer)  
 156.6 at the address listed below.

156.7 .....

156.8 (~~Insert name of creditor or creditor's attorney~~)

156.9 .....

156.10 (~~Insert address of creditor or creditor's attorney~~)

156.11 Creditor's Signature: .....

156.12 (or creditor's lawyer's signature)

156.13 Creditor's Name: .....

156.14 (or creditor's lawyer's name)

156.15 Street Address: .....

156.16 City/State/Zip: .....

156.17 Phone: ..... Fax: .....

156.18 Email: .....

156.19 I ~~have~~ also mailed or delivered a copy of this exemption form to my bank at the address  
 156.20 listed ~~in the instructions~~ below:

156.21 ~~DATED: .....~~ .....

156.22 ~~DEBTOR~~

156.23 .....

156.24 ~~DEBTOR ADDRESS~~

156.25 .....

156.26 ~~DEBTOR TELEPHONE NUMBER~~

156.27 Bank's Name: .....

156.28 Street Address: .....

156.29 City/State/Zip: .....

156.30 Phone: ..... Fax: .....

156.31 Email: .....

156.32 Date: .....

156.33 Debtor's Signature: .....

156.34 Debtor's Name: .....

156.35 Street Address: .....

157.1 City/State/Zip: .....

157.2 Phone: .....

157.3 Email: .....

157.4 Sec. 17. Minnesota Statutes 2024, section 571.914, subdivision 2, is amended to read:

157.5 Subd. 2. **Form of Notice of Objection and Notice of Hearing.** The Written Objection  
157.6 and Notice of Hearing must be in substantially the following form:

157.7 ~~STATE OF MINNESOTA~~ ~~DISTRICT COURT~~

157.8 ~~COUNTY OF .....~~ ~~.....JUDICIAL DISTRICT~~

157.9 ~~.....(Creditor)~~

157.10 ~~.....(Debtor)~~ ~~CREDITOR'S NOTICE OF OBJECTION~~

157.11 ~~.....(Garnishee)~~ ~~AND NOTICE OF HEARING ON~~

157.12 ~~.....(Garnishee)~~ ~~EXEMPTION CLAIM~~

157.13 ~~.....~~

157.14 ~~.....~~

157.15 ~~.....~~

157.16 ~~(CREDITOR OR CREDITOR'S~~  
157.17 ~~ATTORNEY)~~

157.18 ~~NOTICE OF HEARING~~

157.19 ~~The creditor objects to your exemption claim.~~  
157.20 ~~This hearing is to resolve your exemption~~  
157.21 ~~claim.~~

157.22 ~~Hearing Date:~~ ~~.....~~

157.23 ~~Time:~~ ~~.....~~

157.24 ~~Hearing Place:~~ ~~.....~~

157.25 State of Minnesota District Court

157.26 County of: ..... Judicial District: .....

157.27 ..... Court File Number: .....

157.28 ..... Case Type: .....

157.29 Creditor's full name

157.30 ..... Creditor's Notice of Objection and

157.31 and Notice of Hearing on Exemption Claim

157.32 Debtor's full name

157.33 .....

157.34 Third Party (bank, employer, or other)

157.35 .....

157.36 Hearing Notice

158.1 The creditor objects to your exemption claim. This hearing is to decide if your exemption  
158.2 claim is valid.

158.3 The hearing will be at:

158.4 Place: ..... Date: ..... Time: .....

158.5 The creditor objects to your claim of exemption from garnishment for the following  
158.6 reason(s):

158.7 .....

158.8 .....

158.9 .....

158.10 ~~(Note: Bring with you to the hearing all documents and materials supporting your~~  
158.11 ~~exemption claim. Failure to do so could delay the court's decision.)~~

158.12 ~~If the creditor receives all documents and materials supporting your exemption claim~~  
158.13 ~~before the hearing date, the creditor may agree with your claim and you can avoid a hearing.~~

158.14 ~~Because a court hearing will be held on your claim that your funds are protected, your~~  
158.15 ~~financial institution will retain the funds until it receives an order from the court.~~

158.16 Note: Bring all your documents and materials that support your exemption claim  
158.17 to the hearing. If you don't, the court's decision could be held up.

158.18 You can send your documents and materials to the creditor before the hearing. If they  
158.19 review them and agree with your claim, you can avoid a hearing.

158.20 Because there is a court hearing scheduled about your exemption claim, your bank will  
158.21 keep your funds until it gets an order from the court.

158.22 Date: .....

158.23 Creditor's Signature: .....

158.24 (or creditor's lawyer's signature)

158.25 Creditor's Name: .....

158.26 (or creditor's lawyer's name)

158.27 Street Address: .....

158.28 City/State/Zip: .....

158.29 Phone: ..... Fax: .....

158.30 Email: .....

159.1 Sec. 18. Minnesota Statutes 2024, section 571.925, is amended to read:

159.2 **571.925 FORM OF NOTICE.**

159.3 The ten-day notice informing a debtor that a garnishment summons may be used to  
159.4 garnish the earnings of an individual must be substantially in the following form:

159.5 STATE OF MINNESOTA DISTRICT COURT  
159.6 COUNTY OF ..... JUDICIAL DISTRICT

159.7 .....(Creditor)

159.8 against

159.9 GARNISHMENT EXEMPTION

159.10 .....(Debtor) NOTICE AND NOTICE OF

159.11 and INTENT TO GARNISH EARNINGS

159.12 .....(Garnishee)

159.13 ~~PLEASE TAKE NOTICE that a garnishment summons or levy may be served upon~~  
159.14 ~~your employer or other third parties, without any further court proceedings or notice to you,~~  
159.15 ~~ten days or more from the date hereof. Some or all of your earnings are exempt from~~  
159.16 ~~garnishment. If your earnings are garnished, your employer must show you how the amount~~  
159.17 ~~that is garnished from your earnings was calculated. You have the right to request a hearing~~  
159.18 ~~if you claim the garnishment is incorrect.~~

159.19 ~~Your earnings are completely exempt from garnishment if you are now a recipient of~~  
159.20 ~~assistance based on need, if you have been a recipient of assistance based on need within~~  
159.21 ~~the last six months, or if you have been an inmate of a correctional institution in the last six~~  
159.22 ~~months.~~

159.23 ~~Assistance based on need includes, but is not limited to:~~

159.24 State of Minnesota District Court  
159.25 County of: ..... Judicial District: .....  
159.26 Court File Number: .....  
159.27 Case Type: .....

159.28 Creditor's full name  
159.29 ..... Garnishment Exemption Notice and  
159.30 and Notice of Intent to Garnish Earnings

159.31 Debtor's full name  
159.32 .....

159.33 Third Party (bank, employer, or other)  
159.34 .....

160.1 Notice: A garnishment may be served on your employer or other third parties.

160.2 Garnishment means that part of your earnings can be taken to pay off debts that you  
 160.3 owe. This can happen in 10 days or more after you get this notice. This can happen without  
 160.4 any other court action or notice to you. But some of your money may be protected.

160.5 Your earnings cannot be taken if:

160.6 (i) you are getting government assistance based on need,

160.7 (ii) you got any government assistance based on need in the last 6 months, or

160.8 (iii) you were an inmate of a correctional institution in the last 6 months.

160.9 These are called exemptions. Your money is NOT protected unless you fill out the  
 160.10 Exemption Claim Notice attached and send it back to the creditor or the creditor's  
 160.11 lawyer. If you are not sure if you have any exemptions, talk to a lawyer.

160.12 You can also contact the creditor or their lawyer to talk about a settlement of the debt.

160.13 Examples of government assistance based on need:

160.14 (i) MFIP - Minnesota Family Investment Program;

160.15 (ii) DWP - MFIP Diversionary Work Program;

160.16 (iii) SNAP - Supplemental Nutrition Assistance Program

160.17 ~~**Work participation cash benefit;**~~

160.18 (iv) GA - General Assistance;

160.19 ~~**EA - emergency assistance;**~~

160.20 ~~**MA - medical assistance;**~~

160.21 (v) EGA - Emergency General Assistance;

160.22 (vi) MSA - Minnesota Supplemental Aid;

160.23 (vii) MSA-EA - MSA Emergency Assistance;

160.24 ~~**Supplemental Nutrition Assistance Program (SNAP);**~~

160.25 ~~**SSI - Supplemental Security Income;**~~

160.26 (viii) EA - Emergency Assistance

160.27 (ix) Energy or Fuel Assistance

160.28 (x) Work Participation Cash Benefit

160.29 (xi) MA - Medical Assistance

160.30 (xii) MinnesotaCare;

160.31 (xiii) Medicare Part B - Premium Payments; help

160.32 (xiv) Medicare Part D - Extra help;

160.33 ~~**Energy or fuel assistance.**~~

160.34 (xv) SSI - Supplemental Security Income



161.1 (xvi) Tax Credits - federal Earned Income Tax Credit (EITC), Minnesota Working  
161.2 Family Credit

161.3 (xvii) Renter's Refund (also called Renter's Property Tax Credit)

161.4 ~~If you wish to claim an exemption, you should fill out the appropriate form below, sign~~  
161.5 ~~it, and send it to the creditor's attorney and the garnishee.~~

161.6 ~~You may wish to contact the attorney for the creditor in order to arrange for a settlement~~  
161.7 ~~of the debt or contact an attorney to advise you about exemptions or other rights.~~

161.8 **PENALTIES**

161.9 ~~(1) Be advised that even if you claim an exemption, a garnishment summons may still~~  
161.10 ~~be served on your employer. If your earnings are garnished after you claim an exemption,~~  
161.11 ~~you may petition the court for a determination of your exemption. If the court finds that~~  
161.12 ~~the creditor disregarded your claim of exemption in bad faith, you will be entitled to~~  
161.13 ~~costs, reasonable attorney fees, actual damages, and an amount not to exceed \$100.~~

161.14 ~~(2) HOWEVER, BE WARNED if you claim an exemption, the creditor can also petition~~  
161.15 ~~the court for a determination of your exemption, and if the court finds that you claimed~~  
161.16 ~~an exemption in bad faith, you will be assessed costs and reasonable attorney's fees plus~~  
161.17 ~~an amount not to exceed \$100.~~

161.18 ~~(3) If after receipt of this notice, you in bad faith take action to frustrate the garnishment,~~  
161.19 ~~thus requiring the creditor to petition the court to resolve the problem, you will be liable~~  
161.20 ~~to the creditor for costs and reasonable attorney's fees plus an amount not to exceed~~  
161.21 ~~\$100.~~

161.22 **Dated:** .....

161.23 .....  
(Attorney for) Creditor

161.24 .....

161.25 **Address**

161.26 .....

161.27 **Telephone**

161.28 **Warnings and Fines**

161.29 (1) Even if you claim an exemption, a levy may still be served on your employer. If they  
161.30 take money from you after you claim an exemption, you may ask the court to review your  
161.31 exemption. If the court finds that the creditor ignored your claim of exemption in bad faith,  
161.32 you are entitled to costs, reasonable lawyer fees, actual damages, and a fine up to \$100. Bad  
161.33 faith is when someone does something wrong on purpose.

162.1 (2) BUT if you claim an exemption, the creditor can also ask the court to review your  
 162.2 exemption. If the court finds that you claimed an exemption in bad faith, you are charged  
 162.3 costs and reasonable lawyer fees, and a fine up to \$100.

162.4 (3) If you get this notice, then do something in bad faith to try to block or stop the levy  
 162.5 and the creditor has to take you to court because of it, you will have to pay the creditor's  
 162.6 costs, and reasonable lawyer's fees, and a fine up to \$100.

162.7 Date: .....

162.8 Creditor's Signature: .....

162.9 (or creditor's lawyer's signature)

162.10 Creditor's Name: .....

162.11 (or creditor's lawyer's name)

162.12 Street Address: .....

162.13 City/State/Zip: .....

162.14 Phone: ..... Fax: .....

162.15 Email: .....

162.16 DEBTOR'S EXEMPTION CLAIM NOTICE

162.17 State of Minnesota

District Court

162.18 County of: .....

Judicial District: .....

162.19

Court File Number: .....

162.20

Case Type: .....

162.21 Creditor's full name

162.22 .....

**Debtor's Exemption**

162.23 and

**Claim Notice**

162.24 Debtor's full name

162.25 .....

162.26 and

162.27 Third Party (bank, employer, or other)

162.28 .....

162.29 I hereby claim that my earnings are exempt from this garnishment because: (check all  
 162.30 that apply)

162.31 ~~(1) I am presently a recipient of relief based on need. (Specify the program, case number,~~  
 162.32 ~~and the county from which relief is being received.)~~

162.33 .....

162.34 **Program**

**Case Number (if known)**

**County**



164.1 Program: ..... Case #: ..... County: .....  
 164.2 Program: ..... Case #: ..... County: .....  
 164.3 Program: ..... Case #: ..... County: .....

164.4 ... I was an inmate of a correctional institution within the last 6 months. (State the  
 164.5 correctional institution and location.)

164.6 Correctional Institution ..... Location .....

164.7 I give my permission to any agency listed above to give information about my benefits  
 164.8 to the creditor named above, or to the creditor's lawyer. The information will ONLY be if  
 164.9 I get assistance, or if I have gotten assistance in the past 6 months. If I was an inmate in the  
 164.10 last 6 months, I give my permission to the correctional institution to tell the creditor named  
 164.11 above or the creditor's lawyer that I was an inmate there.

164.12 **Sign and send this form back to the creditor or the creditor's lawyer.**

164.13 **Fill in the blanks below.**

164.14 I mailed or delivered a copy of this form to the creditor or to the creditor's lawyer if they  
 164.15 have one, at the address listed below.

164.16 Date: .....

164.17 Creditor's Signature: .....

164.18 (or creditor's lawyer's signature)

164.19 Creditor's Name: .....

164.20 (or creditor's lawyer's name)

164.21 Street Address: .....

164.22 City/State/Zip: .....

164.23 Phone: ..... Fax: .....

164.24 Email: .....

164.25 Date: .....

164.26 Debtor's Signature: .....

164.27 Debtor's Name: .....

164.28 Street Address: .....

164.29 City/State/Zip: .....

164.30 Phone: .....

164.31 Email: .....

165.1 Sec. 19. Minnesota Statutes 2024, section 571.931, subdivision 6, is amended to read:

165.2 Subd. 6. **Notice.** The debtor shall be served with a copy of the prejudgment garnishment  
165.3 order issued pursuant to this section together with a copy of all pleadings and other documents  
165.4 not previously served, including any affidavits upon which the claimant intends to rely at  
165.5 the subsequent hearing and a transcript of any oral testimony given at the prejudgment  
165.6 garnishment hearing upon which the creditor intends to rely and a notice of hearing. Service  
165.7 must be in the manner prescribed for personal service of a summons unless that service is  
165.8 impracticable or would be ineffective and the court prescribes an alternative method of  
165.9 service calculated to provide actual notice to the debtor.

165.10 The notice of hearing served upon the debtor must be signed by the creditor or the  
165.11 attorney for the creditor and must be accompanied by an exemption notice. The notice of  
165.12 hearing must be accompanied by an exemption notice, and both notices must provide, at a  
165.13 minimum, the following information in substantially the following language:

165.14 ~~NOTICE OF HEARING~~

165.15 Hearing Notice

165.16 TO: .....

165.17 ~~(the debtor)~~ (debtor's full name)

165.18 The (insert the name of court) Court has ordered the prejudgment garnishment of some  
165.19 of your property ~~in the possession or control of a third party.~~ This is about property that a  
165.20 third party has or controls. Some of your property may be exempt ~~from seizure and can't~~  
165.21 be taken. See the exemption notice below.

165.22 The Court issued this Order ~~based upon the claim of~~ because (insert name of creditor)  
165.23 ~~that (insert name of creditor) is~~ claims they are entitled to a court order for garnishment  
165.24 take some of your property to secure your payment of any money judgment that (insert  
165.25 name of creditor) may later be obtained against you and that immediate action was necessary.  
165.26 They do this to make sure you pay any money they might win in a future case against you.  
165.27 They felt immediate action was needed.

165.28 You have the legal right to challenge (insert name of creditor) claims at a court hearing  
165.29 before a judge.

165.30 The hearing will be at:

165.31 Place: ..... Date: ..... Time: .....

166.1 ~~The hearing will be held at the (insert place) on (insert date) at (insert time).~~ You may  
 166.2 ~~attend~~ can go to the court hearing alone or with ~~an attorney~~ a lawyer. After you have  
 166.3 ~~presented your side of the matter, the court will decide~~ You get to tell the court your side  
 166.4 of the issue. Then the court decides what should be done with your property until the lawsuit  
 166.5 against you is finally decided.

166.6 **If you ~~do not attend~~ don't go to this hearing, the court may order garnishment of**  
 166.7 **your property.**

### 166.8 **Exemption Notice**

166.9 Some of your property may be exempt and ~~cannot be garnished~~ can't be taken. 'Exempt'  
 166.10 means protected. The following is a list of some of ~~the more~~ common exemptions. It is not  
 166.11 a complete and is subject to list. For full details and dollar amounts set by law see section  
 166.12 ~~550.37, and other state and federal laws~~ of the Minnesota Statutes. If you have questions  
 166.13 about an exemption, ~~you should obtain competent~~ contact a lawyer for legal advice.

166.14 These things you or your family might have are protected:

166.15 (1) ~~a homestead or the proceeds from the sale of a homestead.~~ equity in your home, or  
 166.16 money from recently selling your home - up to \$510,000 total;

166.17 (2)(i) all clothing, one watch, utensils, and foodstuffs;

166.18 (ii) household furniture, household appliances, ~~phonographs,~~ radios, and computers,  
 166.19 tablets, televisions up to a total current value of \$4,500 at the time of attachment., printers,  
 166.20 cell phones, smart phones, and other consumer electronics up to \$12,150 in all; and

166.21 (iii) jewelry - total value can't be more than \$3,308;

166.22 (3) a manufactured (mobile) home used as your home. you live in;

166.23 (4) one motor vehicle currently worth less than \$2,000 after deducting any security  
 166.24 interest., counting only the amount you have paid off:

166.25 (i) \$10,000;

166.26 (ii) \$12,500 if it is necessary for your business, trade, or profession;

166.27 (iii) \$25,000 if used by or to help someone with a disability that makes it hard to walk;  
 166.28 or

166.29 (iv) \$100,000 if designed or modified for someone with a disability that makes it hard  
 166.30 to walk;

167.1 (5) farm machinery ~~used by someone principally engaged in farming, or if your main~~  
 167.2 ~~business is farming.~~ Tools, machines, or office furniture used in your business ~~or trade.~~ This  
 167.3 ~~exemption is limited to \$10,000.~~ the total value can't be more than \$13,000;

167.4 (6) relief based on need. This includes ~~the~~ :

167.5 (i) MFIP - Minnesota Family Investment Program (MFIP), Emergency Assistance (EA),  
 167.6 Work First Program, Medical Assistance (MA);

167.7 (ii) DWP - MFIP Diversionary Work Program;

167.8 (iii) SNAP - Supplemental Nutrition Assistance Program;

167.9 (iv) GA - General Assistance (GA);

167.10 (v) EGA - Emergency General Assistance (EGA);

167.11 (vi) MSA - Minnesota Supplemental Aid (MSA);

167.12 (vii) MSA-EA - MSA Emergency Assistance (MSA-EA), Supplemental Security Income  
 167.13 (SSI), and Energy Assistance;

167.14 (viii) EA - Emergency Assistance;

167.15 (ix) Energy or Fuel Assistance;

167.16 (x) Work Participation Cash Benefit;

167.17 (xi) MA - Medical Assistance;

167.18 (xii) MinnesotaCare;

167.19 (xiii) Medicare Part B - Premium Payments help;

167.20 (xiv) Medicare Part D - Extra;

167.21 (xv) SSI - Supplemental Security Income;

167.22 (xvi) Tax Credits - federal Earned Income Tax Credit (EITC), Minnesota Working  
 167.23 Family Credit; and

167.24 (xvii) Renter's Refund (also called Renter's Property Tax Credit);

167.25 (7) wages. 100% is protected if you get government assistance based on need. Otherwise,  
 167.26 between 75-100% is protected depending on how much you earn;

167.27 (8) retirement benefits - the total interest under all plans and contracts can't be more than  
 167.28 \$81,000;

167.29 ~~(7)~~ (9) Social Security benefits;

- 168.1 ~~(8)~~ (10) unemployment benefits, workers' compensation, or veterans' benefits;
- 168.2 ~~(9) An accident, disability or retirement~~ (11) a retirement, disability, or accident pension
- 168.3 or annuity;
- 168.4 ~~(10)~~ (12) life insurance proceeds; that are not more than \$54,000;
- 168.5 ~~(11) The~~ (13) earnings of your minor child;
- 168.6 ~~(12)~~ (14) money from a claim for damage or destruction of exempt property ~~(such as -~~
- 168.7 like household goods, farm tools, business equipment, a manufactured (mobile) home, or
- 168.8 a car); car;
- 168.9 (15) sacred possessions - like the Bible, Torah, Qur'an, prayer rug, and other religious
- 168.10 items. Total value can't be more than \$2,000;
- 168.11 (16) personal library - total value can't be more than \$750;
- 168.12 (17) musical instruments - total value can't be more than \$2,000;
- 168.13 (18) family pets - current value can't be more than \$1,000;
- 168.14 (19) a seat or pew in any house or place of public worship and a lot in any burial ground;
- 168.15 (20) tools you need to work in your business or profession - the total value can't be more
- 168.16 than \$13,500;
- 168.17 (21) household tools and equipment - things like hand and power tools, snow removal
- 168.18 equipment, lawnmowers, and more. Total value can't be more than \$3,000; and
- 168.19 (22) health savings accounts, medical savings accounts - the total value can't be more
- 168.20 than \$25,000.

168.21 Sec. 20. Minnesota Statutes 2024, section 571.932, subdivision 2, is amended to read:

168.22 Subd. 2. **Service.** The creditor's motion to obtain an order of garnishment together with

168.23 the creditor's affidavit and notice of hearing must be served in the manner prescribed for

168.24 service of a summons in a civil action in district court unless that service is impracticable

168.25 or would be ineffective and the court prescribes an alternative method of service calculated

168.26 to provide actual notice to the debtor. If the debtor has already appeared in the action, the

168.27 motion must be served in the manner prescribed for service of pleadings subsequent to the

168.28 summons. The date of the hearing must be fixed in accordance with rule 6 of the Minnesota

168.29 Rules of Civil Procedure for the District Courts, unless a different date is fixed by order of

168.30 the court.



169.1 The notice of hearing served upon the debtor shall be signed by the creditor or the  
169.2 attorney for the creditor and shall provide, at a minimum, the following information in  
169.3 substantially the following language:

169.4 ~~NOTICE OF HEARING~~

169.5 Hearing Notice

169.6 TO: .....

169.7 ~~(the debtor)~~ (debtor's full name)

169.8 ~~A hearing will be held (insert place) on (insert date) at (insert time) to determine whether~~  
169.9 ~~nonexempt property belonging to you will be garnished to secure a judgment that may be~~  
169.10 ~~entered against you.~~

169.11 There will be a hearing to decide if your nonexempt property will be garnished to help  
169.12 pay a judgment that may be entered against you.

169.13 The hearing will be at:

169.14 Place: ..... Date: ..... Time: .....

169.15 ~~You may attend~~ can go to the court hearing alone or with ~~an attorney~~ a lawyer. ~~After~~  
169.16 ~~you have presented your side of the matter, the court will decide whether~~ You get to tell  
169.17 the court your side of the issue. Then the court decides if your property should be garnished  
169.18 until the lawsuit which has been commenced against you is finally decided.

169.19 If the court ~~directs the issuance of~~ issues a garnishment summons ~~while~~ during the  
169.20 lawsuit ~~is pending~~, you ~~may still~~ can keep the property until the lawsuit is decided if you  
169.21 file a bond ~~in an amount~~. The amount of the bond is set by the court.

169.22 ~~If you DO NOT ATTEND THIS~~ don't go to this hearing, the court may order  
169.23 garnishment of your nonexempt property TO BE GARNISHED.

169.24 **Exemption Notice**

169.25 Some of your property may be exempt and ~~cannot~~ can't be ~~garnished~~ taken. 'Exempt'  
169.26 means protected. The following is a list of some ~~of the more~~ common exemptions. It is not  
169.27 a complete and is subject to list. For full details and dollar amounts set by law see section  
169.28 ~~550.37, and other state and federal laws~~ of the Minnesota Statutes. ~~The dollar amounts~~  
169.29 ~~contained in this list are subject to the provisions of section 550.37, subdivision 4a, at the~~  
169.30 ~~time of the garnishment~~. If you have questions about an exemption, you ~~should obtain~~  
169.31 ~~competent~~ contact a lawyer for legal advice.

169.32 These things you or your family might have are protected:

- 170.1 (1) ~~A homestead or the proceeds from the sale of a homestead.~~ equity in your home, or  
 170.2 money from recently selling your home - up to \$510,000 total;
- 170.3 (2)(i) all clothing, one watch, utensils, and foodstuffs;
- 170.4 (ii) household furniture, household appliances, ~~phonographs,~~ radios, and computers,  
 170.5 tablets, televisions up to a total current value of \$5,850., printers, cell phones, smart phones,  
 170.6 and other consumer electronics up to \$12,150 in all; and
- 170.7 (iii) jewelry - total value can't be more than \$3,308;
- 170.8 (3) ~~a manufactured (mobile) home used as your home.~~ you live in;
- 170.9 (4) ~~one motor vehicle currently worth less than \$2,600 after deducting any security~~  
 170.10 ~~interests.,~~ counting only the amount you have paid off:
- 170.11 (i) \$10,000;
- 170.12 (ii) \$12,500 if it is necessary for your business, trade, or profession;
- 170.13 (iii) \$25,000 if used by or to help someone with a disability that makes it hard to walk;  
 170.14 or
- 170.15 (iv) \$100,000 if designed or modified for someone with a disability that makes it hard  
 170.16 to walk;
- 170.17 (5) ~~farm machinery used by an individual principally engaged in farming, or if your~~  
 170.18 ~~main business is farming.~~ Tools, machines, or office furniture used in your business or trade.  
 170.19 ~~This exemption is limited to -~~ the total value can't be more than \$13,000.;
- 170.20 (6) relief based on need. This includes ~~the~~ :
- 170.21 (i) MFIP - Minnesota Family Investment Program (MFIP), Emergency Assistance (EA),  
 170.22 Work First Program, Medical Assistance (MA).;
- 170.23 (ii) DWP - MFIP Diversionary Work Program;
- 170.24 (iii) SNAP - Supplemental Nutrition Assistance Program;
- 170.25 (iv) GA - General Assistance (GA).;
- 170.26 (v) EGA - Emergency General Assistance (EGA).;
- 170.27 (vi) MSA - Minnesota Supplemental Aid (MSA).;
- 170.28 (vii) MSA-EA - MSA Emergency Assistance (MSA-EA), Supplemental Security Income  
 170.29 (SSI), and Energy Assistance.;
- 170.30 (viii) EA - Emergency Assistance;

- 171.1 (ix) Energy or Fuel Assistance;
- 171.2 (x) Work Participation Cash Benefit;
- 171.3 (xi) MA - Medical Assistance;
- 171.4 (xii) MinnesotaCare;
- 171.5 (xiii) Medicare Part B - Premium Payments help;
- 171.6 (xiv) Medicare Part D - Extra;
- 171.7 (xv) SSI - Supplemental Security Income;
- 171.8 (xvi) Tax Credits - federal Earned Income Tax Credit (EITC), Minnesota Working
- 171.9 Family Credit; and
- 171.10 (xvii) Renter's Refund (also called Renter's Property Tax Credit);
- 171.11 (7) wages. 100% is protected if you get government assistance based on need. Otherwise,
- 171.12 between 75-100% is protected depending on how much you earn;
- 171.13 (8) retirement benefits - the total interest under all plans and contracts can't be more than
- 171.14 \$81,000;
- 171.15 ~~(7)~~ (9) Social Security benefits;
- 171.16 ~~(8)~~ (10) unemployment benefits, workers' compensation, or veterans' benefits;
- 171.17 ~~(9) An accident, disability or retirement~~ (11) a retirement, disability, or accident pension
- 171.18 or annuity;
- 171.19 ~~(10)~~ (12) life insurance proceeds; that are not more than \$54,000;
- 171.20 ~~(11)~~ The (13) earnings of your minor child;
- 171.21 ~~(12)~~ (14) money from a claim for damage or destruction of exempt property (such as -
- 171.22 like household goods, farm tools, business equipment, a manufactured (mobile) home, or
- 171.23 a car); car;
- 171.24 (15) sacred possessions - like the Bible, Torah, Qur'an, prayer rug, and other religious
- 171.25 items. Total value can't be more than \$2,000;
- 171.26 (16) personal library - total value can't be more than \$750;
- 171.27 (17) musical instruments - total value can't be more than \$2,000;
- 171.28 (18) family pets - current value can't be more than \$1,000;
- 171.29 (19) a seat or pew in any house or place of public worship and a lot in any burial ground;

172.1 (20) tools you need to work in your business or profession - the total value can't be more  
172.2 than \$13,500;

172.3 (21) household tools and equipment - things like hand and power tools, snow removal  
172.4 equipment, lawnmowers, and more. Total value can't be more than \$3,000; and

172.5 (22) health savings accounts, medical savings accounts - the total value can't be more  
172.6 than \$25,000.

172.7 Sec. 21. Laws 2024, chapter 114, article 3, section 101, the effective date, is amended to  
172.8 read:

172.9 **EFFECTIVE DATE.** This section is effective ~~April~~ June 1, 2025, and applies to causes  
172.10 of action commenced on or after that date.

172.11 **EFFECTIVE DATE.** This section is effective retroactively from March 1, 2025.

172.12 Sec. 22. **EFFECTIVE DATE.**

172.13 Sections 1 to 20 are effective June 1, 2025, and shall be available on the state court  
172.14 website on or before June 1, 2025. The failure to use the forms as amended by sections 1  
172.15 to 20 before June 1, 2025, is not a basis for a complaint or violation of a federal statute,  
172.16 Minnesota Statutes, or the Minnesota Rules of Professional Conduct.

## 172.17 **ARTICLE 7**

### 172.18 **MISCELLANEOUS COMMERCE PROVISIONS**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

174.1 (8) assess a natural person or entity subject to the jurisdiction of the commissioner the  
174.2 necessary expenses of the investigation performed by the department when an investigation  
174.3 is made by order of the commissioner. The cost of the investigation shall be determined by  
174.4 the commissioner and is based on the salary cost of investigators or assistants and at an  
174.5 average rate per day or fraction thereof so as to provide for the total cost of the investigation.  
174.6 All money collected must be deposited into the general fund. A natural person or entity  
174.7 licensed under chapter 60K, 82, or 82B shall not be charged costs of an investigation if the  
174.8 investigation results in no finding of a violation. This clause does not apply to a natural  
174.9 person or entity already subject to the assessment provisions of sections 60A.03 and  
174.10 60A.031; and

174.11 (9) issue data calls.

174.12 (b) For purposes of this section, "data call" means a written request from the  
174.13 commissioner to two or more natural persons or entities subject to the commissioner's  
174.14 jurisdiction to provide data or other information within a reasonable time period  
174.15 commensurate with the volume and nature of the data required to be collected in the data  
174.16 call for a specific, targeted regulatory oversight purpose. A data call is not market analysis,  
174.17 as defined under section 60A.031, subdivision 4, paragraph (f), and is not subject to section  
174.18 60A.033.

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

174.21 Subd. 1b. **Data calls.** (a) Information provided in response to a data call issued by the  
174.22 commissioner: (1) must be treated as nonpublic data, as defined under section 13.02,  
174.23 subdivision 9; and (2) is not subject to subpoena. If the commissioner performs a data call,  
174.24 the commissioner may make the results available for public inspection in an aggregated  
174.25 format and in such a manner as to not disclose the identity of a specific natural person or  
174.26 entity, including the name of any natural person or entity who responded to the data call.  
174.27 Prior to making the aggregated results of a data call available for public inspection, the  
174.28 commissioner must provide all natural persons and entities that responded to the data call  
174.29 15 days' notice of the information to be publicly released. Nothing in this subdivision requires  
174.30 the commissioner to publicly release aggregated results from a data call. The results of a  
174.31 data call that requests data for the National Association of Insurance Commissioners' Market  
174.32 Conduct Annual Statement is subject to confidential treatment as provided under section  
174.33 60A.031, subdivision 4, paragraph (f).

175.1 (b) The commissioner may grant access to data submitted by insurers in response to a  
175.2 data call issued by the commissioner with other state, federal, and international regulatory  
175.3 agencies; with the National Association of Insurance Commissioners and its affiliates and  
175.4 subsidiaries; and with state, federal, and international law enforcement authorities, provided  
175.5 that the recipient agrees in writing to maintain the data as nonpublic data and has the legal  
175.6 authority to maintain the data as nonpublic data.

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

175.8 Subd. 2. **Power to compel production of evidence.** For the purpose of any investigation,  
175.9 hearing, proceeding, or inquiry related to the duties and responsibilities entrusted to the  
175.10 commissioner, the commissioner or a designated representative may issue data calls,  
175.11 administer oaths and affirmations, subpoena witnesses, compel their attendance, take  
175.12 evidence, and require the production of books, papers, correspondence, memoranda,  
175.13 agreements, or other documents or records that the commissioner considers relevant or  
175.14 material to the inquiry.

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

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

175.19 (2) pursuant to court order.

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

175.21 **45.24 LICENSE TECHNOLOGY FEES.**

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

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

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

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

176.3 (e) The commissioner shall deposit the surcharge permitted under this section in the  
176.4 account created in paragraph (d), and funds in the account are appropriated to the  
176.5 commissioner in the amounts needed for purposes of this section. The commissioner of  
176.6 management and budget shall transfer an amount determined by the commissioner of  
176.7 commerce from the account to the statewide electronic licensing system account under  
176.8 section 16E.22 for the costs of the statewide licensing system attributable to the inclusion  
176.9 of licenses subject to this section.

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

176.15 Sec. 6. Minnesota Statutes 2024, section 46A.04, is amended to read:

176.16 **46A.04 EXCEPTIONS AND EXEMPTIONS.**

176.17 (a) The requirements under section 46A.03, subdivisions 3, paragraph (b); 5, paragraph  
176.18 ~~(a)~~ (b); 9; and 10, do not apply to financial institutions that maintain customer information  
176.19 concerning fewer than 5,000 consumers.

176.20 (b) This chapter does not apply to credit unions or federally insured depository  
176.21 institutions.

176.22 Sec. 7. Minnesota Statutes 2024, section 47.77, is amended to read:

176.23 **47.77 TRANSFER OF ACCOUNTS PROHIBITED; NOTICE ON CLOSING.**

176.24 (a) No financial institution shall initiate a transfer of a deposit account to another deposit  
176.25 account bearing different identification information without sending at least 30 days' prior  
176.26 notice to at least one of the deposit account holders at the last known address on file with  
176.27 the financial institution. If the new account is subject to different terms, the financial  
176.28 institution must obtain the written consent of at least one of the deposit account holders  
176.29 before the new terms become effective.

176.30 (b) No financial institution shall initiate a closure of a deposit account without first  
176.31 sending at least one of the deposit account holders a notice of intent to close the deposit  
176.32 account. The notice must be sent to the deposit account holder's last known address on file



177.1 with the financial institution at least 30 days before the financial institution closes the deposit  
177.2 account<sup>2</sup>, except that, if the financial institution has reasonable suspicion to believe that  
177.3 account is being used in connection with a check-related fraud or other crime ~~or that~~<sup>2</sup>, funds  
177.4 will not be available to pay items drawn on the account, or the deposit account holder has  
177.5 engaged in disruptive, hostile, or harassing behavior toward financial institution employees  
177.6 or customers, the notice may be sent the same day as the account is closed.

177.7 (c) As used in this section, the following terms have the meanings given them. "Deposit  
177.8 account" means a contract of deposit of funds between a depositor and a financial institution,  
177.9 and includes a checking account, savings account, certificate of deposit share account, and  
177.10 other like arrangement. "Financial institution" means any organization authorized to do  
177.11 business under state or federal laws relating to financial institutions, including, without  
177.12 limitation, banks and trust companies, savings banks, savings associations, industrial loan  
177.13 and thrift companies, and credit unions.

177.14 Sec. 8. Minnesota Statutes 2024, section 53B.61, is amended to read:

177.15 **53B.61 MAINTENANCE OF PERMISSIBLE INVESTMENTS.**

177.16 (a) A licensee must maintain at all times permissible investments that have a market  
177.17 value computed in accordance with United States generally accepted accounting principles  
177.18 of not less than the aggregate amount of all of the licensee's outstanding money transmission  
177.19 obligations.

177.20 (b) Except for permissible investments enumerated in section 53B.62, ~~paragraph (a)~~  
177.21 subdivision 1, clause (1), the commissioner may by administrative rule or order, with respect  
177.22 to any licensee, limit the extent to which a specific investment maintained by a licensee  
177.23 within a class of permissible investments may be considered a permissible investment, if  
177.24 the specific investment represents undue risk to customers not reflected in the market value  
177.25 of investments.

177.26 (c) Permissible investments, even if commingled with other assets of the licensee, are  
177.27 held in trust for the benefit of the purchasers and holders of the licensee's outstanding money  
177.28 transmission obligations in the event of insolvency; the filing of a petition by or against the  
177.29 licensee under the United States Bankruptcy Code, United States Code, title 11, sections  
177.30 101 to 110, as amended or recodified from time to time, for bankruptcy or reorganization;  
177.31 the filing of a petition by or against the licensee for receivership; the commencement of any  
177.32 other judicial or administrative proceeding for the licensee's dissolution or reorganization;  
177.33 or in the event of an action by a creditor against the licensee who is not a beneficiary of this  
177.34 statutory trust. No permissible investments impressed with a trust pursuant to this paragraph

178.1 are subject to attachment, levy of execution, or sequestration by order of any court, except  
178.2 for a beneficiary of the statutory trust.

178.3 (d) Upon the establishment of a statutory trust in accordance with paragraph (c), or when  
178.4 any funds are drawn on a letter of credit pursuant to section 53B.62, paragraph (a), clause  
178.5 (4), the commissioner must notify the applicable regulator of each state in which the licensee  
178.6 is licensed to engage in money transmission, if any, of the establishment of the trust or the  
178.7 funds drawn on the letter of credit, as applicable. Notice is deemed satisfied if performed  
178.8 pursuant to a multistate agreement or through NMLS. Funds drawn on a letter of credit, and  
178.9 any other permissible investments held in trust for the benefit of the purchasers and holders  
178.10 of the licensee's outstanding money transmission obligations, are deemed held in trust for  
178.11 the benefit of the purchasers and holders of the licensee's outstanding money transmission  
178.12 obligations on a pro rata and equitable basis in accordance with statutes pursuant to which  
178.13 permissible investments are required to be held in Minnesota and other states, as defined  
178.14 by a substantially similar statute in the other state. Any statutory trust established under this  
178.15 section terminates upon extinguishment of all of the licensee's outstanding money  
178.16 transmission obligations.

178.17 (e) The commissioner may by rule or by order allow other types of investments that the  
178.18 commissioner determines are of sufficient liquidity and quality to be a permissible  
178.19 investment. The commissioner is authorized to participate in efforts with other state regulators  
178.20 to determine that other types of investments are of sufficient liquidity and quality to be a  
178.21 permissible investment.

178.22 Sec. 9. Minnesota Statutes 2024, section 55.07, is amended by adding a subdivision to  
178.23 read:

178.24 Subd. 3. **Safe deposit lease; automatic renewal.** A safe deposit lease may renew  
178.25 automatically at the end of the lease's term. A consumer may terminate a safe deposit lease  
178.26 at any time in writing or in any other manner described in the lease.

178.27 Sec. 10. Minnesota Statutes 2024, section 58B.02, subdivision 8a, is amended to read:

178.28 Subd. 8a. **Lender.** "Lender" means an entity engaged in the business of securing, making,  
178.29 or extending student loans. Lender does not include, to the extent that state regulation is  
178.30 preempted by federal law:

178.31 (1) a bank, savings banks, savings and loan association, or credit union;

178.32 (2) a wholly owned subsidiary of a bank or credit union;

179.1 (3) an operating subsidiary where each owner is wholly owned by the same bank or  
179.2 credit union;

179.3 (4) the United States government, through Title IV of the Higher Education Act of 1965,  
179.4 as amended, and administered by the United States Department of Education;

179.5 (5) an agency, instrumentality, or political subdivision of Minnesota;

179.6 (6) a regulated lender organized under chapter 56, except that a regulated lender must  
179.7 file the annual report required for lenders under section 58B.03, subdivision ~~H~~ 10; or

179.8 (7) a person who is not in the business of making student loans and who makes no more  
179.9 than three student loans, with the person's own funds, during any 12-month period.

179.10 Sec. 11. Minnesota Statutes 2024, section 62Q.73, subdivision 4, is amended to read:

179.11 Subd. 4. **Contract.** Pursuant to a request for proposal, ~~the commissioner of administration,~~  
179.12 ~~in consultation with~~ the commissioners of health and commerce, ~~shall~~ must contract with  
179.13 ~~at least three organizations~~ more than one organization or business ~~entities~~ entity to provide  
179.14 independent external reviews of all adverse determinations submitted for external review.  
179.15 The contract ~~shall~~ must ensure that the fees for services rendered in connection with the  
179.16 reviews are reasonable.

179.17 Sec. 12. Minnesota Statutes 2024, section 80A.66, is amended to read:

179.18 **80A.66 SECTION 411; POSTREGISTRATION REQUIREMENTS.**

179.19 (a) **Financial requirements.** Subject to Section 15(h) of the Securities Exchange Act  
179.20 of 1934 (15 U.S.C. Section 78o(h)) or Section 222 of the Investment Advisers Act of 1940  
179.21 (15 U.S.C. Section 80b-22), a rule adopted or order issued under this chapter may establish  
179.22 minimum financial requirements for broker-dealers registered or required to be registered  
179.23 under this chapter and investment advisers registered or required to be registered under this  
179.24 chapter.

179.25 (b) **Financial reports.** Subject to Section 15(h) of the Securities Exchange Act of 1934  
179.26 (15 U.S.C. Section 78o(h)) or Section 222(b) of the Investment Advisers Act of 1940 (15  
179.27 U.S.C. Section 80b-22), a broker-dealer registered or required to be registered under this  
179.28 chapter and an investment adviser registered or required to be registered under this chapter  
179.29 shall file such financial reports as are required by a rule adopted or order issued under this  
179.30 chapter. If the information contained in a record filed under this subsection is or becomes  
179.31 inaccurate or incomplete in a material respect, the registrant shall promptly file a correcting  
179.32 amendment.

180.1 (c) **Record keeping.** Subject to Section 15(h) of the Securities Exchange Act of 1934  
180.2 (15 U.S.C. Section 78o(h)) or Section 222 of the Investment Advisers Act of 1940 (15  
180.3 U.S.C. Section 80b-22):

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

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

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

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

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

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

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

180.27 (A) the amount of assets under management;

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

180.30 (C) counterparty credit risk exposure;

180.31 (D) trading and investment positions;

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

181.1 (F) types of assets held;

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

181.4 (H) trading practices; and

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

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

181.12 (e) **Audits or inspections.** The records of a broker-dealer registered or required to be  
181.13 registered under this chapter and of an investment adviser registered or required to be  
181.14 registered under this chapter, including the records of a private fund described in paragraph  
181.15 (d) and the records of investment advisers to private funds, are subject to such reasonable  
181.16 periodic, special, or other audits or inspections by a representative of the administrator,  
181.17 within or without this state, as the administrator considers necessary or appropriate in the  
181.18 public interest and for the protection of investors. An audit or inspection may be made at  
181.19 any time and without prior notice. The administrator may copy, and remove for audit or  
181.20 inspection copies of, all records the administrator reasonably considers necessary or  
181.21 appropriate to conduct the audit or inspection. The administrator may assess a reasonable  
181.22 charge for conducting an audit or inspection under this subsection.

181.23 (f) **Custody and discretionary authority bond or insurance.** Subject to Section 15(h)  
181.24 of the Securities Exchange Act of 1934 (15 U.S.C. Section 78o(h)) or Section 222 of the  
181.25 Investment Advisers Act of 1940 (15 U.S.C. Section 80b-22), a rule adopted or order issued  
181.26 under this chapter may require a broker-dealer or investment adviser that has custody of or  
181.27 discretionary authority over funds or securities of a customer or client to obtain insurance  
181.28 or post a bond or other satisfactory form of security in an amount of at least \$25,000, but  
181.29 not to exceed \$100,000. The administrator may determine the requirements of the insurance,  
181.30 bond, or other satisfactory form of security. Insurance or a bond or other satisfactory form  
181.31 of security may not be required of a broker-dealer registered under this chapter whose net  
181.32 capital exceeds, or of an investment adviser registered under this chapter whose minimum  
181.33 financial requirements exceed, the amounts required by rule or order under this chapter.  
181.34 The insurance, bond, or other satisfactory form of security must permit an action by a person

182.1 to enforce any liability on the insurance, bond, or other satisfactory form of security if  
182.2 instituted within the time limitations in section 80A.76(j)(2).

182.3 (g) **Requirements for custody.** Subject to Section 15(h) of the Securities Exchange Act  
182.4 of 1934 (15 U.S.C. Section 78o(h)) or Section 222 of the Investment Advisers Act of 1940  
182.5 (15 U.S.C. Section 80b-22), an agent may not have custody of funds or securities of a  
182.6 customer except under the supervision of a broker-dealer and an investment adviser  
182.7 representative may not have custody of funds or securities of a client except under the  
182.8 supervision of an investment adviser or a federal covered investment adviser. A rule adopted  
182.9 or order issued under this chapter may prohibit, limit, or impose conditions on a broker-dealer  
182.10 regarding custody of funds or securities of a customer and on an investment adviser regarding  
182.11 custody of securities or funds of a client.

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

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

182.22 Sec. 13. Minnesota Statutes 2024, section 80E.12, is amended to read:

182.23 **80E.12 UNLAWFUL ACTS BY MANUFACTURERS, DISTRIBUTORS, OR**  
182.24 **FACTORY BRANCHES.**

182.25 It shall be unlawful for any manufacturer, distributor, or factory branch to require a new  
182.26 motor vehicle dealer to do any of the following:

182.27 (a) order or accept delivery of any new motor vehicle, part or accessory thereof,  
182.28 equipment, or any other commodity not required by law which has not been voluntarily  
182.29 ordered by the new motor vehicle dealer, provided that this paragraph does not modify or  
182.30 supersede reasonable provisions of the franchise requiring the dealer to market a  
182.31 representative line of the new motor vehicles the manufacturer or distributor is publicly  
182.32 advertising;

183.1 (b) order or accept delivery of any new motor vehicle, part or accessory thereof,  
183.2 equipment, or any other commodity not required by law in order for the dealer to obtain  
183.3 delivery of any other motor vehicle ordered by the dealer;

183.4 (c) order or accept delivery of any new motor vehicle with special features, accessories,  
183.5 or equipment not included in the list price of the motor vehicles as publicly advertised by  
183.6 the manufacturer or distributor;

183.7 (d) participate monetarily in an advertising campaign or contest, or to purchase any  
183.8 promotional materials, showroom, or other display decorations or materials at the expense  
183.9 of the new motor vehicle dealer;

183.10 (e) enter into any agreement with the manufacturer or to do any other act prejudicial to  
183.11 the new motor vehicle dealer by threatening to cancel a franchise or any contractual  
183.12 agreement existing between the dealer and the manufacturer. Notice in good faith to any  
183.13 dealer of the dealer's violation of any terms of the franchise agreement shall not constitute  
183.14 a violation of sections 80E.01 to 80E.17;

183.15 (f) change the capital structure of the new motor vehicle dealer or the means by or  
183.16 through which the dealer finances the operation of the dealership; provided, that the new  
183.17 motor vehicle dealer at all times meets any reasonable capital standards agreed to by the  
183.18 dealer; and also provided, that no change in the capital structure shall cause a change in the  
183.19 principal management or have the effect of a sale of the franchise without the consent of  
183.20 the manufacturer or distributor as provided in section 80E.13, paragraph (j);

183.21 (g) prevent or attempt to prevent, by contract or otherwise, any motor vehicle dealer  
183.22 from changing the executive management control of the new motor vehicle dealer unless  
183.23 the franchisor proves that the change of executive management will result in executive  
183.24 management control by a person who is not of good moral character or who does not meet  
183.25 the franchisor's existing reasonable capital standards and, with consideration given to the  
183.26 volume of sales and services of the new motor vehicle dealer, uniformly applied minimum  
183.27 business experience standards in the market area; provided, that where the manufacturer,  
183.28 distributor, or factory branch rejects a proposed change in executive management control,  
183.29 the manufacturer, distributor, or factory branch shall give written notice of its reasons to  
183.30 the dealer;

183.31 (h) refrain from participation in the management of, investment in, or the acquisition  
183.32 of, any other line of new motor vehicle or related products or establishment of another make  
183.33 or line of new motor vehicles in the same dealership facilities as those of the manufacturer;  
183.34 provided, however, that this clause does not apply unless the new motor vehicle dealer

184.1 maintains a reasonable line of credit for each make or line of new motor vehicle, and that  
184.2 the new motor vehicle dealer remains in substantial compliance with the terms and conditions  
184.3 of the franchise and with any reasonable facilities requirements of the manufacturer and  
184.4 that the acquisition or addition is not unreasonable in light of all existing circumstances;  
184.5 provided further that if a manufacturer determines to deny a dealer's request for a change  
184.6 described in this paragraph, such denial must be in writing, must offer an analysis of the  
184.7 grounds for the denial addressing the criteria contained in this paragraph, and must be  
184.8 delivered to the new motor vehicle dealer within 60 days after the manufacturer receives  
184.9 the completed application or documents customarily used by the manufacturer for dealer  
184.10 actions described in this paragraph. If a denial that meets the requirements of this paragraph  
184.11 is not sent within this period, the manufacturer shall be deemed to have given its consent  
184.12 to the proposed change.

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

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

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

184.30 (k) refrain from participation in an auto show described in section 168.27, subdivision  
184.31 10a.

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



185.1 Sec. 14. Minnesota Statutes 2024, section 82B.19, subdivision 5, is amended to read:

185.2 Subd. 5. **Out-of-state continuing education credit.** (a) For purposes of this subdivision,  
185.3 the following terms have the meanings given:

185.4 (1) "asynchronous educational offering" has the meaning given in the most recent version  
185.5 of the Real Property Appraiser Qualification Criteria, as established by the Appraiser  
185.6 Qualifications Board; and

185.7 (2) "synchronous educational offering" has the meaning given in the most recent version  
185.8 of the Real Property Appraiser Qualification Criteria, as established by the Appraiser  
185.9 Qualifications Board, and includes an educational process based on live or real-time  
185.10 instruction where there is no geographic separation of instructor and student.

185.11 (b) Notwithstanding section 45.30, subdivisions 1 and 6, a real estate appraiser or course  
185.12 provider may submit, in a form prescribed by the commissioner, an application for continuing  
185.13 education credit for a synchronous educational offering that has not been submitted for prior  
185.14 approval in Minnesota. The commissioner must grant a real estate appraiser continuing  
185.15 education credit if:

185.16 (1) the application is submitted on or before August 1 of the year in which the real estate  
185.17 appraiser license is due for renewal;

185.18 (2) the synchronous educational offering has been approved for continuing education  
185.19 credit by the regulator of real estate appraisers in at least one other state or United States  
185.20 territory; and

185.21 (3) an application is submitted by the real estate appraiser or course provider to the  
185.22 commissioner within ~~30~~ 60 days of successful completion of the synchronous educational  
185.23 offering.

185.24 (c) The application must include a certificate of successful completion from the  
185.25 synchronous educational offering provider. The commissioner must grant a real estate  
185.26 appraiser the same number of continuing education credits for the successful completion  
185.27 of the synchronous educational offering as was approved for the offering by the out-of-state  
185.28 real estate appraiser regulatory authority. The commissioner must grant a real estate appraiser  
185.29 continuing education credit within 60 days of the submission of the completed application  
185.30 for out-of-state continuing education credit.

185.31 (d) The commissioner may charge a fee to a real estate appraiser, in an amount to be  
185.32 determined by the commissioner, to submit an application under this subdivision.

185.33 (e) This subdivision does not apply to asynchronous educational offerings.

186.1 Sec. 15. Minnesota Statutes 2024, section 168.27, is amended by adding a subdivision to  
186.2 read:

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

186.6 (1) the dealer participates in an auto show in a county other than where it maintains a  
186.7 licensed location not more than four times during any calendar year;

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

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

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

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

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

186.15 (7) the auto show expressly prohibits:

186.16 (i) the sale or lease of vehicles at the show;

186.17 (ii) labeling or marking vehicles as "For Sale" or "Sold";

186.18 (iii) labeling or marking a vehicle with a price other than the manufacturer's retail price  
186.19 label;

186.20 (iv) using printed posters, cards, and other printed materials that contain special dealership  
186.21 pricing; and

186.22 (v) appraisal of trade-in vehicles and quoting a trade-in price for a particular vehicle.

186.23 (b) The auto show may permit:

186.24 (1) exhibitor staff to distribute business cards, coupons, vehicle promotional materials,  
186.25 and factory-approved rebates;

186.26 (2) exhibitor staff to make appointments for potential customers to visit the dealership,  
186.27 collect names of customer leads for later contact, and discuss the suggested retail price of  
186.28 a vehicle and the availability of particular lines of vehicles; and

186.29 (3) test rides or test drives of new vehicles but only under a program conducted by the  
186.30 auto show.

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

187.2 Sec. 16. Minnesota Statutes 2024, section 239.761, subdivision 3, is amended to read:

187.3 Subd. 3. **Gasoline.** (a) Gasoline that is not blended with biofuel must not be contaminated  
187.4 with water or other impurities and must comply with ASTM specification ~~D4814-11b~~  
187.5 D4814-24a. Gasoline that is not blended with biofuel must also comply with the volatility  
187.6 requirements in Code of Federal Regulations, title 40, part 1090.

187.7 (b) After gasoline is sold, transferred, or otherwise removed from a refinery or terminal,  
187.8 a person responsible for the product:

187.9 (1) may blend the gasoline with agriculturally derived ethanol as provided in subdivision  
187.10 4;

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

187.12 (3) shall not blend the gasoline with other petroleum products that are not gasoline or  
187.13 biofuel;

187.14 (4) shall not blend the gasoline with products commonly and commercially known as  
187.15 casinghead gasoline, absorption gasoline, condensation gasoline, drip gasoline, or natural  
187.16 gasoline; and

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

187.19 Sec. 17. Minnesota Statutes 2024, section 239.761, subdivision 4, is amended to read:

187.20 Subd. 4. **Gasoline blended with ethanol; general.** (a) Gasoline may be blended with  
187.21 agriculturally derived, denatured ethanol that complies with the requirements of subdivision  
187.22 5.

187.23 (b) A gasoline-ethanol blend must:

187.24 (1) comply with the volatility requirements in Code of Federal Regulations, title 40, part  
187.25 1090;

187.26 (2) comply with ASTM specification ~~D4814-11b~~ D4814-24a, or the gasoline base stock  
187.27 from which a gasoline-ethanol blend was produced must comply with ASTM specification  
187.28 ~~D4814-11b~~ D4814-24a; and

188.1 (3) not be blended with casinghead gasoline, absorption gasoline, condensation gasoline,  
188.2 drip gasoline, or natural gasoline after the gasoline-ethanol blend has been sold, transferred,  
188.3 or otherwise removed from a refinery or terminal.

188.4 Sec. 18. Minnesota Statutes 2024, section 239.761, subdivision 5, is amended to read:

188.5 Subd. 5. **Denatured ethanol.** Denatured ethanol that is to be blended with gasoline must  
188.6 be agriculturally derived and must comply with ASTM specification ~~D4806-11a~~ D4806-21a.  
188.7 This includes the requirement that ethanol may be denatured only as specified in Code of  
188.8 Federal Regulations, title 27, parts 20 and 21.

188.9 Sec. 19. Minnesota Statutes 2024, section 239.761, subdivision 6, is amended to read:

188.10 Subd. 6. **Gasoline blended with nonethanol oxygenate.** (a) A person responsible for  
188.11 the product shall comply with the following requirements:

188.12 (1) after July 1, 2000, gasoline containing in excess of one-third of one percent, in total,  
188.13 of nonethanol oxygenates listed in paragraph (b) must not be sold or offered for sale at any  
188.14 time in this state; and

188.15 (2) after July 1, 2005, gasoline containing any of the nonethanol oxygenates listed in  
188.16 paragraph (b) must not be sold or offered for sale in this state.

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

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

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

188.20 (3) tertiary amyl methyl ether.

188.21 (c) Gasoline that is blended with a nonethanol oxygenate must comply with ASTM  
188.22 specification ~~D4814-11b~~ D4814-24a. Nonethanol oxygenates must not be blended into  
188.23 gasoline after the gasoline has been sold, transferred, or otherwise removed from a refinery  
188.24 or terminal.

188.25 Sec. 20. Minnesota Statutes 2024, section 239.791, subdivision 11, is amended to read:

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

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

189.6 Sec. 21. Minnesota Statutes 2024, section 296A.01, subdivision 20, is amended to read:

189.7 Subd. 20. **Ethanol, denatured.** "Ethanol, denatured" means ethanol that is to be blended  
189.8 with gasoline, has been agriculturally derived, and complies with ASTM specification  
189.9 ~~D4806-11a~~ D4806-21a. This includes the requirement that ethanol may be denatured only  
189.10 as specified in Code of Federal Regulations, title 27, parts 20 and 21.

189.11 Sec. 22. Minnesota Statutes 2024, section 296A.01, subdivision 23, is amended to read:

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

189.13 (1) all products commonly or commercially known or sold as gasoline regardless of  
189.14 their classification or uses, except casinghead gasoline, absorption gasoline, condensation  
189.15 gasoline, drip gasoline, or natural gasoline that under the requirements of section 239.761,  
189.16 subdivision 3, must not be blended with gasoline that has been sold, transferred, or otherwise  
189.17 removed from a refinery or terminal; and

189.18 (2) any liquid prepared, advertised, offered for sale or sold for use as, or commonly and  
189.19 commercially used as, a fuel in spark-ignition, internal combustion engines, and that when  
189.20 tested by the Weights and Measures Division meets the specifications in ASTM specification  
189.21 ~~D4814-11b~~ D4814-24a.

189.22 (b) Gasoline that is not blended with ethanol must not be contaminated with water or  
189.23 other impurities and must comply with both ASTM specification ~~D4814-11b~~ D4814-24a  
189.24 and the volatility requirements in Code of Federal Regulations, title 40, part 1090.

189.25 (c) After gasoline is sold, transferred, or otherwise removed from a refinery or terminal,  
189.26 a person responsible for the product:

189.27 (1) may blend the gasoline with agriculturally derived ethanol, as provided in subdivision  
189.28 24;

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

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

190.3 (4) must not blend the gasoline with products commonly and commercially known as  
190.4 casinghead gasoline, absorption gasoline, condensation gasoline, drip gasoline, or natural  
190.5 gasoline; and

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

190.8 Sec. 23. Minnesota Statutes 2024, section 296A.01, subdivision 24, is amended to read:

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

190.15 Sec. 24. **SECURITIES BROKER-DEALER CONDUCT; EXPEDITED**  
190.16 **RULEMAKING.**

190.17 The commissioner of commerce must adopt rules amending Minnesota Rules, part  
190.18 2876.5021, to reflect that NASD is now referred to as FINRA and to comply with FINRA's  
190.19 new securities broker-dealer conduct rules. The commissioner of commerce may use the  
190.20 expedited rulemaking process under Minnesota Statutes, section 14.389, to amend Minnesota  
190.21 Rules, part 2876.5021, under this section.

190.22 Sec. 25. **REPEALER.**

190.23 Minnesota Statutes 2024, sections 325F.02; 325F.03; 325F.04; 325F.05; 325F.06; and  
190.24 325F.07, are repealed."

190.25 Amend the title accordingly