

SF1598 - 0 - Digital Fair Repair Act

Chief Author: **Rob Kupec**
 Committee: **Commerce And Consumer Protection**
 Date Completed: **2/15/2023 8:01:58 AM**
 Agency: **Attorney General**

State Fiscal Impact	Yes	No
Expenditures		X
Fee/Departmental Earnings		X
Tax Revenue		X
Information Technology		X
Local Fiscal Impact		X

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions shown in the parentheses.

State Cost (Savings)	Biennium			Biennium		
	Dollars in Thousands	FY2023	FY2024	FY2025	FY2026	FY2027
Total	-	-	-	-	-	-
Biennial Total			-			-

Full Time Equivalent Positions (FTE)	Biennium			Biennium		
		FY2023	FY2024	FY2025	FY2026	FY2027
Total	-	-	-	-	-	-

LBO Analyst's Comment

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

LBO Signature: Susan Nelson **Date:** 2/15/2023 8:01:58 AM
Phone: 651-296-6054 **Email:** susan.nelson@lbo.mn.gov

State Cost (Savings) Calculation Details

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions are shown in parentheses.

*Transfers In/Out and Absorbed Costs are only displayed when reported.

State Cost (Savings) = 1-2		Biennium			Biennium	
Dollars in Thousands	FY2023	FY2024	FY2025	FY2026	FY2027	
Total	-	-	-	-	-	-
Biennial Total			-			-
1 - Expenditures, Absorbed Costs*, Transfers Out*						
Total	-	-	-	-	-	-
Biennial Total			-			-
2 - Revenues, Transfers In*						
Total	-	-	-	-	-	-
Biennial Total			-			-

Bill Description

HF 1337 (hereinafter “the Bill”) requires that the original equipment manufacturer for digital electronic equipment and parts sold or used in Minnesota must make available on fair and reasonable terms documentation, parts, and tools (including software updates) to independent repair providers or the owner of the digital electronic equipment so that they may diagnose, perform maintenance on, or repair the digital electronic equipment.

The Bill further requires that if the equipment contains an electronic security lock or other security-related function, the original equipment manufacturer must similarly make available to the owner and independent repair providers, on fair and reasonable terms, any special documentation, tools, and parts needed to reset the lock or function when disabled in the course of their diagnosis, maintenance, or repair of the equipment.

The Bill specifically excludes from its requirements the manufacturers of motor vehicles, medical devices, and digital electronic products or software manufactured for use in a medical setting.

The Bill provides that a violation of its requirements constitutes a deceptive trade practice in violation of Minnesota Statutes section 325D.44, for which the Attorney General may bring an enforcement action and obtain remedies under Minnesota Statutes Chapter 8.

Assumptions

1. Because of the limited number and scope of disputes likely to occur between original equipment manufacturers and digital electronic equipment and parts repair providers and/or owners, the Office of the Attorney General does not project defined expenditures, absorbed costs, or revenues from this authority. Investigations of alleged disputes or litigation to enforce the law would be pursued by the Office’s attorneys and investigators dedicated to consumer protection issues.

2. There are potential secondary costs with this bill, which are not specified in the above tables. Specifically, legal challenge of the legislation is not accounted for in this fiscal note.

Expenditure and/or Revenue Formula

N/A

Long-Term Fiscal Considerations

N/A

Local Fiscal Impact

N/A

References/Sources

AG staff

Agency Contact: Laura Sayles

Agency Fiscal Note Coordinator Signature: Laura Capuana

Phone: 651-402-2213

Date: 2/14/2023 5:53:13 PM

Email: laura.capuana@ag.state.mn.us