

1.1 Senator moves to amend S.F. No. 1955 as follows:

1.2 Page 37, after line 19, insert:

1.3 "Sec. 4. Minnesota Statutes 2022, section 28A.152, subdivision 2, is amended to read:

1.4 Subd. 2. **Direct sales to consumers.** (a) An individual qualifying for an exemption under
1.5 subdivision 1 may sell the exempt food:

1.6 (1) directly to the ultimate consumer, including but not limited to at a community event
1.7 or farmers' market;

1.8 (2) directly from the individual's home to the ultimate consumer, to the extent allowed
1.9 by local ordinance; or

1.10 (3) through donation to a community event with the purpose of fundraising for an
1.11 individual, or fundraising for an educational, charitable, or religious organization.

1.12 (b) If an exempt food product will be delivered to the ultimate consumer upon sale of
1.13 the food product, the individual who prepared the food product ~~must be the person who~~
1.14 ~~delivers the food product to the ultimate consumer~~ may deliver the food, and the food product
1.15 may be delivered by mail or commercial delivery.

1.16 (c) Food products exempt under subdivision 1, paragraph (a), clause (2), may not be
1.17 sold outside of Minnesota.

1.18 (d) Food products exempt under subdivision 1 may be sold over the Internet ~~but must~~
1.19 ~~be delivered directly to the ultimate consumer by the individual who prepared the food~~
1.20 ~~product.~~ The statement "These products are homemade and not subject to state inspection."
1.21 must be displayed on the website that offers the exempt foods for purchase.

1.22 Sec. 5. Minnesota Statutes 2022, section 28A.152, subdivision 3, is amended to read:

1.23 Subd. 3. **Limitation on sales.** An individual selling exempt foods under this section is
1.24 limited to total sales with gross receipts of ~~\$78,000~~ \$85,000 or less in a calendar year.

1.25 Sec. 6. Minnesota Statutes 2022, section 28A.152, subdivision 4, is amended to read:

1.26 Subd. 4. **Registration.** An individual who prepares and sells exempt food under
1.27 subdivision 1 must register annually with the commissioner. The commissioner shall register
1.28 an individual within 30 days of submitting a complete registration to the commissioner. A
1.29 registration shall be deemed accepted after 30 days following an individual's complete
1.30 registration to the commissioner. The annual registration fee is \$50. An individual with

2.1 ~~\$5,000~~ \$8,500 or less in annual gross receipts from the sale of exempt food under this section
2.2 is not required to pay the registration fee. ~~By January 1, 2022, the commissioner shall adjust~~
2.3 ~~the gross receipts amount of this fee exemption based on the consumer price index using~~
2.4 ~~2002 as the index year for the \$5,000 gross receipts exemption.~~

2.5 Sec. 7. Minnesota Statutes 2022, section 28A.152, is amended by adding a subdivision to
2.6 read:

2.7 Subd. 8. **Report to legislature.** No later than January 10, 2025, and every two years
2.8 thereafter, the commissioner must provide a report to the chairs and ranking minority
2.9 members of the legislative committees having jurisdiction over cottage foods, in compliance
2.10 with sections 3.195 and 3.197. The report must include the amounts in subdivisions 3 and
2.11 4, a history of when those amounts have changed, and a calculation of what those figures
2.12 would be if adjusted for inflation by the Consumer Price Index."

2.13 Renumber the sections in sequence and correct the internal references

2.14 Amend the title accordingly