

**SENATE**  
**STATE OF MINNESOTA**  
**NINETY-THIRD SESSION**

**S.F. No. 3909**

(SENATE AUTHORS: FRENTZ, Klein and Dahms)

DATE  
02/19/2024

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Introduction and first reading  
Referred to Commerce and Consumer Protection

OFFICIAL STATUS

1.1 A bill for an act  
 1.2 relating to consumer protection; changing application of abnormal market disruption  
 1.3 and unconscionably excessive price prohibition; amending Minnesota Statutes  
 1.4 2023 Supplement, section 325E.80, subdivisions 5, 6, 7.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2023 Supplement, section 325E.80, subdivision 5, is amended  
 1.7 to read:

1.8 Subd. 5. **Prices and rates.** Upon the occurrence of a weather event classified as a severe  
 1.9 thunderstorm pursuant to the criteria established by the National Oceanic and Atmospheric  
 1.10 Administration, a residential building contractor, tree trimmer, or restoration and mitigation  
 1.11 services provider operating within the geographic region impacted by the weather event  
 1.12 and repairing damage caused by the weather event shall not:

1.13 (1) charge an unconscionably excessive price for labor in comparison to the market price  
 1.14 charged for comparable services in the geographic region impacted by the weather event;  
 1.15 or

1.16 (2) charge an insurance company a rate that exceeds what the residential building  
 1.17 contractor, tree trimmer, or restoration and mitigation services provider would otherwise  
 1.18 ~~charges members~~ charge a member of the general public.

1.19 Sec. 2. Minnesota Statutes 2023 Supplement, section 325E.80, subdivision 6, is amended  
 1.20 to read:

1.21 Subd. 6. **Civil penalty.** A person who is found to have violated ~~this section~~ subdivision  
 1.22 4 is subject to a civil penalty of not more than \$1,000 per sale or transaction, with a maximum

2.1 penalty of \$25,000 per day. No other penalties may be imposed for the same conduct  
2.2 regulated under ~~this section~~ subdivision 4.

2.3 Sec. 3. Minnesota Statutes 2023 Supplement, section 325E.80, subdivision 7, is amended  
2.4 to read:

2.5 Subd. 7. **Enforcement authority.** (a) The attorney general may investigate and bring  
2.6 an action using their authority under section 8.31 against a seller ~~or~~, residential building  
2.7 contractor, tree trimmer, or restoration and mitigation services provider for an alleged  
2.8 violation of this section.

2.9 (b) Nothing in this section creates a private cause of action in favor of a person injured  
2.10 by a violation of this section.