

## SF3623 - 0 - Sale of Empty Packaging for Cannabis Products

Chief Author: **Matt Klein**  
 Committee: **Commerce And Consumer Protection**  
 Date Completed: **2/21/2024 11:43:37 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:** 2/21/2024 11:43:37 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.

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

**Bill Description**

This bill would add a new prohibition to the cannabis packaging prohibitions provided by Minnesota Statutes section 342.62, subd. 3. The new prohibition would prohibit persons from selling, offering for sale, or facilitating the sale of empty packaging that, if used, would be a violation of section 342.62. The bill would provide the Attorney General's Office with authority to enforce this prohibition through section 8.31, which provides the Attorney General with pre-suit investigatory authority, as well as the authority to bring an enforcement action for injunctive relief, civil penalties, equitable relief, and its reasonable costs and fees for violations.

**Assumptions**

The Attorney General's Office does not project any defined expenditures, absorbed costs, or revenues from the bill's amendments to section 342.62. Investigations of alleged violations of section or litigation to enforce the bill's new packaging prohibition would be pursued by the Office's existing attorneys and investigators dedicated to consumer protection issues.

Litigation to enforce the bill's new packaging prohibition could generate revenue for the State because civil penalty recoveries must be deposited in the General Fund pursuant to Minnesota Statutes section 16A.151. However, recognizing the size, complexity, longevity, and risk inherent in consumer protection investigations and enforcement actions, it is not possible to project how much increased revenue may be generated from the bill's enforcement, nor in what future fiscal year such increased revenue may be realized.

**Expenditure and/or Revenue Formula**

n/a

**Long-Term Fiscal Considerations**

n/a

**Local Fiscal Impact**

n/a

**References/Sources**

n/a

**Agency Contact:** Laura Sayles

**Agency Fiscal Note Coordinator Signature:** Laura Capuana

**Phone:** 651-402-2213

**Date:** 2/21/2024 8:52:21 AM

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