



S.F. No. 2216 – Department of Commerce Finance and Policy Bill (as amended by the A2 DE Amendment)

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ARTICLE 1: COMMERCE FINANCE

Sections 1 to 3 outline the Department of Commerce and the Office of Cannabis Management’s appropriations for fiscal years 2026 and 2027 for:

- (1) Financial institutions;
- (2) Administrative services;
- (3) Enforcement;
- (4) Telecommunications;
- (5) Insurance;
- (6) Weights and Measures; and
- (7) Office of Cannabis Management.

Section 4 authorizes the director of the Office of Cannabis Management to transfer positions, salary money, and nonsalary money within the Office of Cannabis Management.

Section 5 amends the appropriation for cannabis industry community renewal grants. The appropriation is available until June 30, 2026 and three percent may be used to pay for administrative expenses incurred by the Office of Cannabis Management.

ARTICLE 2: FINANCIAL INSTITUTIONS POLICY

Sections 1 to 6 and section 13 make changes to the consumer small loan lender filing and license procedure.

Section 1 amends the definitions of “consumer small loan” and “annual percentage rate.”

Consumer small loan includes recourse or nonrecourse loan transactions. Indebtedness may be evidenced by an authorized account transfer or a charge identified under an annual percentage rate.

The cost or credit reflected in an annual percentage rate includes all amounts paid in connection with a consumer small loan:

- (1) Interest, finance charges, and fees;
- (2) A charge for any ancillary product, membership, or service sold;
- (3) An amount offered or agreed to by a borrower to obtain credit or provide compensation to use money;
- (4) A voluntary or other fee charged that a borrower agrees to or pays;
- (5) A tip, voluntary payment, contribution, and similar amount solicited from or paid by a borrower; or
- (6) A charge to expedite an advance or other convenience charge.

Section 2 amends the filing procedure for a business entity to engage in small consumer loan lending to now reflect a consumer small loan lender license and application process.

A business entity must apply for a small consumer loan lender license issue by the commissioner of commerce. The applicant must apply on a form prescribed by the commissioner which must include specific information related to the applicant and their business activities.

A small consumer loan lender license expires on December 31 of each year, and may be renewed after January 1. The initial fee for a small consumer loan lender license is \$500, with a yearly renewal fee of \$250.

Section 56.09 applies to a suspension or revocation of a consumer small loan lender license under this section in the same manner as a regulated lender license.

The definition of a “business entity” includes a person in control which is a member of senior management, an owner or officer, and a person who directly or indirectly possesses the power to direct or cause the direction of applicant’s or lender’s management policies.

Section 3 makes conforming changes to reflect the change from a filing to a license.

Section 4 removes the requirement that a person making a complaint against a small consumer loan lender be obligated to that lender.

Section 5 authorizes the commissioner to examine the affairs, business, office, and records of a licensee. The commissioner may disclose information to other state or federal agencies in order to improve efficiency and share resources, records, or other related information.

Section 6 prohibits a person from evading the requirements of section 47.60 by representing that an advance is not a loan because the advance is nonrecourse, is repaid with assigned wages, or other present or future income, or may not be subject to certain collection methods, credit reporting, or repayment demands.

Section 13 states that sections 1 to 6 are effective August 1, 2025. An entity that filed and was approved before August 1, 2025, must file a renewal application that complies with section 47.60, as amended, between November 1, 2025, and December 31, 2025, for activity occurring on or after January 1, 2025.

Sections 7 to 9 make changes to consumer short-term loans.

Section 7 amends the definition of “consumer short-term loan” to include recourse or nonrecourse loans to a borrower, on a borrower’s future potential money source.

Section 8 prohibits a person from evading the requirements of section 47.601 by representing that an advance is not a loan because the advance is nonrecourse, is repaid with assigned wages, or other present or future income, or may not be subject to certain collection methods, credit reporting, or repayment demands.

Section 9 provides for enforcement by the commissioner of commerce and the attorney general.

Sections 10 to 12 make changes to Investment Adviser Registration Requirements and Exemptions.

Section 10 exempts a private fund adviser from registering if the following conditions are met:

- (1) Neither the private fund adviser nor its advisory affiliates are subject to a federal disqualification;
- (2) The private fund adviser files with the state each report and amendment they are required to file with the Securities and Exchange Commission; and
- (3) The private fund advisor pays fees under section 80A.65, subdivision 2b.

Section 11 changes the registration filing fee to \$65 and requires a registered investment adviser representative who has terminated employment with one investment adviser to pay a \$50 transfer fee.

Section 12 requires a private fund adviser to pay a \$100 filing fee when filing an initial or renewal notice required under section 80A.58.

ARTICLE 3: MINNESOTA PREMIUM SECURITY PLAN

Section 1 defines the term “assessment,” for purposes of the section to mean “the amount an eligible carrier under the plan must pay to the association for operational costs, administrative costs, and reinsurance payments relating to initiating and operating the plan.” Existing language in this section of law defines “eligible health carrier” as insurance companies licensed to offer, sell, or issue a policy of accident and sickness insurance, nonprofit health service plan corporations, and health maintenance organizations.

Section 2 section adds a new paragraph to subdivision 1, relating to the Minnesota Comprehensive Health Association’s (MCHA) duties to administer the state’s premium security plan, that requires the association to collect assessments from eligible carriers to pay for the Minnesota premium security plan by June 30 of the year following the applicable benefit year. The section further requires the association to annually provide each member with an estimate of the member's assessment for the upcoming applicable benefit year by March 30. The association must notify each member of the member's assessment for the applicable benefit year by June 30 of the year following the applicable benefit year.

Section 3 requires the MCHA board of directors to consider the assessment imposed on eligible carriers when the board annually adjusts the premium security plan’s payment parameters.

Section 4 authorizes the MCHA board of directors to assess MCHA members to fund the premium security plan in accordance with the plan’s payment parameters. It also removes the 2027 sunset of the current payment parameters (an attachment point of \$50,000; a coinsurance rate of 80%; and a reinsurance cap of \$250,000).

Section 5 requires the MCHA board of directors to maintain an accounting of all assessments collected from eligible carriers.

Section 6 requires the MCHA board of directors to include information about assessments collected from eligible carriers in its quarterly and annual reports.

Section 7 provides that the premium security plan account may include both money received from assessments under section 62E.23 and appropriations to the commissioner of commerce for the operation and administration of the premium security plan.

Section 8 requires MCHA to deposit assessments collected from eligible carriers into the premium security plan account to pay for the operation and administration of the premium security plan. The section further provides that federal funding received for the premium security plan must be used before the funding received from eligible carriers.

Section 9 requires the commissioner of commerce to apply for a state innovation waiver to extend the premium security plan, for benefit years beginning in 2028, to maximize federal funding. It also provides that the commissioner of commerce must consult with the commissioners of human services and health, as well as the director of MNsure, when preparing the state innovation waiver. This section further prohibits MCHA from administering the premium security plan, including the provision of reinsurance payments, if the state innovation waiver is not approved by the federal government.

ARTICLE 4: WEIGHTS AND MEASURES

Section 1 [239.90] Retail Electric Vehicle Supply Equipment

Subdivision 1 defines several terms including “electric vehicle supply equipment,” (EVSE) “electricity sold as vehicle fuel,” “fixed service,” “nominal power,” and “variable service.”

Subdivision 2 requires the director to inspect retail electric vehicle supply equipment annually. The director must charge an EVSE owner \$100 to inspect and test each charging port.

Subdivision 3 establishes an EVSE program account in the special revenue fund of the state treasury. Fees collected under this section must be credited to the account along with earnings including interest, dividends, and any other earnings arising from assets of the account.

Subdivision 4 requires that electrical energy kept, offered, or for sale and sold at retail as vehicle fuel must be measured in kilowatt-hour units. In addition to the price per kilowatt-hour for the quantity of energy sold, a fee may be assessed for other services.

Subdivision 5 requires a computing EVSE to display the unit price in whole cents or tenths of one cent.

Specific information is required to be conspicuously displayed or posted for fixed service applications.

An EVSE must be labeled in a manner that complies with the FTC labeling requirements for alternative fuels and alternative fueled vehicles.

Subdivision 6 creates specific advertising requirements.

Prices for electrical energy must be expressed in price per kilowatt-hour.

The terms and conditions that determine each unit price and the times each unit price apply must be clearly displayed.

Specific information must be conspicuously displayed or posted for fixed service applications and for variable service applications.

Subdivision 7 authorizes the commissioner to use expedited rulemaking to adopt and administer rules that incorporate the 2025 version of NIST Handbook 44 into Minnesota Rules, chapter 760.

ARTICLE 5: CANNABIS POLICY

Section 1 amends the social equity application requirements to now include applicants who received a stay of adjudication under chapter 609 or was adjudicated delinquent under chapter 260B, of an offense involving the possession or sale of cannabis or marijuana prior to May 1, 2023.

Section 2 authorizes the Office of Cannabis Management to issue or renew a cannabis testing facility license for an applicant, pending accreditation, if the applicant:

- (1) Submits documentation to the office demonstrating that the applicant has a signed contract with a laboratory accreditation organization approved by the office, has scheduled an audit, and is making progress toward accreditation;
- (2) Passes a final site inspection; and
- (3) Meets all other licensing requirements according to chapter 342 and Minnesota Rules.

A license holder, pending accreditation, may operate a cannabis testing facility up to one year with pending accreditation status.

A license holder may apply for a one-time extension to continue to operate for up to six months, if the license holder:

- (1) Passes a follow-up site inspection conducted by the office;
- (2) Submits an initial audit report from a laboratory accrediting organization approved by the office; and
- (3) Submits any additional information requested by the office.

The office may revoke a cannabis testing facility held by a license holder with pending accreditation status if the license holder:

- (1) Is not making progress towards accreditation; or
- (2) Has violated a cannabis testing requirement, an ownership requirement, or an operational requirement in chapter 342 or Minnesota Rules.

Section 3 requires a license holder to report loss of accreditation to the office within 24 hours of receiving notice of loss of accreditation.



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