

SENATE
STATE OF MINNESOTA
NINETY-FOURTH SESSION

S.F. No. 1909

(SENATE AUTHORS: OUMOU VERBETEN, McEwen and Latz)		
DATE	D-PG	OFFICIAL STATUS
02/27/2025	558	Introduction and first reading
		Referred to Judiciary and Public Safety
03/27/2025	1114	Author added Latz

1.1

A bill for an act

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relating to public safety; authorizing county attorneys to use administrative

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subpoenas in wage theft investigations; amending Minnesota Statutes 2024, section

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388.23, subdivision 1.

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

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Section 1. Minnesota Statutes 2024, section 388.23, subdivision 1, is amended to read:

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Subdivision 1. **Authority.** (a) The county attorney, or any deputy or assistant county

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attorney whom the county attorney authorizes in writing, has the authority to subpoena and

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require the production of:

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(1) any records of:

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(i) telephone companies, cellular phone companies, paging companies, and subscribers

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of private computer networks including Internet service providers or computer bulletin

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board systems;₂

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(ii) electric companies, gas companies, and water utilities;₂

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(iii) chemical suppliers;₂

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(iv) hotels and motels;₂

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(v) pawn shops;₂

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(vi) airlines, buses, taxis, and other entities engaged in the business of transporting

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people;₂ and

(vii) freight companies, warehousing companies, self-service storage facilities, package delivery companies, and other entities engaged in the businesses of transport, storage, or delivery; ~~and;~~

(2) records of the existence of safe deposit box account numbers and customer savings and checking account numbers maintained by financial institutions and safe deposit companies; ~~;~~

(3) insurance records relating to the monetary payment or settlement of claims; ~~;~~

(4) the banking, credit card, and financial records of a subject of an identity theft investigation or a vulnerable adult, whether held in the name of the vulnerable adult or a third party, including but not limited to safe deposit, loan and account applications and agreements, signature cards, statements, checks, transfers, account authorizations, safe deposit access records and documentation of fraud; ~~and;~~

(5) wage and employment records of an applicant or recipient of public assistance who is the subject of a welfare fraud investigation relating to eligibility information for public assistance programs; and

(6) any of the following records of an employer or other person who is the subject of a wage theft investigation:

(i) accounting and financial records such as books, registers, payrolls, banking records, credit card records, securities records, and records of money transfers;

(ii) records required to be kept pursuant to section 177.30, paragraph (a); and

(iii) other records that in any way relate to wages, hours, and other conditions of employment of any employee.

(b) Subpoenas may only be issued for records that are relevant to an ongoing legitimate law enforcement investigation. Administrative subpoenas may only be issued in welfare fraud and identity theft cases if there is probable cause to believe a crime has been committed. This provision applies only to the records of business entities and does not extend to private individuals or their dwellings.

EFFECTIVE DATE. This section is effective August 1, 2025, and applies to crimes committed on or after that date.