

1.1 moves to amend H.F. No. 3794 as follows:

1.2 Page 2, line 17, delete everything after "including" and insert "characteristics, mutable
1.3 or immutable, including, but not limited to, race, color, creed, religion, national origin, sex,
1.4 gender identity, marital status, status with regard to public assistance, familial status,
1.5 disability, sexual orientation, age, eye color, weight, citizenship, parenthood status, or
1.6 address"

1.7 Page 2, line 18, delete everything before the semicolon

1.8 Page 3, line 14, delete everything after "cost" and insert "to provide a good or service
1.9 to different consumers, including based on consumer selections, delivery distance, or delivery
1.10 time;"

1.11 Page 3, delete lines 15 to 21 and insert:

1.12 "(2) differential prices are offered or provided to a commonly understood social grouping,
1.13 such as teachers, veterans, senior citizens, or students, if:

1.14 (i) the terms and criteria for receiving the difference in price are publicly available, are
1.15 clearly and conspicuously conveyed, and are disclosed in clear and prominent terms in such
1.16 a manner that an ordinary consumer would notice and understand them; and

1.17 (ii) any consumer can obtain the discount if they can demonstrate that they are part of
1.18 the group; or"

1.19 Page 4, after line 19, insert:

1.20 "Subd. 5. **Presumptive violations.** (a) In a proceeding commenced under this section,
1.21 the defendant shall be presumed to be in violation of subdivision 2 if the plaintiff can
1.22 demonstrate that:

2.1 (1) two or more individuals were offered different prices by the defendant for the same,
2.2 or a substantially similar product or service during the same, or a substantially similar,
2.3 period of time; or

2.4 (2) one individual was offered different prices by the defendant for the same, or a
2.5 substantially similar, product or service during the same, or a substantially similar, period
2.6 of time while using different means of viewing the price.

2.7 (b) In a proceeding commenced under this section, the defendant shall be presumed to
2.8 be in violation of subdivision 3 if the plaintiff can demonstrate that two or more individuals
2.9 were paid different wages for completing the same or substantially similar tasks during the
2.10 same, or a substantially similar, period of time or location.

2.11 (c) The defendant may rebut the presumptions described in paragraphs (a) or (b) by:

2.12 (1) demonstrating that the alleged difference in price or wage was not informed, in whole
2.13 or in part, by surveillance data; or

2.14 (2) satisfying the requirements in subdivision 2, paragraph (b) or subdivision 3, paragraph
2.15 (b)."

2.16 Page 4, delete line 20