

1.1 moves to amend H.F. No. 4077, the delete everything amendment
1.2 (H4077DE2), as follows:

1.3 Page 129, after line 24, insert:

1.4 "Sec. Minnesota Statutes 2022, section 325E.66, is amended to read:

1.5 **325E.66 INSURANCE CLAIMS FOR RESIDENTIAL CONTRACTING GOODS**
1.6 **AND SERVICES.**

1.7 Subdivision 1. ~~Payment or rebate of insurance deductible~~ **Residential contractor;**
1.8 **prohibited insurance practices.** (a) A residential contractor providing home repair or
1.9 improvement services to be paid by an insured from the proceeds of a property or casualty
1.10 insurance policy shall not;

1.11 (1) as an inducement to the sale or provision of goods or services to an insured, advertise
1.12 or promise to pay, directly or indirectly, all or part of any applicable insurance deductible
1.13 or offer to compensate an insured for providing any service to the insured. This includes,
1.14 but is not limited to, offering compensation in exchange for:

1.15 (i) allowing the residential contractor to conduct an inspection of the insured's roof;

1.16 (ii) making an insurance claim for damage to the insured's roof; or

1.17 (iii) referring the residential contractor's services to others when insurance proceeds are
1.18 payable;

1.19 (2) provide an insured with an agreement authorizing repairs without also providing a
1.20 good faith estimate of the itemized and detailed cost of services and materials undertaken
1.21 pursuant to a property and casualty claim; or

2.1 (3) interpret policy provisions or advise an insured regarding coverages or duties under
2.2 the insured's policy or adjusting a property insurance claim on behalf of the insured, unless
2.3 the contractor has a license as a public adjuster under chapter 72B.

2.4 (b) If a residential contractor violates this section, the insurer to whom the insured
2.5 tendered the claim shall not be obligated to consider the estimate prepared by the residential
2.6 contractor. The residential contractor must provide a written notification of the requirements
2.7 of this section with its initial estimate. The adjuster or insurer must provide a written
2.8 notification of the requirements of this section in the initial estimate relating to the claim.

2.9 (c) For purposes of this section, "residential contractor" means a residential roofer, as
2.10 defined in section 326B.802, subdivision 14; a residential building contractor, as defined
2.11 in section 326B.802, subdivision 11; and a residential remodeler, as defined in section
2.12 326B.802, subdivision 12.

2.13 Subd. 2. **Private remedy.** If a residential contractor violates subdivision 1, the insured
2.14 or the applicable insurer may bring an action against the residential contractor in a court of
2.15 competent jurisdiction for damages sustained by the insured or insurer as a consequence of
2.16 the residential contractor's violation.

2.17 Subd. 3. **Public enforcement.** ~~The commissioner of labor and industry shall enforce~~
2.18 ~~this section under sections 326B.081 to 326B.085.~~ The attorney general may pursue the
2.19 penalties and remedies available to them under section 8.31 against any person who violates
2.20 this section."

2.21 Renumber the sections in sequence

2.22 Amend the title accordingly