

1.1 moves to amend H.F. No. 3099 as follows:

1.2 Page 1, delete section 2

1.3 Page 2, line 9, before "provider" insert "service" and after "provider" insert ": (i)"

1.4 Page 2, line 10, delete "Public Utilities Commission" and after "determination" insert
1.5 "by the Office of the Attorney General"

1.6 Page 2, after line 12, insert:

1.7 "(ii) during the interval between the effective date of this act and the Office of the
1.8 Attorney General's initial determination of a telecommunications service provider's
1.9 compliance with the provisions of subdivision 2;

1.10 (iii) during the interval between a telecommunications service provider's submission of
1.11 the information required under subdivision 2 and the Office of the Attorney General's
1.12 determination as to whether that information is sufficient evidence that the
1.13 telecommunications service provider is in compliance with subdivision 2; and

1.14 (iv) that has been issued a waiver by the Office of the Attorney General under subdivision
1.15 2;"

1.16 Page 2, line 25, delete "commission" and insert "Office of the Attorney General" and
1.17 delete "commission" and insert "Office of the Attorney General"

1.18 Page 2, line 26, delete "current and applicable" and insert "commercially available"

1.19 Page 2, after line 32, insert:

1.20 "(b) The Office of the Attorney General may issue a telecommunications service provider
1.21 a waiver from the requirements of this subdivision if the Office of the Attorney General
1.22 determines, based on information filed by the telecommunications service provider, that
1.23 the provision of call-blocking technology to its subscribers as required under this subdivision

2.1 is technically infeasible or imposes an undue financial burden on the telecommunications
2.2 service provider. A waiver issued by the Office of the Attorney General under this paragraph
2.3 is effective for one year and may be renewed according to the provisions of this paragraph
2.4 in order to remain effective."

2.5 Reletter the paragraphs in sequence

2.6 Page 3, lines 7 and 11, delete "commission" and insert "Office of the Attorney General"

2.7 Page 3, delete section 5 and insert:

2.8 "Sec. 5. Minnesota Statutes 2018, section 325E.31, is amended to read:

2.9 **325E.31 REMEDIES.**

2.10 (a) A person who is found to have violated sections 325E.27 to 325E.30 is subject to
2.11 the penalties and remedies, including a private right of action to recover damages, as provided
2.12 in section 8.31.

2.13 (b) A person found to have violated section 325E.281 may be required to pay a fine of
2.14 not more than \$1,000 for each separate violation, except that:

2.15 (1) if the prohibited call resulted in identity theft or theft by swindle, the penalty is as
2.16 provided in section 609.52, subdivision 3, clause (3); and

2.17 (2) a person's initial violation of section 325E.281 shall not receive a penalty, unless the
2.18 prohibited call resulted in identity theft or theft by swindle.

2.19 (c) A subscriber aggrieved by a violation of section 325E.281 has a private right of
2.20 action under this section and may seek appropriate injunctive or other equitable relief,
2.21 additional civil damages, actual losses, and, as determined by the court, reasonable attorney
2.22 fees and court costs. A private right of action brought under this section by a subscriber is
2.23 in the public interest.

2.24 (d) Nothing in this section limits any remedies, causes of action, or penalties available
2.25 to a person or government agency under any other federal or state law.

2.26 **EFFECTIVE DATE.** This section is effective the day following final enactment."

2.27 Page 6, delete section 8

2.28 Renumber the sections in sequence and correct the internal references

2.29 Amend the title accordingly