

Subject Creation of consumer protection restitution account

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Summary

Section	Description
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| 1 | <p>Undistributed money to consumer protection restitution account.</p> <p>Requires the attorney general (AG) to deposit funds received on behalf of injured persons that can't be distributed to victims be deposited in the consumer protection restitution account (under current statute, deposited in the general fund).</p> |
| 2 | <p>[8.37] Consumer protection restitution account.</p> <p>Subd. 1. Creation of account. Creates the consumer protection restitution account in the special revenue fund. Appropriates money to the attorney general pursuant to subdivision 4.</p> <p>Subd. 2. Definitions. Defines "account," "consumer enforcement action," "consumer enforcement public compensation," and others.</p> <p>Subd. 3. Money deposited in account. Requires 50% of money recovered by the AG in a consumer enforcement action that is payable to the state and not designated for another purpose be deposited in the account. Requires the remaining 50% of the money recovered by the AG in a consumer enforcement action that is payable to the state and not designed for another purpose be deposited in the general fund.</p> <p>Subd. 4. Permissible use of account. Allows money in the account to be used only to distribute consumer enforcement action public compensation to eligible consumers and to administer the account. Limits the cost to administer the account to a maximum of 3% of the account total.</p> <p>Subd. 5. Distributions to eligible consumers. Requires money in the account to be paid to eligible consumers with an identifiable amount of unpaid consumer enforcement public compensation. Requires that, if the amount of money is insufficient to pay all distributions, the money be paid to consumers with the oldest final order.</p> <p>Subd. 6. Impractical payments and unreasonable effort as to unpaid compensation. Provides the circumstances under which the AG can find</p> |

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distribution of funds impractical and when an attempt to determine an identifiable amount is unreasonable.

Subd. 7. Concluded distributions. Requires the AG to stop providing distributions when they determine all eligible consumers have received a distribution or distribution was deemed unpractical and no other eligible consumers exist or identifying eligible consumers would be unreasonable.

Subd. 8. Annual report. Requires the AG to draft a report regarding distributions and post it on their website and provide it to relevant legislative committees.

Subd. 9. Account administrator. Allows the AG to appoint an administrator for the account and its distributions.

Subd. 10. No private right of action. Clarifies that a person does not have a private right of action for a payment from the account or the administrator.

Subd. 11. Collection efforts unaffected. Clarifies that the distribution of money from the account does not affect the AG's authority to enforce final orders against persons required to pay consumer enforcement compensation.

3 **Exceptions.**

Makes technical changes and adds cross-references.

4 **Consumer enforcement public compensation payments.**

Allows for the amount received from a consumer enforcement public compensation to be a subtraction to federal taxable income.



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