

S.F. No. 327 and H.F. No. 368, which had been referred to the Chief Clerk for comparison, were examined and found to be not identical.

The following document shows the differences between S.F. No. 327, the third engrossment, and H.F. No. 368, the second engrossment.

May 8, 2018

Patrick D. Murphy
Chief Clerk, House of Representatives

Explanation of Comparison Reports

When a Senate File is received from the Senate, it is given its first reading and must be referred to the appropriate standing committee or division under Rule 1.11.

But if the House File companion of that Senate File has already been reported out of Committee and given its second reading and is on the General Register, the Senate File must be referred to the Chief Clerk for comparison pursuant to Rule 1.15.

The Chief Clerk reports whether the bills were found to be identical or not identical. Once the bills have been compared and the differences have been reported, the Senate File is given its second reading and is substituted for the House File. The House File is then considered withdrawn.

Pursuant to rule 3.33, if the bills are not identical and the chief author of the bill wishes to use the House language, the chief author must give notice of their intent to substitute the House language when the bill is placed on the Calendar for the Day or the Fiscal Calendar. If the chief author of the bill wishes to keep the Senate language, no action is required.

1.1 A bill for an act
 1.2 relating to consumer protection; prohibiting the assignment of military pay or
 1.3 benefits; providing remedies; proposing coding for new law in Minnesota Statutes,
 1.4 chapter 325F.

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

1.6 Section 1. **[325F.992] PROHIBITION OF ASSIGNMENT OF MILITARY PAY OR**
 1.7 **MILITARY BENEFITS.**

1.8 Subdivision 1. **Definitions.** (a) For the purposes of this section, the terms in paragraphs
 1.9 (b) and (c) have the meanings given.

1.10 (b) "Military beneficiary" means a current or former enlisted member or officer of the
 1.11 United States Army, Navy, Air Force, Marine Corps, Coast Guard, or National Guard; the
 1.12 spouse of the member or officer; and any individual considered a beneficiary of the military
 1.13 benefits of the member or officer.

1.14 (c) "Person" has the meaning given in section 325F.68.

1.15 Subd. 2. **Prohibition.** (a) A person shall not enter into or attempt to enter into an
 1.16 agreement with a military beneficiary that assigns the military beneficiary's military pay or
 1.17 military benefits in violation of United States Code, title 37, section 701, or United States
 1.18 Code, title 38, section 5301.

1.19 (b) A person shall not enter into or attempt to enter into any agreement, device, scheme,
 1.20 or other artifice with a military beneficiary, including but not limited to a purchase and sale
 1.21 agreement, that assigns or sells all or a portion of the military beneficiary's military pay or
 1.22 military benefits.

2.1 (c) An agreement prohibited by paragraph (a) or (b) is void, and a military beneficiary
 2.2 is not required to disgorge or repay any consideration received under the agreement.

2.3 Subd. 3. **Penalties; remedies.** In addition to any other remedies available under the law,
 2.4 the military beneficiary injured by a violation of this section may bring a cause of action to
 2.5 recover damages, reasonable attorney fees and costs, or equitable relief related to a violation
 2.6 of subdivision 2.

1.1 A bill for an act
 1.2 relating to consumer protection; prohibiting the assignment of military pay or
 1.3 benefits; providing penalties and remedies; proposing coding for new law in
 1.4 Minnesota Statutes, chapter 325F.

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

1.6 Section 1. **[325F.992] PROHIBITION OF ASSIGNMENT OF MILITARY PAY OR**
 1.7 **MILITARY BENEFITS.**

1.8 Subdivision 1. **Definitions.** (a) For the purposes of this section, the terms in paragraphs
 1.9 (b) and (c) have the meanings given.

1.10 (b) "Military beneficiary" means any of the following:

1.11 (1) a current or former member of the armed forces of the United States or a reserve
 1.12 component of the armed forces of the United States, who receives pay or benefits from the
 1.13 United States, or any state, for service in the armed forces of the United States or a reserve
 1.14 component of the armed forces of the United States;

1.15 (2) the spouse of the member as described in clause (1); and

1.16 (3) any individual considered a beneficiary of the military benefits of the member as
 1.17 described in clause (1).

1.18 (c) "Person" has the meaning given in section 325F.68.

1.19 Subd. 2. **Prohibition.** (a) A person shall not enter into or attempt to enter into an
 1.20 agreement with a military beneficiary that assigns the military beneficiary's military pay or
 1.21 military benefits in violation of United States Code, title 37, section 701, or United States
 1.22 Code, title 38, section 5301.

2.1 (b) A person shall not enter into or attempt to enter into any agreement, device, scheme,
 2.2 or other artifice with a military beneficiary, including but not limited to a purchase and sale
 2.3 agreement, that assigns or sells all or a portion of the military beneficiary's military pay or
 2.4 military benefits.

2.5 (c) An agreement prohibited by paragraph (a) or (b) is void, and a military beneficiary
 2.6 is not required to disgorge or repay any consideration received under the agreement.

2.7 Subd. 3. **Penalties; remedies.** In addition to any other remedies available under the law,
 2.8 the military beneficiary injured by a violation of this section may bring a cause of action to
 2.9 recover damages, reasonable attorney fees and costs, or equitable relief related to a violation
 2.10 of subdivision 2. The attorney general may enforce this section pursuant to applicable law.

2.11 **EFFECTIVE DATE.** This section is effective August 1, 2018, for contracts entered
 2.12 into on or after August 1, 2018.