

A bill for an act
relating to trade practices; amending termination of sales representatives;
amending Minnesota Statutes 2010, section 325E.37, subdivision 6.

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

Section 1. Minnesota Statutes 2010, section 325E.37, subdivision 6, is amended to read:

Subd. 6. **Scope; limitations.** (a) This section applies to a sales representative who,
during some part of the period of the sales representative agreement:

(1) is a resident of Minnesota or maintains that person's principal place of business
in Minnesota; or

(2) whose geographical territory specified in the sales representative agreement
includes part or all of Minnesota.

(b) To be effective, any demand for arbitration under subdivision 5 must be made
in writing and delivered to the principal on or before one year after the effective date of
the termination of the agreement.

(c) A provision in any contract between a sales representative dealing in plumbing
equipment or supplies and a principal purporting to waive any provision of Laws 2007,
chapters 135 or 140, whether by express waiver or by a provision stipulating that the
contract is subject to the laws of another state, shall be void.

(d) No contract between a sales representative and principal may limit the right of
the sales representative to initiate litigation or alternative dispute resolution in this state.

(e) A principal who establishes a business relationship with a sales representative
to solicit orders for products or services in this state is doing business in this state for
the purposes of this subdivision.

H.F. No. 310, as introduced - 87th Legislative Session (2011-2012) [11-1346]

2.1 (f) The provisions of this section may not be waived, whether by express waiver or
2.2 by any provision in a contract attempting to make the contract or agreement subject to the
2.3 laws of another state. A waiver of any provision of this section is void.

2.4 (g) This section does not invalidate or restrict any other right or remedy available
2.5 to a sales representative, or preclude a sales representative from seeking to recover in
2.6 an action on all claims against a principal.

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