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# Minnesota House of Representatives

Kurt Daudt, Speaker

FOR IMMEDIATE RELEASE

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## New Laws Effective Jan. 1, 2019 (updated Dec. 28, 2018)

*The following is a list of select new laws passed during the 2018 legislative session that take effect Jan. 1, 2019. The asterisk following the bill number denotes the language that became law. Summaries of all laws passed by the 2018 Legislature are available online from nonpartisan House Public Information Services at <http://www.house.mn/newlaws/#/search/2018>.*

### BUSINESS AND COMMERCE

#### **'Certified' reinsurers join the state's risk-sharing groups**

Minnesota will recognize a new class of reinsurance organizations — deemed “certified reinsurers,” who join “licensed” and “accredited” reinsurers — that take on some of the risk of licensed Minnesota insurance companies.

This new classification will allow reinsurers not licensed in Minnesota to work in the state as long as they meet certain bookkeeping and financial strength requirements. The new law requires the Department of Commerce to receive public input on certified reinsurance applications and publish a list of certified reinsurers with their ratings from agencies like S&P and Moody's.

Sponsored by Rep. Joe Hoppe (R-Chaska) and Sen. Gary Dahms (R-Redwood Falls), the new law will give the department new authority over out-of-state companies that want to work as certified reinsurers in the state.

Most of the new law takes effect Jan. 1, 2019.

HF3622\*/SF3241/CH125

#### **Revised Uniform Law on Notarial Acts**

A new law will repeal and replace the standard for notaries public and update Minnesota statutes to reflect a nationally recognized uniform law called the Revised Uniform Law on Notarial Acts.

Most notably, the law will allow for and regulate remote online notaries, including electronic signatures, seals and records.

Under Section 4 of the law, individuals cannot notarize their spouse's records, or where either has a direct beneficial interest; Section 5 requires acknowledgement, verifications, signatures, copies and available protests; Section 6 deals with in-person notarization; and Section 15 outlines what remote online notaries public will look like. Those requirements include:

- people can be in the same physical place as someone else who can see, hear and communicate tangible identification credentials;
- notaries located in Minnesota can communicate with others outside the state on an electronic device or process;

- notaries can use electronic seals to confirm the remotely-approved document; and
- notaries must be registered with the secretary of state to perform remote online notarizations.

The Revised Uniform Law on Notarial Acts, sponsored by Rep. Dennis Smith (R-Maple Grove) and Sen. Jerry Relph (R-St. Cloud), outlines records and certificates. It also states how a notary can be removed – only by the governor, district court or Commerce Department – and for what reasons. The secretary of state’s office keeps a database of Minnesota’s notaries public.

The law is effective Jan. 1, 2019.

HF1609/SF893\*/CH176

## **CONSUMERS**

### **Protecting children from identity theft**

A new law is intended to keep children safe from identity theft.

Sponsored by Rep. John Petersburg (R-Waseca) and Sen. John Jasinski (R-Faribault), the law extends security freeze protections to individuals under age 16 by allowing credit reporting agencies to freeze existing credit reports or to develop credit reports on young account-holders and subsequently freeze those reports.

The law, mostly effective Jan. 1, 2019, gives credit reporting agencies 30 days to act after the consumer requests a freeze or lift.

HF1243\*/SF1811/CH158

## **EMPLOYMENT**

### **Presumptive PTSD for public safety personnel**

As part of a new law relating to workers’ compensation, if a peace officer, firefighter, corrections officer or some medical personnel on active duty is diagnosed with post-traumatic stress disorder, and has not been diagnosed with the mental impairment previously, the mental impairment is presumptively an occupational disease and shall be presumed to have been due to the nature of employment.

This section is effective for employees with dates of injury on or after Jan. 1, 2019.

Per the law, “the mental impairment is not considered an occupational disease if it results from a disciplinary action, work evaluation, job transfer, layoff, demotion, promotion, termination, retirement, or similar action taken in good faith by the employer.”

The law is sponsored by Rep. Tony Albright (R-Prior Lake) and Sen. Paul Utke (R-Park Rapids).

HF3873\*/SF3420/CH185

## **ENVIRONMENT AND NATURAL RESOURCES**

### **Municipalities establishing waste collection will face new guidelines**

A yearlong effort by multiple parties to forge a new process for municipalities to adopt solid waste collection systems will take effect Jan. 1, 2019.

Currently, if a local government seeks to implement a solid waste collection method it must establish a committee to identify and evaluate potential new methods. That evaluation will be expanded to include an analysis of residents’ ability to choose a solid waste collector based on cost, services provided and other factors, and the impact of collection vehicle operation on city streets and alleys.

Sponsored by Rep. Dennis Smith (R-Maple Grove) and Sen. Dan Hall (R-Burnsville), the new law will also affect collector negotiations by extending the period during which local governments are required to negotiate with licensed haulers from the current 60 days to “at least” 60 days. Negotiating parties will also be allowed to informally meet and confer regarding waste collection issues prior to negotiations.

HF3095\*/SF2697/CH177

## **HEALTH AND HUMAN SERVICES**

### **New law boosts reimbursement to Episcopal Homes**

New dollars are heading to a senior housing and care service facility in St. Paul.

Effective Jan. 1, 2019, a new law will increase the skilled nursing facility property rate paid by Medical Assistance to Episcopal Homes by \$7.55 through existing moratorium exemption appropriations.

A prior construction project in the St. Paul Midway area put Episcopal Homes at the state’s property rate maximum. The new law, sponsored by Rep. Deb Kiel (R-Crookston) and Sen. Richard Cohen (DFL-St. Paul), bypasses this.

HF2920/SF2762\*/CH141

### **Step therapy override process established** (updated Dec. 28, 2018)

A new law creates a process by which an enrollee and prescribing health care provider can override a health plan company’s step therapy protocol.

Step therapy is a system health plan companies require doctors and enrollees to use when prescribing new medication. A protocol, according the law’s sponsors, Rep. Kelly Fenton (R-Woodbury) and Sen. Paul Utke (R-Park Rapids), will give doctors and patients another tool in deciding which medication to choose.

The law also allows doctors and patients to request overriding the health plan-written protocol.

It is effective Jan. 1, 2019, and applies to health plans offered, issued or sold after that date.

HF3196\*/SF2897/CH162