A bill for an act
relating to consumer data privacy; requiring a consumer's consent prior to collecting
personal information; proposing coding for new law in Minnesota Statutes, chapter
325M.

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

Section 1. [325M.10] CONSENT REQUIRED FOR COLLECTION OF PERSONAL
INFORMATION.

Subdivision 1. Definitions. (a) For purposes of this section, the following terms have
the meanings given.

(b) "Business" means an individual, corporation, business trust, estate, trust, partnership,
limited liability company, association, joint venture, or any other legal or commercial entity
that is organized or operated for the profit or financial benefit of the business's shareholders
or other owners.

(c) "Consent" means any freely given, specific, informed, and unambiguous indication
of the consumer's wishes by which the consumer signifies agreement to the collection of
personal data relating to the consumer.

(d) "Consumer" means a natural person who is a Minnesota resident acting only in an
individual or household context. It does not include a natural person acting in a commercial
or employment context.

(e) "Personal information" means information that identifies, relates to, describes, is
capable of being associated with, or could reasonably be linked, directly or indirectly, with
a particular consumer.
Subd. 2. Application. This section applies to businesses that conduct business in Minnesota or produce products or services that are targeted to residents of Minnesota.

Subd. 3. Consent required. (a) A business must not collect, use, or disclose a consumer's personal information without the consumer's consent.

(b) In order to receive the consumer's consent, the business must, at or before the point of collection of the consumer's personal information, notify the consumer of:

1. the categories of personal information the business collects about the consumer;
2. the categories of sources from which the business collects the personal information;
3. for each category of personal information, the purpose for collecting the personal information; and
4. for each category of personal information, the categories of persons to which the personal information may be disclosed and the purpose for the disclosure.

(c) A business must not collect additional categories of personal information, use personal information collected for additional purposes, or disclose additional personal information without notifying the consumer consistent with paragraph (b) and receiving the consumer's consent consistent with paragraph (a) regarding the additional categories, purposes, or disclosures.

Subd. 4. Enforcement. (a) The attorney general may seek the penalties and remedies available under section 8.31 against a business who violates this section. If the state prevails in an action to enforce this section, the state may be allowed an amount determined by the court to be the reasonable value of all or part of the state's litigation expenses incurred.

(b) A business that violates this section is liable to a consumer who suffers any damage as a result of the violation, and the damaged consumer may bring an action against the responsible business to cover any damages sustained, plus costs and reasonable attorney fees.

(c) In addition to other remedies provided by law or equity, a business that violates this section is subject to an injunction and liable for a civil penalty of not more than $7,500 for each violation.

Sec. 2. REVISOR INSTRUCTION.

In Minnesota Statutes, sections 325M.01 to 325M.09, the revisor of statutes shall change the term "this chapter" and similar terms to "sections 325M.01 to 325M.09" or similar terms. The revisor shall also make grammatical changes related to the changes in terms.
Sec. 3. **EFFECTIVE DATE.**

This act is effective July 31, 2025.