

**STATE OF MINNESOTA
COMMISSIONER OF COMMERCE**

COMMISSIONER ORDER

**May 27, 2020
ORDER ISSUED BY COMMISSIONER OF
COMMERCE**

To: All Affected Parties pursuant to Minnesota Statutes, Chapters 60K, 72B and 82.

RE: Regulatory Flexibility Guidance

On March 28, 2020, Governor Tim Walz signed House File 4531 into law, granting the Commissioner of Commerce (hereinafter "Commissioner") the following authority:

- (a) In the event of a declaration of emergency pursuant to Minnesota Statutes, section 12.31, the commissioner of commerce may delay, stay, or waive licensing, investigative, or other deadlines related to the duties and responsibilities of the commissioner under Minnesota Statutes, chapters 45 to 83, 115C, 216 to 222, 237 to 239, 325F, and 345.
- (b) Action taken by the commissioner under this section must:
 - (1) Treat similarly situation persons equally; and
 - (2) Be intended to provide relief of safe harbor from legal obligations with respect to licenses or other persons regulated by the Minnesota Department of Commerce, or to ensure continuity of department operations and processes.
- (c) The authority granted under this section remains in effect until 60 days after the peacetime emergency declared in Executive Order 20-35 is terminated or rescinded by the proper authority.

On March 13, 2020, Governor Tim Walz signed Executive Order 20-01, declaring a peacetime emergency related to COVID-19.

On April 13, 2020, Governor Tim Walz signed Executive Order 20-35, extending the COVID-19 peacetime emergency declared in Executive Order 20-01.

On May 13, 2020, Governor Tim Walz signed Executive Order 20-53, extending the COVID-19 peacetime emergency declared in Executive Order 20-01.

The Commissioner has the authority to delay, stay, or waive the following licensing, investigative, and other deadlines related to the duties and responsibilities of the Commissioner and regulated entities required to effectively continue the business of the Department of Commerce and to assist regulated entities during the current peacetime emergency:

- Regulatory Guidance 20-29 | Approved Deadline Extension (Minn. Stat. § 60K.55 Subd. 8(b)).
- Regulatory Guidance 20-30 | Approved Deadline Extension (Minn. Stat. § 72B.041 Subd. 6(a)).
- Regulatory Guidance 20-31 | Approved Deadline Extension (Minn. Stat. § 60K.55 Subd. 8(b)).
- Regulatory Guidance 20-32 | Approved Deadline Extension (Minn. Stat. § 72B.041 Subd. 6(a)).

- Regulatory Guidance 20-33 | Approved Deadline Extension (Minn. Stat. § 82.59 Subd. 8(b)).

NOW, THEREFORE, IT IS HEREBY ORDERED,

1. In order to provide relief or safe harbor from legal obligations with respect to licensees or other persons regulated by the Department of Commerce, or to ensure continuity of department operations and processes, the Commissioner has delayed, stayed, or waived the deadlines and requirements set forth in Regulatory Guidance 20-29 through 20-33, which is incorporated into and made part of this Order.
2. Each modification set forth in Regulatory Guidance 20-29 through 20-33 shall treat all similarly situated persons equally.
3. A determination that any modification set forth in Regulatory Guidance 20-29 through 20-33 as invalid will not affect the enforceability of any other modification set forth in the above Regulatory Guidance. Rather, the invalid portion will be modified to the extent necessary so that it is enforceable.
4. The Commissioner may amend Regulatory Guidance 20-29 through 20-33 as needed.

This Order shall be effective upon signature by or on behalf of the Commissioner.

Date: May 27, 2020

By: 

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