

**STATE OF MINNESOTA
COMMISSIONER OF COMMERCE**

COMMISSIONER ORDER

**MARCH 30, 2020
ORDER ISSUED BY COMMISSIONER OF
COMMERCE**

To: All Affected Parties pursuant to Minnesota Statutes, chapters 45 to 83, 115C, 216 to 222, 237 to 239, 325F, and 345

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remains in effect until 60 days after the peacetime emergency declared in Executive Order 20-01 is terminated or rescinded by the proper authority.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.

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 20-01 | Approved Deadline Extension (Minn. Stat. §60K.55 Subd. 8(b))
- Regulatory Guidance 20-02 | Approved Deadline Extension (Minn. Stat. §72B.041 Subd. 6(a))
- Regulatory Guidance 20-03 | Approved Deadline Extension (Minn. Stat. §45.30 Subd. 6(b))
- Regulatory Guidance 20-04 | Approved Deadline Extension (Minn. Stat. §60K.38 Subd. 3 and Minn. Stat. §72B.03 subd. 2(e))
- Regulatory Guidance 20-05 | Approved Deadline Extension (Minn. Stat. §239.77, Subd. 2(a))

- Regulatory Guidance 20-06 | Approved Deadline Extension (Minn. Stat. §239.761, Subd. 3(a), and subd. 4(b)(2))
- Regulatory Guidance 20-07 | Approved Deadline Extension (Minn. Stat. §216C.18 Subd. 1)
- Regulatory Guidance 20-08 | Approved Deadline Extension (Minn. Stat. §§ 80A.56(a), 80A.57(a), 80A.58(a), 80A.60(c), 80A.61(e) and Minn. R. Chapter 2876)
- Regulatory Guidance 20-09 | Approved Deadline Extension (Minn. Stat. §47.60; Subd. 4; §53.09, Subd. 2; §53C.07, clause (b); §56.11; §59A.06, Subd. 4, §332A.12, Subd 1(a), §332B.08, Subd. 2)
- Regulatory Guidance 20-10 | Approved Deadline Extension (Minn. Stat. §80C.08, Subd. 1)
- Regulatory Guidance 20-11 | Approved Deadline Extension (Minn. Rules 2860.9920 and 2860.9930)
- Regulatory Guidance 20-12 | Approved Deadline Extension (Minn. Stat. §83.30, Subd. 1 and Subd. 2)
- Regulatory Guidance 20-13 | Approved Deadline Extension (Minn. Stat. §302A.431 and Minn. Stat. §66A.07)
- Regulatory Guidance 20-14 A-E | Approved Deadline Extension (Minn. Stat. §60A.32, Subd. 8; Minn. Stat. §60A.9572; Minn. Stat. §62M.03; Minn. Stat. §59B.03; Minn. Stat. §59C.04)

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 20-01 through 20-14 A-E, which is incorporated into and made part of this Order.

2. Each modification set forth in Regulatory Guidance 20-01 through 20-14 A-E shall treat all similarly situated persons equally.

3. A determination that any modification set forth in Regulatory Guidance 20-01 through 20-14 A-E 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 20-01 through 20-14 A-E as needed.

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

DATE: March 30, 2020

By:



STEVE KELLEY

COMMISSIONER

Minnesota Department of Commerce

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