

Minnesota Statutes, section **176.185, Policy of Insurance.**

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Subd. 11. **Employment and insurance data.** (a) The following workers' compensation insurance coverage data reported to or collected by the department under this section, or otherwise created or received by the department, is public data required to be reported by an insurer, subject to the limitations provided in paragraph (b):

(1) all action on an insurance policy, but not including the policy itself. Examples of action on a policy are the date of issuance of a new policy, the date of cancellation, or copies of a correction, binder, reinstatement, expiration, cancellation, termination, or declaration page;

(2) the employer's legal name;

(3) every "doing business as" name used by the employer;

(4) the employer's legal form of ownership, such as corporation, partnership, limited partnership, or government entity, and the names of all owners and partners including, for limited partnerships, the names of general partners;

(5) the employer's complete mailing and physical addresses;

(6) the nature of the employer's business;

(7) the policy number;

(8) the effective and expiration dates of the policy;

(9) the name of the insurance carrier;

(10) if the policy has been canceled, the type of cancellation, reason for cancellation, and effective date of cancellation; ~~and~~

(11) the employer's unemployment account number; ~~and~~

(12) the employer's total estimated exposure amount and reported construction classification codes, for a zero estimated exposure policy.

(b) The commissioner shall release the insurance coverage data listed in paragraph (a) only in response to an inquiry about an employer in which the requester provides employer identifying information required by the commissioner. The commissioner or an entity with whom the department has contracted pursuant to subdivision 10 shall provide a website for such public inquiries and may impose access restrictions necessary to limit access to individual inquiries and to otherwise deter the use of the website for purposes other than

insurance verification. Persons who obtain the data prescribed in paragraph (a) from the department are prohibited from using the data for commercial purposes.

(c) For purposes of this subdivision, "employer" includes a policyholder and any other entities listed on the same insurance policy as the employer.

(d) For purposes of this subdivision, "commercial purposes" means the sale or use of insurance coverage data listed in paragraph (a) for marketing or profit.

(e) An entity with whom the department has contracted pursuant to subdivision 10 has a private right of action to enforce the prohibition in paragraph (b) against a person who uses the data for commercial purposes. The entity may bring a civil action to recover damages and costs and disbursements, including reasonable attorney fees, from the person, and for other equitable relief as determined by the court.

Subd.12. Policies with zero estimated exposure. If an employer providing or performing building construction or improvement services covered by section 181.723 obtains a zero estimated exposure policy, the employer must notify all entities with which it directly contracts to provide or perform building construction or improvement services of its total estimated exposure of zero and provide a copy of the policy. An employer providing or performing building construction or improvement services covered by section 181.723 shall require all entities with which the employer has directly contracted or subcontracted to provide or perform building construction or improvement services to disclose to the employer whether the contractor or subcontractor has a zero estimated exposure policy.

Minnesota Statutes, section 176.011, **Definitions.**

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Subd. 20. Zero estimated exposure policy. "Zero estimated exposure policy" means a policy of insurance that an employer obtains to cover its liability to pay compensation under this chapter after representing its total estimated exposure is zero.

Minnesota Statutes, (new section) in chapter 79, **Workers' Compensation Insurance.**

79.XX. Attestation Required.

Subdivision 1. For purposes of this section, a "zero estimated exposure policy" has the meaning given in section 176.011, subdivision 20. This section shall apply to zero

estimated exposure policies issued to employers performing building construction or improvement services covered by section 181.723.

Subdivision 2. Each insurer shall require with or as part of each completed application for a “zero estimated exposure policy” a statement signed by the applicant attesting to the accuracy of the information on the application, including the applicant’s absence of employees pursuant to section 181.723 and estimated exposure of zero. The attestation shall include the following: “I attest that all information provided on this application is current, true, correct, accurate, and complete to the best of my knowledge and belief. I further attest that I have no employees under the meaning of Minnesota Statutes section 181.723 and an estimated exposure of zero. If I employ any employees under the meaning of Minnesota Statutes section 181.723 during the policy period, I must provide within 60 days of the employment [or before the end of the policy period, whichever is sooner,] written notification to my workers’ compensation insurer of the employment including estimated payroll and classification codes of my employees. I understand that omissions or misrepresentations on this application are a crime under Minnesota Statutes section 609.611.”

Effective date [MM/DD/YYYY]