

Mail To:

Minnesota Attorney General's Office
 ATTN: Club Contracts Registration
 445 Minnesota Street, Suite 1200
 St. Paul, MN 55101

STATE OF MINNESOTA
2023 CLUB REGISTRATION
RENEWAL – INSTRUCTIONS

(Pursuant to Minn. Stat. §§ 325G.23-.28)



WHO SHOULD FILE

A organization must annually renew its registration if it continues to operate a health club, social referral club, or a buying club in the state. Minn. Stat. § 325G.27.

WHEN TO FILE

An club must renew its registration by September 1 each year. Minn. Stat. § 325G.27.

WHAT TO FILE

An club must file the below-listed materials with the Minnesota Attorney General's Office when renewing its registration. The materials that must be filed will vary depending on whether or not the club receives prepayments from members. Minn. Stat. § 325G.27.

All Clubs. All clubs must file the following materials when annually renewing their registration:

- Club Registration Renewal form.
- \$150 renewal fee.
- An exemplar copy of each version of all contracts, membership applications, membership agreements, terms of service, or other documents that the club enters into with members, or that govern the club's relationship with its members.

Additional Materials for Clubs Receiving Prepayments. Clubs requiring or otherwise receiving prepayments from members of more than \$50 should also file the following materials:

- Attach a copy of the club's financial statement for the most recent 12 month period. Please also note—
 - The statement must be executed under oath by two officers of the club.
 - The statement must describe the club's total outstanding liabilities to members.
 - The statement must be prepared using generally accepted accounting principles.
- Attach a copy of a compliant surety bond, or proof of continuation of a previous surety bond, from a surety company admitted to do business in Minnesota. Clubs can satisfy this requirement using the form "Surety Bond of Health, Dating, or Buying Club" made available by the Office. Please note—
 - The surety bond must be for an amount that equals the total outstanding liabilities of the club to its members, with a cap of \$200,000.
 - If certain conditions are met, clubs can provide alternative types of financial security other than a surety bond, in which case they must complete the form "Club Statement of Alternative Form of Security" made available by the Office.

Additional Materials for Clubs Not Receiving Prepayments. Clubs that do not require or otherwise receive prepayments from members of more than \$50 should also file the following materials:

- Attach the form "Club Application for Exemption from Surety Bond Requirement."

HOW TO FILE

A club should file this form and all attachments by mailing it to the following address: Minnesota Attorney General's Office, ATTN: Club Contracts Registration, 445 Minnesota Street, Suite 1200, St. Paul, MN 55101.

A club must include a \$150 renewal fee by check and include the check with these materials.

PLEASE NOTE

Registration statements and annual reports that fail to include the appropriate attachments or the correct fee will be considered deficient. Deficient registration statements and annual reports will not be effective until all materials are received by the Minnesota Attorney General's Office.

Minnesota law gives club members the right to cancel their membership agreement up to midnight of the third business day after signing the agreement. Minnesota law also requires clubs to issue to anyone who cancels their membership a full refund with ten days of cancellation. Minn. Stat. § 325G.24.

Clubs' membership agreements must clearly and conspicuously notify members of their cancellation and refund rights under Minnesota law in the text of the agreement. Minn. Stat. § 325G.25.

Minnesota law generally prohibits club membership agreements of more than 18 months. Minn. Stat. § 325G.26.

If you have any questions, please contact the Minnesota Attorney General's Office as follows:

Minnesota Attorney General's Office
ATTN: Club Contracts Registration
445 Minnesota Street, Suite 1200
St. Paul, MN 55101
(651) 296-9412

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STATE OF MINNESOTA
2023 CLUB
REGISTRATION RENEWAL
(Pursuant to Minn. Stat. §§ 325G.23-.28)



SECTION A: Club Information

Legal Name of Organization: _____

Mailing Address:	Physical Address:
_____	_____
Contact Person _____	Contact Person _____
Street Address _____	Street Address _____
City, State, and Zip Code _____	City, State, and Zip Code _____
Phone Number _____	Phone Number _____
Email Address _____	Email Address _____

1. Identify all names under which the club did business during the last year, and if the club changed its name during the last year, all former names (attach a list if more space is needed):

_____ d/b/a former name
_____ d/b/a former name

2. Did the majority owner of the club change during the last year? Yes No

2a. If "yes," identify the new majority owner of the club and the date of the ownership change:

3. Did any of the club's parents or subsidiaries change during the last year? Yes No

3a. If "yes," identify each new parent and subsidiary (attach a list if more space is needed):

_____ parent subsidiary
_____ parent subsidiary



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(Continued)

4. Identify each facility at which the club currently does business in Minnesota (attach a list if more space is needed):

Facility #1	Facility #2
<hr/> Manager/Contact Person <hr/> Street Address <hr/> City, State, and Zip Code <hr/> Phone Number	<hr/> Manager/Contact Person <hr/> Street Address <hr/> City, State, and Zip Code <hr/> Phone Number
Facility #3	Facility #4
<hr/> Manager/Contact Person <hr/> Street Address <hr/> City, State, and Zip Code <hr/> Phone Number	<hr/> Manager/Contact Person <hr/> Street Address <hr/> City, State, and Zip Code <hr/> Phone Number

SECTION B: Club Membership Information

5. Identify the minimum and maximum duration of membership programs offered by the club:

6. Identify the minimum and maximum price of membership programs offered by the club:

7. Identify the total number of current Minnesota members of the club: _____



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8. **Attach:** An exemplar copy of each version of all contracts, membership applications, membership agreements, terms of service, or other documents that the club enters into with members, or that govern the club's relationship with its members.

SECTION C: Outstanding Liabilities

9. Has the club in the past 12 months required or received prepayments¹ from members of more than \$50 for any of the membership programs it offers?

Yes No

9a. If you answered "no" to Question 9, skip Questions 10 to 14 and go to Question 15. If you answered "yes" to Question 9, identify the minimum and maximum prepayment that the club requires or receives for any of the membership programs it offers, and then answer Questions 10 to 14.

10. Identify the club's total outstanding liabilities² to members and the date on which the club's total outstanding liabilities to members were calculated:

Club's Total Outstanding Liabilities to Members: _____

Date Total Outstanding Liabilities Was Calculated: _____

11. **Attach:** A financial statement prepared using generally accepted accounting principles that reflects the club's total outstanding liabilities to its members.

11a. Is the attached financial statement executed under penalty of perjury by two officers of the club?

Yes—Complete Question 12.

No—Submit a financial statement that is executed under penalty of perjury by two officers.

¹ Under Minnesota law, "prepayments" are any payment made before the service is rendered or the goods are received, including any service fee, application fee, administrative fee, enrollment fee, maintenance fee, or similar fee no matter how the fee is denominated.

² Under Minnesota law, "outstanding liabilities" means the total amount of prepayments actually received from club members, less the amount prorated over the duration of any contract for services rendered by the club.



2023 CLUB REGISTRATION RENEWAL (Continued)

12. Does the club plan to meet the financial security requirements of Minnesota Statutes section 325G.27 by filing a surety bond or surety bond continuation certificate, or is it providing an alternative form of security?

[] By filing a surety bond or surety bond continuation certificate—Answer Question 13.

[] By filing an alternative form of security—Skip Question 13 and answer Question 14.

13. Attach: The form “Surety Bond of Health, Dating, or Buying Club” or an equivalent surety bond containing the same information—or proof of continuation of a previous such surety bond in the form of a continuation certificate—in an amount not less than the club’s total outstanding liabilities.

13a. I certify that I have informed the bonding company that it must provide the Minnesota Attorney General’s Office with written notice of cancellation or termination of the surety bond at least 30-days prior to the date of such cancellation or termination.

[] Yes [] No

13b. Does the copy of the attached surety bond or continuation certificate identify the surety’s name, address, the amount of the bond, the date it was issued/renewed, and the date it expires?

[] Yes [] No

13c. If you answered “yes” to Question 13b, you may skip this question and go to Section D. If you answered “no,” provide the following information about the surety bond or continuation certificate:

Surety’s name and address: _____

Amount of surety bond: _____

Date surety bond was issued/renewed: _____

Date surety bond expires: _____

14. Attach: If the club did not enclose a surety bond or continuation certificate with this registration renewal pursuant to Questions 12 and 13, attach the form entitled “Club Statement of Alternative Form of Security.”

15. Attach: If the club does not require or receive any prepayments from members and thus did not have to answer Questions 10 to 14, attach a copy of the form “Club Application for Exemption from Surety Bond Requirement,” signed under oath.



2023 CLUB REGISTRATION RENEWAL
(Continued)

SECTION D: Certification

I am authorized to submit this Club Registration Renewal form on behalf of _____ . I certify that the information contained in this Club Registration Renewal form, and the documents included with the form, are complete, true, and correct. I acknowledge that am required to notify the Attorney General’s Office of any change in the information provided in this form.

Signature

Name and Title (please print)

Date

Subscribed and sworn to before me this

_____ day of _____, 20_____

Notary Public