

25.1

**ARTICLE 2**

25.2

**LABOR AND INDUSTRY**

25.3 Section 1. Minnesota Statutes 2020, section 13.7905, is amended by adding a subdivision  
25.4 to read:

25.5 Subd. 8. **Data on individuals who are minors.** Disclosure of data on minors is governed  
25.6 by section 181A.112.

156.4

**ARTICLE 8**

156.5

**LABOR AND INDUSTRY POLICY**

156.6 Section 1. Minnesota Statutes 2020, section 13.7905, subdivision 6, is amended to read:

156.7 Subd. 6. **Occupational safety and health.** (a) Certain data gathered or prepared by the  
156.8 commissioner of labor and industry as part of occupational safety and health inspections or  
156.9 reports are classified under sections 182.659, subdivision 8, 182.663, subdivision 4, and  
156.10 182.668, subdivision 2.

156.11 (b) Certain data gathered or prepared by the commissioner of labor and industry as part  
156.12 of occupational safety and health citations are classified under section 182.66, subdivision  
156.13 4.

156.14 Sec. 2. Minnesota Statutes 2020, section 13.7905, is amended by adding a subdivision to  
156.15 read:

156.16 Subd. 8. **Data on individuals who are minors.** Disclosure of data on minors is governed  
156.17 by section 181A.112.

156.18 Sec. 3. Minnesota Statutes 2020, section 177.24, is amended by adding a subdivision to  
156.19 read:

156.20 Subd. 3a. **Gratuities; credit cards or charges.** (a) Gratuities received by an employee  
156.21 through a debit, charge, or credit card payment shall be credited to that pay period in which  
156.22 they are received by the employee.

156.23 (b) Where a gratuity is received by an employee through a debit, charge, or credit card  
156.24 payment, the full amount of gratuity indicated in the payment must be distributed to the  
156.25 employee for the pay period in which it is received and no later than the next scheduled pay  
156.26 period.

156.27 **EFFECTIVE DATE.** This section is effective August 1, 2021.

156.28 Sec. 4. Minnesota Statutes 2020, section 177.27, subdivision 4, is amended to read:

156.29 Subd. 4. **Compliance orders.** The commissioner may issue an order requiring an  
156.30 employer to comply with sections 177.21 to 177.435, 181.02, 181.03, 181.031, 181.032,  
157.1 181.101, 181.11, 181.13, 181.14, 181.145, 181.15, 181.172, paragraph (a) or (d), 181.275,  
157.2 subdivision 2a, 181.722, 181.79, ~~and~~ 181.939 to 181.943, and 181.987, or with any rule  
157.3 promulgated under section 177.28. The commissioner shall issue an order requiring an  
157.4 employer to comply with sections 177.41 to 177.435 or 181.987 if the violation is repeated.  
157.5 For purposes of this subdivision only, a violation is repeated if at any time during the two  
157.6 years that preceded the date of violation, the commissioner issued an order to the employer  
157.7 for violation of sections 177.41 to 177.435 or 181.987 and the order is final or the  
157.8 commissioner and the employer have entered into a settlement agreement that required the  
157.9 employer to pay back wages that were required by sections 177.41 to 177.435. The

25.7 Sec. 2. Minnesota Statutes 2020, section 178.012, subdivision 1, is amended to read:

25.8 Subdivision 1. **Apprenticeship rules.** Federal regulations governing apprenticeship in  
 25.9 effect on ~~July 1, 2013~~ January 18, 2017, as provided by Code of Federal Regulations, title  
 25.10 29, ~~part~~ parts 29, sections 29.1 to 29.6 and 29.11, and 30 are the apprenticeship rules in this  
 25.11 state, subject to amendment by this chapter or by rule under section 178.041.

157.10 department shall serve the order upon the employer or the employer's authorized  
 157.11 representative in person or by certified mail at the employer's place of business. An employer  
 157.12 who wishes to contest the order must file written notice of objection to the order with the  
 157.13 commissioner within 15 calendar days after being served with the order. A contested case  
 157.14 proceeding must then be held in accordance with sections 14.57 to 14.69. If, within 15  
 157.15 calendar days after being served with the order, the employer fails to file a written notice  
 157.16 of objection with the commissioner, the order becomes a final order of the commissioner.

157.17 **EFFECTIVE DATE.** This section is effective October 15, 2021.

157.18 Sec. 5. Minnesota Statutes 2020, section 178.012, subdivision 1, is amended to read:

157.19 Subdivision 1. **Apprenticeship rules.** Federal regulations governing apprenticeship in  
 157.20 effect on ~~July 1, 2013~~ January 18, 2017, as provided by Code of Federal Regulations, title  
 157.21 29, ~~part~~ parts 29, sections 29.1 to 29.6 and 29.11, and 30, are the apprenticeship rules in  
 157.22 this state, subject to amendment by this chapter or by rule under section 178.041.

157.23 Sec. 6. Minnesota Statutes 2020, section 179A.10, subdivision 2, is amended to read:

157.24 Subd. 2. **State employees.** Unclassified employees, unless otherwise excluded, are  
 157.25 included within the units which include the classifications to which they are assigned for  
 157.26 purposes of compensation. Supervisory employees shall only be assigned to units 12 ~~and~~  
 157.27 16, and 18. The following are the appropriate units of executive branch state employees:

- 157.28 (1) law enforcement unit;
- 157.29 (2) craft, maintenance, and labor unit;
- 157.30 (3) service unit;
- 157.31 (4) health care nonprofessional unit;
- 157.32 (5) health care professional unit;
- 158.1 (6) clerical and office unit;
- 158.2 (7) technical unit;
- 158.3 (8) correctional guards unit;
- 158.4 (9) state university instructional unit;
- 158.5 (10) state college instructional unit;
- 158.6 (11) state university administrative unit;
- 158.7 (12) professional engineering unit;
- 158.8 (13) health treatment unit;
- 158.9 (14) general professional unit;

- 158.10 (15) professional state residential instructional unit;
- 158.11 (16) supervisory employees unit; ~~and~~
- 158.12 (17) public safety radio communications operator unit; and
- 158.13 (18) law enforcement supervisors unit.

158.14 Each unit consists of the classifications or positions assigned to it in the schedule of  
 158.15 state employee job classification and positions maintained by the commissioner. The  
 158.16 commissioner may only make changes in the schedule in existence on the day prior to  
 158.17 August 1, 1984, as required by law or as provided in subdivision 4.

158.18 Sec. 7. Minnesota Statutes 2020, section 179A.10, subdivision 3, is amended to read:

158.19 Subd. 3. **State employee severance.** Each of the following groups of employees has the  
 158.20 right, as specified in this subdivision, to separate from the general professional, health  
 158.21 treatment, or general supervisory units provided for in subdivision 2: attorneys, physicians,  
 158.22 and professional employees of the Minnesota Office of Higher Education who are  
 158.23 compensated under section 43A.18, subdivision 4, State Patrol supervisors, enforcement  
 158.24 supervisors employed by the Department of Natural Resources, and criminal apprehension  
 158.25 investigative supervisors. This right must be exercised by petition during the 60-day period  
 158.26 commencing 270 days prior to the termination of a contract covering the units. If one of  
 158.27 these groups of employees exercises the right to separate from the units they have no right  
 158.28 to meet and negotiate, but retain the right to meet and confer with the commissioner of  
 158.29 management and budget and with the appropriate appointing authority on any matter of  
 158.30 concern to them. The right to separate must be exercised as follows: An employee  
 158.31 organization or group of employees claiming that a majority of any one of these groups of  
 159.1 employees on a statewide basis wish to separate from their units may petition the  
 159.2 commissioner for an election during the petitioning period. If the petition is supported by  
 159.3 a showing of at least 30 percent support for the petitioner from the employees, the  
 159.4 commissioner shall hold an election to ascertain the wishes of the majority with respect to  
 159.5 the issue of remaining within or severing from the units provided in subdivision 2. This  
 159.6 election must be conducted within 30 days of the close of the petition period. If a majority  
 159.7 of votes cast endorse severance from the unit in favor of separate meet and confer status  
 159.8 for any one of these groups of employees, the commissioner shall certify that result. This  
 159.9 election, where not inconsistent with other provisions of this section, is governed by section  
 159.10 179A.12. If a group of employees elects to sever, the group may rejoin that unit by following  
 159.11 the same procedures specified above for severance, but may only do so during the periods  
 159.12 provided for severance.

25.12 Sec. 3. Minnesota Statutes 2020, section 181.032, is amended to read:

25.13 **181.032 REQUIRED STATEMENT OF EARNINGS BY EMPLOYER; NOTICE**  
25.14 **TO EMPLOYEE.**

25.15 (a) At the end of each pay period, the employer shall provide each employee an earnings  
25.16 statement, either in writing or by electronic means, covering that pay period. An employer  
25.17 who chooses to provide an earnings statement by electronic means must provide employee  
25.18 access to an employer-owned computer during an employee's regular working hours to  
25.19 review and print earnings statements.

25.20 (b) The earnings statement may be in any form determined by the employer but must  
25.21 include:

25.22 (1) the name of the employee;

25.23 (2) the rate or rates of pay and basis thereof, including whether the employee is paid by  
25.24 hour, shift, day, week, salary, piece, commission, or other method;

25.25 (3) allowances, if any, claimed pursuant to permitted meals and lodging;

25.26 (4) the total number of hours worked by the employee unless exempt from chapter 177;

25.27 (5) the total amount of gross pay earned by the employee during that period;

25.28 (6) a list of deductions made from the employee's pay;

25.29 (7) the net amount of pay after all deductions are made;

25.30 (8) the date on which the pay period ends;

26.1 (9) the legal name of the employer and the operating name of the employer if different  
26.2 from the legal name;

26.3 (10) the physical address of the employer's main office or principal place of business,  
26.4 and a mailing address if different; and

26.5 (11) the telephone number of the employer.

26.6 (c) An employer must provide earnings statements to an employee in writing, rather  
26.7 than by electronic means, if the employer has received at least 24 hours notice from an  
26.8 employee that the employee would like to receive earnings statements in written form. Once  
26.9 an employer has received notice from an employee that the employee would like to receive  
26.10 earnings statements in written form, the employer must comply with that request on an  
26.11 ongoing basis.

26.12 (d) ~~At the start of employment~~ On or before the date an employer provides an employee  
26.13 with the employee's first earnings statement, an employer shall provide each employee a  
26.14 ~~written~~ notice, either in writing or by electronic means, containing the following information:

- 26.15 (1) the rate or rates of pay and basis thereof, including whether the employee is paid by  
26.16 the hour, shift, day, week, salary, piece, commission, or other method, and the specific  
26.17 application of any additional rates, as well as any pay schedule or range of pay for an  
26.18 employee who is reasonably expected to move between job duties, classifications, and pay  
26.19 or benefit structures in their day-to-day duties;
- 26.20 (2) allowances, if any, claimed pursuant to permitted meals and lodging;
- 26.21 (3) paid vacation, sick time, or other paid time-off accruals and terms of use;
- 26.22 (4) the employee's employment status and whether the employee is exempt from minimum  
26.23 wage, overtime, and other provisions of chapter 177, and on what basis;
- 26.24 (5) a list of deductions that may be made from the employee's pay;
- 26.25 (6) the number of days in the pay period, the regularly scheduled pay day, and the pay  
26.26 day on which the employee will receive the first payment of wages earned;
- 26.27 (7) the legal name of the employer and the operating name of the employer if different  
26.28 from the legal name;
- 26.29 (8) the physical address of the employer's main office or principal place of business, and  
26.30 a mailing address if different; ~~and~~
- 26.31 (9) the telephone number of the employer; and
- 27.1 (10) a checkbox to indicate whether a hiring employer is a staffing agency and space  
27.2 for a staffing agency to indicate the initial entity for which the employee will perform work.
- 27.3 (e) The employer must keep a copy of the notice under paragraph (d) signed by each  
27.4 employee acknowledging receipt of the notice. An employee's signature on the notice  
27.5 constitutes acknowledgment of receipt of the notice and does not create a contract. For the  
27.6 purposes of this paragraph, "signed" means a written signature or an electronic signature  
27.7 as defined in section 325L.02. The notice must be provided to each employee in English.  
27.8 The English version of the notice must include text provided by the commissioner that  
27.9 informs employees that they may request, by indicating on the form, the notice be provided  
27.10 in a particular language. If requested, the employer shall provide the notice in the language  
27.11 requested by the employee. The commissioner shall make available to employers the text  
27.12 to be included in the English version of the notice required by this section and assist  
27.13 employers with translation of the notice in the languages requested by their employees.
- 27.14 (f) The notice requirement under paragraph (d) is satisfied for an employee if the  
27.15 employee has received all of the information required in paragraph (d) specific to the  
27.16 employee through a collective bargaining agreement, employee handbook, offer letter, or  
27.17 a combination of those documents. In such an instance, the employer must retain a record  
27.18 or listing of the referenced documents that satisfied the notice requirement in paragraph (d).

27.19 (g) An employer must provide the employee any ~~written~~ changes to the information  
27.20 contained in the notice under paragraph (d) ~~prior to the~~, either in writing or by electronic  
27.21 means, by the date of the employee's next earnings statement following the date the changes  
27.22 take effect. The notice of changes to information under this paragraph does not require a  
27.23 signature by the employee acknowledging receipt. The requirements of this paragraph are  
27.24 satisfied if the changes to information are contained on the employee's next earnings  
27.25 statement.

27.26 (h) Notice is not required under paragraph (g) to an employee for discretionary pay. For  
27.27 the purposes of this section, "discretionary pay" means compensation paid by the employer  
27.28 for which the amount and timing are not disclosed in advance by the employer and are at  
27.29 the employer's sole discretion.

27.30 (i) Notice is not required under paragraph (g) to an employee employed by a staffing  
27.31 agency upon subsequent job placements following the initial placement by the staffing  
27.32 agency.

27.33 (j) The commissioner shall issue a written warning to an employer upon the first finding  
27.34 of a violation or violations of the notice requirements found in paragraphs (d) to (g). For  
28.1 purposes of this paragraph, discovery by the commissioner of more than one violation of  
28.2 the notice requirements under paragraphs (d) to (g) at the same employer during the same  
28.3 investigation shall be considered a single violation.

28.4 Sec. 4. Minnesota Statutes 2020, section 181.101, is amended to read:

28.5 **181.101 WAGES; HOW OFTEN PAID.**

28.6 (a) Except as provided in paragraph (b), every employer must pay all wages, including  
28.7 salary, earnings, and gratuities earned by an employee at least once every 31 days and all  
28.8 commissions earned by an employee at least once every three months, on a regular payday  
28.9 designated in advance by the employer regardless of whether the employee requests payment  
28.10 at longer intervals. Unless paid earlier, the wages earned during the first half of the first  
28.11 31-day pay period become due on the first regular payday following the first day of work.  
28.12 If wages or commissions earned are not paid, the commissioner of labor and industry or the  
28.13 commissioner's representative may serve a demand for payment on behalf of an employee.  
28.14 In addition to other remedies under section 177.27, if payment of wages is not made within  
28.15 ten days of service of the demand, the commissioner may charge and collect the wages  
28.16 earned at the employee's rate or rates of pay or at the rate or rates required by law, including  
28.17 any applicable statute, regulation, rule, ordinance, government resolution or policy, contract,  
28.18 or other legal authority, whichever rate of pay is greater, and a penalty in the amount of the  
28.19 employee's average daily earnings at the same rate or rates, not exceeding 15 days in all,  
28.20 for each day beyond the ten-day limit following the demand. If payment of commissions is  
28.21 not made within ten days of service of the demand, the commissioner may charge and collect  
28.22 the commissions earned and a penalty equal to 1/15 of the commissions earned but unpaid,  
28.23 not exceeding 15 days in all, for each day beyond the ten-day limit. Money collected by the  
28.24 commissioner must be paid to the employee concerned. This section does not prevent an

28.25 employee from prosecuting a claim for wages. This section does not prevent a school district,  
 28.26 other public school entity, or other school, as defined under section 120A.22, from paying  
 28.27 any wages earned by its employees during a school year on regular paydays in the manner  
 28.28 provided by an applicable contract or collective bargaining agreement, or a personnel policy  
 28.29 adopted by the governing board. For purposes of this section, "employee" includes a person  
 28.30 who performs agricultural labor as defined in section 181.85, subdivision 2. For purposes  
 28.31 of this section, wages are earned on the day an employee works. This section provides a  
 28.32 substantive right for employees to the payment of wages, including salary, earnings, and  
 28.33 gratuities, as well as commissions, in addition to the right to be paid at certain times.

29.1 (b) An employer of a volunteer firefighter, as defined in section 424A.001, subdivision  
 29.2 10, a member of an organized first responder squad that is formally recognized by a political  
 29.3 subdivision in the state, or a volunteer ambulance driver or attendant must pay all wages  
 29.4 earned by the volunteer firefighter, first responder, or volunteer ambulance driver or attendant  
 29.5 at least once every 31 days, unless the employer and the employee mutually agree upon  
 29.6 payment at longer intervals.

159.13 Sec. 8. Minnesota Statutes 2020, section 181.53, is amended to read:

159.14 **181.53 CONDITIONS PRECEDENT TO EMPLOYMENT NOT REQUIRED.**

159.15 (a) No person, whether acting directly or through an agent, or as the agent or employee  
 159.16 of another, shall require as a condition precedent to employment any written statement as  
 159.17 to the participation of the applicant in a strike, or as to a personal record, for more than one  
 159.18 year immediately preceding the date of application; nor shall any person, acting in any of  
 159.19 these capacities, use or require blanks or forms of application for employment in  
 159.20 contravention of this section. Nothing in this section precludes an employer from requesting  
 159.21 or considering an applicant's criminal history pursuant to section 364.021 or other applicable  
 159.22 law.

159.23 (b) Except as provided in paragraph (c), no person or employer, whether acting directly  
 159.24 or through an agent, shall seek to obtain; require consent to a request for; or use an employee  
 159.25 or prospective employee's credit information, including the employee or prospective  
 159.26 employee's credit score, credit history, credit account balances, payment history, savings  
 159.27 or checking account balances, or savings or checking account numbers:

159.28 (1) as a condition precedent to employment;

159.29 (2) as a basis for hiring, compensation, or any other term, privilege, or condition of  
 159.30 employment; or

159.31 (3) as a basis for discharge or any other adverse employment action.

159.32 (c) Paragraph (b) does not apply if:

- 159.33 (1) the information sought is required by a state or federal law or regulation;
- 160.1 (2) the employer or prospective employer is a financial institution or a credit union;
- 160.2 (3) the employer or prospective employer has a bona fide business purpose for requesting
- 160.3 the information that is substantially related to the employee or prospective employee's
- 160.4 position; or
- 160.5 (4) the employee or prospective employee's position;
- 160.6 (i) is a managerial position that involves setting the financial direction or control of the
- 160.7 employer or prospective employer;
- 160.8 (ii) involves routine access to confidential financial and personal information, other than
- 160.9 information customarily provided in a routine retail transaction;
- 160.10 (iii) involves regular access to cash totaling \$10,000 or more of the employer, the
- 160.11 prospective employer, a customer, or a client;
- 160.12 (iv) is a peace officer; or
- 160.13 (v) requires a financial fiduciary responsibility to the employer, the prospective employer,
- 160.14 a customer, or a client, including the authority to issue payments, collect debts, transfer
- 160.15 money, or enter into contracts.
- 160.16 (d) In addition to any remedies otherwise provided by law, an employee or prospective
- 160.17 employee injured by a violation of paragraph (b) may bring a civil action to recover any
- 160.18 and all damages recoverable at law, together with costs and disbursements, including
- 160.19 reasonable attorney fees, and may receive such injunctive and other equitable relief as
- 160.20 determined by the court. If the district court determines that a violation of paragraph (b)
- 160.21 occurred, the court may order any appropriate relief, including but not limited to
- 160.22 reinstatement, back pay, restoration of lost service credit if appropriate, compensatory
- 160.23 damages, and the expungement of any adverse records of an employee or prospective
- 160.24 employee who was the subject of the alleged acts of misconduct.

29.7 Sec. 5. Minnesota Statutes 2020, section 181.939, is amended to read:

29.8 **181.939 NURSING MOTHERS, LACTATING EMPLOYEES, AND PREGNANCY**

29.9 **ACCOMMODATIONS.**

29.10 Subdivision 1. Nursing mothers. (a) An employer must provide reasonable unpaid

29.11 break time times each day to an employee who needs to express breast milk for her infant

29.12 child during the twelve months following the birth of the child. The break time must, if

29.13 possible, run concurrently with any break time times already provided to the employee. An

29.14 employer is not required to provide break time times under this section if to do so would

29.15 unduly disrupt the operations of the employer. An employer shall not reduce an employee's

29.16 compensation for time used for the purpose of expressing milk.

160.25 Sec. 9. Minnesota Statutes 2020, section 181.939, is amended to read:

160.26 **181.939 NURSING MOTHERS, LACTATING EMPLOYEES, AND PREGNANCY**

160.27 **ACCOMMODATIONS.**

160.28 Subdivision 1. Nursing mothers. (a) An employer must provide reasonable unpaid

160.29 break time times each day to an employee who needs to express breast milk for her infant

160.30 child. The break time must, if possible, times may run concurrently with any break time

160.31 times already provided to the employee. An employer is not required to provide break time

160.32 under this section if to do so would unduly disrupt the operations of the employer. An

161.1 employer shall not reduce an employee's compensation for time used for the purpose of

161.2 expressing milk.



29.17 (b) The employer must make reasonable efforts to provide a room or other location, in  
 29.18 close proximity to the work area, other than a bathroom or a toilet stall, that is shielded from  
 29.19 view and free from intrusion from coworkers and the public and that includes access to an  
 29.20 electrical outlet, where the employee can express ~~her~~ milk in privacy. The employer would  
 29.21 be held harmless if reasonable effort has been made.

29.22 (c) For the purposes of this ~~section~~ subdivision, "employer" means a person or entity  
 29.23 that employs one or more employees and includes the state and its political subdivisions.

29.24 (d) An employer ~~may~~ shall not retaliate against an employee for asserting rights or  
 29.25 remedies under this ~~section~~ subdivision.

29.26 **Subd. 2. Pregnancy accommodations.** (a) An employer must provide reasonable  
 29.27 accommodations to an employee for health conditions related to pregnancy or childbirth  
 29.28 upon request, with the advice of a licensed health care provider or certified doula, unless  
 29.29 the employer demonstrates that the accommodation would impose an undue hardship on  
 29.30 the operation of the employer's business. A pregnant employee shall not be required to  
 29.31 obtain the advice of a licensed health care provider or certified doula, nor may an employer  
 29.32 claim undue hardship for the following accommodations: (1) more frequent restroom, food,  
 29.33 and water breaks; (2) seating; and (3) limits on lifting over 20 pounds. The employee and  
 30.1 employer shall engage in an interactive process with respect to an employee's request for a  
 30.2 reasonable accommodation. "Reasonable accommodation" may include but is not limited  
 30.3 to temporary transfer to a less strenuous or hazardous position, seating, frequent restroom  
 30.4 breaks, and limits to heavy lifting. Notwithstanding any other provision of this subdivision,  
 30.5 an employer shall not be required to create a new or additional position in order to  
 30.6 accommodate an employee pursuant to this subdivision and shall not be required to discharge  
 30.7 an employee, transfer another employee with greater seniority, or promote an employee.

30.8 (b) Nothing in this subdivision shall be construed to affect any other provision of law  
 30.9 relating to sex discrimination or pregnancy or in any way diminish the coverage of pregnancy,  
 30.10 childbirth, or health conditions related to pregnancy or childbirth under any other provisions  
 30.11 of any other law.

30.12 (c) An employer shall not require an employee to take a leave or accept an  
 30.13 accommodation.

30.14 (d) An employer shall not retaliate against an employee for asserting rights or remedies  
 30.15 under this subdivision.

30.16 (e) For the purposes of this subdivision, "employer" means a person or entity that employs  
 30.17 fifteen or more employees and includes the state and its political subdivisions.

30.18 **EFFECTIVE DATE.** This section is effective one year following enactment of this  
 30.19 section.

161.3 (b) The employer must make reasonable efforts to provide a room or other location, in  
 161.4 close proximity to the work area, other than a bathroom or a toilet stall, that is shielded from  
 161.5 view and free from intrusion from coworkers and the public and that includes access to an  
 161.6 electrical outlet, where the employee can express ~~her~~ milk in privacy. The employer would  
 161.7 be held harmless if reasonable effort has been made.

161.8 **Subd. 2. Pregnancy accommodations.** (a) An employer must provide reasonable  
 161.9 accommodations to an employee for health conditions related to pregnancy or childbirth  
 161.10 upon request, with the advice of a licensed health care provider or certified doula, unless  
 161.11 the employer demonstrates that the accommodation would impose an undue hardship on  
 161.12 the operation of the employer's business. A pregnant employee is not required to obtain the  
 161.13 advice of a licensed health care provider or certified doula, nor may an employer claim  
 161.14 undue hardship for the following accommodations: (1) more frequent restroom, food, and  
 161.15 water breaks; (2) seating; and (3) limits on lifting over 20 pounds. The employee and  
 161.16 employer shall engage in an interactive process with respect to an employee's request for a  
 161.17 reasonable accommodation. Reasonable accommodation may include but is not limited to  
 161.18 temporary transfer to a less strenuous or hazardous position, seating, frequent restroom  
 161.19 breaks, and limits to heavy lifting. Notwithstanding any other provision of this subdivision,  
 161.20 an employer is not required to create a new or additional position in order to accommodate  
 161.21 an employee pursuant to this subdivision and is not required to discharge an employee,  
 161.22 transfer another employee with greater seniority, or promote an employee.

161.23 (b) Nothing in this subdivision shall be construed to affect any other provision of law  
 161.24 relating to sex discrimination or pregnancy or in any way diminish the coverage of pregnancy,  
 161.25 childbirth, or health conditions related to pregnancy or childbirth under any other provisions  
 161.26 of any other law.

161.27 (c) An employer shall not require an employee to take a leave or accept an  
 161.28 accommodation.

161.32 **Subd. 4. No employer retribution.** ~~(d)~~ An employer ~~may~~ shall not retaliate against an  
 161.33 employee for asserting rights or remedies under this section.

161.29 **Subd. 3. Employer.** ~~(e)~~ For the purposes of this section, "employer" means a person or  
 161.30 entity that employs one or more employees and includes the state and its political  
 161.31 subdivisions.

162.1 Sec. 10. Minnesota Statutes 2020, section 181.940, subdivision 2, is amended to read:

162.2 Subd. 2. **Employee.** "Employee" means a person who performs services for hire for an  
162.3 employer from whom a leave is requested under sections 181.940 to 181.944 for:

162.4 (1) at least ~~12 months~~ 90 days preceding the request; and

162.5 (2) for an average number of hours per week equal to one-half the full-time equivalent  
162.6 position in the employee's job classification as defined by the employer's personnel policies  
162.7 or practices or pursuant to the provisions of a collective bargaining agreement, during the  
162.8 ~~12-month~~ 90-day period immediately preceding the leave.

162.9 Employee includes all individuals employed at any site owned or operated by the  
162.10 employer but does not include an independent contractor.

162.11 Sec. 11. Minnesota Statutes 2020, section 181.940, subdivision 3, is amended to read:

162.12 Subd. 3. **Employer.** "Employer" means a person or entity that employs ~~21~~ one or more  
162.13 employees ~~at at least one site, except that, for purposes of the school leave allowed under~~  
162.14 ~~section 181.9412, employer means a person or entity that employs one or more employees~~  
162.15 ~~in Minnesota. The term~~ and includes an individual, corporation, partnership, association,  
162.16 nonprofit organization, group of persons, state, county, town, city, school district, or other  
162.17 governmental subdivision.

162.18 Sec. 12. **[181.987] USE OF SKILLED AND TRAINED CONTRACTOR**  
162.19 **WORKFORCES AT OIL REFINERIES.**

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

162.22 (b) "Contractor" means a vendor that enters into or seeks to enter into a contract with  
162.23 an owner or operator of an oil refinery to perform construction, alteration, demolition,  
162.24 installation, repair, maintenance, or hazardous material handling work at the site of the oil  
162.25 refinery. Contractor includes all contractors or subcontractors of any tier performing work  
162.26 as described in this paragraph at the site of the oil refinery. Contractor does not include  
162.27 employees of the owner or operator of an oil refinery.

162.28 (c) "Registered apprenticeship program" means an apprenticeship program registered  
162.29 with the Department of Labor and Industry under chapter 178 or with the United States  
162.30 Department of Labor Office of Apprenticeship or a recognized state apprenticeship agency  
162.31 under Code of Federal Regulations, title 29, parts 29 and 30.

163.1 (d) "Skilled and trained workforce" means a workforce in which a minimum of 85 percent  
163.2 of the employees of the contractor or subcontractor of any tier working at the site of the oil  
163.3 refinery meet one of the following criteria:

163.4 (1) are currently registered as apprentices in a registered apprenticeship program in the  
163.5 applicable trade;

163.6 (2) have graduated from a registered apprenticeship program in the applicable trade; or

163.7 (3) have completed all of the classroom training and work hour requirements needed to  
163.8 graduate from the registered apprenticeship program their employer participates in.

163.9 Subd. 2. **Use of contractors by owner, operator; requirement.** (a) An owner or operator  
163.10 of an oil refinery shall, when contracting with contractors for the performance of construction,  
163.11 alteration, demolition, installation, repair, maintenance, or hazardous material handling  
163.12 work at the site of the oil refinery, require that the contractors performing that work, and  
163.13 any subcontractors of any tier, use a skilled and trained workforce when performing all  
163.14 work at the site of the oil refinery.

163.15 (b) The requirement under this subdivision applies only when each contractor and  
163.16 subcontractor of any tier is performing work at the site of the oil refinery.

163.17 Subd. 3. **Penalties.** The Division of Labor Standards shall receive complaints of violations  
163.18 of this section. The commissioner of labor and industry shall fine an owner, operator,  
163.19 contractor, or subcontractor of any tier not less than \$5,000 nor more than \$10,000 for each  
163.20 violation of the requirements in this section. Each shift on which a violation of this section  
163.21 occurs shall be considered a separate violation. This penalty is in addition to any penalties  
163.22 provided under section 177.27, subdivision 7. In determining the amount of a civil penalty  
163.23 under this subdivision, the appropriateness of the penalty to the size of the violator's business  
163.24 and the gravity of the violation shall be considered.

163.25 Subd. 4. **Civil actions.** A person injured by a violation of this section may bring a civil  
163.26 action for damages against an owner or operator of an oil refinery. The court may award to  
163.27 a prevailing plaintiff under this subdivision damages, attorney fees, costs, disbursements,  
163.28 and any other appropriate relief as otherwise provided by law.

163.29 **EFFECTIVE DATE.** This section is effective October 15, 2021.

163.30 Sec. 13. **[181A.112] DATA ON INDIVIDUALS WHO ARE MINORS.**

163.31 (a) When the commissioner collects, creates, receives, maintains, or disseminates the  
163.32 following data on individuals who the commissioner knows are minors, the data are  
164.1 considered private data on individuals, as defined in section 13.02, subdivision 12, except  
164.2 for data classified as public data according to section 13.43:

164.3 (1) name;

164.4 (2) date of birth;

164.5 (3) Social Security number;

164.6 (4) telephone number;

30.20 Sec. 6. **[181A.112] DATA ON INDIVIDUALS WHO ARE MINORS.**

30.21 (a) When the commissioner collects, creates, receives, maintains, or disseminates the  
30.22 following data on individuals who the commissioner knows are minors, the data are  
30.23 considered private data on individuals, as defined in section 13.02, subdivision 12, except  
30.24 for data classified as public data according to section 13.43:

30.25 (1) name;

30.26 (2) date of birth;

30.27 (3) Social Security number;

30.28 (4) telephone number;

- 30.29 (5) e-mail address;  
 30.30 (6) physical or mailing address;  
 30.31 (7) location data;  
 31.1 (8) online account access information; and  
 31.2 (9) other data that would identify participants who have registered for events, programs,  
 31.3 or classes sponsored by the Department of Labor and Industry.  
 31.4 (b) Data about minors classified under this section maintain their classification as private  
 31.5 data on individuals after the individual is no longer a minor.

31.6 Sec. 7. Minnesota Statutes 2020, section 182.666, subdivision 3, is amended to read:

- 31.7 Subd. 3. **Nonserious violations.** The commissioner shall issue a written warning to an  
 31.8 employer upon the first finding of a violation determined not to be of a serious nature.  
 31.9 Thereafter, any employer who has received a citation for a violation of its duties under  
 31.10 section 182.653, subdivisions 2 to 4, where the violation is specifically determined not to

- 164.7 (5) e-mail address;  
 164.8 (6) physical or mailing address;  
 164.9 (7) location data;  
 164.10 (8) online account access information; and  
 164.11 (9) other data that would identify participants who have registered for events, programs,  
 164.12 or classes sponsored by the Department of Labor and Industry.  
 164.13 (b) Data about minors classified under this section maintain their classification as private  
 164.14 data on individuals after the individual is no longer a minor.  
 164.15 Sec. 14. Minnesota Statutes 2020, section 182.66, is amended by adding a subdivision to  
 164.16 read:  
 164.17 Subd. 4. **Classification of citation data.** Notwithstanding section 13.39, subdivision 2,  
 164.18 the data in a written citation is classified as public as soon as the commissioner has received  
 164.19 confirmation that the employer has received the citation. All data in the citation is public,  
 164.20 including but not limited to the employer's name; the employer's address; the address of the  
 164.21 worksite; the date or dates of inspection; the date the citation was issued; the provision of  
 164.22 the act, standard, rule, or order alleged to have been violated; the severity level of the citation;  
 164.23 the description of the nature of the violation; the proposed abatement date; the proposed  
 164.24 penalty; and any abatement guidelines.  
 164.25 Sec. 15. Minnesota Statutes 2020, section 182.666, subdivision 1, is amended to read:  
 164.26 Subdivision 1. **Willful or repeated violations.** Any employer who willfully or repeatedly  
 164.27 violates the requirements of section 182.653, or any standard, rule, or order adopted under  
 164.28 the authority of the commissioner as provided in this chapter, may be assessed a fine not to  
 164.29 exceed ~~\$70,000~~ \$136,532 for each violation. The minimum fine for a willful violation is  
 164.30 ~~\$5,000~~ \$9,753.  
 165.1 Sec. 16. Minnesota Statutes 2020, section 182.666, subdivision 2, is amended to read:  
 165.2 Subd. 2. **Serious violations.** Any employer who has received a citation for a serious  
 165.3 violation of its duties under section 182.653, or any standard, rule, or order adopted under  
 165.4 the authority of the commissioner as provided in this chapter, shall be assessed a fine not  
 165.5 to exceed ~~\$7,000~~ \$13,653 for each violation. If a serious violation under section 182.653,  
 165.6 subdivision 2, causes or contributes to the death of an employee, the employer shall be  
 165.7 assessed a fine of up to \$25,000 for each violation.  
 165.8 Sec. 17. Minnesota Statutes 2020, section 182.666, subdivision 3, is amended to read:  
 165.9 Subd. 3. **Nonserious violations.** Any employer who has received a citation for a violation  
 165.10 of its duties under section 182.653, subdivisions 2 to 4, where the violation is specifically  
 165.11 determined not to be of a serious nature as provided in section 182.651, subdivision 12,  
 165.12 may be assessed a fine of up to ~~\$7,000~~ \$13,653 for each violation.

31.11 be of a serious nature as provided in section 182.651, subdivision 12, may be assessed a  
 31.12 fine of up to \$7,000 for each violation.

31.13 **EFFECTIVE DATE.** The amendments to this section are effective retroactively from  
 31.14 August 1, 2020, and expire the day following termination or rescission of any executive  
 31.15 order that requires mandatory wearing of face coverings as it relates to the infectious disease  
 31.16 known as COVID-19 and businesses closed or limited to ingress, egress, use, and occupancy  
 31.17 by members of the public pursuant to executive orders related to the infectious disease  
 31.18 known as COVID-19 are allowed to fully operate with no capacity limitations.

165.13 Sec. 18. Minnesota Statutes 2020, section 182.666, subdivision 4, is amended to read:

165.14 Subd. 4. **Failure to correct a violation.** Any employer who fails to correct a violation  
 165.15 for which a citation has been issued under section 182.66 within the period permitted for  
 165.16 its correction, which period shall not begin to run until the date of the final order of the  
 165.17 commissioner in the case of any review proceedings under this chapter initiated by the  
 165.18 employer in good faith and not solely for delay or avoidance of penalties, may be assessed  
 165.19 a fine of not more than ~~\$7,000~~ \$13,653 for each day during which the failure or violation  
 165.20 continues.

165.21 Sec. 19. Minnesota Statutes 2020, section 182.666, subdivision 5, is amended to read:

165.22 Subd. 5. **Posting violations.** Any employer who violates any of the posting requirements,  
 165.23 as prescribed under this chapter, except those prescribed under section 182.661, subdivision  
 165.24 3a, shall be assessed a fine of up to ~~\$7,000~~ \$13,653 for each violation.

165.25 Sec. 20. Minnesota Statutes 2020, section 182.666, is amended by adding a subdivision  
 165.26 to read:

165.27 Subd. 6a. **Increases for inflation.** (a) Each year, beginning in 2022, the commissioner  
 165.28 shall determine the percentage change in the Minneapolis-St. Paul-Bloomington, MN-WI,  
 165.29 Consumer Price Index for All Urban Consumers (CPI-U) from the month of October in the  
 165.30 preceding calendar year to the month of October in the current calendar year.

166.1 (b) The commissioner shall increase the fines in subdivisions 1 to 5, except for the fine  
 166.2 for a serious violation under section 182.653, subdivision 2, that causes or contributes to  
 166.3 the death of an employee, by the percentage change determined by the commissioner under  
 166.4 paragraph (a), if the percentage change is greater than zero. The fines shall be increased to  
 166.5 the nearest dollar.

166.6 (c) If the percentage change determined by the commissioner under paragraph (a) is not  
 166.7 greater than zero, the commissioner shall not change any of the fines in subdivisions 1 to  
 166.8 5.

166.9 (d) A fine increase under this subdivision takes effect on the next January 1 after the  
166.10 commissioner determines the percentage change under paragraph (a) and the increase applies  
166.11 to all fines assessed on or after the next January 1.

166.12 (e) No later than December 1 of each year, the commissioner shall give notice in the  
166.13 State Register of any increase to the fines in subdivisions 1, 2, 3, 4, and 5.

166.14 Sec. 21. **[299F.48] AUTOMATIC SPRINKLER SYSTEMS IN EXISTING**  
166.15 **HIGH-RISE BUILDINGS.**

166.16 Subdivision 1. **Requirements.** This section applies to an existing building in which at  
166.17 least one story used for human occupancy is 75 feet or more above the lowest level of fire  
166.18 department vehicle access. An automatic sprinkler system must be installed in those portions  
166.19 of the entire existing building in which an automatic sprinkler system would be required if  
166.20 the building were constructed on the effective date of this section. The automatic sprinkler  
166.21 system must comply with standards in the State Fire Code and the State Building Code and  
166.22 must be fully operational by August 1, 2033.

166.23 Subd. 2. **Exemptions.** (a) Subdivision 1 does not apply to:

166.24 (1) a monument or war memorial that is included in the National Register of Historic  
166.25 Places or the state register of historic places;

166.26 (2) an airport control tower or control room;

166.27 (3) an open parking structure;

166.28 (4) a building used for agricultural purposes;

166.29 (5) a residential building in which at least 70 percent of the dwelling units are owner  
166.30 occupied;

166.31 (6) elevator equipment rooms and elevator shafts;

167.1 (7) electric generation and distribution facilities operated by a public utility, a municipal  
167.2 utility, or a cooperative electric association;

167.3 (8) areas utilized for surgery, surgical recovery, emergency backup power systems, and  
167.4 electrical closets within facilities licensed by the Department of Health; or

167.5 (9) a manufacturing facility that is required to meet the fire safety standards adopted by  
167.6 the Occupational Safety and Health Administration in Code of Federal Regulations, title  
167.7 29, part 1910, subpart L.

167.8 (b) Subdivision 1 does not apply to an area used exclusively for telecommunications  
167.9 equipment and associated generator and power equipment and under exclusive control of  
167.10 a telecommunications provider if:

167.11 (1) the area is separated from the remainder of the building by construction equivalent  
 167.12 to a one-hour fire resistant wall and two-hour floor and ceiling assemblies; and

167.13 (2) the area has an automatic fire detection and alarm system that complies with standards  
 167.14 in the State Fire Code and State Building Code.

167.15 Subd. 3. **Reporting.** By August 1, 2023, the owner of a building subject to subdivision  
 167.16 1 shall submit to the state fire marshal a letter stating the owner's intent to comply with this  
 167.17 section and a plan for achieving compliance by the deadline in subdivision 1.

167.18 Subd. 4. **Extensions.** The commissioner, or the state fire marshal as the commissioner's  
 167.19 designee, may grant extensions to the deadline for reporting under subdivision 3 or the  
 167.20 deadline for compliance under subdivision 1. Any extension must observe the spirit and  
 167.21 intent of this section and be tailored to ensure public welfare and safety. To be eligible for  
 167.22 an extension, the building owner must apply to the commissioner and demonstrate a genuine  
 167.23 inability to comply within the time prescribed despite appropriate effort to do so.

167.24 Subd. 5. **Rules.** The commissioner may adopt rules to implement this section.

167.25 Subd. 6. **Working group.** The commissioner may appoint a working group to advise  
 167.26 the commissioner on the implementation of this section, including the adoption of rules,  
 167.27 and to advise the commissioner on applications for extensions. If appointed, a working  
 167.28 group must include a representative from: the state fire marshal's office, the Department of  
 167.29 Administration, the Minnesota State Fire Chiefs Association, a chapter of the Minnesota  
 167.30 Building Owners and Managers Association, the Minneapolis Public Housing Authority,  
 167.31 the Minnesota Multi Housing Association, the Minnesota Hotel and Motel Association, the  
 167.32 Fire Marshals Association of Minnesota, professional engineers or licensed architects, a  
 168.1 municipal water authority of a city of the first class, a national association of fire sprinkler  
 168.2 contractors, and a resident of a building subject to subdivision 1.

168.3 Subd. 7. **Effect on other laws.** This section does not supersede the State Building Code  
 168.4 or State Fire Code.

168.5 Sec. 22. Minnesota Statutes 2020, section 299F.50, is amended by adding a subdivision  
 168.6 to read:

168.7 Subd. 11. **Hotel.** "Hotel" means any building, or portion thereof, containing 20 or more  
 168.8 guest rooms intended or designed to be used, or which are used, rented, or hired out to be  
 168.9 occupied, or which are occupied for sleeping purposes by guests, and which is not primarily  
 168.10 occupied by the property owner nor other renters.

168.11 Sec. 23. Minnesota Statutes 2020, section 299F.51, subdivision 1, is amended to read:

168.12 Subdivision 1. **Generally.** (a) Every ~~single family~~ single-family dwelling and every  
 168.13 dwelling unit in a multifamily dwelling must have an approved and operational carbon  
 168.14 monoxide alarm installed within ten feet of each room lawfully used for sleeping purposes.

168.15 (b) Every guest room in a hotel must have an approved and operational carbon monoxide  
168.16 alarm installed in each room lawfully used for sleeping purposes.

168.17 Sec. 24. Minnesota Statutes 2020, section 299F.51, subdivision 2, is amended to read:

168.18 Subd. 2. **Owner's duties.** (a) The owner of a multifamily dwelling unit which is required  
168.19 to be equipped with one or more approved carbon monoxide alarms must:

168.20 (1) provide and install one approved and operational carbon monoxide alarm within ten  
168.21 feet of each room lawfully used for sleeping; and

168.22 (2) replace any required carbon monoxide alarm that has been stolen, removed, found  
168.23 missing, or rendered inoperable during a prior occupancy of the dwelling unit and which  
168.24 has not been replaced by the prior occupant prior to the commencement of a new occupancy  
168.25 of a dwelling unit.

168.26 (b) The owner of a hotel which is required to be equipped with one or more approved  
168.27 carbon monoxide alarms must:

168.28 (1) provide and install one approved and operational carbon monoxide alarm in each  
168.29 room lawfully used for sleeping; and

169.1 (2) replace any required carbon monoxide alarm that has been stolen, removed, found  
169.2 missing, or rendered inoperable during a prior occupancy and which has not been replaced  
169.3 by the prior occupant prior to the commencement of a new occupancy of a hotel guest room.

169.4 Sec. 25. Minnesota Statutes 2020, section 299F.51, subdivision 5, is amended to read:

169.5 Subd. 5. **Exceptions; certain multifamily dwellings and state-operated facilities.** (a)  
169.6 In lieu of requirements of subdivision 1, multifamily dwellings may have approved and  
169.7 operational carbon monoxide ~~alarms~~ detectors installed between 15 and 25 feet of carbon  
169.8 monoxide-producing central fixtures and equipment, provided there is a centralized alarm  
169.9 system or other mechanism for responsible parties to hear the alarm at all times.

169.10 (b) An owner of a multifamily dwelling that contains minimal or no sources of carbon  
169.11 monoxide may be exempted from the requirements of subdivision 1, provided that such  
169.12 owner certifies to the commissioner of public safety that such multifamily dwelling poses  
169.13 no foreseeable carbon monoxide risk to the health and safety of the dwelling units.

169.14 (c) The requirements of this section do not apply to facilities owned or operated by the  
169.15 state of Minnesota.

169.16 Sec. 26. Minnesota Statutes 2020, section 299F.51, is amended by adding a subdivision  
169.17 to read:

169.18 Subd. 6. **Safety warning.** A first violation of this section shall not result in a penalty,  
169.19 but is punishable by a safety warning. A second or subsequent violation is a petty  
169.20 misdemeanor.



31.19 Sec. 8. Minnesota Statutes 2020, section 326B.07, subdivision 1, is amended to read:

31.20 Subdivision 1. **Membership.** (a) The Construction Codes Advisory Council consists of

31.21 the following members:

31.22 (1) the commissioner or the commissioner's designee representing the department's

31.23 Construction Codes and Licensing Division;

31.24 (2) the commissioner of public safety or the commissioner of public safety's designee

31.25 representing the Department of Public Safety's State Fire Marshal Division;

31.26 (3) one member, appointed by the commissioner, with expertise in and engaged in each

31.27 of the following occupations or industries:

31.28 (i) certified building officials;

31.29 (ii) fire chiefs or fire marshals;

31.30 (iii) licensed architects;

32.1 (iv) licensed professional engineers;

32.2 (v) commercial building owners and managers;

32.3 (vi) the licensed residential building industry;

32.4 (vii) the commercial building industry;

32.5 (viii) the heating and ventilation industry;

32.6 (ix) a member of the Plumbing Board;

32.7 (x) a member of the Board of Electricity;

32.8 (xi) a member of the Board of High Pressure Piping Systems;

32.9 (xii) the boiler industry;

32.10 (xiii) the manufactured housing industry;

32.11 (xiv) public utility suppliers;

32.12 (xv) the Minnesota Building and Construction Trades Council; ~~and~~

32.13 (xvi) local units of government-;

32.14 (xvii) the energy conservation industry; and

32.15 (xviii) building accessibility.

32.16 (b) The commissioner or the commissioner's designee representing the department's

32.17 Construction Codes and Licensing Division shall serve as chair of the advisory council. For

32.18 members who are not state officials or employees, compensation and removal of members

169.21 Sec. 27. Minnesota Statutes 2020, section 326B.07, subdivision 1, is amended to read:

169.22 Subdivision 1. **Membership.** (a) The Construction Codes Advisory Council consists of

169.23 the following members:

169.24 (1) the commissioner or the commissioner's designee representing the department's

169.25 Construction Codes and Licensing Division;

169.26 (2) the commissioner of public safety or the commissioner of public safety's designee

169.27 representing the Department of Public Safety's State Fire Marshal Division;

169.28 (3) one member, appointed by the commissioner, engaged in each of the following

169.29 occupations or industries:

169.30 (i) certified building officials;

170.1 (ii) fire chiefs or fire marshals;

170.2 (iii) licensed architects;

170.3 (iv) licensed professional engineers;

170.4 (v) commercial building owners and managers;

170.5 (vi) the licensed residential building industry;

170.6 (vii) the commercial building industry;

170.7 (viii) the heating and ventilation industry;

170.8 (ix) a member of the Plumbing Board;

170.9 (x) a member of the Board of Electricity;

170.10 (xi) a member of the Board of High Pressure Piping Systems;

170.11 (xii) the boiler industry;

170.12 (xiii) the manufactured housing industry;

170.13 (xiv) public utility suppliers;

170.14 (xv) the Minnesota Building and Construction Trades Council; ~~and~~

170.15 (xvi) local units of government-;

170.16 (xvii) the energy conservation industry; and

170.17 (xviii) a building accessibility advocate.

170.18 (b) The commissioner or the commissioner's designee representing the department's

170.19 Construction Codes and Licensing Division shall serve as chair of the advisory council. For

170.20 members who are not state officials or employees, compensation and removal of members

32.19 of the advisory council are governed by section 15.059. The terms of the members of the  
 32.20 advisory council shall be four years. The terms of eight of the appointed members shall be  
 32.21 coterminous with the governor and the terms of the remaining nine appointed members  
 32.22 shall end on the first Monday in January one year after the terms of the other appointed  
 32.23 members expire. An appointed member may be reappointed. Each council member shall  
 32.24 appoint an alternate to serve in their absence.

170.21 of the advisory council are governed by section 15.059. The terms of the members of the  
 170.22 advisory council shall be four years. The terms of eight of the appointed members shall be  
 170.23 coterminous with the governor and the terms of the remaining nine appointed members  
 170.24 shall end on the first Monday in January one year after the terms of the other appointed  
 170.25 members expire. An appointed member may be reappointed. Each council member shall  
 170.26 appoint an alternate to serve in their absence.

171.1 Sec. 28. Minnesota Statutes 2020, section 326B.092, subdivision 7, is amended to read:

171.2 Subd. 7. **License fees and license renewal fees.** (a) The license fee for each license is  
 171.3 the base license fee plus any applicable board fee, continuing education fee, and contractor  
 171.4 recovery fund fee and additional assessment, as set forth in this subdivision.

171.5 (b) For purposes of this section, "license duration" means the number of years for which  
 171.6 the license is issued except that if the initial license is not issued for a whole number of  
 171.7 years, the license duration shall be rounded up to the next whole number.

171.8 (c) If there is a continuing education requirement for renewal of the license, then a  
 171.9 continuing education fee must be included in the renewal license fee. The continuing  
 171.10 education fee for all license classifications is \$5.

171.11 ~~(e)~~ (d) The base license fee shall depend on whether the license is classified as an entry  
 171.12 level, master, journeyworker, or business license, and on the license duration. The base  
 171.13 license fee shall be:

171.14	License Classification	License Duration	
171.15		1 year	2 years
171.16	Entry level	\$10	\$20
171.17	Journeyworker	\$20	\$40
171.18	Master	\$40	\$80
171.19	Business		\$180

171.20 ~~(d) If there is a continuing education requirement for renewal of the license, then a~~  
 171.21 ~~continuing education fee must be included in the renewal license fee. The continuing~~  
 171.22 ~~education fee for all license classifications shall be: \$10 if the renewal license duration is~~  
 171.23 ~~one year; and \$20 if the renewal license duration is two years.~~

171.24 (e) If the license is issued under sections 326B.31 to 326B.59 or 326B.90 to 326B.925,  
 171.25 then a board fee must be included in the license fee and the renewal license fee. The board  
 171.26 fee for all license classifications shall be: \$4 if the license duration is one year; and \$8 if  
 171.27 the license duration is two years.

171.28 (f) If the application is for the renewal of a license issued under sections 326B.802 to  
 171.29 326B.885, then the contractor recovery fund fee required under section 326B.89, subdivision  
 171.30 3, and any additional assessment required under section 326B.89, subdivision 16, must be  
 171.31 included in the license renewal fee.

171.32 (g) Notwithstanding the fee amounts described in paragraphs ~~(e)~~ (d) to (f), for the period  
 171.33 ~~July 1, 2017~~ October 1, 2021, through September 30, ~~2021~~ 2023, the following fees apply:

172.1	License Classification	License Duration	
172.2		1 year	2 years
172.3	Entry level	\$10	\$20
172.4	Journeyworker	\$15	\$30
172.5	Master	\$30	\$60
172.6	Business		\$120

172.7 ~~If there is a continuing education requirement for renewal of the license, then a continuing~~  
 172.8 ~~education fee must be included in the renewal license fee. The continuing education fee for~~  
 172.9 ~~all license classifications shall be \$5.~~

172.10 Sec. 29. Minnesota Statutes 2020, section 326B.106, subdivision 1, is amended to read:

172.11 Subdivision 1. **Adoption of code.** (a) Subject to paragraphs (c) and (d) and sections  
 172.12 326B.101 to 326B.194, the commissioner shall by rule and in consultation with the  
 172.13 Construction Codes Advisory Council establish a code of standards for the construction,  
 172.14 reconstruction, alteration, and repair of buildings, governing matters of structural materials,  
 172.15 design and construction, fire protection, health, sanitation, and safety, including design and  
 172.16 construction standards regarding heat loss control, illumination, and climate control. The  
 172.17 code must also include duties and responsibilities for code administration, including  
 172.18 procedures for administrative action, penalties, and suspension and revocation of certification.  
 172.19 The code must conform insofar as practicable to model building codes generally accepted  
 172.20 and in use throughout the United States, including a code for building conservation. In the  
 172.21 preparation of the code, consideration must be given to the existing statewide specialty  
 172.22 codes presently in use in the state. Model codes with necessary modifications and statewide  
 172.23 specialty codes may be adopted by reference. The code must be based on the application  
 172.24 of scientific principles, approved tests, and professional judgment. To the extent possible,  
 172.25 the code must be adopted in terms of desired results instead of the means of achieving those  
 172.26 results, avoiding wherever possible the incorporation of specifications of particular methods  
 172.27 or materials. To that end the code must encourage the use of new methods and new materials.  
 172.28 Except as otherwise provided in sections 326B.101 to 326B.194, the commissioner shall  
 172.29 administer and enforce the provisions of those sections.

172.30 (b) The commissioner shall develop rules addressing the plan review fee assessed to  
 172.31 similar buildings without significant modifications including provisions for use of building  
 172.32 systems as specified in the industrial/modular program specified in section 326B.194.  
 172.33 Additional plan review fees associated with similar plans must be based on costs  
 172.34 commensurate with the direct and indirect costs of the service.

173.1 (c) Beginning with the 2018 edition of the model building codes and every six years  
 173.2 thereafter, the commissioner shall review the new model building codes and adopt the model  
 173.3 codes as amended for use in Minnesota, within two years of the published edition date. The  
 173.4 commissioner may adopt amendments to the building codes prior to the adoption of the  
 173.5 new building codes to advance construction methods, technology, or materials, or, where  
 173.6 necessary to protect the health, safety, and welfare of the public, or to improve the efficiency  
 173.7 or the use of a building.

173.8 (d) Notwithstanding paragraph (c), the commissioner shall act on each new model  
 173.9 residential energy code and the new model commercial energy code in accordance with  
 173.10 federal law for which the United States Department of Energy has issued an affirmative  
 173.11 determination in compliance with United States Code, title 42, section 6833. Beginning in  
 173.12 2022, the commissioner shall act on the new model commercial energy code by adopting  
 173.13 each new published edition of ASHRAE 90.1 or a more efficient standard, and amending  
 173.14 it as necessary to achieve a minimum of eight percent energy efficiency with each edition,  
 173.15 as measured against energy consumption by an average building in each applicable building  
 173.16 sector in 2003. These amendments must achieve a net zero energy standard for new  
 173.17 commercial buildings by 2036 and thereafter. The commissioner may adopt amendments  
 173.18 prior to adoption of the new energy codes, as amended for use in Minnesota, to advance  
 173.19 construction methods, technology, or materials, or, where necessary to protect the health,  
 173.20 safety, and welfare of the public, or to improve the efficiency or use of a building.

32.25 Sec. 9. Minnesota Statutes 2020, section 326B.106, subdivision 4, is amended to read:

32.26 Subd. 4. **Special requirements.** (a) **Space for commuter vans.** The code must require  
 32.27 that any parking ramp or other parking facility constructed in accordance with the code  
 32.28 include an appropriate number of spaces suitable for the parking of motor vehicles having  
 32.29 a capacity of seven to 16 persons and which are principally used to provide prearranged  
 33.1 commuter transportation of employees to or from their place of employment or to or from  
 33.2 a transit stop authorized by a local transit authority.

33.3 (b) **Smoke detection devices.** The code must require that all dwellings, lodging houses,  
 33.4 apartment houses, and hotels as defined in section 299F.362 comply with the provisions of  
 33.5 section 299F.362.

33.6 (c) **Doors in nursing homes and hospitals.** The State Building Code may not require  
 33.7 that each door entering a sleeping or patient's room from a corridor in a nursing home or  
 33.8 hospital with an approved complete standard automatic fire extinguishing system be  
 33.9 constructed or maintained as self-closing or automatically closing.

33.10 (d) **Child care facilities in churches; ground level exit.** A licensed day care center  
33.11 serving fewer than 30 preschool age persons and which is located in a belowground space  
33.12 in a church building is exempt from the State Building Code requirement for a ground level  
33.13 exit when the center has more than two stairways to the ground level and its exit.

33.14 (e) **Family and group family day care.** Until the legislature enacts legislation specifying  
33.15 appropriate standards, the definition of dwellings constructed in accordance with the  
33.16 International Residential Code as adopted as part of the State Building Code applies to  
33.17 family and group family day care homes licensed by the Department of Human Services  
33.18 under Minnesota Rules, chapter 9502.

33.19 (f) **Enclosed stairways.** No provision of the code or any appendix chapter of the code  
33.20 may require stairways of existing multiple dwelling buildings of two stories or less to be  
33.21 enclosed.

33.22 (g) **Double cylinder dead bolt locks.** No provision of the code or appendix chapter of  
33.23 the code may prohibit double cylinder dead bolt locks in existing single-family homes,  
33.24 townhouses, and first floor duplexes used exclusively as a residential dwelling. Any  
33.25 recommendation or promotion of double cylinder dead bolt locks must include a warning  
33.26 about their potential fire danger and procedures to minimize the danger.

33.27 (h) **Relocated residential buildings.** A residential building relocated within or into a  
33.28 political subdivision of the state need not comply with the State Energy Code or section  
33.29 326B.439 provided that, where available, an energy audit is conducted on the relocated  
33.30 building.

33.31 (i) **Automatic garage door opening systems.** The code must require all residential  
33.32 buildings as defined in section 325F.82 to comply with the provisions of sections 325F.82  
33.33 and 325F.83.

34.1 (j) **Exterior wood decks, patios, and balconies.** The code must permit the decking  
34.2 surface and upper portions of exterior wood decks, patios, and balconies to be constructed  
34.3 of (1) heartwood from species of wood having natural resistance to decay or termites,  
34.4 including redwood and cedars, (2) grades of lumber which contain sapwood from species  
34.5 of wood having natural resistance to decay or termites, including redwood and cedars, or  
34.6 (3) treated wood. The species and grades of wood products used to construct the decking  
34.7 surface and upper portions of exterior decks, patios, and balconies must be made available  
34.8 to the building official on request before final construction approval.

34.9 (k) **Bioprocess piping and equipment.** No permit fee for bioprocess piping may be  
34.10 imposed by municipalities under the State Building Code, except as required under section  
34.11 326B.92 subdivision 1. Permits for bioprocess piping shall be according to section 326B.92  
34.12 administered by the Department of Labor and Industry. All data regarding the material  
34.13 production processes, including the bioprocess system's structural design and layout, are  
34.14 nonpublic data as provided by section 13.7911.

34.15 (l) **Use of ungraded lumber.** The code must allow the use of ungraded lumber in  
34.16 geographic areas of the state where the code did not generally apply as of April 1, 2008, to  
34.17 the same extent that ungraded lumber could be used in that area before April 1, 2008.

34.18 (m) **Window cleaning safety.** The code must require the installation of dedicated  
34.19 anchorages for the purpose of suspended window cleaning on (1) new buildings four stories  
34.20 or greater; and (2) buildings four stories or greater, only on those areas undergoing  
34.21 reconstruction, alteration, or repair that includes the exposure of primary structural  
34.22 components of the roof.

34.23 The commissioner may waive all or a portion of the requirements of this paragraph  
34.24 related to reconstruction, alteration, or repair, if the installation of dedicated anchorages  
34.25 would not result in significant safety improvements due to limits on the size of the project,  
34.26 or other factors as determined by the commissioner.

34.27 Dedicated anchorages are not required for new buildings that are six stories or less if  
34.28 the roof has a slope steeper than four units vertical by 12 units horizontal.

34.29 Sec. 10. Minnesota Statutes 2020, section 326B.108, subdivision 1, is amended to read:

34.30 Subdivision 1. **Definition.** For purposes of this section, "place of public accommodation"  
34.31 means a publicly or privately owned facility that is designed for occupancy by ~~200~~ 100 or  
34.32 more people and is a sports or entertainment arena, stadium, theater, community or  
35.1 convention hall, special event center, indoor amusement facility or water park, or indoor  
35.2 swimming pool.

35.3 **EFFECTIVE DATE.** This section is effective the day following final enactment.

35.4 Sec. 11. Minnesota Statutes 2020, section 326B.108, subdivision 3, is amended to read:

35.5 Subd. 3. **Enforcement.** Effective July 1, 2017, in a municipality that has not adopted  
35.6 the code by ordinance under section 326B.121, subdivision 2, the commissioner shall enforce  
35.7 this section in accordance with section 326B.107, subdivision 1.

35.8 **EFFECTIVE DATE.** This section is effective the day following final enactment.

35.9 Sec. 12. Minnesota Statutes 2020, section 326B.108, is amended by adding a subdivision  
35.10 to read:

35.11 Subd. 5. **Fire sprinklers required.** Automatic sprinkler systems for fire protection  
35.12 purposes are required in a place of public accommodation if, on or after August 1, 2008:

35.13 (1) the facility was constructed, added to, or altered; and

35.14 (2) the facility has an occupant load of 300 or more.

35.15 **EFFECTIVE DATE.** This section is effective the day following final enactment.

35.16 Sec. 13. Minnesota Statutes 2020, section 326B.121, subdivision 2, is amended to read:

35.17 Subd. 2. **Municipal enforcement.** (a) If, as of January 1, 2008, a municipality has in  
35.18 effect an ordinance adopting the State Building Code, that municipality must continue to  
35.19 administer and enforce the State Building Code within its jurisdiction. The municipality is  
35.20 prohibited from repealing its ordinance adopting the State Building Code. This paragraph  
35.21 does not apply to municipalities with a population of less than 2,500 according to the last  
35.22 federal census that are located outside of a metropolitan county, as defined in section 473.121,  
35.23 subdivision 4.

35.24 (b) If a municipality is not required by paragraph (a) to administer and enforce the State  
35.25 Building Code, the municipality may choose to administer and enforce the State Building  
35.26 Code within its jurisdiction by adopting the code by ordinance.

35.27 (c) A municipality must not by ordinance, or through development agreement, require  
35.28 building code provisions regulating components or systems of any structure that are different  
35.29 from any provision of the State Building Code. This subdivision does not prohibit a  
35.30 municipality from enacting or enforcing an ordinance requiring existing components or  
36.1 systems of any structure to be maintained in a safe and sanitary condition or in good repair,  
36.2 but not exceeding the standards under which the structure was built, reconstructed, or altered,  
36.3 or the component or system was installed, unless specific retroactive provisions for existing  
36.4 buildings have been adopted as part of the State Building Code. A municipality may, with  
36.5 the approval of the state building official, adopt an ordinance that is more restrictive than  
36.6 the State Building Code where geological conditions warrant a more restrictive ordinance.  
36.7 A municipality may appeal the disapproval of a more restrictive ordinance to the  
36.8 commissioner. An appeal under this subdivision is subject to the schedule, fee, procedures,  
36.9 cost provisions, and appeal rights set out in section 326B.139.

36.10 (d) A city may by ordinance and with permission of the township board extend the  
36.11 administration and enforcement of the code to contiguous unincorporated territory not more  
36.12 than two miles distant from its corporate limits in any direction if the code is not already  
36.13 administered and enforced in the territory. Where two or more noncontiguous cities, which  
36.14 have elected to administer and enforce the code, have boundaries less than four miles apart,  
36.15 each is authorized to enforce the code on its side of a line equidistant between them. Once  
36.16 enforcement authority is extended extraterritorially by ordinance, the authority may continue  
36.17 to be exercised in the designated territory even though another city less than four miles  
36.18 distant later elects to enforce the code. After the extension, the city may enforce the code  
36.19 in the designated area to the same extent as if the property were situated within its corporate  
36.20 limits. Enforcement of the code in an extended area outside a city's corporate limits includes  
36.21 all rules, laws, and ordinances associated with administration of the code.

36.22 (e) A city cannot commence administration and enforcement of the code outside of its  
36.23 jurisdiction until it has provided written notice to the commissioner, the county auditor, and  
36.24 the town clerk of each town in which it intends to administer and enforce the code. A public  
36.25 hearing on the proposed administration and enforcement must be held not less than 30 days  
36.26 after the notice has been provided. Administration and enforcement of the code by the city

36.27 outside of its jurisdiction commences on a date determined by the city that is no less than  
36.28 90 days nor more than one year after the public hearing.

36.29 (f) A municipality may enforce the State Building Code by any means that are convenient  
36.30 and lawful, including entering into contracts with other municipalities under section 471.59  
36.31 and with qualified individuals. The other municipalities or qualified individuals may be  
36.32 reimbursed by retention or remission of some or all of the building permit fee collected or  
36.33 by other means. If a municipality has no qualified employees of the municipality or other  
36.34 municipalities or qualified individuals available to carry out inspection and enforcement,  
36.35 the commissioner shall train and designate individuals available to carry out inspection and  
37.1 enforcement. The commissioner may be reimbursed for the inspection by retention or  
37.2 remission of some or all of the building permit fee collected or by other means.

37.3 (g) Nothing in this subdivision prohibits a municipality from adopting ordinances relating  
37.4 to zoning, subdivision, or planning unless the ordinance conflicts with a provision of the  
37.5 State Building Code that regulates components or systems of any structure.

37.6 (h) A municipality authorized to establish a border city enterprise zone as defined in  
37.7 section 469.166 may by ordinance adopt building code provisions that are different from  
37.8 provisions of the State Building Code for the purpose of reducing the required frost footing  
37.9 depth for one- and two-family dwellings to match the requirements of an adjacent  
37.10 municipality in a bordering state. Any reduction in required frost footing depth adopted by  
37.11 a municipality under this paragraph shall be no lower than the minimum depth allowed in  
37.12 Zone II under Minnesota Rules, part 1303.1600, subpart 1.

37.13 **EFFECTIVE DATE.** This section is effective the day following final enactment.

37.14 Sec. 14. Minnesota Statutes 2020, section 326B.133, subdivision 8, is amended to read:

37.15 Subd. 8. **Continuing education requirements; extension of time.** (a) This subdivision  
37.16 establishes the number of continuing education hours required within each two-year  
37.17 certification period.

37.18 A certified building official shall accumulate ~~38~~ 35 hours of continuing education in  
37.19 any education program that is approved under Minnesota Rules, part 1301.1000.

37.20 A certified building official-limited shall accumulate ~~38~~ 35 hours of continuing education  
37.21 in any education program that is approved under Minnesota Rules, part 1301.1000.

37.22 An accessibility specialist must accumulate nine hours of approved continuing education  
37.23 hours in any of the education programs that are provided under Minnesota Rules, part  
37.24 1301.1000, subpart 1 or 2. The nine hours must be in courses relating to building accessibility,  
37.25 plan review, field inspection, or building code administration.

37.26 Continuing education programs may be approved as established in rule.



37.27 (b) Subject to sections 326B.101 to 326B.194, the commissioner may by rule establish  
 37.28 or approve continuing education programs for certified building officials dealing with  
 37.29 matters of building code administration, inspection, and enforcement.

37.30 Each person certified as a building official for the state must satisfactorily complete  
 37.31 applicable educational programs established or approved by the commissioner to renew  
 37.32 certification.

38.1 (c) The state building official may grant an extension of time to comply with continuing  
 38.2 education requirements if the certificate holder requesting the extension of time shows cause  
 38.3 for the extension. The request for the extension must be in writing. For purposes of this  
 38.4 section, the certificate holder's current certification effective dates shall remain the same.  
 38.5 The extension does not relieve the certificate holder from complying with the continuing  
 38.6 education requirements for the next two-year period.

38.7 **EFFECTIVE DATE.** This section is effective the day following final enactment.

173.21 Sec. 30. Minnesota Statutes 2020, section 326B.89, subdivision 1, is amended to read:

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

173.24 (b) "Gross annual receipts" means the total amount derived from residential contracting  
 173.25 or residential remodeling activities, regardless of where the activities are performed, and  
 173.26 must not be reduced by costs of goods sold, expenses, losses, or any other amount.

173.27 (c) "Licensee" means a person licensed as a residential contractor or residential remodeler.

173.28 (d) "Residential real estate" means a new or existing building constructed for habitation  
 173.29 by one to four families, and includes detached garages intended for storage of vehicles  
 173.30 associated with the residential real estate.

173.31 (e) "Fund" means the contractor recovery fund.

173.32 (f) "Owner" when used in connection with real property, means a person who has any  
 173.33 legal or equitable interest in real property and includes a condominium or townhome  
 174.1 association that owns common property located in a condominium building or townhome  
 174.2 building or an associated detached garage. Owner does not include any real estate developer  
 174.3 or any owner using, or intending to use, the property for a business purpose and not as  
 174.4 owner-occupied residential real estate.

174.5 (g) "Cycle One" means the time period between July 1 and December 31.

174.6 (h) "Cycle Two" means the time period between January 1 and June 30.

38.8 Sec. 15. Minnesota Statutes 2020, section 326B.89, subdivision 4, is amended to read:

38.9 Subd. 4. **Purpose of fund.** (a) The purpose of this fund is to:

- 38.10 (1) compensate owners or lessees of residential real estate who meet the requirements  
 38.11 of this section;
- 38.12 (2) reimburse the department for all legal and administrative expenses, disbursements,  
 38.13 and costs, including staffing costs, incurred in administering and defending the fund;
- 38.14 (3) pay for educational or research projects in the field of residential contracting to  
 38.15 further the purposes of sections 326B.801 to 326B.825; and
- 38.16 (4) provide information to the public on residential contracting issues.
- 38.17 (b) No money from this fund may be transferred or spent unless the commissioner  
 38.18 determines that the money is being transferred or spent for one of the purposes in paragraph  
 38.19 (a).

174.7 Sec. 31. Minnesota Statutes 2020, section 326B.89, subdivision 5, is amended to read:

174.8 Subd. 5. **Payment limitations.** The commissioner shall not pay compensation from the  
 174.9 fund to an owner or a lessee in an amount greater than \$75,000 per licensee. The  
 174.10 commissioner shall not pay compensation from the fund to owners and lessees in an amount  
 174.11 that totals more than ~~\$300,000~~ \$800,000 per licensee. The commissioner shall only pay  
 174.12 compensation from the fund for a final judgment that is based on a contract directly between  
 174.13 the licensee and the homeowner or lessee that was entered into prior to the cause of action  
 174.14 and that requires licensure as a residential building contractor or residential remodeler.

174.15 Sec. 32. Minnesota Statutes 2020, section 326B.89, subdivision 9, is amended to read:

174.16 Subd. 9. **Satisfaction of applications for compensation.** The commissioner shall pay  
 174.17 compensation from the fund to an owner or a lessee pursuant to the terms of an agreement  
 174.18 that has been entered into under subdivision 7, clause (1), or pursuant to a final order that  
 174.19 has been issued under subdivision 7, clause (2), or subdivision 8 by December 1 of the fiscal  
 174.20 year following the fiscal year during which the agreement was entered into or during which  
 174.21 the order became final, subject to the limitations of this section. At the end of each fiscal  
 174.22 year the commissioner shall calculate the amount of compensation to be paid from the fund  
 174.23 pursuant to agreements that have been entered into under subdivision 7, clause (1), and final  
 174.24 orders that have been issued under subdivision 7, clause (2), or subdivision 8. If the calculated  
 174.25 amount exceeds the amount available for payment, then the commissioner shall allocate the  
 174.26 amount available among the owners and the lessees in the ratio that the amount agreed to  
 174.27 or ordered to be paid to each owner or lessee bears to the amount calculated. The  
 174.28 commissioner shall mail notice of the allocation to all owners and lessees not less than 45  
 174.29 days following the end of the fiscal year. 31 for applications submitted by July 1 or June  
 174.30 30 for applications submitted by January 1 of the fiscal year. The commissioner shall not  
 174.31 pay compensation to owners or lessees that totals more than \$400,000 per licensee during  
 174.32 Cycle One of a fiscal year nor shall the commissioner pay out during Cycle One if the payout  
 174.33 will result in the exhaustion of a licensee's fund. If compensation paid to owners or lessees

38.20 Sec. 16. Laws 2014, chapter 211, section 13, as amended by Laws 2015, First Special  
 38.21 Session chapter 1, article 7, section 1, Laws 2016, chapter 189, article 7, section 42, and  
 38.22 Laws 2017, chapter 94, article 12, section 1, is amended to read:

38.23 Sec. 13. **EFFECTIVE DATE.**

38.24 Sections 1 to 3 and 6 to 11 are effective July 1, 2020, to June 1, 2021, and after July 1,  
 38.25 2023. Sections 4, 5, and 12 are effective July 1, 2014.

38.26 **EFFECTIVE DATE.** The amendments to this section are effective retroactively from  
 38.27 June 30, 2020, except that any investigation and proceedings related to an unfair labor  
 38.28 practice charge currently pending before the Public Employee Relations Board as of the  
 38.29 date of enactment of this section shall be conducted according to the process in place under  
 38.30 Minnesota Statutes, section 179A.13, as of July 1, 2020. Following enactment of this section  
 38.31 and until July 1, 2023, any employee, employer, employee or employer organization,  
 39.1 exclusive representative, or any other person or organization aggrieved by an unfair labor  
 39.2 practice as defined in Minnesota Statutes, section 179A.13, shall bring an action for injunctive  
 39.3 relief and for damages caused by the unfair labor practice in the district court of the county  
 39.4 in which the practice is alleged to have occurred.

175.1 in Cycle One would total more than \$400,000 or would result in exhaustion of a licensee's  
 175.2 fund in Cycle One, the commissioner shall not make a final determination of compensation  
 175.3 for claims against the licensee until the completion of Cycle Two. If the claims against a  
 175.4 licensee for the fiscal year result in the exhaustion of a licensee's fund or the fund as a whole,  
 175.5 the commissioner must prorate the amount available among the owners and lessees based  
 175.6 on the amount agreed to or ordered to be paid to each owner or lessee. The commissioner  
 175.7 shall mail notice of the proration to all owners and lessees no later than March 31 of the  
 175.8 current fiscal year. Any compensation paid by the commissioner in accordance with this  
 175.9 subdivision shall be deemed to satisfy and extinguish any right to compensation from the  
 175.10 fund based upon the verified application of the owner or lessee.

175.11 Sec. 33. **LAW ENFORCEMENT SUPERVISORS TRANSITION.**

175.12 (a) Until a negotiated collective bargaining agreement with an exclusive representative  
 175.13 of the law enforcement supervisors unit established under Minnesota Statutes, section  
 175.14 179A.10, subdivision 2, clause (18), is approved under Minnesota Statutes, section 3.855:

175.15 (1) state patrol supervisors and enforcement supervisors employed by the Department  
 175.16 of Natural Resources shall remain in the commissioner's plan;

175.17 (2) criminal apprehension investigative supervisors and other law enforcement supervisor  
 175.18 positions currently in the general supervisory employees unit shall remain in the general  
 175.19 supervisory employees unit represented by the Middle Management Association; and

175.20 (3) employees in positions to be included in the law enforcement supervisors unit shall  
 175.21 be authorized to participate in certification elections for the law enforcement supervisors

175.22 unit and any negotiation and collective bargaining activities of the law enforcement  
 175.23 supervisors unit.

175.24 (b) In assigning positions included in the law enforcement supervisors unit, employees  
 175.25 in positions under paragraph (a), clause (2), shall have the right to remain in the general  
 175.26 supervisory employees unit represented by the Middle Management Association. If a group  
 175.27 of employees exercises this right, the appropriate unit for such employees shall be the general  
 175.28 supervisory employees unit represented by the Middle Management Association, and the  
 175.29 commissioner shall assign them to such unit.

176.1 **Sec. 34. CAREER PATHWAY DEMONSTRATION PROGRAM.**

176.2 Subdivision 1. **Demonstration program.** A career pathway demonstration program is  
 176.3 created to encourage, support, and continue student participation in a structured career  
 176.4 pathway program.

176.5 Subd. 2. **Report.** On January 15, 2024, Independent School District No. 294, Houston,  
 176.6 must submit a written report to the legislative committees having jurisdiction over education  
 176.7 and workforce development describing students' experiences with the program. The report  
 176.8 must document the program's spending, list the number of students participating in the  
 176.9 program and entering the apprenticeship program, and make recommendations for improving  
 176.10 support of career pathway programs statewide.

176.11 **Sec. 35. REPEALER.**

176.12 (a) Minnesota Statutes 2020, section 181.9414, is repealed.

176.13 (b) Minnesota Rules, part 5200.0080, subpart 7, is repealed effective August 1, 2021.

39.5 **Sec. 17. REPEALER.**

39.6 Minnesota Statutes 2020, section 181.9414, is repealed.

39.7 **EFFECTIVE DATE.** This section is effective one year following enactment of this  
 39.8 section.