

60.1

**ARTICLE 5**

60.2

**LABOR AND INDUSTRY POLICY AND TECHNICAL**

127.4

**ARTICLE 7**

127.5

**LABOR AND INDUSTRY POLICY AND TECHNICAL**

127.6 Section 1. Minnesota Statutes 2020, section 175.16, subdivision 1, is amended to read:

127.7 Subdivision 1. **Established.** The Department of Labor and Industry shall consist of the  
127.8 following divisions: Division of Workers' Compensation, Division of Construction Codes  
127.9 and Licensing, Division of Occupational Safety and Health, Division of Statistics, Division  
127.10 of Labor Standards, and Division of Apprenticeship, and such other divisions as the  
127.11 commissioner of the Department of Labor and Industry may deem necessary and establish.  
127.12 Each division of the department and persons in charge thereof shall be subject to the  
127.13 supervision of the commissioner of the Department of Labor and Industry and, in addition  
127.14 to such duties as are or may be imposed on them by statute, shall perform such other duties  
127.15 as may be assigned to them by the commissioner. Notwithstanding any other law to the  
127.16 contrary, the commissioner is the administrator and supervisor of all of the department's  
127.17 dispute resolution functions and personnel and may delegate authority to compensation  
127.18 judges and others to make determinations under sections 176.106, 176.238, and 176.239  
127.19 and to approve settlement of claims under section 176.521.

127.20 Sec. 2. Minnesota Statutes 2020, section 177.26, is amended to read:

127.21 **177.26 DIVISION OF LABOR STANDARDS.**

127.22 Subdivision 1. **Creation.** The Division of Labor Standards and Apprenticeship in the  
127.23 Department of Labor and Industry is supervised and controlled by the commissioner of  
127.24 labor and industry.

127.25 Subd. 2. **Powers and duties.** The Division of Labor Standards and Apprenticeship shall  
127.26 administer this chapter and chapters 178, 181, 181A, and 184.

127.27 Subd. 3. ~~**Employees; transfer from Division of Women and Children.** All persons~~  
127.28 ~~employed by the department in the Division of Women and Children are transferred to the~~  
127.29 ~~Division of Labor Standards. A transferred person does not lose rights acquired by reason~~  
127.30 ~~of employment at the time of transfer.~~

128.1 Sec. 3. Minnesota Statutes 2020, section 177.27, subdivision 4, is amended to read:

128.2 Subd. 4. **Compliance orders.** The commissioner may issue an order requiring an  
128.3 employer to comply with sections 177.21 to 177.435, 181.02, 181.03, 181.031, 181.032,  
128.4 181.101, 181.11, 181.13, 181.14, 181.145, 181.15, 181.172, paragraph (a) or (d), 181.275,  
128.5 subdivision 2a, 181.722, 181.79, and 181.939 to 181.943, or 181.991, and with any rule  
128.6 promulgated under section 177.28. The commissioner shall issue an order requiring an  
128.7 employer to comply with sections 177.41 to 177.435 if the violation is repeated. For purposes  
128.8 of this subdivision only, a violation is repeated if at any time during the two years that  
128.9 preceded the date of violation, the commissioner issued an order to the employer for violation  
128.10 of sections 177.41 to 177.435 and the order is final or the commissioner and the employer

128.11 have entered into a settlement agreement that required the employer to pay back wages that  
128.12 were required by sections 177.41 to 177.435. The department shall serve the order upon the  
128.13 employer or the employer's authorized representative in person or by certified mail at the  
128.14 employer's place of business. An employer who wishes to contest the order must file written  
128.15 notice of objection to the order with the commissioner within 15 calendar days after being  
128.16 served with the order. A contested case proceeding must then be held in accordance with  
128.17 sections 14.57 to 14.69. If, within 15 calendar days after being served with the order, the  
128.18 employer fails to file a written notice of objection with the commissioner, the order becomes  
128.19 a final order of the commissioner.

128.20 **EFFECTIVE DATE.** This section is effective the day following final enactment and  
128.21 applies to franchise agreements entered into or amended on or after that date.

128.22 Sec. 4. Minnesota Statutes 2020, section 178.01, is amended to read:

128.23 **178.01 PURPOSES.**

128.24 The purposes of this chapter are: to open to all people regardless of race, sex, creed,  
128.25 color or national origin, the opportunity to obtain training and on-the-job learning that will  
128.26 equip them for profitable employment and citizenship; to establish as a means to this end,  
128.27 a program of voluntary apprenticeship under approved apprenticeship agreements providing  
128.28 facilities for their training and guidance in the arts, skills, and crafts of industry and trade  
128.29 or occupation, with concurrent, supplementary instruction in related subjects; to promote  
128.30 apprenticeship opportunities under conditions providing adequate training and on-the-job  
128.31 learning and reasonable earnings; to relate the supply of skilled workers to employment  
128.32 demands; to establish standards for apprentice training; to establish an Apprenticeship Board  
128.33 and apprenticeship committees to assist in effectuating the purposes of this chapter; to  
128.34 provide for a Division of ~~Labor Standards and~~ Apprenticeship within the Department of  
129.1 Labor and Industry; to provide for reports to the legislature regarding the status of apprentice  
129.2 training in the state; to establish a procedure for the determination of apprenticeship  
129.3 agreement controversies; and to accomplish related ends.

129.4 Sec. 5. Minnesota Statutes 2020, section 178.011, subdivision 7, is amended to read:

129.5 Subd. 7. **Division.** "Division" means the department's ~~Labor Standards and~~ Apprenticeship  
129.6 Division, established under sections 175.16 and 178.03, and the State Apprenticeship Agency  
129.7 as defined in Code of Federal Regulations, title 29, part 29, section 29.2.

129.8 Sec. 6. Minnesota Statutes 2020, section 178.03, subdivision 1, is amended to read:

129.9 Subdivision 1. **Establishment of division.** There is established a Division of ~~Labor~~  
129.10 ~~Standards and~~ Apprenticeship in the Department of Labor and Industry. This division shall  
129.11 be administered by a director, and be under the supervision of the commissioner.

129.12 Sec. 7. Minnesota Statutes 2020, section 178.11, is amended to read:

129.13 **178.11 LABOR EDUCATION ADVANCEMENT GRANT PROGRAM.**

129.14 The commissioner shall establish the labor education advancement grant program for  
129.15 the purpose of facilitating the participation or retention of minorities people of color,  
129.16 Indigenous people, and women in apprenticeable trades and occupations registered  
129.17 apprenticeship programs. The commissioner shall award grants to community-based and  
129.18 nonprofit organizations and Minnesota Tribal governments as defined in section 10.65,  
129.19 serving the targeted populations on a competitive request-for-proposal basis. Interested  
129.20 organizations shall apply for the grants in a form prescribed by the commissioner. As part  
129.21 of the application process, applicants must provide a statement of need for the grant, a  
129.22 description of the targeted population and apprenticeship opportunities, a description of  
129.23 activities to be funded by the grant, evidence supporting the ability to deliver services,  
129.24 information related to coordinating grant activities with other employment and learning  
129.25 programs, identification of matching funds, a budget, and performance objectives. Each  
129.26 submitted application shall be evaluated for completeness and effectiveness of the proposed  
129.27 grant activity.

129.28 Sec. 8. Minnesota Statutes 2020, section 181.9435, subdivision 1, is amended to read:

129.29 Subdivision 1. **Investigation.** The Division of Labor Standards and Apprenticeship shall  
129.30 receive complaints of employees against employers relating to sections 181.172, paragraph  
129.31 (a) or (d), and 181.939 to 181.9436 and investigate informally whether an employer may  
130.1 be in violation of sections 181.172, paragraph (a) or (d), and 181.939 to 181.9436. The  
130.2 division shall attempt to resolve employee complaints by informing employees and employers  
130.3 of the provisions of the law and directing employers to comply with the law. For complaints  
130.4 related to section 181.939, the division must contact the employer within two business days  
130.5 and investigate the complaint within ten days of receipt of the complaint.

130.6 Sec. 9. Minnesota Statutes 2020, section 181.9436, is amended to read:

130.7 **181.9436 POSTING OF LAW.**

130.8 The Division of Labor Standards and Apprenticeship shall develop, with the assistance  
130.9 of interested business and community organizations, an educational poster stating employees'  
130.10 rights under sections 181.940 to 181.9436. The department shall make the poster available,  
130.11 upon request, to employers for posting on the employer's premises.

130.12 Sec. 10. **[181.988] COVENANTS NOT TO COMPETE VOID IN EMPLOYMENT**  
130.13 **AGREEMENTS; SUBSTANTIVE PROTECTIONS OF MINNESOTA LAW APPLY.**

130.14 Subdivision 1. **Definitions.** (a) "Covenant not to compete" means an agreement between  
130.15 an employee and employer that restricts the employee, after termination of the employment,  
130.16 from performing:

130.17 (1) work for another employer for a specified period of time;

- 130.18 (2) work in a specified geographical area; or
- 130.19 (3) work for another employer in a capacity that is similar to the employee's work for
- 130.20 the employer that is party to the agreement.
- 130.21 (b) "Employer" means any individual, partnership, association, corporation, business
- 130.22 trust, or any person or group of persons acting directly or indirectly in the interest of an
- 130.23 employer in relation to an employee.
- 130.24 Subd. 2. **Covenants not to compete void and unenforceable.** (a) Subject to the exception
- 130.25 in paragraph (b), any covenant not to compete contained in a contract or agreement is void
- 130.26 and unenforceable.
- 130.27 (b) Notwithstanding paragraph (a), a covenant not to compete between an employer and
- 130.28 employee is valid and enforceable if:
- 130.29 (1) the employee earned an annual salary from the employer at least equal to the median
- 130.30 family income for a four-person family in Minnesota, as determined by the United States
- 131.1 Census Bureau, for the most recent year available at the time of the employee's termination;
- 131.2 and
- 131.3 (2) the employer agrees to pay the employee on a pro rata basis during the entirety of
- 131.4 the restricted period of the covenant not to compete at least 50 percent of the employee's
- 131.5 highest annualized base salary paid by the employer within the two years preceding the
- 131.6 employee's separation from employment.
- 131.7 (c) Nothing in this subdivision shall be construed to render void or unenforceable any
- 131.8 other provisions in a contract or agreement containing a void or unenforceable covenant
- 131.9 not to compete.
- 131.10 (d) In addition to injunctive relief and any other remedies available, a court may award
- 131.11 an employee who is enforcing rights under this section reasonable attorney fees.
- 131.12 Subd. 3. **Choice of law; venue.** (a) An employer must not require an employee who
- 131.13 primarily resides and works in Minnesota, as a condition of employment, to agree to a
- 131.14 provision in an agreement or contract that would do either of the following:
- 131.15 (1) require the employee to adjudicate outside of Minnesota a claim arising in Minnesota;
- 131.16 or
- 131.17 (2) deprive the employee of the substantive protection of Minnesota law with respect to
- 131.18 a controversy arising in Minnesota.
- 131.19 (b) Any provision of a contract or agreement that violates paragraph (a) is voidable at
- 131.20 any time by the employee and if a provision is rendered void at the request of the employee,
- 131.21 the matter shall be adjudicated in Minnesota and Minnesota law shall govern the dispute.

- 131.22 (c) In addition to injunctive relief and any other remedies available, a court may award  
131.23 an employee who is enforcing rights under this section reasonable attorney fees.
- 131.24 (d) For purposes of this section, adjudication includes litigation and arbitration.
- 131.25 (e) This subdivision shall not apply to a contract with an employee who is in fact  
131.26 individually represented by legal counsel in negotiating the terms of an agreement to  
131.27 designate either the venue or forum in which a controversy arising from the employment  
131.28 contract may be adjudicated or the choice of law to be applied.
- 131.29 Subd. 4. **Severability.** If any provision of this section is found to be unconstitutional  
131.30 and void, the remaining provisions of this section are valid.
- 131.31 **EFFECTIVE DATE.** This section is effective the day following final enactment and  
131.32 applies to contracts and agreements entered into on or after that date.
- 132.1 Sec. 11. **[181.991] RESTRICTIVE FRANCHISE AGREEMENTS PROHIBITED.**
- 132.2 Subdivision 1. **Definitions.** (a) For purposes of this section, the following terms have  
132.3 the meanings given them.
- 132.4 (b) "Employee" means an individual employed by an employer and includes independent  
132.5 contractors.
- 132.6 (c) "Employer" has the meaning given in section 177.23, subdivision 6.
- 132.7 (d) "Franchise," "franchisee," and "franchisor" have the meanings given in section  
132.8 80C.01, subdivisions 4 to 6.
- 132.9 Subd. 2. **Prohibition on restrictive franchise agreements.** (a) No franchisor may  
132.10 restrict, restrain, or prohibit in any way a franchisee from soliciting or hiring an employee  
132.11 of a franchisee of the same franchisor.
- 132.12 (b) No franchisor may restrict, restrain, or prohibit in any way a franchisee from soliciting  
132.13 or hiring an employee of the franchisor.
- 132.14 Subd. 3. **Franchise agreement amendment.** Notwithstanding any law to the contrary,  
132.15 no later than one year from the effective date of this section, franchisors shall amend existing  
132.16 franchise agreements to remove any restrictive employment provision that violates  
132.17 subdivision 2.
- 132.18 Subd. 4. **Civil action; penalties.** (a) An employee alleging a violation of this section  
132.19 may bring a civil action for damages and injunctive relief against the employer.
- 132.20 (b) If the court finds that a franchisor has violated this section, the court shall enter  
132.21 judgment, grant injunctive relief as deemed appropriate, and award the employee plaintiff  
132.22 the greater of:

132.23 (1) the actual damages incurred by the plaintiff, plus any injunctive relief, costs, and  
132.24 reasonable attorney fees; or

132.25 (2) a \$5,000 penalty.

132.26 (c) If no civil action is commenced, the commissioner of labor and industry shall assess  
132.27 a \$5,000 per employee penalty for violations of this section. This assessment is in addition  
132.28 to the commissioner's authority under section 177.27, subdivisions 4 and 7. Any penalty  
132.29 assessed under this subdivision shall be awarded to the employee plaintiff and not to the  
132.30 commissioner or the department.

132.31 Subd. 5. **Severability.** If any provision of this section is found to be unconstitutional  
132.32 and void, the remaining provisions of this section are valid.

133.1 **EFFECTIVE DATE.** This section is effective the day following final enactment and  
133.2 applies to franchise agreements entered into or amended on or after that date.

133.3 Sec. 12. Minnesota Statutes 2021 Supplement, section 326B.092, subdivision 7, is amended  
133.4 to read:

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

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

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

133.14 (d) The base license fee shall depend on whether the license is classified as an entry  
133.15 level, master, journeyworker, or business license, and on the license duration. The base  
133.16 license fee shall be:

	License Classification	License Duration	
133.17			
133.18		1 year	2 years
133.19	Entry level	\$10	\$20
133.20	Journeyworker	\$20	\$40
133.21	Master	\$40	\$80
133.22	Business		\$180

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

133.27 (f) If the application is for the renewal of a license issued under sections 326B.802 to  
133.28 326B.885, then the contractor recovery fund fee required under section 326B.89, subdivision  
133.29 3, and any additional assessment required under section 326B.89, subdivision 16, must be  
133.30 included in the license renewal fee.

133.31 (g) Notwithstanding the fee amounts described in paragraphs (d) to (f), for the period  
133.32 October 1, 2021, through ~~September June 30, 2023~~ 2022, the following fees apply:

134.1	License Classification	License Duration	
134.2		1 year	2 years
134.3	Entry level	\$10	\$20
134.4	Journeyworker	\$15	\$30
134.5	Master	\$30	\$60
134.6	Business		\$120

134.7 (h) For the period of July 1, 2022, through June 30, 2024, no fees described in paragraphs  
134.8 (c) to (e) shall apply, except as described in paragraph (i).

134.9 (i) Notwithstanding the fee amounts described in paragraphs (d) to (f), for the period of  
134.10 October 1, 2021, through September 30, 2023, the base license fee for business licenses  
134.11 shall be \$120.

134.12 Sec. 13. Minnesota Statutes 2020, section 326B.103, subdivision 13, is amended to read:

134.13 Subd. 13. **State licensed facility.** "State licensed facility" means a building and its  
134.14 grounds that are licensed by the state as a hospital, nursing home, supervised living facility,  
134.15 free-standing outpatient surgical center, correctional facility, boarding care home, ~~or~~  
134.16 residential hospice, or assisted living facility, including assisted living facility with dementia  
134.17 care.

134.18 Sec. 14. Minnesota Statutes 2020, section 326B.106, subdivision 1, is amended to read:

134.19 Subdivision 1. **Adoption of code.** (a) Subject to paragraphs (c) and (d) and sections  
134.20 326B.101 to 326B.194, the commissioner shall by rule and in consultation with the  
134.21 Construction Codes Advisory Council establish a code of standards for the construction,  
134.22 reconstruction, alteration, and repair of buildings, governing matters of structural materials,  
134.23 design and construction, fire protection, health, sanitation, and safety, including design and  
134.24 construction standards regarding heat loss control, illumination, and climate control. The

60.3 Section 1. Minnesota Statutes 2020, section 326B.106, subdivision 4, is amended to read:

60.4 Subd. 4. **Special requirements.** (a) **Space for commuter vans.** The code must require  
60.5 that any parking ramp or other parking facility constructed in accordance with the code  
60.6 include an appropriate number of spaces suitable for the parking of motor vehicles having  
60.7 a capacity of seven to 16 persons and which are principally used to provide prearranged

134.25 code must also include duties and responsibilities for code administration, including  
134.26 procedures for administrative action, penalties, and suspension and revocation of certification.  
134.27 The code must conform insofar as practicable to model building codes generally accepted  
134.28 and in use throughout the United States, including a code for building conservation. In the  
134.29 preparation of the code, consideration must be given to the existing statewide specialty  
134.30 codes presently in use in the state. Model codes with necessary modifications and statewide  
134.31 specialty codes may be adopted by reference. The code must be based on the application  
134.32 of scientific principles, approved tests, and professional judgment. To the extent possible,  
134.33 the code must be adopted in terms of desired results instead of the means of achieving those  
135.1 results, avoiding wherever possible the incorporation of specifications of particular methods  
135.2 or materials. To that end the code must encourage the use of new methods and new materials.  
135.3 Except as otherwise provided in sections 326B.101 to 326B.194, the commissioner shall  
135.4 administer and enforce the provisions of those sections.

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

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

135.17 (d) Notwithstanding paragraph (c), the commissioner shall act on each new model  
135.18 residential energy code and the new model commercial energy code in accordance with  
135.19 federal law for which the United States Department of Energy has issued an affirmative  
135.20 determination in compliance with United States Code, title 42, section 6833. The  
135.21 commissioner shall act on the new model commercial energy code by adopting each new  
135.22 published edition and amending it as necessary to achieve a minimum of eight percent  
135.23 energy efficiency. The commissioner may adopt amendments prior to adoption of the new  
135.24 energy codes, as amended for use in Minnesota, to advance construction methods, technology,  
135.25 or materials, or, where necessary to protect the health, safety, and welfare of the public, or  
135.26 to improve the efficiency or use of a building.

135.27 Sec. 15. Minnesota Statutes 2020, section 326B.106, subdivision 4, is amended to read:

135.28 Subd. 4. **Special requirements.** (a) **Space for commuter vans.** The code must require  
135.29 that any parking ramp or other parking facility constructed in accordance with the code  
135.30 include an appropriate number of spaces suitable for the parking of motor vehicles having  
135.31 a capacity of seven to 16 persons and which are principally used to provide prearranged



60.8 commuter transportation of employees to or from their place of employment or to or from  
60.9 a transit stop authorized by a local transit authority.

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

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

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

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

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

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

61.1 (h) **Relocated residential buildings.** A residential building relocated within or into a  
61.2 political subdivision of the state need not comply with the State Energy Code or section  
61.3 326B.439 provided that, where available, an energy audit is conducted on the relocated  
61.4 building.

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

61.8 (j) **Exterior wood decks, patios, and balconies.** The code must permit the decking  
61.9 surface and upper portions of exterior wood decks, patios, and balconies to be constructed  
61.10 of (1) heartwood from species of wood having natural resistance to decay or termites,  
61.11 including redwood and cedars, (2) grades of lumber which contain sapwood from species  
61.12 of wood having natural resistance to decay or termites, including redwood and cedars, or

135.32 commuter transportation of employees to or from their place of employment or to or from  
135.33 a transit stop authorized by a local transit authority.

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

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

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

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

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

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

136.25 (h) **Relocated residential buildings.** A residential building relocated within or into a  
136.26 political subdivision of the state need not comply with the State Energy Code or section  
136.27 326B.439 provided that, where available, an energy audit is conducted on the relocated  
136.28 building.

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

136.32 (j) **Exterior wood decks, patios, and balconies.** The code must permit the decking  
136.33 surface and upper portions of exterior wood decks, patios, and balconies to be constructed  
137.1 of (1) heartwood from species of wood having natural resistance to decay or termites,  
137.2 including redwood and cedars, (2) grades of lumber which contain sapwood from species  
137.3 of wood having natural resistance to decay or termites, including redwood and cedars, or

61.13 (3) treated wood. The species and grades of wood products used to construct the decking  
61.14 surface and upper portions of exterior decks, patios, and balconies must be made available  
61.15 to the building official on request before final construction approval.

61.16 (k) **Bioprocess piping and equipment.** No permit fee for bioprocess piping may be  
61.17 imposed by municipalities under the State Building Code, except as required under section  
61.18 326B.92 subdivision 1. Permits for bioprocess piping shall be according to section 326B.92  
61.19 administered by the Department of Labor and Industry. All data regarding the material  
61.20 production processes, including the bioprocess system's structural design and layout, are  
61.21 nonpublic data as provided by section 13.7911.

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

61.25 (m) **Window cleaning safety.** ~~The code must require the installation of dedicated~~  
61.26 ~~anchorages for the purpose of suspended window cleaning on (1) new buildings four stories~~  
61.27 ~~or greater; and (2) buildings four stories or greater, only on those areas undergoing~~  
61.28 ~~reconstruction, alteration, or repair that includes the exposure of primary structural~~  
61.29 ~~components of the roof. The code shall incorporate by reference nationally recognized safety~~  
61.30 ~~standards for window cleaning developed by the International Window Cleaning Association~~  
61.31 ~~(IWCA) and approved by the American National Standards Institute (ANSI). Such standards~~  
61.32 ~~shall require that window cleaning safety features be provided for all windows on:~~

61.33 (1) new buildings where determined by the ~~standard~~; and

62.1 (2) existing buildings undergoing alterations where both of the following conditions are  
62.2 met:

62.3 (i) the windows do not currently have safe window cleaning features; and

62.4 (ii) the proposed work area being altered can include provisions for safe window cleaning.

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

137.4 (3) treated wood. The species and grades of wood products used to construct the decking  
137.5 surface and upper portions of exterior decks, patios, and balconies must be made available  
137.6 to the building official on request before final construction approval.

137.7 (k) **Bioprocess piping and equipment.** No permit fee for bioprocess piping may be  
137.8 imposed by municipalities under the State Building Code, except as required under section  
137.9 326B.92 subdivision 1. Permits for bioprocess piping shall be according to section 326B.92  
137.10 administered by the Department of Labor and Industry. All data regarding the material  
137.11 production processes, including the bioprocess system's structural design and layout, are  
137.12 nonpublic data as provided by section 13.7911.

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

137.16 (m) **Window cleaning safety.** ~~The code must require the installation of dedicated~~  
137.17 ~~anchorages for the purpose of suspended window cleaning on (1) new buildings four stories~~  
137.18 ~~or greater; and (2) buildings four stories or greater, only on those areas undergoing~~  
137.19 ~~reconstruction, alteration, or repair that includes the exposure of primary structural~~  
137.20 ~~components of the roof. The commissioner shall adopt rules, using the expedited rulemaking~~  
137.21 ~~process in section 14.389 requiring window cleaning safety features that comply with a~~  
137.22 ~~nationally recognized standard as part of the State Building Code. Window cleaning safety~~  
137.23 ~~features shall be provided for all windows on:~~

137.24 (1) new buildings where determined by the ~~code~~; and

137.25 (2) existing buildings undergoing alterations where both of the following conditions are  
137.26 met:

137.27 (i) the windows do not currently have safe window cleaning features; and

137.28 (ii) the proposed work area being altered can include provisions for safe window cleaning.

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

138.1 Sec. 16. Minnesota Statutes 2020, section 326B.145, is amended to read:

138.2 **326B.145 ANNUAL REPORT.**

138.3 (a) Each municipality shall annually report by June 30 to the department, in a format  
138.4 prescribed by the department, all construction and development-related fees collected by  
138.5 the municipality from developers, builders, and subcontractors if the cumulative fees collected  
138.6 exceeded \$5,000 \$7,000 in the reporting year, except that, for reports due June 30, 2009,  
138.7 to June 30, 2013, the reporting threshold is \$10,000.

62.9 Sec. 2. Minnesota Statutes 2021 Supplement, section 326B.153, subdivision 1, is amended  
62.10 to read:

62.11 Subdivision 1. **Building permits.** (a) Fees for building permits submitted as required  
62.12 in section 326B.107 include:

62.13 (1) the fee as set forth in the fee schedule in paragraph (b) or as adopted by a municipality;  
62.14 and

62.15 (2) the surcharge required by section 326B.148.

62.16 (b) The total valuation and fee schedule is:

62.17 (1) \$1 to \$500, ~~\$29.50~~ \$21;

62.18 (2) \$501 to \$2,000, ~~\$28~~ \$21 for the first \$500 plus ~~\$3.70~~ \$2.75 for each additional \$100  
62.19 or fraction thereof, to and including \$2,000;

62.20 (3) \$2,001 to \$25,000, ~~\$83.50~~ \$62.25 for the first \$2,000 plus ~~\$16.55~~ \$12.50 for each  
62.21 additional \$1,000 or fraction thereof, to and including \$25,000;

62.22 (4) \$25,001 to \$50,000, ~~\$464.15~~ \$349.75 for the first \$25,000 plus ~~\$12~~ \$9 for each  
62.23 additional \$1,000 or fraction thereof, to and including \$50,000;

62.24 (5) \$50,001 to \$100,000, ~~\$764.15~~ \$574.75 for the first \$50,000 plus ~~\$8.45~~ \$6.25 for  
62.25 each additional \$1,000 or fraction thereof, to and including \$100,000;

62.26 (6) \$100,001 to \$500,000, ~~\$1,186.65~~ \$887.25 for the first \$100,000 plus ~~\$6.75~~ \$5 for  
62.27 each additional \$1,000 or fraction thereof, to and including \$500,000;

62.28 (7) \$500,001 to \$1,000,000, ~~\$3,886.65~~ \$2,887.25 for the first \$500,000 plus ~~\$5.50~~ \$4.25  
62.29 for each additional \$1,000 or fraction thereof, to and including \$1,000,000; and

63.1 (8) \$1,000,001 and up, ~~\$6,636.65~~ \$5,012.25 for the first \$1,000,000 plus ~~\$4.50~~ \$2.75  
63.2 for each additional \$1,000 or fraction thereof.

63.3 (c) Other inspections and fees are:

138.8 (b) The report must include:

138.9 (1) the number and valuation of units for which fees were paid;

138.10 (2) the amount of building permit fees, plan review fees, administrative fees, engineering  
138.11 fees, infrastructure fees, and other construction and development-related fees; and

138.12 (3) the expenses associated with the municipal activities for which fees were collected.

138.13 (c) A municipality that fails to report to the department in accordance with this section  
138.14 is subject to the remedies provided by section 326B.082.

138.15 Sec. 17. Minnesota Statutes 2021 Supplement, section 326B.153, subdivision 1, is amended  
138.16 to read:

138.17 Subdivision 1. **Building permits.** (a) Fees for building permits submitted as required  
138.18 in section 326B.107 include:

138.19 (1) the fee as set forth in the fee schedule in paragraph (b) or as adopted by a municipality;  
138.20 and

138.21 (2) the surcharge required by section 326B.148.

138.22 (b) The total valuation and fee schedule is:

138.23 (1) \$1 to \$500, ~~\$29.50~~ \$21;

138.24 (2) \$501 to \$2,000, ~~\$28~~ \$21 for the first \$500 plus ~~\$3.70~~ \$2.75 for each additional \$100  
138.25 or fraction thereof, to and including \$2,000;

138.26 (3) \$2,001 to \$25,000, ~~\$83.50~~ \$62.25 for the first \$2,000 plus ~~\$16.55~~ \$12.50 for each  
138.27 additional \$1,000 or fraction thereof, to and including \$25,000;

138.28 (4) \$25,001 to \$50,000, ~~\$464.15~~ \$349.75 for the first \$25,000 plus ~~\$12~~ \$9 for each  
138.29 additional \$1,000 or fraction thereof, to and including \$50,000;

139.1 (5) \$50,001 to \$100,000, ~~\$764.15~~ \$574.75 for the first \$50,000 plus ~~\$8.45~~ \$6.25 for  
139.2 each additional \$1,000 or fraction thereof, to and including \$100,000;

139.3 (6) \$100,001 to \$500,000, ~~\$1,186.65~~ \$887.25 for the first \$100,000 plus ~~\$6.75~~ \$5 for  
139.4 each additional \$1,000 or fraction thereof, to and including \$500,000;

139.5 (7) \$500,001 to \$1,000,000, ~~\$3,886.65~~ \$2,887.25 for the first \$500,000 plus ~~\$5.50~~ \$4.25  
139.6 for each additional \$1,000 or fraction thereof, to and including \$1,000,000; and

139.7 (8) \$1,000,001 and up, ~~\$6,636.65~~ \$5,012.25 for the first \$1,000,000 plus ~~\$4.50~~ \$2.75  
139.8 for each additional \$1,000 or fraction thereof.

139.9 (c) Other inspections and fees are:

63.4 (1) inspections outside of normal business hours (minimum charge two hours), \$63.25  
63.5 per hour;

63.6 (2) reinspection fees, \$63.25 per hour;

63.7 (3) inspections for which no fee is specifically indicated (minimum charge one-half  
63.8 hour), \$63.25 per hour; and

63.9 (4) additional plan review required by changes, additions, or revisions to approved plans  
63.10 (minimum charge one-half hour), \$63.25 per hour.

63.11 (d) If the actual hourly cost to the jurisdiction under paragraph (c) is greater than \$63.25,  
63.12 then the greater rate shall be paid. Hourly cost includes supervision, overhead, equipment,  
63.13 hourly wages, and fringe benefits of the employees involved.

63.14 **EFFECTIVE DATE.** This section is effective retroactively from October 1, 2021.

63.15 Sec. 3. Minnesota Statutes 2020, section 326B.163, subdivision 5, is amended to read:

63.16 Subd. 5. **Elevator.** As used in this chapter, "elevator" means moving walks and vertical  
63.17 transportation devices such as escalators, passenger elevators, freight elevators, dumbwaiters,  
63.18 hand-powered elevators, endless belt lifts, and wheelchair platform lifts. Elevator does not  
63.19 include external temporary material lifts or temporary construction personnel elevators at  
63.20 sites of construction of new or remodeled buildings.

63.21 Sec. 4. Minnesota Statutes 2020, section 326B.163, is amended by adding a subdivision  
63.22 to read:

63.23 Subd. 5a. **Platform lift.** As used in this chapter, "platform lift" means a powered hoisting  
63.24 and lowering device designed to transport mobility-impaired persons on a guided platform.

63.25 Sec. 5. Minnesota Statutes 2020, section 326B.164, subdivision 13, is amended to read:

63.26 Subd. 13. **Exemption from licensing.** (a) Employees of a licensed elevator contractor  
63.27 or licensed limited elevator contractor are not required to hold or obtain a license under this  
63.28 section or be provided with direct supervision by a licensed master elevator constructor,  
63.29 licensed limited master elevator constructor, licensed elevator constructor, or licensed limited  
63.30 elevator constructor to install, maintain, or repair platform lifts and stairway chairlifts.  
64.1 Unlicensed employees performing elevator work under this exemption must comply with  
64.2 subdivision 5. This exemption does not include the installation, maintenance, repair, or  
64.3 replacement of electrical wiring for elevator equipment.

139.10 (1) inspections outside of normal business hours (minimum charge two hours), \$63.25  
139.11 per hour;

139.12 (2) reinspection fees, \$63.25 per hour;

139.13 (3) inspections for which no fee is specifically indicated (minimum charge one-half  
139.14 hour), \$63.25 per hour; and

139.15 (4) additional plan review required by changes, additions, or revisions to approved plans  
139.16 (minimum charge one-half hour), \$63.25 per hour.

139.17 (d) If the actual hourly cost to the jurisdiction under paragraph (c) is greater than \$63.25,  
139.18 then the greater rate shall be paid. Hourly cost includes supervision, overhead, equipment,  
139.19 hourly wages, and fringe benefits of the employees involved.

139.20 **EFFECTIVE DATE.** This section is effective retroactively from October 1, 2021, and  
139.21 the amendments to it expire October 1, 2023.

139.22 Sec. 18. Minnesota Statutes 2020, section 326B.153, is amended by adding a subdivision  
139.23 to read:

139.24 Subd. 5. **Valuation.** The commissioner shall establish a cost per square foot valuation  
139.25 of new one-family and two-family, townhouse, and accessory utility buildings for the purpose  
139.26 of setting building permit fees by municipalities.

139.27 Sec. 19. Minnesota Statutes 2020, section 326B.163, subdivision 5, is amended to read:

139.28 Subd. 5. **Elevator.** As used in this chapter, "elevator" means moving walks and vertical  
139.29 transportation devices such as escalators, passenger elevators, freight elevators, dumbwaiters,  
139.30 hand-powered elevators, endless belt lifts, and wheelchair platform lifts. Elevator does not  
140.1 include external temporary material lifts or temporary construction personnel elevators at  
140.2 sites of construction of new or remodeled buildings.

140.3 Sec. 20. Minnesota Statutes 2020, section 326B.163, is amended by adding a subdivision  
140.4 to read:

140.5 Subd. 5a. **Platform lift.** As used in this chapter, "platform lift" means a powered hoisting  
140.6 and lowering device designed to transport mobility-impaired persons on a guided platform.

140.7 Sec. 21. Minnesota Statutes 2020, section 326B.164, subdivision 13, is amended to read:

140.8 Subd. 13. **Exemption from licensing.** (a) Employees of a licensed elevator contractor  
140.9 or licensed limited elevator contractor are not required to hold or obtain a license under this  
140.10 section or be provided with direct supervision by a licensed master elevator constructor,  
140.11 licensed limited master elevator constructor, licensed elevator constructor, or licensed limited  
140.12 elevator constructor to install, maintain, or repair platform lifts and stairway chairlifts.  
140.13 Unlicensed employees performing elevator work under this exemption must comply with  
140.14 subdivision 5. This exemption does not include the installation, maintenance, repair, or  
140.15 replacement of electrical wiring for elevator equipment.

64.4 (b) Contractors or individuals shall not be required to hold or obtain a license under this  
64.5 section when performing work on:

64.6 (1) conveyors, including vertical reciprocating conveyors;

64.7 (2) platform lifts not covered under section 326B.163, subdivision 5a; or

64.8 (3) dock levelers.

64.9 Sec. 6. Minnesota Statutes 2020, section 326B.36, subdivision 7, is amended to read:

64.10 Subd. 7. **Exemptions from inspections.** Installations, materials, or equipment shall not  
64.11 be subject to inspection under sections 326B.31 to 326B.399:

64.12 (1) when owned or leased, operated and maintained by any employer whose maintenance  
64.13 electricians are exempt from licensing under sections 326B.31 to 326B.399, while performing  
64.14 electrical maintenance work only as defined by rule;

64.15 (2) when owned or leased, and operated and maintained by any electrical,  
64.16 communications, or railway utility, cable communications company as defined in section  
64.17 238.02, or telephone company as defined under section 237.01, in the exercise of its utility,  
64.18 antenna, or telephone function; and

64.19 (i) are used exclusively for the generations, transformation, distribution, transmission,  
64.20 load control, or metering of electric current, or the operation of railway signals, or the  
64.21 transmission of intelligence, and do not have as a principal function the consumption or use  
64.22 of electric current by or for the benefit of any person other than such utility, cable  
64.23 communications company, or telephone company; and

64.24 (ii) are generally accessible only to employees of such utility, cable communications  
64.25 company, or telephone company or persons acting under its control or direction; and

64.26 (iii) are not on the load side of the service point or point of entrance for communication  
64.27 systems;

64.28 (3) when used in the street lighting operations of an electrical utility;

64.29 (4) when used as outdoor area lights which are owned and operated by an electrical  
64.30 utility and which are connected directly to its distribution system and located upon the  
65.1 utility's distribution poles, and which are generally accessible only to employees of such  
65.2 utility or persons acting under its control or direction;

65.3 (5) when the installation, material, and equipment are in facilities subject to the  
65.4 jurisdiction of the federal Mine Safety and Health Act; or

140.16 (b) Contractors and individuals shall not be required to hold or obtain a license under  
140.17 this section when performing work on:

140.18 (1) conveyors, including vertical reciprocating conveyors;

140.19 (2) platform lifts not covered under section 326B.163, subdivision 5a; or

140.20 (3) dock levelers.

140.21 Sec. 22. Minnesota Statutes 2020, section 326B.36, subdivision 7, is amended to read:

140.22 Subd. 7. **Exemptions from inspections.** Installations, materials, or equipment shall not  
140.23 be subject to inspection under sections 326B.31 to 326B.399:

140.24 (1) when owned or leased, operated and maintained by any employer whose maintenance  
140.25 electricians are exempt from licensing under sections 326B.31 to 326B.399, while performing  
140.26 electrical maintenance work only as defined by rule;

140.27 (2) when owned or leased, and operated and maintained by any electrical,  
140.28 communications, or railway utility, cable communications company as defined in section  
140.29 238.02, or telephone company as defined under section 237.01, in the exercise of its utility,  
140.30 antenna, or telephone function; and

141.1 (i) are used exclusively for the generations, transformation, distribution, transmission,  
141.2 load control, or metering of electric current, or the operation of railway signals, or the  
141.3 transmission of intelligence, and do not have as a principal function the consumption or use  
141.4 of electric current by or for the benefit of any person other than such utility, cable  
141.5 communications company, or telephone company; and

141.6 (ii) are generally accessible only to employees of such utility, cable communications  
141.7 company, or telephone company or persons acting under its control or direction; and

141.8 (iii) are not on the load side of the service point or point of entrance for communication  
141.9 systems, except for replacement or repair of load management equipment located on the  
141.10 exterior of a building for an electric utility other than a public utility as defined in section  
141.11 216B.02, subdivision 4, before December 31, 2027, by a Class A electrical contractor  
141.12 licensed under section 326B.33;

141.13 (3) when used in the street lighting operations of an electrical utility;

141.14 (4) when used as outdoor area lights which are owned and operated by an electrical  
141.15 utility and which are connected directly to its distribution system and located upon the  
141.16 utility's distribution poles, and which are generally accessible only to employees of such  
141.17 utility or persons acting under its control or direction;

141.18 (5) when the installation, material, and equipment are in facilities subject to the  
141.19 jurisdiction of the federal Mine Safety and Health Act; or

65.5 (6) when the installation, material, and equipment is part of an elevator installation for  
65.6 which the elevator contractor, licensed under section 326B.164, is required to obtain a permit  
65.7 from the authority having jurisdiction as provided by section 326B.184, and the inspection  
65.8 has been or will be performed by an elevator inspector certified and licensed by the  
65.9 department. This exemption shall apply only to installations, material, and equipment  
65.10 permitted or required to be connected on the load side of the disconnecting means required  
65.11 for elevator equipment under National Electrical Code Article 620, and elevator  
65.12 communications and alarm systems within the machine room, car, hoistway, or elevator  
65.13 lobby.

65.14 Sec. 7. Minnesota Statutes 2020, section 326B.36, is amended by adding a subdivision to  
65.15 read:

65.16 Subd. 8. Electric utility exemptions; additional requirements. For exemptions to  
65.17 inspections exclusively for load control allowed for electrical utilities under subdivision 7,  
65.18 clause (2), item (i), the following requirements apply:

65.19 (1) the exempted work must be conducted by a Class A electrical contractor. If a  
65.20 deficiency or code violation is found when conducting such work, the electrical contractor  
65.21 or other designee must report the deficiency or code violation to the electric utility; and

65.22 (2) the electric utility must, within ten calendar days of discovering the need for repair,  
65.23 inform the owner:

65.24 (i) of the location of the materials or equipment that need repair;

65.25 (ii) that a permit is required for the work; and

65.26 (iii) of a time frame for the repair to be complete, not to exceed six months, after which  
65.27 time the utility must disconnect the materials or equipment.

65.28 Sec. 8. Minnesota Statutes 2020, section 326B.42, subdivision 1b, is amended to read:

65.29 Subd. 1b. **Backflow prevention rebuilder.** (a) A "backflow prevention rebuilder" is an  
65.30 individual who is qualified by training prescribed by the Plumbing Board and possesses a  
65.31 master or journeyworker plumber's license to engage in the testing, maintenance, and  
66.1 rebuilding of ~~reduced-pressure zone type~~ backflow prevention assemblies as regulated by  
66.2 the Plumbing Code.

66.3 (b) For the purposes of this section and section 326B.437, a backflow prevention rebuilder  
66.4 who is qualified by training prescribed by the Plumbing Board and engages in rebuilding  
66.5 of backflow prevention assemblies limited to systems used to apply water to soil and plant  
66.6 materials or provide water to landscape features is exempt from the licensing requirements  
66.7 of paragraph (a). Nothing in this paragraph allows an employee or delegate of the backflow  
66.8 prevention rebuilder or tester to engage in the testing, maintenance, and rebuilding of  
66.9 backflow prevention assemblies as regulated by the Plumbing Code, unless the employee

141.20 (6) when the installation, material, and equipment is part of an elevator installation for  
141.21 which the elevator contractor, licensed under section 326B.164, is required to obtain a permit  
141.22 from the authority having jurisdiction as provided by section 326B.184, and the inspection  
141.23 has been or will be performed by an elevator inspector certified and licensed by the  
141.24 department. This exemption shall apply only to installations, material, and equipment  
141.25 permitted or required to be connected on the load side of the disconnecting means required  
141.26 for elevator equipment under National Electrical Code Article 620, and elevator  
141.27 communications and alarm systems within the machine room, car, hoistway, or elevator  
141.28 lobby.

66.10 or delegate has the requisite backflow prevention tester or rebuilder training prescribed by  
66.11 the Plumbing Board.

66.12 Sec. 9. Minnesota Statutes 2020, section 326B.42, subdivision 1c, is amended to read:

66.13 Subd. 1c. **Backflow prevention tester.** A "backflow prevention tester" is an individual  
66.14 who is qualified by training prescribed by the Plumbing Board to engage in the testing of  
66.15 ~~reduced pressure zone type~~ backflow prevention assemblies as regulated by the Plumbing  
66.16 Code.

66.17 Sec. 10. Minnesota Statutes 2020, section 326B.437, is amended to read:

66.18 **326B.437 REDUCED-PRESSURE BACKFLOW PREVENTION REBUILDERS**  
66.19 **AND TESTERS.**

66.20 (a) No person shall perform or offer to perform the installation, ~~maintenance, repair, or~~  
66.21 ~~replacement, or rebuilding of reduced pressure zone~~ of backflow prevention assemblies  
66.22 unless the person obtains a plumbing contractor's license. An individual shall not engage  
66.23 in the testing, maintenance, ~~repair,~~ or rebuilding of ~~reduced pressure zone~~ backflow  
66.24 prevention assemblies, as regulated by the Plumbing Code, unless the individual is certified  
66.25 by the commissioner as a backflow prevention rebuilder.

66.26 (b) An individual shall not engage in testing of a ~~reduced pressure zone~~ backflow  
66.27 prevention assembly, as regulated by the Plumbing Code, unless the individual possesses  
66.28 a backflow prevention rebuilder certificate or is certified by the commissioner as a backflow  
66.29 prevention tester.

66.30 (c) Certificates are issued for an initial period of two years and must be renewed every  
66.31 two years thereafter for as long as the certificate holder ~~installs, maintains, repairs, rebuilds,~~  
66.32 or tests ~~reduced pressure zone~~ backflow prevention assemblies. For purposes of calculating  
67.1 fees under section 326B.092, an initial or renewed backflow prevention rebuilder or tester  
67.2 certificate shall be considered an entry level license.

67.3 (d) ~~The Plumbing Board shall adopt expedited rules under section 14.389 that are related~~  
67.4 ~~to the certification of backflow prevention rebuilders and backflow prevention testers.~~  
67.5 ~~Section 326B.13, subdivision 8, does not apply to these rules. Notwithstanding the 18-month~~  
67.6 ~~limitation under section 14.125, this authority expires on December 31, 2014.~~

67.7 (e) ~~The department shall recognize certification programs that are a minimum of 16~~  
67.8 ~~contact hours and include the passage of an examination. The examination must consist of~~  
67.9 ~~a practical and a written component. This paragraph expires when the Plumbing Board~~  
67.10 ~~adopts rules under paragraph (d).~~

67.11 Sec. 11. Minnesota Statutes 2020, section 326B.46, subdivision 2, is amended to read:

67.12 Subd. 2. **Bond; insurance.** (a) The bond and insurance requirements of paragraphs (b)  
67.13 and (c) apply to each person who performs or offers to perform plumbing work within the  
67.14 state, including any person who offers to perform or performs sewer or water service

67.15 installation or backflow prevention testing or rebuilding as described under subdivision 1b,  
67.16 paragraph (b), without a contractor's license. If the person performs or offers to perform  
67.17 any plumbing work other than sewer or water service installation or backflow prevention  
67.18 testing or rebuilding as described under subdivision 1b, paragraph (b), then the person must  
67.19 meet the requirements of paragraphs (b) and (c) as a condition of holding a contractor's  
67.20 license.

67.21 (b) Each person who performs or offers to perform plumbing work within the state shall  
67.22 give and maintain bond to the state in the penal sum of at least \$25,000 for (1) all plumbing  
67.23 work entered into within the state or (2) all plumbing work and subsurface sewage treatment  
67.24 work entered into within the state. The bond must comply with section 326B.0921. If the  
67.25 bond is for both plumbing work and subsurface sewage treatment work, the bond must  
67.26 comply with the requirements of this section and section 115.56, subdivision 2, paragraph  
67.27 (e).

67.28 (c) Each person who performs or offers to perform plumbing work within the state shall  
67.29 have and maintain in effect public liability insurance, including products liability insurance  
67.30 with limits of at least \$50,000 per person and \$100,000 per occurrence and property damage  
67.31 insurance with limits of at least \$10,000. The insurance shall be written by an insurer licensed  
67.32 to do business in the state of Minnesota. Each person who performs or offers to perform  
67.33 plumbing work within the state shall maintain on file with the commissioner a certificate  
67.34 evidencing the insurance. In the event of a policy cancellation, the insurer shall send written  
68.1 notice to the commissioner at the same time that a cancellation request is received from or  
68.2 a notice is sent to the insured.

68.3 Sec. 12. Laws 2021, First Special Session chapter 10, article 3, section 14, subdivision 1,  
68.4 is amended to read:

68.5 Subdivision 1. **License required.** (a) No individual shall engage in or work at the business  
68.6 of a master plumber, restricted master plumber, journeyworker plumber, and restricted  
68.7 journeyworker plumber unless licensed to do so by the commissioner. A license is not  
68.8 required for individuals performing building sewer or water service installation who have  
68.9 completed pipe laying training as prescribed by the commissioner. A license is not required  
68.10 for individuals servicing or installing a commercial chemical dispensing system or servicing  
68.11 or replacing a commercial dishwashing machine, including connecting a commercial chemical  
68.12 dispensing system or commercial dishwashing machine to a water line or drain line, provided  
68.13 that:

68.14 (1) the individual servicing or installing the commercial chemical dispensing system or  
68.15 servicing or replacing the commercial dishwashing machine is an employee of the  
68.16 manufacturer or distributor of the commercial chemical dispensing system or commercial  
68.17 dishwashing machine;

68.18 (2) the individual servicing or installing the commercial chemical dispensing system or  
68.19 servicing or replacing the commercial dishwashing machine has a minimum of 25 hours of  
68.20 classroom or laboratory training, a minimum of 20 hours of in-field training with a qualified



68.21 technician on the types of systems being installed, followed by a minimum of 100 hours of  
68.22 supervised field experience. The training and experience curriculum required under this  
68.23 clause must be approved by the commissioner, in consultation with the manufacturer or  
68.24 distributor, but the commissioner shall not require training or experience hours in excess  
68.25 of the amounts specified in this clause;

68.26 (3) the manufacturer or distributor of the commercial chemical dispensing system or  
68.27 commercial dishwashing machine must meet the insurance requirements of section 326B.46,  
68.28 subdivision 2, paragraph (c);

68.29 (4) the connection is a push fit fitting, compression fitting, or threaded pipe fitting to an  
68.30 existing water line or drain, which has been initially installed by a licensed plumber; and

68.31 (5) the commercial chemical dispensing system complies with ASSE 1055 or contains  
68.32 code-approved integral backflow protection.

69.1 A license is not required for individuals performing backflow prevention rebuilding as  
69.2 described under subdivision 1b, paragraph (b), provided that the individual: (1) has completed  
69.3 backflow prevention rebuild training as prescribed by the Plumbing Board; and (2) has  
69.4 obtained a nationally recognized third-party accredited professional irrigation certification  
69.5 and any such professional certifications have been approved by the commissioner.

69.6 A master plumber may also work as a journeyworker plumber, a restricted journeyworker  
69.7 plumber, and a restricted master plumber. A journeyworker plumber may also work as a  
69.8 restricted journeyworker plumber. Anyone not so licensed may do plumbing work which  
69.9 complies with the provisions of the minimum standards prescribed by the Plumbing Board  
69.10 on premises or that part of premises owned and actually occupied by the worker as a  
69.11 residence, unless otherwise forbidden to do so by a local ordinance.

69.12 (b) No person shall engage in the business of planning, superintending, or installing  
69.13 plumbing or shall install plumbing in connection with the dealing in and selling of plumbing  
69.14 material and supplies unless at all times a licensed master plumber, or in cities and towns  
69.15 with a population of fewer than 5,000 according to the last federal census, a restricted master  
69.16 plumber, who shall be responsible for proper installation, is in charge of the plumbing work  
69.17 of the person.

69.18 (c) Except as provided in subdivision 1a, no person shall perform or offer to perform  
69.19 plumbing work with or without compensation unless the person obtains a contractor's license.  
69.20 A contractor's license does not of itself qualify its holder to perform the plumbing work  
69.21 authorized by holding a master, journeyworker, restricted master, or restricted journeyworker  
69.22 license.

69.23 Sec. 13. LAWS CHAPTER 32 EFFECTIVE DATE.

69.24 Notwithstanding any other law to the contrary, Laws 2022, chapter 32, articles 1 and 2,  
69.25 sections 1 to 12, are effective the day following final enactment, and Laws 2022, chapter  
69.26 32, article 1, section 1, applies to appointments made on or after that date.

141.29 Sec. 23. LAWS CHAPTER 32 EFFECTIVE DATE.

141.30 Notwithstanding any other law to the contrary, Laws 2022, chapter 32, articles 1 and 2,  
141.31 sections 1 to 12, are effective the day following final enactment, and Laws 2022, chapter  
141.32 32, article 1, section 1, applies to appointments made on or after that date.