

1.1 moves to amend H.F. No. 604 as follows:

1.2 Page 1, line 10, delete the first comma and insert "or" and delete ", or"

1.3 Page 1, line 11, delete "judicial branch"

1.4 Page 1, delete lines 12 to 16 and insert:

1.5 "(c) "Commissioner" means the commissioner of health."

1.6 Page 1, after line 19, insert:

1.7 "(f) "Industry guidance" means the requirements established in the industry-specific
1.8 guidance documents available on the Stay Safe Minnesota website.

1.9 (g) "Intercollegiate sports" means sports in which teams or individual athletes are overseen
1.10 by an intercollegiate sports association or conference. Intercollegiate sports does not include
1.11 club sports, intramural sports, or recreational sports."

1.12 Page 2, after line 2, insert:

1.13 "(g) "Physical distancing" means an individual being separated by at least six feet of
1.14 distance from others who are not members of the individual's household.

1.15 (h) "Professional sports" means sports in which the athletes receive non-de minimis
1.16 compensation for performance. For purposes of this paragraph, compensation does not
1.17 include reimbursement or payment for equipment, sports-related travel, or other
1.18 performance-related expenses; the provision of developmental or recruitment opportunities;
1.19 or waiving league fees or not charging a fee to participate. This definition may be further
1.20 clarified in industry guidance."

1.21 Page 2, delete lines 5 and 6

1.22 Reletter the paragraphs in sequence

1.23 Page 2, line 9, delete "five" and insert "six"

- 2.1 Page 2, line 15, delete "social" and insert "physical"
- 2.2 Page 2, line 29, delete "four" and insert "five"
- 2.3 Page 3, line 2, after the semicolon, insert "or"
- 2.4 Page 3, line 3, delete "; or" and insert a period
- 2.5 Page 3, delete lines 4 to 9
- 2.6 Page 3, line 13, after the first comma, insert "engaged in public"
- 2.7 Page 3, line 14, delete "social" and insert "physical"
- 2.8 Page 3, delete lines 16 and 17 and insert:
- 2.9 "(2) is an athlete participating in an intercollegiate sport or professional sport that meets
- 2.10 the minimum testing and COVID-19 mitigation requirements in applicable industry
- 2.11 guidance;"
- 2.12 Page 3, lines 20 and 26, delete "social" and insert "physical"
- 2.13 Page 4, line 2, delete "social" and insert "physical"
- 2.14 Page 4, line 19, before "Wearing" insert "(a)"
- 2.15 Page 4, after line 21, insert:
- 2.16 "(b) This section shall be preempted by any federal law, federal rule, federal guidance,
- 2.17 federal order, or other federal direction that imposes more protective requirements regarding
- 2.18 face coverings than those in this section.
- 2.19 **Subd. 7. Authority of commissioner of health.** (a) The commissioner may establish
- 2.20 additional exemptions from the face covering requirements of this section, may authorize
- 2.21 individuals to temporarily remove their face coverings in situations not described in this
- 2.22 section, and may issue interpretive guidance to clarify the requirements of this section and
- 2.23 section 2. Any determination or guidance issued by the commissioner according to this
- 2.24 subdivision must be published in industry guidance. Nothing in this section shall be construed
- 2.25 to prohibit the commissioner from requiring other forms of protective equipment in addition
- 2.26 to or as an alternative to a face covering.
- 2.27 (b) Industry guidance shall be exempt from the rulemaking requirements in Minnesota
- 2.28 Statutes, chapter 14, including the procedures in Minnesota Statutes, sections 14.386, 14.388,
- 2.29 and 14.389.
- 2.30 **Subd. 8. Exemptions.** (a) Nothing in this section shall be construed to limit, prohibit,
- 2.31 or restrict in any way the operation of the federal government or the movement of federal

3.1 officials in this state while acting in their official capacity, including federal judicial,
3.2 legislative, and executive branch staff and personnel.

3.3 (b) This section does not apply to the judicial branch of state government. Requirements
3.4 for face coverings in state judicial branch facilities and at proceedings held by the state
3.5 judicial branch are subject to policies or orders of the chief justice of the Minnesota Supreme
3.6 Court.

3.7 (c) This section does not apply to activities by tribal members within the boundaries of
3.8 their tribal reservations, or to activities within the boundaries of federal land held in trust
3.9 for one of the eleven Minnesota Tribal Nations. Such activities may be subject to restrictions
3.10 by tribal authorities."

3.11 Page 4, line 25, after "business" insert "that is required by law or industry guidance to
3.12 have a COVID-19 preparedness plan"

3.13 Page 4, line 28, after the semicolon, insert "and"

3.14 Page 4, line 29, delete "; and" and insert a period

3.15 Page 4, delete line 30

3.16 Page 5, line 1, after "business" insert "must inform the business's workers of all applicable
3.17 face covering requirements, and"

3.18 Page 5, delete lines 5 to 17 and insert:

3.19 "(1) require its workers to wear a face covering according to section 1 and, where
3.20 applicable, the business's COVID-19 preparedness plan;

3.21 (2) make reasonable efforts to require customers and visitors entering the business to
3.22 wear a face covering according to section 1 and, where applicable, the business's COVID-19
3.23 preparedness plan; and

3.24 (3) when possible, provide reasonable accommodations or an alternative service option,
3.25 consistent with federal, state, and local law, for individuals not required to wear a face
3.26 covering according to section 1, subdivision 3, clause (1). Nothing in this clause shall be
3.27 construed to prohibit a business from denying entry or service to a customer, or to require
3.28 a business to allow workers to continue performing their duties when an accommodation
3.29 is not required by existing law or when a business is unable to provide an accommodation
3.30 that adequately protects the safety of its workers or other individuals.

3.31 (b) A business shall not require a customer to explain or provide proof of a medical
3.32 condition, mental health condition, or disability if the customer does not wear a face covering

4.1 due to the condition or disability. For all other individuals, including but not limited to
4.2 workers, students, and athletes, a business must follow other applicable federal, state, and
4.3 local laws with respect to whether the business may require an individual to provide
4.4 documentation of a medical condition, mental health condition, or disability that prevents
4.5 the individual from wearing a face covering, and with respect to what the business may ask
4.6 the individual regarding the individual's condition or disability."

4.7 Page 6, delete lines 11 to 20 and insert:

4.8 "(b) The attorney general, as well as city attorneys and county attorneys, shall be entitled,
4.9 on behalf of the state, to investigate and seek any civil relief available pursuant to Minnesota
4.10 Statutes, section 8.31, for violations or threatened violations of section 1 or 2. Such relief
4.11 shall include but is not limited to injunctive relief, civil penalties in an amount to be
4.12 determined by the court but not to exceed \$25,000 per occurrence, costs of the investigation,
4.13 reasonable attorney's fees and costs, and other equitable relief as determined by the court
4.14 in accordance with Minnesota Statutes, section 8.31."

4.15 Page 6, line 31, after "transmission" insert ", or upon a determination by the commissioner
4.16 that an enforceable face covering requirement is no longer necessary, whichever occurs
4.17 first. A determination made by the commissioner under this section is exempt from the
4.18 rulemaking requirements in Minnesota Statutes, chapter 14, including the procedures in
4.19 Minnesota Statutes, sections 14.386, 14.388, and 14.389"

4.20 Page 7, line 1, delete "of health"

4.21 Amend the title accordingly