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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 445

01/17/2023 Authored by Her, Howard, Koegel, Stephenson, Clardy and others
The bill was read for the first time and referred to the Committee on Housing Finance and Policy
01/26/2023 Adoption of Report: Re-referred to the Committee on Judiciary Finance and Civil Law

1.1 A bill for an act
1.2 relating to housing; prohibiting rental discrimination based on participation in
1.3 public assistance; amending Minnesota Statutes 2022, section 363A.09, subdivisions
1.4 1, 2, by adding a subdivision.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2022, section 363A.09, subdivision 1, is amended to read:

1.7 Subdivision 1. Real property interest; action by owner, lessee, and others. It is an
1.8 unfair discriminatory practice for an owner, lessee, sublessee, assignee, or managing agent
1.9 of, or other person having the right to sell, rent or lease any real property, or any agent of
1.10 any of these:

1.11 (1) to refuse to sell, rent, or lease or otherwise deny to or withhold from any person or
1.12 group of persons any real property because of race, color, creed, religion, national origin,
1.13 sex, marital status, status with regard to public assistance, participation in or requirements
1.14 of a public assistance program, disability, sexual orientation, or familial status; or

1.15 (2) to discriminate against any person or group of persons because of race, color, creed,
1.16 religion, national origin, sex, marital status, status with regard to public assistance,
1.17 participation in or requirements of a public assistance program, disability, sexual orientation,
1.18 or familial status in the terms, conditions or privileges of the sale, rental or lease of any real
1.19 property or in the furnishing of facilities or services in connection therewith, except that
1.20 nothing in this clause shall be construed to prohibit the adoption of reasonable rules intended
1.21 to protect the safety of minors in their use of the real property or any facilities or services
1.22 furnished in connection therewith; or

2.1 (3) in any transaction involving real property, to print, circulate or post or cause to be
 2.2 printed, circulated, or posted any advertisement or sign, or use any form of application for
 2.3 the purchase, rental or lease of real property, or make any record or inquiry in connection
 2.4 with the prospective purchase, rental, or lease of real property which expresses, directly or
 2.5 indirectly, any limitation, specification, or discrimination as to race, color, creed, religion,
 2.6 national origin, sex, marital status, status with regard to public assistance, participation in
 2.7 or requirements of a public assistance program, disability, sexual orientation, or familial
 2.8 status, or any intent to make any such limitation, specification, or discrimination except that
 2.9 nothing in this clause shall be construed to prohibit the advertisement of a dwelling unit as
 2.10 available to adults-only if the person placing the advertisement reasonably believes that the
 2.11 provisions of this section prohibiting discrimination because of familial status do not apply
 2.12 to the dwelling unit.

2.13 Sec. 2. Minnesota Statutes 2022, section 363A.09, subdivision 2, is amended to read:

2.14 Subd. 2. **Real property interest; action by brokers, agents, and others.** It is an unfair
 2.15 discriminatory practice for a real estate broker, real estate salesperson, or employee, or agent
 2.16 thereof:

2.17 (1) to refuse to sell, rent, or lease or to offer for sale, rental, or lease any real property
 2.18 to any person or group of persons or to negotiate for the sale, rental, or lease of any real
 2.19 property to any person or group of persons because of race, color, creed, religion, national
 2.20 origin, sex, marital status, status with regard to public assistance, participation in or
 2.21 requirements of a public assistance program, disability, sexual orientation, or familial status
 2.22 or represent that real property is not available for inspection, sale, rental, or lease when in
 2.23 fact it is so available, or otherwise deny or withhold any real property or any facilities of
 2.24 real property to or from any person or group of persons because of race, color, creed, religion,
 2.25 national origin, sex, marital status, status with regard to public assistance, participation in
 2.26 or requirements of a public assistance program, disability, sexual orientation, or familial
 2.27 status; or

2.28 (2) to discriminate against any person because of race, color, creed, religion, national
 2.29 origin, sex, marital status, status with regard to public assistance, participation in or
 2.30 requirements of a public assistance program, disability, sexual orientation, or familial status
 2.31 in the terms, conditions or privileges of the sale, rental or lease of real property or in the
 2.32 furnishing of facilities or services in connection therewith; or

2.33 (3) to print, circulate, or post or cause to be printed, circulated, or posted any
 2.34 advertisement or sign, or use any form of application for the purchase, rental, or lease of

3.1 any real property or make any record or inquiry in connection with the prospective purchase,
3.2 rental or lease of any real property, which expresses directly or indirectly, any limitation,
3.3 specification or discrimination as to race, color, creed, religion, national origin, sex, marital
3.4 status, status with regard to public assistance, participation in or requirements of a public
3.5 assistance program, disability, sexual orientation, or familial status or any intent to make
3.6 any such limitation, specification, or discrimination except that nothing in this clause shall
3.7 be construed to prohibit the advertisement of a dwelling unit as available to adults-only if
3.8 the person placing the advertisement reasonably believes that the provisions of this section
3.9 prohibiting discrimination because of familial status do not apply to the dwelling unit.

3.10 Sec. 3. Minnesota Statutes 2022, section 363A.09, is amended by adding a subdivision to
3.11 read:

3.12 Subd. 2a. **Definition; public assistance program.** For the purposes of this section,
3.13 "public assistance program" means federal, state, or local assistance, including but not
3.14 limited to rental assistance, rent supplements, and housing choice vouchers.