

SENATE
STATE OF MINNESOTA
NINETIETH SESSION

S.F. No. 1487

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792 Introduction and first reading
Referred to Local Government

OFFICIAL STATUS

1.1 A bill for an act
 1.2 relating to law enforcement; authorizing a local unit of government to assess costs
 1.3 to large retail stores for excessive consumption of law enforcement services;
 1.4 proposing coding for new law in Minnesota Statutes, chapter 617.

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

1.6 Section 1. **[617.875] EXCESSIVE CONSUMPTION OF LAW ENFORCEMENT**
 1.7 **SERVICES; LARGE RETAIL STORES.**

1.8 Subdivision 1. **Definitions.** For purposes of this section, the following terms have the
 1.9 meanings given:

1.10 (a) "Large retail store" or "store" means a stand-alone retail establishment with at least
 1.11 50,000 square feet of retail space located in a structure where no more than two stories are
 1.12 used for retail space accessible to customers and with an adjacent, privately owned parking
 1.13 lot for its customers and employees that is 50,000 square feet or more.

1.14 (b) "Parking space" means the square footage of space available for parking by customers
 1.15 or employees of the large retail store owned or leased by the large retail store and controlled
 1.16 by the store for the benefit of its operations. Parking space does not include:

1.17 (1) loading, unloading, and delivery areas not generally available for customer parking
 1.18 except short-term for purchase pickup; or

1.19 (2) parking facilities owned by a municipality or other entity for general public use.

1.20 (c) "Retail establishment" means a business that is classified under sector 44-45 in the
 1.21 North American Industry Classification System, except for automobile dealers under sector

2.1 4411, other motor vehicle dealers under sector 4412, and nonstore retailers under sector
2.2 454.

2.3 (d) "Retail space" means the square footage of space devoted to displaying and storing
2.4 merchandise, including attached merchandise storage space, changing rooms and restrooms,
2.5 areas for processing transactions with customers, and spaces used to provide other services
2.6 that a customer may access without leaving the retail establishment including but not limited
2.7 to an in-store restaurant, photo processing service, or hair salon. Retail space does not
2.8 include administrative and office space, employee break rooms, and similar spaces not
2.9 generally accessible to customers.

2.10 (e) "excessive consumption of law enforcement services" means five or more law
2.11 enforcement service requests made during a 30-day period to the same property for incidents
2.12 involving violations of section 609.52.

2.13 (f) "local unit of government" means a county, statutory or home rule charter city, or
2.14 town.

2.15 Subd. 2. **Excessive consumption of law enforcement services.** A local unit of
2.16 government may assess a large retail store with costs for excessive consumption of law
2.17 enforcement services as provided in subdivision 3.

2.18 Subd. 3. **Notice and assessment; right to contest.** (a) Before assessing costs for
2.19 excessive consumption of law enforcement service, the local unit of government must serve
2.20 written notice to the owner, lessee, or tenant of the large retail store that includes the
2.21 following information:

2.22 (1) the store has 30 days from the date of the notice to take steps to reduce the number
2.23 of service calls made to the law enforcement agency;

2.24 (2) after the 30-day notice period is over, the store will be assessed the cost of peace
2.25 officer time for any further excessive consumption of law enforcement services; and

2.26 (3) the hourly rate per officer which will be assessed.

2.27 (b) The hourly rate shall be equal to 150 percent of the average entry-level salary of a
2.28 peace officer in the local jurisdiction.

2.29 (c) A local unit of government that assesses costs to large retail stores under this section
2.30 must provide an administrative process to allow a store to contest the assessment.