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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. 4656

05/09/2020 Authored by Robbins
The bill was read for the first time and referred to the Jobs and Economic Development Finance Division

1.1 A bill for an act
1.2 relating to economic development; COVID-19; allowing the restarting of activities
1.3 in Minnesota affected by COVID-19.

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

1.5 Section 1. REOPENING MINNESOTA.

1.6 Subdivision 1. Definitions. (a) The definitions in this subdivision apply to this section.

1.7 (b) "Nonessential business" means a business closed or prevented from normal operation
1.8 by an executive order issued in response to the COVID-19 peacetime public health
1.9 emergency. It does not include any venue designed for a large public gathering, such as a
1.10 sporting event or concert.

1.11 (c) "Personal protective equipment" means equipment worn to minimize exposure to a
1.12 hazard that causes a workplace injury or illness and may include gloves, face masks, and
1.13 gowns.

1.14 (d) "Sanitation guidelines" means any guidance on measures to prevent infection by
1.15 COVID-19 issued by the Centers for Disease Control and Prevention, the Minnesota
1.16 Department of Health, or any other applicable state or federal public health officials.

1.17 (e) "Social distancing practices" means practices that prevent knowingly allowing people
1.18 to congregate within six feet of one another, unless they are members of the same household.

1.19 Subd. 2. Nonessential businesses. (a) Nonessential businesses must be allowed to reopen
1.20 if the business complies with the following standards:

1.21 (1) implement all reasonable steps to comply with social distancing practices;

2.1 (2) implement all reasonable steps to comply with sanitation guidelines; and

2.2 (3) allow all workers who can perform their duties from home to continue to do so.

2.3 A nonessential business that reopens must also designate a specific person as having the  
 2.4 responsibility to establish, implement, and enforce compliance with these standards. The  
 2.5 procedures created to comply with these standards must also be shared with all workers and  
 2.6 posted in public locations in the business.

2.7 (b) In addition, nonessential businesses that reopen must make reasonable efforts to:

2.8 (1) make hand sanitizer available to both customers and workers;

2.9 (2) set aside separate hours or days each week for serving customers who are senior  
 2.10 citizens or otherwise at risk;

2.11 (3) provide personal protective equipment to workers;

2.12 (4) reconfigure spaces and equipment to protect customers and workers; and

2.13 (5) regularly sanitize all surfaces with which people might have contact.

2.14 (c) In addition, nonessential businesses that reopen are encouraged to:

2.15 (1) utilize curbside service;

2.16 (2) schedule customer appointments; and

2.17 (3) eliminate enclosed waiting areas.

2.18 Subd. 3. **Hair and nail service businesses.** Nonessential businesses that perform services  
 2.19 regulated by Minnesota Statutes, chapter 154 or 155A, must be allowed to reopen as long  
 2.20 as such businesses comply with all of subdivision 2, except that workers are allowed within  
 2.21 six feet of customers. In addition, such businesses must:

2.22 (1) encourage all clients and staff to wear masks that cover their mouth and nose whenever  
 2.23 possible;

2.24 (2) encourage all staff to wear new disposable gloves with each client whenever possible;  
 2.25 and

2.26 (3) sanitize work stations and wash hands thoroughly after each client.

2.27 Subd. 4. **Health care providers.** (a) Health care providers, including health clinics,  
 2.28 dental clinics, physician offices, hospitals, and outpatient surgical centers licensed under  
 2.29 Minnesota Statutes, chapter 144, are authorized to resume normal operations, unless  
 2.30 discontinued by the commissioner of health under paragraph (b). This includes the provision

3.1 of preventive medical or dental care, the performance of diagnostic tests, the performance  
3.2 of nonessential or elective surgical procedures, and the provision of cancer treatment.

3.3 (b) The commissioner of health may temporarily discontinue the authorizations under  
3.4 this subdivision for health care providers in a specific region or area of the state if the  
3.5 commissioner finds that, based on the current number of patients requiring inpatient care  
3.6 for COVID-19 in that region or area, there is an insufficient number of inpatient hospital  
3.7 beds or an insufficient amount of personal protective equipment available to health care  
3.8 providers and others to safely allow the continued provision of cancer treatment or the  
3.9 performance of diagnostic tests or nonessential surgeries in that region or area. Such a  
3.10 temporary discontinuance lasts for 14 days, after which the commissioner may issue  
3.11 additional temporary authorizations under this paragraph if warranted.

3.12 Subd. 5. **Youth sports and recreation programs.** Mayors may allow the reopening of  
3.13 youth sports and recreation programs that comply with the following standards:

3.14 (1) hold all activities outside;

3.15 (2) implement all reasonable steps to comply with social distancing practices for all  
3.16 nonparticipant observers of program activities; and

3.17 (3) implement all reasonable steps to comply with sanitation guidelines.

3.18 The program must also designate a specific person as having the responsibility to establish,  
3.19 implement, and enforce compliance with these standards.

3.20 Subd. 6. **Places of worship.** Places of worship that comply with the following standards  
3.21 must be allowed to reopen:

3.22 (1) implement all reasonable steps to comply with social distancing practices; and

3.23 (2) implement all reasonable steps to comply with sanitation guidelines.

3.24 Subd. 7. **High school graduation ceremonies.** School superintendents may allow the  
3.25 holding of high school graduation ceremonies by schools that comply with the following  
3.26 standards:

3.27 (1) implement all reasonable steps to comply with social distancing practices; and

3.28 (2) implement all reasonable steps to comply with sanitation guidelines.

3.29 Subd. 8. **Overnight camping.** State parks and private camping facilities may allow  
3.30 overnight camping that complies with the following standards:

3.31 (1) implement all reasonable steps to comply with social distancing practices; and

4.1 (2) implement all reasonable steps to comply with sanitation guidelines, which must  
4.2 include providing handwashing stations.

4.3 Fees may increase to cover the cost of compliance with these standards.

4.4 Subd. 9. **Scope.** This section shall apply to the nonessential businesses, places of worship,  
4.5 gatherings, and activities specifically described in this section. Nothing in this section shall  
4.6 prevent the governor from reopening additional businesses or activities outside of those  
4.7 described in this section.

4.8 **EFFECTIVE DATE.** This section is effective the day following final enactment and  
4.9 expires with the expiration of the peacetime emergency declared by the governor under  
4.10 Minnesota Statutes, section 12.31, subdivision 2, for an outbreak of COVID-19.