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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 2576

04/29/2021 Authored by Stephenson The bill was read for the first time and referred to the Committee on State Government Finance and Elections

1.1 A bill for an act
1.2 relating to local government; requiring local units of government to establish a
1.3 permitting process for targeted residential picketing; establishing a civil penalty;
1.4 proposing coding for new law in Minnesota Statutes, chapter 471.

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

1.6 Section 1. 471.145 TARGETED RESIDENTIAL PICKETING; PERMIT
1.7 REQUIRED.

1.8 Subdivision 1. Definitions. (a) For the purposes of this section, the following terms have
1.9 the meanings given them.

1.10 (b) "Municipality" means a home rule charter or statutory city, a town, or an unorganized
1.11 territory.

1.12 (c) "Occupant" means the occupant of a rented private residence subject to targeted
1.13 residential picketing.

1.14 (d) "Owner" means the owner of a private residence subject to targeted residential
1.15 picketing.

1.16 (e) "Private residence" means a dwelling that is privately owned and occupied by an
1.17 individual or group of individuals, and does not include a residence owned by the state or
1.18 federal government, or a political subdivision.

1.19 (f) "Targeted residential picketing" has the meaning given in section 609.748, subdivision
1.20 1, paragraph (c), but does not require more than one act or that acts be committed on more
1.21 than one occasion.

2.1 Subd. 2. Ordinance required. (a) On or before January 1, 2022, every municipality
2.2 that contains a private residence within its jurisdiction must adopt an ordinance establishing
2.3 a permit process, consistent with the criteria in subdivision 3, for targeted residential picketing
2.4 by three or more people outside a private residence. The county board of a county that
2.5 contains unorganized territory within its boundaries must adopt an ordinance and administer
2.6 the permit process for targeted residential picketing for an unorganized territory that contains
2.7 a private residence. The ordinance adopted under this subdivision must apply uniformly to
2.8 all targeted residential picketing in the jurisdiction, regardless of the subject matter of the
2.9 targeted residential picketing.

2.10 (b) A violation of the terms of the permit will result in a civil penalty of no less than
2.11 \$1,000 per violation. The penalty shall be deposited in the general fund of the municipality.

2.12 (c) Paragraph (a) does not supersede, modify, amend, or repeal an ordinance adopted
2.13 before or after January 1, 2022, that bans targeted residential picketing in a municipality.

2.14 Subd. 3. Permit process requirements. (a) The permit process established under
2.15 subdivision (2), paragraph (a), must include all of the following:

2.16 (1) a written application that meets the criteria of subdivision 4 and must be filled out
2.17 by the organizer of targeted residential picketing;

2.18 (2) mailed notice that meets the criteria of subdivision 5 and is sent to the owner and
2.19 the occupant, if applicable; and

2.20 (3) upon the approval of the written application under clause (1), the receipt of a written
2.21 permit by the applicant from the municipality that states the address and date or date range
2.22 approved by the municipality for targeted residential picketing.

2.23 (b) An owner or occupant may not appeal the approval of the permit by the municipality.

2.24 Subd. 4. Permit application. The written application for a targeted residential picketing
2.25 permit under subdivision 3 must contain the following:

2.26 (1) the name and telephone number of the applicant, who must be the organizer of
2.27 targeted residential picketing;

2.28 (2) the address outside of which targeted residential picketing will occur if the application
2.29 is approved;

2.30 (3) the anticipated number of individuals who will participate in targeted residential
2.31 picketing; and

2.32 (4) a statement signed by the applicant affirming the applicant understands that:

3.1 (i) targeted residential picketing may not occur earlier than five days after the approval
3.2 of the permit application;

3.3 (ii) the applicant's name and telephone number will be shared with the owner and the
3.4 occupant, if applicable; and

3.5 (iii) a violation of the terms of the permit will result in a civil penalty of no less than
3.6 \$1,000 per violation.

3.7 Subd. 5. **Written notice.** Within 24 hours of the approval of a written application for a
3.8 targeted residential picketing permit, the municipality must mail notice to the owner and
3.9 the occupant, if applicable. The notice must state the date or date range approved by the
3.10 municipality for targeted residential picketing and the name and telephone number of the
3.11 permit applicant.

3.12 Subd. 6. **Harassment restraining order.** Nothing in this section prohibits an owner or
3.13 occupant from seeking or obtaining a restraining order under section 609.748.

3.14 **EFFECTIVE DATE.** This section is effective the day following final enactment.