

This Document can be made available in alternative formats upon request

State of Minnesota  
HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. 2982

03/12/2014 Authored by Johnson, B., and Daudt

The bill was read for the first time and referred to the Committee on Health and Human Services Policy

1.1 A bill for an act  
1.2 relating to human services; requiring community notification prior to licensing  
1.3 residential or nonresidential programs; amending Minnesota Statutes 2012,  
1.4 section 245A.04, subdivision 2.

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

1.6 Section 1. Minnesota Statutes 2012, section 245A.04, subdivision 2, is amended to read:

1.7 Subd. 2. **Notification of affected municipality.** (a) The commissioner must not  
1.8 issue a license without giving 30 calendar days' written notice to the affected municipality  
1.9 or other political subdivision ~~unless the program is considered a permitted single-family~~  
1.10 ~~residential use under sections 245A.11 and 245A.14, except for programs described in~~  
1.11 paragraph (b).

1.12 (b) If the program is considered a permitted single-family or multifamily residential  
1.13 use under section 245A.11 or a permitted single-family or multifamily nonresidential use  
1.14 under section 245A.14, the commissioner must provide notice to the affected municipality  
1.15 or other political subdivision not less than 30 days nor more than 45 days before it signs a  
1.16 purchase or lease agreement to establish a group home or treatment facility. The required  
1.17 notice must be provided in writing to all residences, schools, churches, community  
1.18 organizations, and businesses within 2,640 feet of any facility the commissioner of human  
1.19 services establishes. Not less than 14 nor more than 21 days before signing a purchase  
1.20 or lease agreement the commissioner must hold a public hearing in the community in  
1.21 which the group home or facility will be located. This paragraph applies to state-operated  
1.22 programs and nonstate owned or operated programs.

2.1           (c) The notification required in paragraph (a) must be given before the first issuance  
2.2 of a license and annually after that time if annual notification is requested in writing by the  
2.3 affected municipality or other political subdivision.

2.4           (d) State funds must not be made available to or be spent by an agency or department  
2.5 of state, county, or municipal government for payment to a residential or nonresidential  
2.6 program licensed under this chapter until the provisions of this subdivision have been  
2.7 complied with in full. The provisions of this subdivision shall not apply to programs  
2.8 located in hospitals.