

A bill for an act

relating to the State Building Code; adding a definition of residential programs;
amending Minnesota Statutes 2010, sections 245A.11, subdivision 2; 326B.103,
by adding a subdivision.

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

Section 1. Minnesota Statutes 2010, section 245A.11, subdivision 2, is amended to read:

Subd. 2. **Permitted single-family residential use.** Residential programs with a
licensed capacity of six or fewer persons shall be considered a permitted single-family
residential use of property for the purposes of zoning and other land use regulations and
the State Building Code under sections 326B.101 to 326B.194, except that a residential
program whose primary purpose is to treat juveniles who have violated criminal statutes
relating to sex offenses or have been adjudicated delinquent on the basis of conduct in
violation of criminal statutes relating to sex offenses shall not be considered a permitted
use. This exception shall not apply to residential programs licensed before July 1, 1995.
Programs otherwise allowed under this subdivision shall not be prohibited by operation of
restrictive covenants or similar restrictions, regardless of when entered into, which cannot
be met because of the nature of the licensed program, including provisions which require
the home's occupants be related, and that the home must be occupied by the owner, or
similar provisions.

Sec. 2. Minnesota Statutes 2010, section 326B.103, is amended by adding a
subdivision to read:

H.F. No. 1349, as introduced - 87th Legislative Session (2011-2012) [11-1979]

- 2.1 Subd. 12a. **Residential programs; permitted single family residential use.**
- 2.2 Residential programs under section 245A.11, subdivision 2, are considered single family
- 2.3 residences for purposes of the State Building Code.