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State of Minnesota
HOUSE OF REPRESENTATIVES
NINETIETH SESSION

H. F. No. 1026

02/09/2017 Authored by Gunther; Anderson, P.; Daniels; Backer; Poppe and others
The bill was read for the first time and referred to the Committee on Agriculture Policy

1.1 A bill for an act
1.2 relating to agriculture; providing a nuisance exemption for certain livestock
1.3 facilities; amending Minnesota Statutes 2016, section 561.19, by adding a
1.4 subdivision.

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

1.6 Section 1. Minnesota Statutes 2016, section 561.19, is amended by adding a subdivision
1.7 to read:

1.8 Subd. 2a. Livestock odor. A livestock production facility is not a private or public
1.9 nuisance as a matter of law due to livestock odor unless the livestock production facility:

1.10 (1) violates the ambient air quality standards for hydrogen sulfide adopted by the
1.11 commissioner of the Pollution Control Agency under chapter 116 and the violation occurs
1.12 when a manure removal exemption authorized under section 116.0713 is not in effect; and

1.13 (2) does not take action, when directed by the commissioner of the Pollution Control
1.14 Agency or the commissioner's designee under section 116.0713, to address the violation
1.15 and comply with the ambient air quality standards for hydrogen sulfide.

1.16 EFFECTIVE DATE. This section is effective the day following final enactment and
1.17 applies to actions filed on or after that date.