A bill for an act
relating to emergency powers; nullifying Executive Order 20-79; prohibiting the
governor from issuing modifications to landlord and tenant law; providing for a
phaseout of the eviction moratorium; prohibiting eviction actions for nonpayment
of rent against tenants with pending applications for rental assistance; modifying
requirements of 504B; proposing coding for new law in Minnesota Statutes, chapter
12.

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

Section 1. [12.47] LIMITATION OF POWERS; EVICTION PROCEEDINGS.
Notwithstanding any law to the contrary, an order issued under this chapter prohibiting
or delaying eviction proceedings under chapter 504B is valid for a period not to exceed 30
days. The governor must not extend the order beyond 30 days unless the extension is
approved by a majority vote of each house of the legislature. The governor shall not allow
the order to expire and issue a new order delaying or prohibiting eviction proceedings under
chapter 504B in an effort to avoid obtaining legislative approval for an extension of the
order as provided in this section. An order issued to avoid obtaining legislative approval as
required under this section is null and void.

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

Sec. 2. EXECUTIVE ORDER 20-79 VOID; EVICTION MORATORIUM ORDERS
TEMPORARILY PROHIBITED.
(a) Notwithstanding Minnesota Statutes, chapter 12, or any other law to the contrary,
Executive Order 20-79 is null and void.
(b) Notwithstanding Minnesota Statutes, chapter 12, or any law to the contrary, the governor is prohibited from issuing an order prohibiting or delaying eviction proceedings under Minnesota Statutes, chapter 504B, for 30 days following the enactment of this act.

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

Sec. 3. EVICTION MORATORIUM PHASEOUT.

(a) Notwithstanding any law to the contrary, the following actions are prohibited:

(1) termination or nonrenewal of residential leases, except:

(i) at the request of a tenant or where the termination is due to the tenant seriously endangering the safety of others or significantly damaging property;

(ii) for violations under Minnesota Statutes, section 504B.171, subdivision 1;

(iii) termination and nonrenewal of residential leases are permitted for material violations of the lease other than nonpayment of rent; and

(iv) from and after 30 days after the date of enactment of this act, termination and nonrenewal of leases are permitted for those with outstanding rent, but who are ineligible for rental assistance through the COVID-19 emergency rental assistance program;

(2) filing of eviction actions under Minnesota Statutes, section 504B.285 or 504B.291, except:

(i) where the tenant seriously endangers the safety of others or significantly damages property;

(ii) for violations under Minnesota Statutes, section 504B.171, subdivision 1;

(iii) from and after 30 days after the date of enactment of this act, eviction actions are permitted for material violations of the lease other than nonpayment of rent; and

(iv) from and after 60 days after the date of enactment of this act, eviction actions are permitted for those with outstanding rent, but who are ineligible for rental assistance through the COVID-19 emergency rental assistance program;

(3) termination of a residential rental agreement or filing an eviction action under Minnesota Statutes, section 327C.09, except for terminations or eviction actions under Minnesota Statutes, section 327C.09, subdivision 3, or under Minnesota Statutes, section 327C.09, subdivision 5, if the case is based on the resident endangering the safety of other residents or park personnel; and
(4) delivery of default notices by owners of security interests in manufactured homes located in Minnesota pursuant to Minnesota Statutes, section 327.64. A secured party is also prohibited from commencing an action for a court order to remove an occupant from a manufactured home.

(b) Notwithstanding paragraph (a), a landlord may file an eviction action against a tenant:

(1) who is eligible for assistance through the COVID-19 emergency rental assistance program; and

(2) who refuses to apply for assistance through the program, refuses to provide information needed by the landlord to apply for assistance on the tenant's behalf, or refuses to provide the landlord with proof that the tenant applied for assistance through the program.

(c) Within 15 days of the date of enactment of this act, a landlord is encouraged to share the following with all tenants in arrears over 30 days:

(1) the total amount due;

(2) the availability of any financial assistance programs for which the tenant may be eligible; and

(3) information about documents required by the city, county, state, or other entity to receive financial assistance.

(d) Nothing in this section shall:

(1) prohibit an action where the tenant or occupant abandons the premises and relief is sought under Minnesota Statutes, section 504B.271 or 504B.365;

(2) reduce the rent owed by the tenant to the landlord, prevent the landlord from collecting rent owed, or reduce arrears owed by a tenant for rent; or

(3) prohibit a tenant who is ineligible for assistance through the COVID-19 emergency rental assistance program from applying for or obtaining rental assistance through other programs.

(e) This section expires 90 days after the date of enactment of this act.

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

Sec. 4. EVICTIONS; PENDING APPLICATIONS FOR RENTAL ASSISTANCE.

Notwithstanding any law to the contrary, including section 3, the filing of an eviction action based on nonpayment of rent against a tenant with a pending application for assistance
through the COVID-19 emergency rental assistance program is prohibited. This section expires June 1, 2022.

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