

SENATE  
STATE OF MINNESOTA  
NINETY-SECOND SESSION

S.F. No. 1470

(SENATE AUTHORS: DRAHEIM, Eichorn, Duckworth, Pratt and Jasinski)

DATE	D-PG	OFFICIAL STATUS
02/25/2021	562	Introduction and first reading Referred to Housing Finance and Policy
03/04/2021	665a	Comm report: To pass as amended and re-refer to Civil Law and Data Practices Policy
	666	Rule 12.10: report of votes in committee
03/11/2021	826a	Comm report: To pass as amended
	837	Second reading
04/12/2021	2268a	Special Order: Amended
	2273	Third reading Passed
05/03/2021	4069	Returned from House with amendment
	4069	Laid on table
05/11/2021	4190	Taken from table
		Senate not concur, conference committee of 3 requested
	4191	Senate conferees Draheim; Duckworth; Dziedzic
05/12/2021	4196	House conferees Hausman; Howard; Theis
	4796	Joint rule 3.02, conference committee discharged
		Laid on table
		See First Special Session 2021, HF4

1.1 A bill for an act

1.2 relating to emergency powers; nullifying Executive Order 20-79; prohibiting the

1.3 governor from issuing modifications to landlord and tenant law; providing for a

1.4 phaseout of the eviction moratorium; prohibiting eviction actions for nonpayment

1.5 of rent against tenants with pending applications for rental assistance; modifying

1.6 requirements of 504B; proposing coding for new law in Minnesota Statutes, chapter

1.7 12.

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

1.9 Section 1. **[12.47] LIMITATION OF POWERS; EVICTION PROCEEDINGS.**

1.10 Notwithstanding any law to the contrary, an order issued under this chapter prohibiting

1.11 or delaying eviction proceedings under chapter 504B is valid for a period not to exceed 30

1.12 days. The governor must not extend the order beyond 30 days unless the extension is

1.13 approved by a majority vote of each house of the legislature. The governor shall not allow

1.14 the order to expire and issue a new order delaying or prohibiting eviction proceedings under

1.15 chapter 504B in an effort to avoid obtaining legislative approval for an extension of the

1.16 order as provided in this section. An order issued to avoid obtaining legislative approval as

1.17 required under this section is null and void.

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

1.19 Sec. 2. **EXECUTIVE ORDER 20-79 VOID; EVICTION MORATORIUM ORDERS**

1.20 **TEMPORARILY PROHIBITED.**

1.21 (a) Notwithstanding Minnesota Statutes, chapter 12, or any other law to the contrary,

1.22 Executive Order 20-79 is null and void.

2.1 (b) Notwithstanding Minnesota Statutes, chapter 12, or any law to the contrary, the  
2.2 governor is prohibited from issuing an order prohibiting or delaying eviction proceedings  
2.3 under Minnesota Statutes, chapter 504B, for 30 days following the enactment of this act.

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

2.5 Sec. 3. **EVICITION MORATORIUM PHASEOUT.**

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

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

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

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

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

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

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

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

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

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

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

2.26 (3) termination of a residential rental agreement or filing an eviction action under  
2.27 Minnesota Statutes, section 327C.09, except for terminations or eviction actions under  
2.28 Minnesota Statutes, section 327C.09, subdivision 3, or under Minnesota Statutes, section  
2.29 327C.09, subdivision 5, if the case is based on the resident endangering the safety of other  
2.30 residents or park personnel; and

3.1 (4) delivery of default notices by owners of security interests in manufactured homes  
 3.2 located in Minnesota pursuant to Minnesota Statutes, section 327.64. A secured party is  
 3.3 also prohibited from commencing an action for a court order to remove an occupant from  
 3.4 a manufactured home.

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

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

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

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

3.13 (1) the total amount due;

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

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

3.18 (d) Nothing in this section shall:

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

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

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

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

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

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

3.29 Notwithstanding any law to the contrary, including section 3, the filing of an eviction  
 3.30 action based on nonpayment of rent against a tenant with a pending application for assistance

- 4.1 through the COVID-19 emergency rental assistance program is prohibited. This section
- 4.2 expires June 1, 2022.
- 4.3 **EFFECTIVE DATE.** This section is effective the day following final enactment.