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State of Minnesota
HOUSE OF REPRESENTATIVES
NINETIETH SESSION

H. F. No. 1611

02/23/2017 Authored by Howe and Newberger
The bill was read for the first time and referred to the Committee on Education Innovation Policy

1.1 A bill for an act
1.2 relating to public safety; fire marshal; revising school inspection schedules and
1.3 funding; establishing a school facility fire safety loan program; appropriating
1.4 money; amending Minnesota Statutes 2016, sections 299F.012, subdivision 1;
1.5 299F.47, subdivisions 1, 4, by adding subdivisions; repealing Minnesota Statutes
1.6 2016, section 299F.47, subdivision 2.

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

1.8 Section 1. Minnesota Statutes 2016, section 299F.012, subdivision 1, is amended to read:

1.9 Subdivision 1. **Authorized programs within department.** From the revenues
1.10 appropriated from the fire safety account, established under section 297I.06, subdivision 3,
1.11 the commissioner of public safety may expend funds for the activities and programs identified
1.12 by the advisory committee established under subdivision 2 and recommended to the
1.13 commissioner of public safety. Except as provided for in section 299F.47, subdivisions 1
1.14 and 6, the commissioner shall not expend funds without the recommendation of the advisory
1.15 committee established under subdivision 2. These funds are to be used to provide resources
1.16 needed for identified activities and programs of the Minnesota fire service and to ensure
1.17 the State Fire Marshal Division responsibilities are fulfilled. Any balance remaining in the
1.18 account after the first year of the biennium must be appropriated to the commissioner of
1.19 public safety for the purposes specified in law.

1.20 Sec. 2. Minnesota Statutes 2016, section 299F.47, subdivision 1, is amended to read:

1.21 Subdivision 1. ~~Public School inspections; fees.~~ The state fire marshal shall develop
1.22 and implement a plan to inspect ~~once every three years~~ every public, charter, private, and
1.23 parochial school facility used for educational purposes once every three years, and include

2.1 ~~two follow-up inspections or on-site consultations. The state fire marshal shall charge school~~
 2.2 ~~districts \$0.014 per square foot for each school building inspected. These rates shall include~~
 2.3 ~~two follow-up inspections or on-site consultations. If additional follow-up inspections or~~
 2.4 ~~consultations are needed, the state fire marshal shall charge \$0.005 per square foot for each~~
 2.5 ~~additional follow-up inspection to each applicable building in which a follow-up inspection~~
 2.6 ~~is needed~~ Inspections required under this section shall be funded from the fire safety account
 2.7 established under section 2971.06.

2.8 Sec. 3. Minnesota Statutes 2016, section 299F.47, is amended by adding a subdivision to
 2.9 read:

2.10 Subd. 2a. **First inspection of private and parochial schools.** Unless local units of
 2.11 government inspected a private or parochial school pursuant to subdivision 4 before February
 2.12 2, 2017, the fire marshal shall complete initial inspections of all private and parochial schools
 2.13 within six years of that date or the establishment of the school, whichever is later. Schools
 2.14 inspected under this subdivision shall have six years from the date of the inspection to
 2.15 comply with any order of the fire marshal.

2.16 Sec. 4. Minnesota Statutes 2016, section 299F.47, subdivision 4, is amended to read:

2.17 Subd. 4. **Local inspections.** If inspections of public school buildings and charter schools
 2.18 were conducted by local units of government between January 1, 1987, and January 1, 1990,
 2.19 then inspections may continue to be provided by the local unit of government. If inspections
 2.20 of private and parochial school buildings were conducted by local units of government
 2.21 before February 2, 2017, then inspections may continue to be provided by the local unit of
 2.22 government.

2.23 Sec. 5. Minnesota Statutes 2016, section 299F.47, is amended by adding a subdivision to
 2.24 read:

2.25 Subd. 6. **School facility fire safety loans.** (a) The commissioner of public safety through
 2.26 the office of justice programs, in consultation with the state fire marshal, shall make
 2.27 low-interest loans to private and parochial schools for fire safety related capital costs or
 2.28 improvements ordered by the state fire marshal as a result of inspections mandated under
 2.29 subdivision 1.

2.30 (b) Loans shall be paid from the school facility fire safety fund. All payments of loans
 2.31 awarded under this subdivision, including principal and interest, must be credited to the
 2.32 school facility fire safety loan fund.

- 3.1 (c) A loan made under this section must:
- 3.2 (1) total no more than \$250,000 per applicant;
- 3.3 (2) be interest free; and
- 3.4 (3) have a repayment term no longer than six years.
- 3.5 (d) The commissioner of public safety shall adopt rules to administer the loan program.

3.6 **Sec. 6. SCHOOL FACILITY FIRE SAFETY LOAN FUND.**

3.7 \$..... in fiscal year 2018 and \$..... in fiscal year 2019 are appropriated from the general
 3.8 fund to the commissioner of public safety for a grant program to be administered pursuant
 3.9 to Minnesota Statutes, section 299F.47, subdivision 6.

3.10 **Sec. 7. REPEALER.**

3.11 Minnesota Statutes 2016, section 299F.47, subdivision 2, is repealed.

APPENDIX
Repealed Minnesota Statutes: 17-3419

299F.47 SCHOOL INSPECTIONS.

Subd. 2. **Charter school inspections; fees.** The state fire marshal shall charge charter schools \$100 for each school building inspected. This rate shall include two follow-up inspections or on-site consultations. If additional follow-up inspections or consultations are needed, the state fire marshal shall charge \$50 for each additional follow-up inspection to each applicable building in which a follow-up inspection is needed.