

**SENATE**  
**STATE OF MINNESOTA**  
**EIGHTY-NINTH SESSION**

**S.F. No. 1770**

(SENATE AUTHORS: HALL, Kiffmeyer, Carlson, Osmek and Brown)

| DATE       | D-PG | OFFICIAL STATUS  |
|------------|------|--|
| 03/16/2015 | 900  | Introduction and first reading<br>Referred to Health, Human Services and Housing |

1.1 A bill for an act  
1.2 relating to human services; modifying the zoning requirements for residential  
1.3 programs licensed by the commissioner of human services; amending Minnesota  
1.4 Statutes 2014, section 245A.11, subdivision 4.

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

1.6 Section 1. Minnesota Statutes 2014, section 245A.11, subdivision 4, is amended to read:

1.7 Subd. 4. **Location of residential programs.** In determining whether to grant  
1.8 a license, the commissioner shall specifically consider the population, size, land use  
1.9 plan, availability of community services, and the number and size of existing licensed  
1.10 residential programs in the town, municipality, or county in which the applicant seeks  
1.11 to operate a residential program. The commissioner shall not grant an initial license  
1.12 to any residential program if the residential program will be within 1,320 feet of an  
1.13 existing residential program unless one of the following conditions apply: (1) the existing  
1.14 residential program is located in a hospital licensed by the commissioner of health;  
1.15 (2) the town, municipality, or county zoning authority grants the residential program a  
1.16 conditional use or special use permit; (3) the program serves six or fewer persons and is  
1.17 not located in a ~~city of the first class~~ home rule charter or statutory city under section  
1.18 410.015; or (4) the program is foster care.