

**SENATE**  
**STATE OF MINNESOTA**  
**NINETY-FIRST SESSION**

**S.F. No. 3796**

(SENATE AUTHORS: KORAN, Draheim and Housley)

DATE	D-PG	OFFICIAL STATUS
02/27/2020	5045	Introduction and first reading Referred to Jobs and Economic Growth Finance and Policy
03/04/2020	5239	Withdrawn and re-referred to Agriculture, Rural Development, and Housing Policy
03/11/2020	5366a	Comm report: To pass as amended and re-refer to Jobs and Economic Growth Finance and Policy

1.1 A bill for an act

1.2 relating to the State Building Code; prohibiting municipalities from requiring use

1.3 of designated building officials for inspections; allowing municipalities to opt out

1.4 of prohibition by ordinance; proposing coding for new law in Minnesota Statutes,

1.5 chapter 326B.

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

1.7 Section 1. **326B.086] INSPECTIONS; MUNICIPALITIES.**

1.8 Subdivision 1. **Definitions.** (a) For purposes of this section, the following terms have

1.9 the meanings given them.

1.10 (b) "Inspector" means a certified building official under section 326B.133, a certified

1.11 building official-limited under section 326B.133, or a construction code inspector working

1.12 under the direction of a designated building official to ensure compliance with the State

1.13 Building Code.

1.14 (c) "Municipality" has the meaning given in section 466.01, subdivision 1.

1.15 Subd. 2. **Prohibition on use of certain building official or inspector.** Except as provided

1.16 in subdivision 3, a municipality is prohibited from requiring the use of a designated building

1.17 official, designated building official-limited, or inspector working under the supervision of

1.18 the designated building official to conduct the inspections necessary for issuance of a building

1.19 permit by the municipality. A property owner may contract with any certified building

1.20 official, certified building official-limited, or construction code inspector authorized to

1.21 conduct inspections under this chapter to conduct the inspections necessary for issuance of

1.22 a building permit by the municipality.

2.1 Subd. 3. **Municipal ordinance.** (a) A municipality may by ordinance adopt an official  
2.2 control that requires use of the designated local building official, designated building  
2.3 official-limited, or inspector working under the supervision of the designated building  
2.4 official to conduct the inspections necessary for issuance of a building permit by the  
2.5 municipality.

2.6 (b) If a designated building inspector in a municipality that has adopted an ordinance  
2.7 under this subdivision is unable to complete an inspection within two business days of a  
2.8 request to conduct an inspection, the applicant for an inspection may use any certified  
2.9 building official, certified building official-limited, or construction code inspector authorized  
2.10 to conduct inspections under this chapter to conduct the inspections necessary for issuance  
2.11 of the building permit by the municipality.

2.12 (c) An inspection conducted by an inspector listed under paragraph (b) must be provided  
2.13 by the inspector to the municipality.

2.14 (d) An inspection completed in compliance with this subdivision must be treated by the  
2.15 municipality as if it were conducted by the designated municipal building inspector.

2.16 **EFFECTIVE DATE.** This section is effective August 1, 2020.