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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 522

01/18/2023

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The bill was read for the first time and referred to the Committee on State and Local Government Finance and Policy

1.1 A bill for an act  
1.2 relating to local government; requiring counties and cities to have written  
1.3 procedures that are available to the public and to provide notice of availability to  
1.4 the public; proposing coding for new law in Minnesota Statutes, chapter 471.

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

1.6 Section 1. 471.199 **POLICIES AND PROCEDURES AVAILABLE TO PUBLIC.**

1.7 Subdivision 1. Requirement to maintain policies and operations manuals. (a) A  
1.8 county or home rule charter or statutory city must have clear operating policies, procedures,  
1.9 forms, deadlines, due dates, or payment requirements relating to each duty or operation of  
1.10 the county or city on file in the applicable county or city office. The information must be  
1.11 contained in one or more policies and operations manuals, and must be available for employee  
1.12 training and reference and for inspection by the public at the applicable office. A county or  
1.13 city may also publish the manuals on a county or city website. If the manuals are published  
1.14 on a website, the website must include the physical location where the information is  
1.15 available. If the manuals are not published on a website, the information must be available  
1.16 at the city clerk's office or a county office designated by the county board.

1.17 (b) If the information described in paragraph (a) relates to the payment of a fee or  
1.18 assessment, the information provided by the county or city must include any required forms  
1.19 and all other payment information, including any information or instructions required to  
1.20 complete a form, the due dates of payments, any other requirements, and the consequences  
1.21 of a late payment or nonpayment of the fee or assessment.

1.22 (c) If the information in paragraph (a) is a law enforcement procedure relating to  
1.23 investigations or similar activities, a county or home rule charter or statutory city must

2.1 include the information only if approved by the chief law enforcement officer of the county  
2.2 or city. In the absence of a chief law enforcement officer, a county or city must include the  
2.3 law enforcement procedure only if approved by at least two other law enforcement officers  
2.4 to whom decision-making authority has been delegated by a county or city official.

2.5 (d) The information in paragraph (a) does not include information that is not available  
2.6 to the public under the Administrative Procedure Act.

2.7 Subd. 2. **Definitions.** (a) For purposes of this section, the definitions in this subdivision  
2.8 apply.

2.9 (b) "Each duty or operation of the county or city" means (1) the implementation of laws,  
2.10 ordinances, resolutions, and regulations, (2) the provision of services, (3) licensing  
2.11 requirements, (4) fees or assessments, (5) administrative and financial operating procedures,  
2.12 including budget and personnel procedures, and (6) any other similar duties or operations.

2.13 (c) "Fee or assessment" means any money, including penalties and interest, charged by  
2.14 the county or city for a service, license, permit, use, record, or privilege that is to be paid  
2.15 directly to the county or city. It specifically includes child support obligations, recording  
2.16 taxes and fees, and similar charges for which the county acts as an agent of the state. It also  
2.17 includes special assessments and any money charged for services that may become a lien  
2.18 or tax assessed on real property by the county or city. Fee or assessment does not include  
2.19 property taxes under chapters 272 to 287, except as stated in this paragraph.