

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

S.F. No. 4505

(SENATE AUTHORS: UTKE)

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OFFICIAL STATUS
Introduction and first reading
Referred to Jobs and Economic Growth Finance and Policy

1.1 A bill for an act
1.2 relating to economic development; establishing a variance process for business
1.3 license requirements during COVID-19 pandemic.

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

1.5 Section 1. **BUSINESS LICENSE VARIANCES DURING COVID-19 PANDEMIC.**

1.6 Subdivision 1. Business license variance. During such time that the governor has
1.7 declared a peacetime emergency related to the COVID-19 pandemic, the commissioner of
1.8 employment and economic development, by and through the Bureau of Business Licensing
1.9 and the assistance of executive branch agencies of the state under Minnesota Statutes, section
1.10 116J.77, shall develop a variance process for a business license issued by the state.

1.11 Subd. 2. Definitions. For the purposes of this section, the definitions in Minnesota
1.12 Statutes, section 116J.74, apply.

1.13 Subd. 3. Variance; suspension of penalties and late fees. (a) An applicant for an initial
1.14 or renewed business license within the state may apply to the Bureau of Business Licensing
1.15 for a 120-day variance to business license requirements if the applicant can establish the
1.16 following:

1.17 (1) the applicant can cure the business license requirement defect within 120 days of
1.18 the grant of a variance;

1.19 (2) the applicant has suffered an economic hardship arising out of the COVID-19
1.20 peacetime emergency declaration that has resulted in the need for a variance to the business
1.21 license requirement;

2.1 (3) the variance to business license requirements is necessary to continue operations
2.2 within the state; and

2.3 (4) granting of a variance of a business license requirement will not pose an undue health
2.4 and safety hazard to an employee or customer of the business.

2.5 (b) An applicant who is granted a variance under this section is not subject to any late
2.6 fees or penalties arising out of a business license requirement defect within the 120-day
2.7 variance period.

2.8 Subd. 4. **Application; review.** (a) The commissioner shall establish an application for
2.9 a variance under this section.

2.10 (b) The commissioner shall establish a review process for determination of whether a
2.11 business license defect has been cured at the end of the 120-day variance period. If the
2.12 commissioner determines that the business license defect has been cured, the business license
2.13 is granted or renewed as of the date of the cure. If the applicant can show that extenuating
2.14 circumstances have prohibited the applicant from curing the business defect within the
2.15 120-day period, the commissioner may grant an additional 120-day extension if the
2.16 requirements of subdivision 3 continue to be met.