

SENATE

STATE OF MINNESOTA

EIGHTY-EIGHTH SESSION

S.F. No. 2584

(SENATE AUTHORS: NIENOW and Benson)

| DATE | D-PG | OFFICIAL STATUS |
|------------|------|--|
| 03/12/2014 | 6163 | Introduction and first reading Referred to Health, Human Services and Housing |

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A bill for an act
relating to human services; requiring community notification prior to licensing
residential or nonresidential programs; amending Minnesota Statutes 2012,
section 245A.04, subdivision 2.

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

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Section 1. Minnesota Statutes 2012, section 245A.04, subdivision 2, is amended to read:
Subd. 2. **Notification of affected municipality.** (a) The commissioner must not
issue a license without giving 30 calendar days' written notice to the affected municipality
or other political subdivision unless the program is considered a permitted single-family
residential use under sections 245A.11 and 245A.14, except for programs described in
paragraph (b).

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(b) If the program is considered a permitted single-family or multifamily residential
use under section 245A.11 or a permitted single-family or multifamily nonresidential use
under section 245A.14, the commissioner must provide notice to the affected municipality
or other political subdivision not less than 30 days nor more than 45 days before it signs a
purchase or lease agreement to establish a group home or treatment facility. The required
notice must be provided in writing to all residences, schools, churches, community
organizations, and businesses within 2,640 feet of any facility the commissioner of human
services establishes. Not less than 14 nor more than 21 days before signing a purchase
or lease agreement the commissioner must hold a public hearing in the community in
which the group home or facility will be located. This paragraph applies to state-operated
programs and nonstate owned or operated programs.

2.1 (c) The notification required in paragraph (a) must be given before the first issuance
2.2 of a license and annually after that time if annual notification is requested in writing by the
2.3 affected municipality or other political subdivision.

2.4 (d) State funds must not be made available to or be spent by an agency or department
2.5 of state, county, or municipal government for payment to a residential or nonresidential
2.6 program licensed under this chapter until the provisions of this subdivision have been
2.7 complied with in full. The provisions of this subdivision shall not apply to programs
2.8 located in hospitals.