

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

S.F. No. 4480

(SENATE AUTHORS: MATHEWS, Relph, Jasinski, Pratt and Simonson)

DATE	D-PG	OFFICIAL STATUS
04/16/2020	5627	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 process to safely reopen

1.3 businesses during a peacetime emergency.

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

1.5 Section 1. **OPTIONAL BUSINESS SUBMISSION FOR SAFE OPERATION DURING**

1.6 **PEACETIME EMERGENCY.**

1.7 Subdivision 1. Purpose. In order to return the economy of this state to a prepandemic

1.8 level where possible, any business affected by an executive order during a peacetime

1.9 emergency may choose to submit to the commissioner a plan to conduct business in a manner

1.10 that will ensure the safety of its workers and the general public during a peacetime public

1.11 health emergency period. Any business submitting such a plan may qualify to reopen the

1.12 affected business during a peacetime emergency pursuant to this section.

1.13 Subd. 2. Definitions. (a) For the purposes of this section, the following terms have the

1.14 meanings given them.

1.15 (b) "Business" means a business that due to an executive order or orders issued during

1.16 a peacetime public health emergency period was required to either significantly reduce

1.17 operation of the business or cease all operation of the business during the effective period

1.18 of the executive order or orders.

1.19 (c) "Commissioner" means the commissioner of employment and economic development.

1.20 (d) "Department" means the Department of Employment and Economic Development.

2.1 (e) "Peacetime public health emergency period" means the duration of any peacetime
2.2 emergency declared by the governor in an executive order that relates to COVID-19, but
2.3 ending no later than January 31, 2021.

2.4 Subd. 3. **Application.** The commissioner shall develop an application for businesses to
2.5 submit a plan for safe operation during a peacetime emergency according to this section.
2.6 The application shall be made available in an easily accessible format on the department's
2.7 website.

2.8 Subd. 4. **Plan requirements.** A business seeking to operate during a peacetime emergency
2.9 shall submit to the commissioner a plan for safe operation that includes the following:

2.10 (1) a proposal to minimize, or eliminate if possible, physical interactions among staff
2.11 and with and between customers;

2.12 (2) a strategy to ensure appropriate health, hygiene, and safety measures are in place in
2.13 work areas;

2.14 (3) the rationale as to the level of business activity that may be conducted based on
2.15 clauses (1) and (2); and

2.16 (4) any other information that the business determines may assist the commissioner in
2.17 making a determination regarding the safe operation of the business.

2.18 Subd. 5. **Approval to operate.** (a) Within three business days of the date the
2.19 commissioner receives an application and plan under subdivisions 3 and 4, the commissioner
2.20 shall issue or deny an approval to operate under this section.

2.21 (b) The commissioner must provide written communication regarding incompleteness
2.22 to a business as soon as practicable after the business submits a plan for safe operation
2.23 application specifying any missing information in the application.

2.24 (c) In issuing a denial, the commissioner shall specify the reason or reasons for the
2.25 denial, including any information that would result in an approval of the plan if resubmitted.

2.26 (d) A business receiving approval for safe operation must post the approval issued by
2.27 the commissioner in a conspicuous place that is easily visible to the public or on the website
2.28 of the business.

2.29 Subd. 6. **Enforcement.** A business approval for operation is conditional on adherence
2.30 to the plan submitted by the business for safe operation during a peacetime emergency. The
2.31 commissioner may revoke the approval to operate a business if the business is found to be
2.32 in breach of the approved plan for safe operation submitted by the business.

3.1 **EFFECTIVE DATE.** This section is effective the day following final enactment.