This Document can be made available
in alternative formats upon request

State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. 4531

03/26/2020 Authored by Winkler, Hortman and Daudt
The bill was read for the first time
R/S Rules Suspended, urgency declared
Read for the Second Time
Read for the Third Time
Passed by the House and transmitted to the Senate

A bill for an act

relating to state government; providing COVID-19 response efforts; establishing a COVID-19 Minnesota fund; modifying certain authorities; providing exemptions and extensions; modifying certain fees; eliminating refill timelines for opiate or narcotic pain relievers; extending due date for filing property tax appeals; modifying loan programs; providing for unemployment insurance for certain employees affected by COVID-19; requiring reports; appropriating money for COVID-19 response efforts; amending Minnesota Statutes 2018, sections 116J.881; 116M.18, by adding a subdivision; 171.0605, subdivision 5; 241.75, subdivision 2; 609.105, subdivision 2; Minnesota Statutes 2019 Supplement, sections 41B.047, subdivisions 1, 3; 151.065, subdivisions 1, 3, 7; 152.11, subdivision 1.

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

ARTICLE 1

COVID-19 RESPONSE APPROPRIATIONS

Section 1. **DRIVER AND VEHICLE SERVICES TEMPORARY STAFFING; APPROPRIATION.**

(a) $2,400,000 in fiscal year 2020 is appropriated from the vehicle services operating account in the special revenue fund to the commissioner of public safety to hire temporary or contract employees to process and issue drivers' licenses and Minnesota identification cards. This appropriation may be used to purchase or lease equipment and space for temporary or contract employees. This appropriation must not be spent for permanent state employees.

(b) The commissioner must only use the amount of temporary staff necessary to achieve an average turnaround time of 45 days to issue drivers' licenses and Minnesota identification cards. Once the commissioner achieves an average turnaround time of 45 days, the

commissioner must reduce the number of temporary staff to the number necessary to maintain an average turnaround time of 45 days.

(c) This appropriation is for work performed or expenses incurred on or before December 31, 2020. This is a onetime appropriation and is available until January 31, 2021. Any funds in this appropriation that remain unspent after January 31, 2021, are canceled to the vehicle services operating account under Minnesota Statutes, section 299A.705.

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

Sec. 2. **PEACETIME EMERGENCY CHILD CARE GRANTS.**

Subdivision 1. **Peacetime emergency child care grants.** (a) The commissioner of human services may distribute funds to the organization designated to administer a child care resource and referral program under Minnesota Statutes, section 119B.19, subdivision 1a (known as Child Care Aware), for Child Care Aware to administer emergency grants to eligible programs under subdivision 2, beginning April 1, 2020.

(b) Child Care Aware shall develop the grant application, receive and review grant applications, and determine the number and amount of grants to issue, in accordance with subdivisions 3 and 5. Child Care Aware shall establish priorities for the issuance of grants by assessing the local need for child care services during the peacetime emergency, the child care provider's access to additional funding sources other than grants under this section, and whether the child care provider would be financially at risk without a grant under this section. To the extent practicable, Child Care Aware shall award grants in a manner that achieves regional balance and equitable distribution of the grant funds throughout the state and among provider types.

Subd. 2. **Eligible programs.** (a) Programs eligible to apply for grants under this section include:

(1) family and group family day care homes licensed under Minnesota Rules, chapter 9502;

(2) child care centers licensed under Minnesota Rules, chapter 9503;

(3) tribally licensed child care programs; and

(4) other program types as determined by the commissioner.

(b) Programs listed in clauses (1) and (2) must have a license in good standing and may not be the subject of a finding of fraud or be prohibited from receiving public funds under

Minnesota Statutes, section 245.095, or operating on a conditional license, under revocation, or under temporary immediate suspension.

Subd. 3. **Requirements to receive grants.** To receive a grant under this section, an eligible program must attest and agree in writing to:

(1) prioritize spaces in their program for children of essential workers, as identified in state guidance;

(2) maintain service for the period of the grant or until the peacetime public health emergency ends, whichever is first, except during any periods of temporary discontinuation of service in response to public health guidance to protect the safety and health of children and child care providers; and

(3) use health and safety practices that prevent the spread of COVID-19 in a child care environment based on guidance provided under subdivision 4.

Subd. 4. **Health and safety guidance for child care providers.** In consultation with the commissioner of health, the commissioner must provide ongoing guidance for child care providers on health and safety practices that prevent the spread of COVID-19 in a child care environment. The guidance and any updates must be posted on the Department of Human Services website and made available to child care providers in other formats.

Subd. 5. **Grant awards.** (a) An eligible program may receive a monthly grant award of $4,500.

(b) An eligible program may receive an additional monthly grant of $1,000 if the program serves children:

(1) during nonstandard hours, including overnight and on weekends;

(2) whose first language is not English; or

(3) who have special needs.

(c) An eligible program that is licensed to serve 15 or more children may receive an additional monthly grant not to exceed $15,500. The additional grant amount must be based on a provider's capacity to serve children during the declared peacetime public health emergency.

Subd. 6. **Fees charged.** A program that receives a grant under this section may charge fees to families attending the program and may not require fees from families whose children were attending prior to the declared peacetime public health emergency but are no longer attending.

Subd. 7. **Spaces reserved.** A program that receives a grant under this section must:

(1) allow children attending the program prior to the declared peacetime public health emergency to re-enroll after the peacetime public health emergency ends, provided that: (i) the program has capacity available; and (ii) the families of the children have not violated the terms of the contract with the program, other than terms related to the payment of fees and any required notification for disenrollment; and

(2) serve children who are not children of essential workers during the peacetime public health emergency, provided the program has the capacity to do so in compliance with the commissioner's health and safety guidance.

Subd. 8. **Expiration.** The authority to award grants under this section expires the day after the peacetime public health emergency ends.

Subd. 9. **Appropriation.** (a) $29,964,000 in fiscal year 2020 is appropriated from the general fund to the commissioner of human services for grants under this section. Of this amount, up to $450,000 is for Child Care Aware to administer the grants in accordance with subdivision 1.

(b) This is a onetime appropriation and is available until December 31, 2020.

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

Sec. 3. **MILITARY VETERANS COVID-19 RESPONSE ASSISTANCE.**

(a) $6,200,000 in fiscal year 2020 is appropriated from the general fund to the commissioner of veterans affairs. The commissioner of veterans affairs must use the amount appropriated under this section to provide financial assistance to any veteran or a surviving spouse of a veteran in need of assistance as a result of COVID-19. The COVID-19-related assistance authorized under this section may be used for emergency financial relief, hospitalization assistance, medical care or treatment, or any other COVID-19-related assistance as determined by the commissioner.

(b) For purposes of this section, "veteran" means an individual who qualifies as a veteran under Minnesota Statutes, section 197.447, and who meets the residency requirements in Minnesota Statutes, section 197.05, paragraph (b).

(c) An individual's eligibility or level of assistance under this section shall not be limited because the individual has previously received assistance under the State Soldiers' Assistance Fund program.

(d) The amount appropriated under this section is available until June 30, 2021.

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

Sec. 4. **APPROPRIATION; FOOD SHELF PROGRAMS.**

(a) $9,000,000 in fiscal year 2020 is appropriated from the general fund to the commissioner of human services for food shelf programs under Minnesota Statutes, section 256E.34, to address food bank, food shelf, and transportation needs in responding to the COVID-19 pandemic. Hunger Solutions shall allocate funds to food banks, food shelves, and transportation organizations in accordance with this section and report to the commissioner regarding distribution and use of funds. Grant funds shall be used as follows:

(1) to support regional food banks to enable specialized responses to community needs;

(2) to allow food shelves to purchase food, diapers, toilet paper, and other necessary supplies and to enable specialized responses to community needs; and

(3) to support a network of transportation organizations to assist in the distribution of food and supplies from food banks and food shelves to persons affected by the COVID-19 pandemic.

(b) At least $3,000,000 of this appropriation must be used for activities described in paragraph (a), clause (1).

(c) This is a onetime appropriation and is available until June 30, 2021.

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

Sec. 5. **APPROPRIATION; HOUSING SUPPORT.**

(a) $5,530,000 in fiscal year 2020 is appropriated from the general fund to the commissioner of human services to increase room and board limits and rates and supplementary service limits and rates under Minnesota Statutes, section 256I.05, subdivisions 1 and 1a, by 15 percent for three consecutive months for purposes of maintaining access to room and board from March 1, 2020, through May 31, 2020, including activities necessary to comply with federal and state health and safety guidance, in response to the COVID-19 pandemic. This is a onetime appropriation.

(b) Prior to October 1, 2020, providers must submit documentation demonstrating increased funding was used for needs related to COVID-19 for the time period from March 1, 2020, through May 31, 2020.

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

Sec. 6. **APPROPRIATION; EMERGENCY SERVICES GRANTS.**

(a) $26,537,000 in fiscal year 2020 is appropriated from the general fund to the commissioner of human services for emergency services grants under Minnesota Statutes, section 256E.36. Of this amount:

(1) $15,206,000 is for providing additional shelter space; for purchasing vouchers for the cost of a motel or hotel room; or for funding other housing options, in order to provide housing that promotes health and safety, or to isolate homeless individuals exposed to COVID-19 or who are experiencing respiratory illness. Vouchers for the cost of a motel or hotel room may not be issued to motels or hotels that receive funding from another source for the cost of the same motel or hotel room for the same date;

(2) $5,000,000 is for purchasing hygiene, sanitation, and cleaning supplies to support compliance with Centers for Disease Control and Prevention guidance on sanitation and personal protective equipment; and

(3) $6,331,000 is for hiring staff necessary to protect the health and wellness of program recipients, for increasing the number of persons served, or for providing staffing when workers are quarantined or cannot work because they are caring for someone with COVID-19.

(b) The commissioner may transfer funds among the activities in paragraph (a), clauses (1) to (3), as the commissioner determines necessary. The commissioner must report to the chairs and ranking minority members of the legislative committees with jurisdiction over human services on any transfer of funds among the activities in paragraph (a), clauses (1) to (3), and whether grant applicants are requesting funds for activities other than those listed in paragraph (a), clauses (1) to (3).

(c) Notwithstanding any other law or rule to the contrary, the commissioner may allocate funds to programs, providers, and organizations providing or seeking to provide services to individuals experiencing homelessness through a single fiscal agent chosen by the commissioner.

(d) Grant applicants must describe how they intend to use grant funds for the purposes listed in paragraph (a), clauses (1) to (3). Grant funds may be used by grant recipients for the activities listed in paragraph (a), clauses (1) to (3).

(e) If a grant recipient receives funds from a nonstate source, other than a local unit of government or a tribe, for activities listed in paragraph (a), clauses (1) to (3), the grant recipient must notify the commissioner of the amount received from the nonstate source. If the commissioner determines that the total amount the grant recipient received under this

section and from the nonstate source exceeds the grant recipient's costs for the activities in paragraph (a), clauses (1) to (3), the grant recipient must pay the commissioner the amount that exceeds the costs, up to the amount of funding provided under this section. All money paid to the commissioner under this section must be deposited in the general fund.

(f) This is a onetime appropriation and is available until February 1, 2021, or until 60 days after expiration of the peacetime emergency declared by the governor in an executive order that relates to the infectious disease known as COVID-19, whichever occurs earlier. Any unobligated or unexpended amounts cancel on February 1, 2021, or 60 days after expiration of the peacetime emergency declared by the governor in an executive order that relates to the infectious disease known as COVID-19, whichever occurs earlier.

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

Sec. 7. **COVID-19 MINNESOTA FUND.**

Subdivision 1. **Fund created.** The COVID-19 Minnesota fund is created in the state treasury to pay expenditures related to a peacetime emergency declared by the governor in an executive order that relates to the infectious disease known as COVID-19. Money in the fund is appropriated to the commissioner of management and budget and may be disbursed or transferred to state agencies as necessary to (1) protect Minnesota citizens from the COVID-19 outbreak, and (2) maintain state government operations throughout the duration of the peacetime emergency. Any money in the fund that remains unobligated on May 11, 2020, cancels to the general fund.

Subd. 2. **Legislative COVID-19 Response Commission review.** (a) A Legislative COVID-19 Response Commission is established to review expenditures from the COVID-19 Minnesota fund. The majority leader of the senate, the minority leader of the senate, the president of the senate, the chair of the senate Finance Committee, the ranking minority member of the senate Finance Committee, the speaker of the house, the minority leader of the house of representatives, the majority leader of the house of representatives, the chair of the house of representatives Ways and Means Committee, and the ranking minority member of the house of representatives Ways and Means Committee, or their designee, are members of the commission.

(b) For fiscal year 2020 and fiscal year 2021, the commissioner of management and budget must submit proposed single expenditures from the COVID-19 Minnesota fund that exceed $1,000,000 to the Legislative COVID-19 Response Commission for its review and recommendations. The submission must include the total amount of the proposed expenditure, the purpose of the proposed expenditure, the time period of the proposed expenditure, and

any additional information the commissioner of management and budget determines necessary to properly document the proposed expenditure. Upon receiving a submission, the commission has 24 hours after the request is submitted to review the proposed expenditures submitted under this subdivision.

(c) Commission members may make a positive recommendation, a negative recommendation, or no recommendation on a proposed expenditure. If a majority of the commission members from the senate and a majority of the commission members from the house of representatives make a negative recommendation on a proposed expenditure, the commissioner is prohibited from expending the money. If a majority of the commission members from the senate and a majority of the commission members from the house of representatives do not make a negative recommendation, or if the commission makes no recommendation, the commissioner may expend the money.

(d) The commission may hold a public meeting to approve or disapprove a proposed expenditure from the COVID-19 Minnesota fund. Notwithstanding Minnesota Statutes, section 3.055, the commission may conduct a public meeting remotely. The commission may approve or disapprove proposed expenditures without a public meeting. The commission members may approve or disapprove proposed expenditures via written communication sent to the commissioner of management and budget.

Subd. 3. **Biweekly expenditure report.** The commissioner of management and budget must provide reports on the spending from the COVID-19 Minnesota fund to the Legislative COVID-19 Response Commission on the 15th and last day of each month. The report must include the total amount of each expenditure, the purpose of each expenditure, and any additional information the commissioner of management and budget determines is necessary to properly document each expenditure.

EFFECTIVE DATE. This section is effective the day following final enactment and expires May 11, 2020.

Sec. 8. **FINAL REPORT.**

The commissioner of management and budget must report all expenditures made under section 7 from the COVID-19 Minnesota fund to the chairs and ranking minority members of the senate Finance Committee and the house of representatives Ways and Means Committee by July 15, 2021.

EFFECTIVE DATE. This section is effective the day following final enactment and expires July 16, 2021.

Sec. 9. **TRANSFER.**

$200,000,000 in fiscal year 2020 is transferred from the general fund to the COVID-19 Minnesota fund under section 7. This is a onetime transfer.

EFFECTIVE DATE. This section is effective the day following final enactment and expires May 11, 2020.

Sec. 10. **TRIBAL NATIONS GRANTS.**

(a) $11,000,000 in fiscal year 2020 is appropriated from the general fund to the commissioner of revenue for grants to fund emergency response activities in response to the infectious disease known as COVID-19. The commissioner of revenue may provide grants under this section of up to $1,000,000 to the governing body of the:

(1) Fond du Lac Band;

(2) Grand Portage Band;

(3) Mille Lacs Band;

(4) White Earth Band;

(5) Bois Fort Nett Lake Band;

(6) Leech Lake Band;

(7) Red Lake Nation;

(8) Upper Sioux Community;

(9) Lower Sioux Community;

(10) Shakopee-Mdewakanton Sioux Community; and

(11) Prairie Island Mdewakanton Dakota Community.

(b) Each tribal nation must use the grant received under paragraph (a) for activities that mitigate the immediate health and economic impacts of COVID-19. These activities include but are not limited to (1) reimbursable activities under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended, and (2) securing basic needs, including but not limited to food and shelter, for tribal members.

(c) To receive a grant a tribe must apply to the commissioner of revenue by April 1, 2020. The grant application must state the amount of the request up to a maximum of $1,000,000. As part of the application the tribe must agree to spend the grant money for activities that mitigate the immediate health and economic impacts of COVID-19.

(d) Any portion of the $11,000,000 appropriated under this section that is not applied for by April 1, 2020, must be paid in equal share to all tribes that have timely applied for a grant.

(e) The commissioner of revenue must distribute the grant payments on or before April 8, 2020.

(f) By April 14, 2020, a recipient of a grant under this section must provide a report to the commissioner of revenue in the form prescribed by the commissioner of revenue. The commissioner of revenue must compile and provide the reports to the chairs and ranking minority members of the legislative committees with jurisdiction over taxes.

(g) The appropriation under this section is onetime.

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

Sec. 11. **TRANSFERS; SMALL BUSINESS EMERGENCY LOAN PROGRAM.**

Notwithstanding Minnesota Statutes, sections 116J.423 and 116J.8731, in fiscal year 2020, the following amounts are transferred to the small business emergency loan account in the special revenue fund under Minnesota Statutes, section 116M.18, subdivision 9:

(1) $20,000,000 from the special revenue fund account of the Minnesota 21st century fund under Minnesota Statutes, section 116J.423, subdivision 1; and

(2) $10,000,000 from the Minnesota investment revolving loan account under Minnesota Statutes, section 116J.8731, subdivision 5, in the special revenue fund.

Transferred amounts are appropriated to the commissioner of employment and economic development to make loans as set forth in Governor's Executive Order 20-15, Providing Immediate Relief to Small Businesses During the COVID-19 Peacetime Emergency. All loan repayments are credited proportionately to the accounts from which the loan amounts were originally transferred. Any amounts remaining in the small business emergency loan account that are unexpended and unobligated at the close of the fiscal year cancel proportionately to the accounts from which the amounts were originally transferred.

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

Sec. 12. **APPROPRIATION; SMALL BUSINESS LOAN GUARANTEE PROGRAM.**

$10,000,000 in fiscal year 2020 is appropriated from the general fund to the commissioner of employment and economic development for the small business loan guarantee program

under Minnesota Statutes, section 116J.881. This is a onetime appropriation and is available until December 31, 2021.

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

ARTICLE 2
COVID-19 RESPONSE PROVISIONS

Section 1. Minnesota Statutes 2019 Supplement, section 41B.047, subdivision 1, is amended to read:

Subdivision 1. **Establishment.** The authority shall establish and implement a disaster recovery loan program to help farmers:

(1) clean up, repair, or replace farm structures and septic and water systems, as well as replace seed, other crop inputs, feed, and livestock~~, when damaged by high winds, hail, tornado, or flood, or the weight of snow, sleet, or ice~~;

(2) purchase watering systems, irrigation systems, and other drought mitigation systems and practices when drought is the cause of the purchase;

(3) restore farmland; ~~or~~

(4) replace flocks or livestock, make building improvements, or cover the loss of revenue when the replacement, improvements, or loss of revenue is due to the confirmed presence of ~~the~~ a highly ~~pathogenic avian influenza~~ contagious animal disease in a commercial poultry or game flock, or a commercial livestock operation, located in Minnesota; or

(5) cover the loss of revenue when the revenue loss is due to an infectious human disease for which the governor has declared a peacetime emergency under section 12.31.

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

Sec. 2. Minnesota Statutes 2019 Supplement, section 41B.047, subdivision 3, is amended to read:

Subd. 3. **Eligibility.** To be eligible for this program, a borrower must:

(1) meet the requirements of section 41B.03, subdivision 1;

(2) certify that the damage or loss was (i) sustained within a county that was the subject of a state or federal disaster declaration; (ii) due to the confirmed presence of ~~the~~ a highly ~~pathogenic avian influenza in a commercial poultry or game flock located~~ contagious animal disease in Minnesota; ~~or~~ (iii) due to an infectious human disease for which the governor

has declared a peacetime emergency; or (iv) due to an emergency as determined by the authority;

(3) demonstrate an ability to repay the loan; and

(4) have received at least 50 percent of average annual gross income from farming for the past three years.

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

Sec. 3. Minnesota Statutes 2018, section 116J.881, is amended to read:

116J.881 SMALL BUSINESS LOAN GUARANTEE PROGRAM.

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

(b) "Borrower" means a small business receiving an eligible loan under this section.

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

(d) "Eligible loan" means a loan to a small business to be used for business purposes exclusively in Minnesota, including: ~~construction; remodeling or renovation; leasehold improvements; the purchase of land and buildings; business acquisitions, including employee stock ownership plan financing;~~ machinery or equipment purchases, maintenance, or repair; expenses related to moving into or within Minnesota; and working capital when the working capital is secured by fixed assets when possible.

(e) "Loan guarantee" means a guarantee of ~~70~~ 80 percent of the loan amount provided by a QED lender. The guaranteed portion of the loan must not exceed ~~$1,500,000~~ $200,000 and may be subordinate to other loans made by lenders in the overall financing package.

(f) "Loan guarantee trust fund" means a dedicated fund established under this section for the purpose of compensation for defaulted loan guarantees and for program administration.

(g) ~~"Loan purchaser" means an institutional investor that purchases, holds, and services small business loans on a nonrecourse basis from QED lenders participating in the small business loan guarantee program.~~ "Peacetime public health emergency" means any peacetime emergency declared by the governor in an executive order that is related to the infectious disease known as COVID-19.

(h) "Qualified economic development lender" or "QED lender" means a bank, or other commercial lender, a public entity, or a private nonprofit economic development organization

~~whose headquarters is located in Minnesota~~ with not less than three years of active lending experience that provides financing to small businesses ~~in partnership with banks and other commercial lenders, and that originates subordinated loans to small businesses for sale to the secondary market~~.

~~(i) "Secondary market" means the market in which loans are sold to investors, either directly or through an intermediary.~~

~~(j)~~ (i) "Small business" means a business employing no more than ~~500~~ the equivalent of 250 full-time persons in Minnesota.

~~(k)~~ (j) "Subordinated loan" means a loan secured by a lien that is lower in priority than one or more specified other liens.

Subd. 2. **Loan guarantee program.** A small business loan guarantee program to support the origination ~~and sale of eligible subordinated loans to the secondary market by providing a credit enhancement in the form of a partial guarantee~~ of small business loans that are expected to be made to Minnesota businesses by a QED lender, within the 12 months after a declaration of a peacetime public health emergency and not otherwise financially supported by a public entity, is created in the Department of Employment and Economic Development. ~~A loan guarantee shall be provided for eligible loans under this section only when a bank or other commercial lender provides at least 50 percent of the total amount loaned to the small business.~~ The loan guarantee shall apply only to the portion of the loan that was made by the QED lender.

Subd. 3. **Required provisions.** Loan guarantees under this section for loans ~~to be sold on the secondary market~~ by QED lenders shall provide that:

(1) principal and interest payments made by the borrower under the terms of the loan are ~~applied by the loan purchaser~~ to reduce the guaranteed and nonguaranteed portion of the loan on a proportionate basis. The nonguaranteed portion shall not receive preferential treatment over the guaranteed portion;

(2) the ~~loan purchaser~~ QED lender shall not accelerate repayment of the loan or exercise other remedies if the borrower defaults, unless:

(i) the borrower fails to make a required payment of principal or interest within 60 days of the due date;

(ii) the commissioner consents in writing; or

(iii) the loan guarantee agreement provides for accelerated repayment or other remedies.

In the event of a default, the ~~loan purchaser~~ QED lender may not make a demand for payment pursuant to the guarantee unless the commissioner agrees in writing that the default has materially affected the rights or security of the parties~~, and finds that the loan purchaser is entitled to receive payment pursuant to the loan guarantee~~;

~~(3) there is a written commitment from one or more secondary market investors to purchase the loan, subject to the provision of a state loan guarantee;~~

~~(4)~~ (3) the QED lender has timely prepared and delivered to the commissioner, annually by the date specified in the loan guarantee, an audited or reviewed financial statement for the loan, prepared by a certified public accountant according to generally accepted accounting principles, if available, and documentation that the borrower used the loan proceeds solely for purposes of its Minnesota operations;

~~(5)~~ (4) the commissioner has access to the ~~original~~ loan documents prior to approval of the state credit enhancement ~~to facilitate the sale of the loan to the secondary market~~;

~~(6)~~ (5) the QED lender maintains adequate records and documents concerning the ~~original~~ loan so that the commissioner may determine the borrower's financial condition and compliance with program requirements; and

~~(7)~~ (6) orderly liquidation of collateral securing the ~~original~~ loan is provided for in the event of default, with an option on the part of the commissioner to acquire the ~~loan purchaser's~~ QED lender's interest in the assets pursuant to the loan guarantee.

Subd. 4. **Loan guarantee trust fund established.** A loan guarantee trust fund account in the special revenue fund is created in the state treasury to pay for defaulted loan guarantees. The commissioner shall administer this fund and provide annual reports concerning the performance of the fund to the chairs of the standing committees of the house of representatives and senate having jurisdiction over economic development issues.

Subd. 5. **Limitation.** At no time shall total outstanding loan guarantees ~~for loans sold to the secondary market~~ exceed five times the amount on deposit in the loan guarantee trust fund.

Subd. 6. **Guarantee fee.** Participating QED lenders shall pay a fee to the fund of 0.25 percent of the principal amount of each guaranteed loan upon approval of each loan guarantee. The guarantee fee, along with any interest earnings from the trust fund, shall be used only for the administration of the small business loan guarantee program and as additional loan loss reserves.

Subd. 7. **Loan guarantee application.** The commissioner shall prepare a form for QED lenders to use in applying for loan guarantees under this section. The form shall include the following information:

(1) the name and contact information for the QED lender, including the name and title of a contact person;

(2) the names of the financial institutions, including the names and titles of contact persons, that are participating in the total financing being provided to the small business borrower, along with the dollar amount of the loan provided by the financial institution;

(3) the percentage and dollar amount of the subordinated debt loan provided to the Minnesota small business by the QED lender; ~~and~~

(4) the loan guarantee amount that is requested from the program~~.~~; and

(5) other information as requested by the commissioner.

Subd. 8. **Notice and application process.** Subject to the availability of funds under subdivision 4, the commissioner shall publish a notice regarding the opportunity for QED lenders to originate loans ~~for which the loan guarantee may be secured as the loans are prepared for sale to the secondary market~~. The commissioner shall decide whether to provide a loan guarantee for each loan based on:

(1) the completeness of the loan guarantee application;

(2) the availability of funds in the loan guarantee trust fund; and

(3) execution of agreements that satisfy requirements established in subdivision 3.

Subd. 9. **Reporting.** By December 31, 2020, the commissioner shall report to the legislative committees with jurisdiction over economic development policy and finance on the loan guarantees provided under this section.

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

Sec. 4. Minnesota Statutes 2018, section 116M.18, is amended by adding a subdivision to read:

Subd. 9. **Small business emergency loan account.** The small business emergency loan account is created as an account in the special revenue fund.

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

Sec. 5. Minnesota Statutes 2019 Supplement, section 151.065, subdivision 1, is amended to read:

Subdivision 1. **Application fees.** Application fees for licensure and registration are as follows:

(1) pharmacist licensed by examination, $175;

(2) pharmacist licensed by reciprocity, $275;

(3) pharmacy intern, $50;

(4) pharmacy technician, $50;

(5) pharmacy, $260;

(6) drug wholesaler, legend drugs only, $5,260;

(7) drug wholesaler, legend and nonlegend drugs, $5,260;

(8) drug wholesaler, nonlegend drugs, veterinary legend drugs, or both, $5,260;

(9) drug wholesaler, medical gases, $5,260 for the first facility and $260 for each additional facility;

(10) third-party logistics provider, $260;

(11) drug manufacturer, nonopiate legend drugs only, $5,260;

(12) drug manufacturer, nonopiate legend and nonlegend drugs, $5,260;

(13) drug manufacturer, nonlegend or veterinary legend drugs, $5,260;

(14) drug manufacturer, medical gases, $5,260 for the first facility and $260 for each additional facility;

(15) drug manufacturer, also licensed as a pharmacy in Minnesota, $5,260;

(16) drug manufacturer of opiate-containing controlled substances listed in section 152.02, subdivisions 3 to 5, $55,000;

(17) medical gas distributor, ~~$5,260~~ $260;

(18) controlled substance researcher, $75; and

(19) pharmacy professional corporation, $150.

EFFECTIVE DATE. This section is effective June 1, 2020, and applies to any license issued on or after that date.

Sec. 6. Minnesota Statutes 2019 Supplement, section 151.065, subdivision 3, is amended to read:

Subd. 3. **Annual renewal fees.** Annual licensure and registration renewal fees are as follows:

(1) pharmacist, $175;

(2) pharmacy technician, $50;

(3) pharmacy, $260;

(4) drug wholesaler, legend drugs only, $5,260;

(5) drug wholesaler, legend and nonlegend drugs, $5,260;

(6) drug wholesaler, nonlegend drugs, veterinary legend drugs, or both, $5,260;

(7) drug wholesaler, medical gases, $5,260 for the first facility and $260 for each additional facility;

(8) third-party logistics provider, $260;

(9) drug manufacturer, nonopiate legend drugs only, $5,260;

(10) drug manufacturer, nonopiate legend and nonlegend drugs, $5,260;

(11) drug manufacturer, nonlegend, veterinary legend drugs, or both, $5,260;

(12) drug manufacturer, medical gases, $5,260 for the first facility and $260 for each additional facility;

(13) drug manufacturer, also licensed as a pharmacy in Minnesota, $5,260;

(14) drug manufacturer of opiate-containing controlled substances listed in section 152.02, subdivisions 3 to 5, $55,000;

(15) medical gas distributor, ~~$5,260~~ $260;

(16) controlled substance researcher, $75; and

(17) pharmacy professional corporation, $100.

EFFECTIVE DATE. This section is effective June 1, 2020, and applies to any license renewed on or after that date.

Sec. 7. Minnesota Statutes 2019 Supplement, section 151.065, subdivision 7, is amended to read:

Subd. 7. **Deposit of fees.** (a) The license fees collected under this section, with the exception of the fees identified in paragraphs (b) and (c), shall be deposited in the state government special revenue fund.

(b) $5,000 of each fee collected under subdivision 1, clauses (6) to (9), and (11) to (15) ~~and (17)~~, and subdivision 3, clauses (4) to (7), and (9) to (13) ~~and (15)~~, and the fees collected under subdivision 1, clause (16), and subdivision 3, clause (14), shall be deposited in the opiate epidemic response account established in section 256.043.

(c) If the fees collected under subdivision 1, clause (16), or subdivision 3, clause (14), are reduced, $5,000 of the reduced fee shall be deposited in the opiate epidemic response account in section 256.043.

EFFECTIVE DATE. This section is effective June 1, 2020.

Sec. 8. Minnesota Statutes 2019 Supplement, section 152.11, subdivision 1, is amended to read:

Subdivision 1. **General prescription requirements for controlled substances.** (a) A written prescription or an oral prescription reduced to writing, when issued for a controlled substance in Schedule II, III, IV, or V, is void unless (1) it is written in ink and contains the name and address of the person for whose use it is intended; (2) it states the amount of the controlled substance to be compounded or dispensed, with directions for its use; (3) if a written prescription, it contains the handwritten signature, address, and federal registry number of the prescriber and a designation of the branch of the healing art pursued by the prescriber; and if an oral prescription, the name and address of the prescriber and a designation of the prescriber's branch of the healing art; and (4) it shows the date when signed by the prescriber, or the date of acceptance in the pharmacy if an oral prescription.

(b) An electronic prescription for a controlled substance in Schedule II, III, IV, or V is void unless it complies with the standards established pursuant to section 62J.497 and with those portions of Code of Federal Regulations, title 21, parts 1300, 1304, 1306, and 1311, that pertain to electronic prescriptions.

(c) A prescription for a controlled substance in Schedule II, III, IV, or V that is transmitted by facsimile, either computer to facsimile machine or facsimile machine to facsimile machine, is void unless it complies with the applicable requirements of Code of Federal Regulations, title 21, part 1306.

(d) Every licensed pharmacy that dispenses a controlled substance prescription shall retain the original prescription in a file for a period of not less than two years, open to inspection by any officer of the state, county, or municipal government whose duty it is to aid and assist with the enforcement of this chapter. An original electronic or facsimile prescription may be stored in an electronic database, provided that the database provides a means by which original prescriptions can be retrieved, as transmitted to the pharmacy, for a period of not less than two years.

(e) Every licensed pharmacy shall distinctly label the container in which a controlled substance is dispensed with the directions contained in the prescription for the use of that controlled substance.

~~(f) No prescription for an opiate or narcotic pain reliever listed in Schedules II through IV of section 152.02 may be initially dispensed more than 30 days after the date on which the prescription was issued. No subsequent refills indicated on a prescription for a Schedule III or IV opiate or narcotic pain reliever may be dispensed more than 30 days after the previous date on which the prescription was initially filled or refilled. After the authorized refills for Schedule III or IV opiate or narcotic pain relievers have been used up or are expired, no additional authorizations may be accepted for that prescription. If continued therapy is necessary, a new prescription must be issued by the prescriber.~~

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

Sec. 9. Minnesota Statutes 2018, section 171.0605, subdivision 5, is amended to read:

Subd. 5. **Evidence; residence in Minnesota.** (a) Submission of two forms of documentation from the following is satisfactory evidence of an applicant's principal residence address in Minnesota under section 171.06, subdivision 3, paragraph (b):

(1) a home utility services bill issued no more than ~~90 days~~ 12 months before the application~~, provided that the commissioner must not accept a United States home utility bill if two unrelated people are listed on the bill~~;

(2) a home utility services hook-up work order issued no more than ~~90 days~~ 12 months before the application~~, provided that the commissioner must not accept a home utility services hook-up work order if two unrelated people are listed on the work order~~;

(3) United States bank or financial information issued no more than ~~90 days~~ 12 months before the application, with account numbers redacted, including:

(i) a bank account statement;

~~(ii) a canceled check; or~~

~~(iii)~~ (ii) a credit card or debit card statement;

(iii) a brokerage account statement; or

(iv) a money market account statement;

(4) ~~a United States high school identification card with~~ a certified transcript from ~~the~~ a United States high school, if issued no more than 180 days before the application;

(5) ~~a Minnesota college or university identification card with~~ a certified transcript from ~~the~~ a Minnesota college or university, if issued no more than 180 days before the application;

(6) an employment pay stub issued no more than ~~90 days~~ 12 months before the application that lists the employer's name~~,~~ and address~~, and telephone number~~;

(7) a Minnesota unemployment insurance benefit statement issued no more than ~~90 days~~ 12 months before the application;

(8) a statement from a housing with services building registered under chapter 144D, nursing home licensed under chapter 144A, or a boarding care facility licensed under sections 144.50 to 144.56, that was issued no more than ~~90 days~~ 12 months before the application;

(9) a ~~life,~~ current policy or card for health, automobile, homeowner's, or renter's insurance ~~policy issued no more than 90 days before the application, provided that the commissioner must not accept a proof of insurance card~~;

(10) a federal or state income tax return ~~or statement~~ for the most recent tax filing year;

(11) a Minnesota property tax statement for the current or prior calendar year or a proposed Minnesota property tax notice for the current year that shows the applicant's principal residential address both on the mailing portion and the portion stating what property is being taxed;

(12) a Minnesota vehicle certificate of title~~, if issued no more than 12 months before the application~~;

(13) a filed property deed or title for current residence~~, if issued no more than 12 months before the application~~;

(14) a Supplemental Security Income award statement issued no more than 12 months before the application;

(15) mortgage documents for the applicant's principal residence;

(16) a residential lease agreement for the applicant's principal residence issued no more than 12 months before the application;

(17) a valid driver's license, including an instruction permit, issued under this chapter;

(18) a valid Minnesota identification card;

(19) an unexpired Minnesota professional license;

(20) an unexpired Selective Service card; ~~or~~

(21) military orders that are still in effect at the time of application~~.~~;

(22) a cellular phone bill issued no more than 12 months before the application; or

(23) a valid license issued pursuant to the game and fish laws.

(b) In lieu of one of the two documents required by paragraph (a), an applicant under the age of 18 may use a parent or guardian's proof of principal residence as provided in this paragraph. The parent or guardian of the applicant must provide a document listed under paragraph (a) that includes the parent or guardian's name and the same address as the address on the document provided by the applicant. The parent or guardian must also certify that the applicant is the child of the parent or guardian and lives at that address.

~~(b)~~ (c) A document under paragraph (a) must include the applicant's name and ~~an~~ principal residence address in Minnesota.

EFFECTIVE DATE. This section is effective four weeks following final enactment or on the date the changes required by this section are implemented, whichever is earlier. If the changes required by this section are implemented earlier than four weeks after final enactment, the commissioner of public safety must notify the revisor of statutes of the date.

Sec. 10. Minnesota Statutes 2018, section 241.75, subdivision 2, is amended to read:

Subd. 2. **Health care decisions.** The medical director of the Department of Corrections may make a health care decision for an inmate incarcerated in a state correctional facility or placed in an outside facility on conditional medical release if the inmate's attending physician determines that the inmate lacks decision-making capacity and:

(1) there is not a documented health care agent designated by the inmate or the health care agent is not reasonably available to make the health care decision;

(2) if there is a documented health care directive, the decision is consistent with that directive;

(3) the decision is consistent with reasonable medical practice and other applicable law; and

(4) the medical director has made a good faith attempt to consult with the inmate's next of kin or emergency contact person in making the decision, to the extent those persons are reasonably available.

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

Sec. 11. Minnesota Statutes 2018, section 609.105, subdivision 2, is amended to read:

Subd. 2. **Place of confinement.** The commissioner of corrections shall determine the place of confinement in a prison, reformatory, or other facility of the Department of Corrections established by law for the confinement of convicted persons and prescribe reasonable conditions and rules for their employment, conduct, instruction, and discipline within or without the facility. When the remaining term of imprisonment for a convicted person upon commitment is 90 days or less, the commissioner of corrections may contract with a county for placement of the person in a county jail or detention center for the remainder of the person's term.

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

Sec. 12. **COMMISSIONER OF COMMERCE AUTHORITY.**

(a) In the event of a declaration of emergency pursuant to Minnesota Statutes, section 12.31, the commissioner of commerce may delay, stay, or waive licensing, investigative, or other deadlines related to the duties and responsibilities of the commissioner under Minnesota Statutes, chapters 45 to 83, 115C, 216 to 222, 237 to 239, 325F, and 345.

(b) Action taken by the commissioner under this section must:

(1) treat similarly situated persons equally; and

(2) be intended to provide relief or safe harbor from legal obligations with respect to licensees or other persons regulated by the Department of Commerce, or to ensure continuity of department operations and processes.

(c) The authority granted under this section remains in effect until 60 days after the peacetime emergency declared in Executive Order 20-01 is terminated or rescinded by the proper authority.

(d) Within two business days after the date the commissioner takes action under this section, the commissioner must notify the chairs and ranking minority members of the

legislative committees having jurisdiction over commerce or energy policy regarding deadlines affected by the action. If the deadline is health-insurance related, the commissioner must also notify the chairs and ranking minority members of the legislative committees having jurisdiction over health and human services policy within two business days of the date the commissioner takes action under this section. Notification may be made by e-mail and must include citations to the relevant statute or rule and any new deadline imposed.

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

Sec. 13. **OFFICE OF HIGHER EDUCATION.**

Subdivision 1. **Applicability.** The powers granted in this section apply beginning on the date a peacetime public health emergency is declared by the governor pursuant to Minnesota Statutes, section 12.31, in response to a potential or actual outbreak of COVID-19. The powers expire 60 days after the declaration of the peacetime public health emergency expires. For purposes of this section, "peacetime public health emergency" means any peacetime emergency declared by the governor in an executive order that relates to the infectious disease known as COVID-19.

Subd. 2. **Temporary powers granted; limitations.** The commissioner of the Office of Higher Education is granted temporary powers described and limited by this section to protect the financial stability and academic standing of students, grantees, and borrowers. The temporary powers granted to the commissioner in this section may only be used to:

(1) prepare for, prevent, or respond to an outbreak of COVID-19; or

(2) preserve access to programs and services provided by the Office of Higher Education.

Subd. 3. **Authority to modify or waive rules.** The commissioner may modify or waive statutory requirements or administrative rules relating to:

(1) work study programs under Minnesota Statutes, sections 136A.231 to 136A.233, and accompanying rules under Minnesota Rules, chapter 4830;

(2) the SELF loan and other lending programs under Minnesota Statutes, sections 136A.15 to 136A.1787, and accompanying rules under Minnesota Rules, chapter 4850;

(3) the state grant program under Minnesota Statutes, section 136A.121, and accompanying rules under Minnesota Rules, chapter 4830; or

(4) student grants, aid, and scholarships under Minnesota Statutes, sections 136A.1215 to 136A.1275, and accompanying rules under Minnesota Rules, chapter 4830.

Subd. 4. **Fiscal impact.** If action taken by the commissioner under this section will result in a fiscal impact that the Office of Higher Education cannot absorb, the commissioner shall first seek and receive legislative approval for any fiscal impact to the state.

Subd. 5. **Consultation.** The commissioner shall consult with the chairs and ranking minority members of the legislative committees with jurisdiction over higher education issues, when possible, before exercising the temporary powers granted under this section.

Subd. 6. **Report.** Within 90 days of the expiration of the declaration of the peacetime public health emergency, the commissioner shall submit a report to the members of the legislative committees with jurisdiction over higher education issues regarding the temporary powers that were exercised under this section, including but not limited to any statutes or administrative rules that were modified or waived. The report must also include a timeline as to when temporary powers were exercised and an explanation as to why the exercise of temporary powers was necessary.

EFFECTIVE DATE. This section is effective retroactively for any emergency declaration covered by this section. Except as necessary to comply with the reporting requirements in subdivision 6, this section expires the later of December 31, 2020, or 60 days after the end of a peacetime public health emergency declared before December 31, 2020.

Sec. 14. **EMERGENCY PURCHASING; WORKFORCE AND EQUAL PAY CERTIFICATES.**

(a) Minnesota Statutes, sections 363A.36 and 363A.44, do not apply to emergency purchasing authorized by Minnesota Statutes, section 16C.10, subdivision 2, during the period of a peacetime emergency declared by the governor under Minnesota Statutes, section 12.31.

(b) The commissioner of administration must submit a report on implementation of this section to the chairs and ranking minority members of the legislative committees with jurisdiction over state government finance. The report must describe the purchases that were made using the exemption provided in paragraph (a). A preliminary report must be submitted no later than December 31, 2020, and a final report must be submitted no later than March 31, 2021.

EFFECTIVE DATE. This section is effective the day following final enactment and, except as necessary to comply with the reporting requirement in paragraph (b), expires January 31, 2021.

Sec. 15. **PEACETIME PUBLIC HEALTH EMERGENCY; DRIVER'S LICENSE, IDENTIFICATION CARD, AND DISABILITY CERTIFICATE EXTENSIONS.**

Subdivision 1. **Definition.** For purposes of this section, "peacetime public health emergency period" means the duration of any peacetime emergency declared by the governor in an executive order that relates to the infectious disease known as COVID-19, but ending no later than January 31, 2021.

Subd. 2. **Licenses and identification cards.** (a) Notwithstanding Minnesota Statutes, sections 171.07, subdivision 4; 171.186, subdivision 4; and 171.27, the expiration date is extended for any valid driver's license, including but not limited to an instruction permit, provisional license, operator's permit, limited license, and farm work license, and any Minnesota identification card, issued under Minnesota Statutes, chapter 171, that absent this subdivision would otherwise expire (1) during the peacetime public health emergency period, or (2) on any day of the month in which the peacetime public health emergency period terminates.

(b) An extension in this subdivision is provided to the last day of the second consecutive month following the month in which the peacetime public health emergency period terminates.

(c) No fee or surcharge under Minnesota Statutes, chapter 171, is imposed for an extension under this subdivision.

(d) An extension under this subdivision does not alter the expiration date for subsequent license or Minnesota identification card renewals. Nothing in this subdivision prevents suspension, cancellation, revocation, or disqualification as provided in Minnesota Statutes, chapter 168, 169, 169A, 171, 260B, 260C, or any other chapter.

(e) The authority in this subdivision does not apply:

(1) to issuance of a new driver's license or Minnesota identification card, except as provided in subdivision 3;

(2) to reinstatement of a canceled, suspended, or revoked license; and

(3) to a person who is no longer eligible for the license or Minnesota identification card.

(f) The commissioner of public safety must ensure that the driving record of a person whose driver's license expiration date is extended pursuant to this subdivision indicates that the person's driver's license is valid until the extension expires as provided in this subdivision. The commissioner must ensure, as far as practicable, that this information is available to law enforcement and other entities outside the state of Minnesota.

Subd. 3. **Out-of-state licenses.** (a) Notwithstanding Minnesota Statutes, section 171.03, paragraph (h), any person who becomes a resident of the state of Minnesota and who possesses a valid noncommercial driver's license issued to the person under and pursuant to the laws of some other state or jurisdiction, or by military authorities of the United States, may operate a motor vehicle for more than 60 days without being required to have a Minnesota driver's license, as provided by this subdivision. A person described by this subdivision may only operate the types of vehicles for which the license is issued and must apply for a Minnesota driver's license by the last day of the second consecutive month following the month in which the peacetime public health emergency period terminates.

(b) If a Minnesota resident's driver's license or state identification card issued by another state, jurisdiction, or military authority would expire absent this subdivision during the period specified by subdivision 2, paragraph (a), the expiration date is extended in the manner prescribed by subdivision 2, paragraphs (a) to (e).

(c) For purposes of this subdivision, "driver's license" includes but is not limited to an instruction permit, provisional license, operator's permit, limited license, and farm work license.

Subd. 4. **Disability certificates and permits.** (a) Notwithstanding Minnesota Statutes, section 169.345, the expiration date is extended for any certificate or permit issued under that section that, absent this subdivision, would otherwise expire (1) during the peacetime public health emergency period, or (2) on any day of the month in which the peacetime public health emergency period terminates.

(b) An extension in this subdivision is provided to the last day of the second consecutive month following the month in which the peacetime public health emergency period terminates.

(c) No fee or surcharge under Minnesota Statutes, section 169.345, is imposed for an extension in this subdivision.

(d) Nothing in this subdivision prevents cancellation as provided in Minnesota Statutes, section 169.345.

Subd. 5. **Law enforcement.** The commissioner of public safety must work with law enforcement agencies in this state to ensure that all law enforcement officers are aware of the changes made in this section.

Subd. 6. **Public information.** The commissioner of public safety must make reasonable efforts to publicize to the general public the expiration date extensions under this section,

including providing information on the criteria for who is subject to the extensions and identifying the ending date of the extensions once known.

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

Sec. 16. **REPORT TO LEGISLATURE; POWERS EXERCISED BY COMMISSIONER OF PUBLIC SAFETY DURING PEACETIME PUBLIC HEALTH EMERGENCY.**

(a) Within 30 days of the expiration of a peacetime public health emergency period, the commissioner of public safety must report to the legislative committees with jurisdiction over transportation regarding any temporary powers exercised relating to driver and vehicle services and the State Patrol, including but not limited to any statutory requirements or administrative rules that were modified or waived. The report must include a timeline as to when and an explanation of why temporary powers were exercised. For purposes of this section, the requirements under section 15 are temporary powers and must be included in the report.

(b) For purposes of this section, "peacetime public health emergency period" means the duration of any peacetime emergency declared by the governor in an executive order that relates to the infectious disease known as COVID-19.

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

Sec. 17. **FOOD SHELVES; PEACETIME EMERGENCY DISTRIBUTION.**

Notwithstanding Minnesota Statutes, section 256E.34, during the period of a declared peacetime emergency pursuant to Minnesota Statutes, section 12.31, in response to a potential or actual outbreak of COVID-19:

(1) additional funds may be distributed to the statewide network of food banks, food shelves, and additional transportation providers; and

(2) additional funds may be distributed to the statewide network of food shelves to purchase, transport, and coordinate the distribution of food, diapers, toilet paper, and other necessary supplies to needy individuals and families.

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

Sec. 18. **DEFENSE OR OBJECTION TO REAL AND PERSONAL PROPERTY TAXES; FILING EXTENSION.**

Notwithstanding Minnesota Statutes, section 278.01, subdivision 1, paragraph (c), or any other law to the contrary, for property taxes payable in 2020 only, a petitioner filing a real or personal property tax petition under Minnesota Statutes, section 278.01, shall have until May 30, 2020, to file copies of the petition, with proof of service, in the office of the court administrator of the district court.

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

Sec. 19. **USES OF GENERAL-USE SANITIZERS AND DISINFECTANTS FOR TREATMENT OF COVID-19.**

(a) A person who uses a general-use sanitizer or disinfectant for hire in response to COVID-19 is exempt from the commercial applicator license requirements under Minnesota Statutes, section 18B.33.

(b) This section expires April 1, 2021.

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

Sec. 20. **SUITABLE EMPLOYMENT DURING COVID-19 PANDEMIC.**

Notwithstanding the definition of "suitable employment" provided in Minnesota Statutes, section 268.035, subdivision 23a, for an applicant applying for unemployment insurance benefits between March 1, 2020, and December 31, 2020, employment is not suitable under Minnesota Statutes, section 268.035, subdivision 23a, paragraphs (a) and (b), if:

(1) the employment puts the health and safety of the applicant at risk due to potential exposure of the applicant to COVID-19; or

(2) the employment puts the health and safety of other workers and the general public at risk due to potential exposure of the other workers and the general public to COVID-19.

EFFECTIVE DATE. This section is effective the day following final enactment and is retroactive to March 1, 2020.

Sec. 21. **TEMPORARY SUSPENSION OF ONE-WEEK WAITING PERIOD.**

Notwithstanding Minnesota Statutes, section 268.085, subdivision 1, the one-week nonpayable waiting period to receive unemployment benefits is waived for applicants for

unemployment insurance benefit accounts established between March 1, 2020, and December 31, 2020.

EFFECTIVE DATE. This section is effective the day following final enactment and is retroactive to March 1, 2020.

Sec. 22. **TEMPORARY SUSPENSION OF FIVE-WEEK BUSINESS OWNER BENEFIT LIMITATION.**

Notwithstanding Minnesota Statutes, section 268.085, subdivision 9, the five-week limitation for receipt of unemployment benefits for business owners is suspended for applicants for unemployment insurance benefit accounts established between March 1, 2020, and December 31, 2020.

EFFECTIVE DATE. This section is effective the day following final enactment and is retroactive to March 1, 2020.

Sec. 23. **LEAVE OF ABSENCE DUE TO COVID-19.**

Notwithstanding Minnesota Statutes, section 268.085, subdivision 13a, for an applicant applying for an unemployment insurance benefits account established between March 1, 2020, and December 31, 2020, a leave of absence is presumed to be an involuntary leave of absence and not ineligible if:

(1) a determination has been made by health authorities or by a health care professional that the presence of the applicant in the workplace would jeopardize the health of others, whether or not the applicant has actually contracted a communicable disease;

(2) a quarantine or isolation order has been issued to the applicant pursuant to Minnesota Statutes, sections 144.419 to 144.4196;

(3) there is a recommendation from health authorities or from a health care professional that the applicant should self-isolate or self-quarantine due to elevated risk from COVID-19 due to being immunocompromised;

(4) the applicant has been instructed by the applicant's employer not to come to the employer's place of business due to an outbreak of a communicable disease; or

(5) the applicant has received a notification from a school district, day care, or other child care provider that either (i) classes are canceled, or (ii) the applicant's ordinary child care is unavailable, provided that the applicant made reasonable effort to obtain other child

care and requested time off or other accommodation from the employer and no reasonable accommodation was available.

EFFECTIVE DATE. This section is effective the day following final enactment and is retroactive to March 1, 2020.

Sec. 24. **COMPUTATION OF FUTURE TAX RATE; EFFECT OF PAYMENT FROM TRUST FUND.**

Notwithstanding Minnesota Statutes, section 268.047, subdivision 1, unemployment insurance benefits paid as a result of an applicant not being able to work directly or indirectly as a result of the COVID-19 pandemic will not be used in computing the future unemployment insurance tax rate of a taxpaying employer. This section expires December 31, 2020.

EFFECTIVE DATE. This section is effective the day following final enactment and is retroactive to March 1, 2020.

Sec. 25. **ONETIME EXCEPTION TO RESTRICTIONS ON USE OF MINNESOTA INVESTMENT FUND LOCAL GOVERNMENT LOAN REPAYMENT FUNDS.**

(a) Notwithstanding Minnesota Statutes, section 116J.8731, a home rule charter or statutory city, county, or town that has uncommitted money received from repayment of funds awarded under Minnesota Statutes, section 116J.8731, may use those funds to issue loans to retail stores, service providers, and hospitality businesses, in addition to the uses permitted under Minnesota Statutes, section 116J.8731, until the end of fiscal year 2020.

(b) By February 15, 2021, a home rule charter or statutory city, county, or town that exercises the option under paragraph (a) shall submit to the chairs and ranking minority members of the legislative committees with jurisdiction over economic development policy and finance an accounting and explanation of the use and distribution of the funds.

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

Sec. 26. **PEACETIME EMERGENCY; DELAYED SUBMISSION OF FINGERPRINTS AUTHORIZED.**

Subdivision 1. **Definitions.** (a) "Critical infrastructure" means the following economic sectors:

(1) health care and public health, including individuals who support food, shelter, social services, and other necessities of life for economically disadvantaged or otherwise needy

individuals and individuals who perform mortuary services or ensure the proper disposal of human remains;

(2) law enforcement, public safety, and first responders, including individuals performing fire, corrections, and hazardous materials response services;

(3) food and agriculture;

(4) energy, including electricity, petroleum, and natural and propane gas;

(5) water and wastewater;

(6) transportation and logistics;

(7) public works;

(8) communications and information technology;

(9) community-based government operations and essential functions, including weather forecasters, educators, child care providers, and hotel workers where hotels are used in support of a peacetime emergency declared under Minnesota Statutes, chapter 12;

(10) critical manufacturing in support of other critical infrastructure sectors;

(11) hazardous materials;

(12) financial services;

(13) chemicals, including individuals who produce protective cleaning and medical solutions, personal protective equipment, and other essential products; and

(14) defense industrial base.

(b) "Essential worker" means an individual who is employed, licensed, or applying for employment or licensure in critical infrastructure.

Subd. 2. **Delayed fingerprint submission.** (a) Upon a declaration of a peacetime emergency pursuant to Minnesota Statutes, chapter 12, the superintendent of the Bureau of Criminal Apprehension may delay the submission of fingerprints needed to perform a statutorily authorized background check of an essential worker.

(b) In determining which background checks are subject to a delayed submission of fingerprints under paragraph (a), the superintendent must consider which essential workers are necessary in order to meet the requirements of the peacetime emergency. The superintendent must consult with the licensing and employing agencies, boards, and entities with authority over the essential workers covered by the determination. The superintendent must post the determination on the bureau's website.

(c) An essential worker granted a delay in the submission of fingerprints must submit fingerprints in compliance with the applicable statute within 30 days after the peacetime emergency ceases or the temporary delay granted under this section expires, whichever occurs earlier. The licensing or employing board, agency, or entity responsible for administering a fingerprint-based background check under the applicable statute must immediately revoke the essential worker's credentials if the essential worker's background check discloses disqualifying information.

(d) The superintendent must provide written notice to the chairs and ranking minority members of the legislative committees and divisions with jurisdiction over public safety at least 48 hours before exercising the authority granted under paragraph (a).

Subd. 3. **False material information; penalty.** An essential worker who gives or causes to be given any false material information in applying for a license or position that requires a fingerprint-based background check while a delay of submission of fingerprints under the authority granted in subdivision 2 is in effect, knowing or having reason to know the information is false, is guilty of a gross misdemeanor.

Subd. 4. **Report required.** (a) The superintendent, in consultation with the licensing or employing agencies, boards, and entities with authority over essential workers subject to a delay of fingerprint submission under this section, must report to the chairs and ranking minority members of the legislative committees and divisions with jurisdiction over public safety the following information:

(1) the statutes that were the subject of the delayed submission of fingerprints;

(2) an explanation of why the delayed submission of fingerprints was necessary;

(3) the number of essential workers who were subject to a background check and were granted a delay of submission of fingerprints;

(4) the number of essential workers granted a delay who submitted fingerprints;

(5) the number of essential workers granted a delay who were subsequently disqualified upon submission of fingerprints; and

(6) aggregate data about the licensing and employment categories for which fingerprint submissions were delayed.

(b) The superintendent must submit the report required under this subdivision by January 31, 2021.

Subd. 5. **Expiration.** This section expires on March 1, 2021.

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