

2023 CCLD Legislative Session Summary

Jobs/Labor Omnibus (SF3035)

Commercial Energy Code Improvements – Effective July 1, 2023

Adds additional targets to the adoption of new model commercial energy codes such that the commercial energy code in effect in 2036 and thereafter achieves at least an 80 percent reduction in annual net energy consumption, using the ASHRAE 90.1-2004 as a baseline. This change also requires a report by January 15th of the year following each new code adoption (Article 1, Section 29 of SF3035; based on standalone bill HF772/SF1368 (Kraft/Port)).

EV Charging Infrastructure – Effective July 1, 2023

DLI is directed that the building code shall require a minimum number of electric vehicle ready spaces, electric vehicle capable spaces, and electric vehicle charging stations within or adjacent to new commercial and multifamily structures that provide on-site parking, excluding residential structures with fewer than four units (Article 1, Sections 24-27, 31 of SF3035).

Safe Housing for the Elderly and Vulnerable Adults – Effective August 1, 2023

Adds assisted living facilities, including assisted living with dementia care facilities, to the list of state licensed facilities, giving DLI the authority to provide building and plumbing plan review and inspection services during the construction phase of these facilities.

Window Cleaning Safety – Effective May 25, 2023

Removes existing statutory window cleaning safety requirements and replaces them with a requirement that the commissioner adopt rules that require window cleaning safety features that comply with a nationally recognized standard using expedited rulemaking. This section is effective the day following enactment (Article 1, Section 30 of SF3035)

CCLD Fee Reduction and Reimbursement – Effective July 1, 2023

- Reduces fees paid by individuals and businesses in the construction industry when they need to reinstate a license following a license revocation, suspension, or voluntary termination.
- It also allows DLI to refund Contractor Recovery Fund fees when a residential building contractor or remodeler license is not approved (Article 1, Sections 22 and 23 of SF3035).

CCLD Policy and Technical

CCLD policy and technical changes in the bill include:

- requiring certain refrigerants not to be prohibited by code, ***effective July 1, 2023***
- establishing certain elevator licensing exemptions, ***effective July 1, 2023***
- allowing a licensed master electrician to be qualified as a technology systems contractor, ***effective July 1, 2023***
- updating the Board of Electricity and Board of High-Pressure Piping composition, ***effective July 1, 2023*** exempting load control receivers from inspection for a limited amount of time, ***effective May 25, 2023***
- clarifying residential building contractor licensing exemptions with respect to house flippers, ***effective July 1, 2023***
- updating boiler inspection parameters to ensure that inspections can continue as normal, ***effective July 1, 2023***
- new provisions for the establishment of micro-unit dwellings at sacred communities (Article 11, Section 44-57 of SF3035. Based on standalone bill HF2213/SF2440 (Nelson M/Mohamed) ***effective Jan. 1, 2024.***

Other CCLD-related legislation

Solar Installers Licensed as Residential Building Contractors (RBC's) – Effective July 1, 2023

Requires that solar installers be licensed RBCs, resulting in solar installers paying into the Contractor Recovery Fund (CRF) and giving consumers who hire licensed solar installers the ability to make claims to the CRF fund (Article 1, Section 32 of SF3035; based on standalone bill HF2164/SF2735 (Kraft/McEwen)).

Adult Changing Stations – Effective May 25, 2023

Requires that the commissioner adopt rules that require adult-size changing facilities as part of the State Building Code using expedited rulemaking. This section is effective the day following enactment (Article 1, Sections 30 and 33 of SF3035; based on standalone bill HF981/SF999 (Hicks/Boldon)).

14.1 Sec. 22. Minnesota Statutes 2022, section 326B.092, subdivision 6, is amended to read:

14.2 Subd. 6. **Fees nonrefundable.** Application and examination fees, license fees, license
14.3 renewal fees, and late fees are nonrefundable except for:

14.4 (1) license renewal fees received more than two years after expiration of the license, as
14.5 described in section 326B.094, subdivision 2;

14.6 (2) any overpayment of fees; and

14.7 (3) if the license is not issued or renewed, the contractor recovery fund fee and any
14.8 additional assessment paid under subdivision 7, paragraph (e).

14.9 Sec. 23. Minnesota Statutes 2022, section 326B.096, is amended to read:

14.10 **326B.096 REINSTATEMENT OF LICENSES.**

14.11 Subdivision 1. **Reinstatement after revocation.** (a) If a license is revoked under this
14.12 chapter and if an applicant for a license needs to pass an examination administered by the
14.13 commissioner before becoming licensed, then, in order to have the license reinstated, the
14.14 person who holds the revoked license must:

14.15 (1) retake the examination and achieve a passing score; and

14.16 (2) meet all other requirements for an initial license, including payment of the application
14.17 and examination fee and the license fee. The person holding the revoked license is not
14.18 eligible for Minnesota licensure without examination based on reciprocity.

14.19 (b) If a license is revoked under a chapter other than this chapter, then, in order to have
14.20 the license reinstated, the person who holds the revoked license must:

14.21 (1) apply for reinstatement to the commissioner no later than two years after the effective
14.22 date of the revocation;

14.23 (2) pay a ~~\$100~~ \$50 reinstatement application fee and any applicable renewal license fee;
14.24 and

14.25 (3) meet all applicable requirements for licensure, except that, unless required by the
14.26 order revoking the license, the applicant does not need to retake any examination and does
14.27 not need to repay a license fee that was paid before the revocation.

14.28 Subd. 2. **Reinstatement after suspension.** If a license is suspended, then, in order to
14.29 have the license reinstated, the person who holds the suspended license must:

14.30 (1) apply for reinstatement to the commissioner no later than two years after the
14.31 completion of the suspension period;

15.1 (2) pay a ~~\$100~~ \$50 reinstatement application fee and any applicable renewal license fee;
15.2 and

15.3 (3) meet all applicable requirements for licensure, except that, unless required by the
15.4 order suspending the license, the applicant does not need to retake any examination and
15.5 does not need to repay a license fee that was paid before the suspension.

15.6 Subd. 3. **Reinstatement after voluntary termination.** A licensee who is not an individual
15.7 may voluntarily terminate a license issued to the person under this chapter. If a licensee has
15.8 voluntarily terminated a license under this subdivision, then, in order to have the license
15.9 reinstated, the person who holds the terminated license must:

15.10 (1) apply for reinstatement to the commissioner no later than the date that the license
15.11 would have expired if it had not been terminated;

15.12 (2) pay a ~~\$100~~ \$25 reinstatement application fee and any applicable renewal license fee;
15.13 and

15.14 (3) meet all applicable requirements for licensure, except that the applicant does not
15.15 need to repay a license fee that was paid before the termination.

15.16 Sec. 24. Minnesota Statutes 2022, section 326B.103, is amended by adding a subdivision
15.17 to read:

15.18 Subd. 6a. **Electric vehicle capable space.** "Electric vehicle capable space" means a
15.19 designated automobile parking space that has electrical infrastructure, including but not
15.20 limited to raceways, cables, electrical capacity, and panelboard or other electrical distribution
15.21 space necessary for the future installation of an electric vehicle charging station.

15.22 Sec. 25. Minnesota Statutes 2022, section 326B.103, is amended by adding a subdivision
15.23 to read:

15.24 Subd. 6b. **Electric vehicle charging station.** "Electric vehicle charging station" means
15.25 a designated automobile parking space that has a dedicated connection for charging an
15.26 electric vehicle.

15.27 Sec. 26. Minnesota Statutes 2022, section 326B.103, is amended by adding a subdivision
15.28 to read:

15.29 Subd. 6c. **Electric vehicle ready space.** "Electric vehicle ready space" means a designated
15.30 automobile parking space that has a branch circuit capable of supporting the installation of
15.31 an electric vehicle charging station.

16.1 Sec. 27. Minnesota Statutes 2022, section 326B.103, is amended by adding a subdivision
16.2 to read:

16.3 Subd. 10a. **Parking facilities.** "Parking facilities" includes parking lots, garages, ramps,
16.4 or decks.

16.5 Sec. 28. Minnesota Statutes 2022, section 326B.103, subdivision 13, is amended to read:

16.6 Subd. 13. **State licensed facility.** "State licensed facility" means a building and its
16.7 grounds that are licensed by the state as a hospital, nursing home, supervised living facility,
16.8 assisted living facility, including assisted living facility with dementia care, free-standing
16.9 outpatient surgical center, correctional facility, boarding care home, or residential hospice.

16.10 **EFFECTIVE DATE.** This section is effective August 1, 2023.

16.11 Sec. 29. Minnesota Statutes 2022, section 326B.106, subdivision 1, is amended to read:

16.12 Subdivision 1. **Adoption of code.** (a) Subject to paragraphs (c) and (d) and sections
16.13 326B.101 to 326B.194, the commissioner shall by rule and in consultation with the
16.14 Construction Codes Advisory Council establish a code of standards for the construction,
16.15 reconstruction, alteration, and repair of buildings, governing matters of structural materials,
16.16 design and construction, fire protection, health, sanitation, and safety, including design and
16.17 construction standards regarding heat loss control, illumination, and climate control. The
16.18 code must also include duties and responsibilities for code administration, including
16.19 procedures for administrative action, penalties, and suspension and revocation of certification.
16.20 The code must conform insofar as practicable to model building codes generally accepted
16.21 and in use throughout the United States, including a code for building conservation. In the
16.22 preparation of the code, consideration must be given to the existing statewide specialty
16.23 codes presently in use in the state. Model codes with necessary modifications and statewide
16.24 specialty codes may be adopted by reference. The code must be based on the application
16.25 of scientific principles, approved tests, and professional judgment. To the extent possible,
16.26 the code must be adopted in terms of desired results instead of the means of achieving those
16.27 results, avoiding wherever possible the incorporation of specifications of particular methods
16.28 or materials. To that end the code must encourage the use of new methods and new materials.
16.29 Except as otherwise provided in sections 326B.101 to 326B.194, the commissioner shall
16.30 administer and enforce the provisions of those sections.

16.31 (b) The commissioner shall develop rules addressing the plan review fee assessed to
16.32 similar buildings without significant modifications including provisions for use of building
16.33 systems as specified in the industrial/modular program specified in section 326B.194.

17.1 Additional plan review fees associated with similar plans must be based on costs
17.2 commensurate with the direct and indirect costs of the service.

17.3 (c) Beginning with the 2018 edition of the model building codes and every six years
17.4 thereafter, the commissioner shall review the new model building codes and adopt the model
17.5 codes as amended for use in Minnesota, within two years of the published edition date. The
17.6 commissioner may adopt amendments to the building codes prior to the adoption of the
17.7 new building codes to advance construction methods, technology, or materials, or, where
17.8 necessary to protect the health, safety, and welfare of the public, or to improve the efficiency
17.9 or the use of a building.

17.10 (d) Notwithstanding paragraph (c), the commissioner shall act on each new model
17.11 residential energy code and the new model commercial energy code in accordance with
17.12 federal law for which the United States Department of Energy has issued an affirmative
17.13 determination in compliance with United States Code, title 42, section 6833. The
17.14 commissioner may adopt amendments prior to adoption of the new energy codes, as amended
17.15 for use in Minnesota, to advance construction methods, technology, or materials, or, where
17.16 necessary to protect the health, safety, and welfare of the public, or to improve the efficiency
17.17 or use of a building.

17.18 (e) Beginning in 2024, the commissioner shall act on the new model commercial energy
17.19 code by adopting each new published edition of ASHRAE 90.1 or a more efficient standard.
17.20 The commercial energy code in effect in 2036 and thereafter must achieve an 80 percent
17.21 reduction in annual net energy consumption or greater, using the ASHRAE 90.1-2004 as a
17.22 baseline. The commissioner shall adopt commercial energy codes from 2024 to 2036 that
17.23 incrementally move toward achieving the 80 percent reduction in annual net energy
17.24 consumption. By January 15 of the year following each new code adoption, the commissioner
17.25 shall make a report on progress under this section to the legislative committees with
17.26 jurisdiction over the energy code.

17.27 (f) Nothing in this section shall be interpreted to limit the ability of a public utility to
17.28 offer code support programs, or to claim energy savings resulting from such programs,
17.29 through its energy conservation and optimization plans approved by the commissioner of
17.30 commerce under section 216B.241 or an energy conservation and optimization plan filed
17.31 by a consumer-owned utility under section 216B.2403.

17.32 Sec. 30. Minnesota Statutes 2022, section 326B.106, subdivision 4, is amended to read:

17.33 Subd. 4. **Special requirements.** (a) **Space for commuter vans.** The code must require
17.34 that any parking ramp or other parking facility constructed in accordance with the code

18.1 include an appropriate number of spaces suitable for the parking of motor vehicles having
18.2 a capacity of seven to 16 persons and which are principally used to provide prearranged
18.3 commuter transportation of employees to or from their place of employment or to or from
18.4 a transit stop authorized by a local transit authority.

18.5 (b) **Smoke detection devices.** The code must require that all dwellings, lodging houses,
18.6 apartment houses, and hotels as defined in section 299F.362 comply with the provisions of
18.7 section 299F.362.

18.8 (c) **Doors in nursing homes and hospitals.** The State Building Code may not require
18.9 that each door entering a sleeping or patient's room from a corridor in a nursing home or
18.10 hospital with an approved complete standard automatic fire extinguishing system be
18.11 constructed or maintained as self-closing or automatically closing.

18.12 (d) **Child care facilities in churches; ground level exit.** A licensed day care center
18.13 serving fewer than 30 preschool age persons and which is located in a belowground space
18.14 in a church building is exempt from the State Building Code requirement for a ground level
18.15 exit when the center has more than two stairways to the ground level and its exit.

18.16 (e) **Family and group family day care.** Until the legislature enacts legislation specifying
18.17 appropriate standards, the definition of dwellings constructed in accordance with the
18.18 International Residential Code as adopted as part of the State Building Code applies to
18.19 family and group family day care homes licensed by the Department of Human Services
18.20 under Minnesota Rules, chapter 9502.

18.21 (f) **Enclosed stairways.** No provision of the code or any appendix chapter of the code
18.22 may require stairways of existing multiple dwelling buildings of two stories or less to be
18.23 enclosed.

18.24 (g) **Double cylinder dead bolt locks.** No provision of the code or appendix chapter of
18.25 the code may prohibit double cylinder dead bolt locks in existing single-family homes,
18.26 townhouses, and first floor duplexes used exclusively as a residential dwelling. Any
18.27 recommendation or promotion of double cylinder dead bolt locks must include a warning
18.28 about their potential fire danger and procedures to minimize the danger.

18.29 (h) **Relocated residential buildings.** A residential building relocated within or into a
18.30 political subdivision of the state need not comply with the State Energy Code or section
18.31 326B.439 provided that, where available, an energy audit is conducted on the relocated
18.32 building.

19.1 (i) **Automatic garage door opening systems.** The code must require all residential
19.2 buildings as defined in section 325F.82 to comply with the provisions of sections 325F.82
19.3 and 325F.83.

19.4 (j) **Exterior wood decks, patios, and balconies.** The code must permit the decking
19.5 surface and upper portions of exterior wood decks, patios, and balconies to be constructed
19.6 of (1) heartwood from species of wood having natural resistance to decay or termites,
19.7 including redwood and cedars, (2) grades of lumber which contain sapwood from species
19.8 of wood having natural resistance to decay or termites, including redwood and cedars, or
19.9 (3) treated wood. The species and grades of wood products used to construct the decking
19.10 surface and upper portions of exterior decks, patios, and balconies must be made available
19.11 to the building official on request before final construction approval.

19.12 (k) **Bioprocess piping and equipment.** No permit fee for bioprocess piping may be
19.13 imposed by municipalities under the State Building Code, except as required under section
19.14 326B.92 subdivision 1. Permits for bioprocess piping shall be according to section 326B.92
19.15 administered by the Department of Labor and Industry. All data regarding the material
19.16 production processes, including the bioprocess system's structural design and layout, are
19.17 nonpublic data as provided by section 13.7911.

19.18 (l) **Use of ungraded lumber.** The code must allow the use of ungraded lumber in
19.19 geographic areas of the state where the code did not generally apply as of April 1, 2008, to
19.20 the same extent that ungraded lumber could be used in that area before April 1, 2008.

19.21 (m) **Window cleaning safety.** ~~The code must require the installation of dedicated~~
19.22 ~~anchorage for the purpose of suspended window cleaning on (1) new buildings four stories~~
19.23 ~~or greater, and (2) buildings four stories or greater, only on those areas undergoing~~
19.24 ~~reconstruction, alteration, or repair that includes the exposure of primary structural~~
19.25 ~~components of the roof. The commissioner shall adopt rules, using the expedited rulemaking~~
19.26 process in section 14.389, requiring window cleaning safety features that comply with a
19.27 nationally recognized standard as part of the State Building Code. Window cleaning safety
19.28 features shall be provided for all windows on:

19.29 (1) new buildings where determined by the code; and

19.30 (2) existing buildings undergoing alterations where both of the following conditions are
19.31 met:

19.32 (i) the windows do not currently have safe window cleaning features; and

19.33 (ii) the proposed work area being altered can include provisions for safe window cleaning.

20.1 ~~The commissioner may waive all or a portion of the requirements of this paragraph~~
20.2 ~~related to reconstruction, alteration, or repair, if the installation of dedicated anchorages~~
20.3 ~~would not result in significant safety improvements due to limits on the size of the project,~~
20.4 ~~or other factors as determined by the commissioner.~~

20.5 (n) Adult-size changing facilities. The commissioner shall adopt rules requiring
20.6 adult-size changing facilities as part of the State Building Code.

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

20.8 Sec. 31. Minnesota Statutes 2022, section 326B.106, is amended by adding a subdivision
20.9 to read:

20.10 Subd. 16. **Electric vehicle charging.** The code shall require a minimum number of
20.11 electric vehicle ready spaces, electric vehicle capable spaces, and electric vehicle charging
20.12 stations either within or adjacent to new commercial and multifamily structures that provide
20.13 on-site parking facilities. Residential structures with fewer than four dwelling units are
20.14 exempt from this subdivision.

20.15 Sec. 32. Minnesota Statutes 2022, section 326B.802, subdivision 15, is amended to read:

20.16 Subd. 15. **Special skill.** "Special skill" means one of the following eight categories:

20.17 (a) **Excavation.** Excavation includes work in any of the following areas:

20.18 (1) excavation;

20.19 (2) trenching;

20.20 (3) grading; and

20.21 (4) site grading.

20.22 (b) **Masonry and concrete.** Masonry and concrete includes work in any of the following
20.23 areas:

20.24 (1) drain systems;

20.25 (2) poured walls;

20.26 (3) slabs and poured-in-place footings;

20.27 (4) masonry walls;

20.28 (5) masonry fireplaces;

20.29 (6) masonry veneer; and

- 21.1 (7) water resistance and waterproofing.
- 21.2 (c) **Carpentry.** Carpentry includes work in any of the following areas:
 - 21.3 (1) rough framing;
 - 21.4 (2) finish carpentry;
 - 21.5 (3) doors, windows, and skylights;
 - 21.6 (4) porches and decks, excluding footings;
 - 21.7 (5) wood foundations; and
 - 21.8 (6) drywall installation, excluding taping and finishing.
- 21.9 (d) **Interior finishing.** Interior finishing includes work in any of the following areas:
 - 21.10 (1) floor covering;
 - 21.11 (2) wood floors;
 - 21.12 (3) cabinet and counter top installation;
 - 21.13 (4) insulation and vapor barriers;
 - 21.14 (5) interior or exterior painting;
 - 21.15 (6) ceramic, marble, and quarry tile;
 - 21.16 (7) ornamental guardrail and installation of prefabricated stairs; and
 - 21.17 (8) wallpapering.
- 21.18 (e) **Exterior finishing.** Exterior finishing includes work in any of the following areas:
 - 21.19 (1) siding;
 - 21.20 (2) soffit, fascia, and trim;
 - 21.21 (3) exterior plaster and stucco;
 - 21.22 (4) painting; and
 - 21.23 (5) rain carrying systems, including gutters and down spouts.
- 21.24 (f) **Drywall and plaster.** Drywall and plaster includes work in any of the following
- 21.25 areas:
 - 21.26 (1) installation;
 - 21.27 (2) taping;

- 22.1 (3) finishing;
- 22.2 (4) interior plaster;
- 22.3 (5) painting; and
- 22.4 (6) wallpapering.
- 22.5 (g) **Residential roofing.** Residential roofing includes work in any of the following areas:
- 22.6 (1) roof coverings;
- 22.7 (2) roof sheathing;
- 22.8 (3) roof weatherproofing and insulation; and
- 22.9 (4) repair of roof support system, but not construction of new roof support system; and
- 22.10 (5) penetration of roof coverings for purposes of attaching a solar photovoltaic system.
- 22.11 (h) **General installation specialties.** Installation includes work in any of the following
- 22.12 areas:
- 22.13 (1) garage doors and openers;
- 22.14 (2) pools, spas, and hot tubs;
- 22.15 (3) fireplaces and wood stoves;
- 22.16 (4) asphalt paving and seal coating; and
- 22.17 (5) ornamental guardrail and prefabricated stairs; and
- 22.18 (6) assembly of the support system for a solar photovoltaic system.
- 22.19 Sec. 33. **RULEMAKING AUTHORITY.**
- 22.20 The commissioner of labor and industry shall adopt rules, using the expedited rulemaking
- 22.21 process in Minnesota Statutes, section 14.389, that set forth adult-size changing facilities
- 22.22 to conform with the addition of Minnesota Statutes, section 326B.106, subdivision 4,
- 22.23 paragraph (n), under this act.
- 22.24 **EFFECTIVE DATE.** This section is effective the day following final enactment.
- 22.25 Sec. 34. **REPEALER.**
- 22.26 Minnesota Statutes 2022, section 177.26, subdivision 3, is repealed.

106.1 Sec. 44. Minnesota Statutes 2022, section 326B.093, subdivision 4, is amended to read:

106.2 Subd. 4. **Examination results.** If the applicant receives a passing score on the
106.3 examination and meets all other requirements for licensure, the commissioner must approve
106.4 the application and notify the applicant of the approval within 60 days of the date of the
106.5 passing score. The applicant must, within 180 days after the notification of approval, pay
106.6 the license fee. Upon receipt of the license fee, the commissioner must issue the license. If
106.7 the applicant does not pay the license fee within 180 days after the notification of approval,
106.8 the commissioner will rescind the approval and must deny the application. If the applicant
106.9 does not receive a passing score on the examination, the commissioner must deny the
106.10 application. If the application is denied because of the applicant's failure to receive a passing
106.11 score on the examination, then the applicant cannot submit a new application for the license
106.12 until at least 30 days after the notification date of denial the failed examination.

106.13 Sec. 45. Minnesota Statutes 2022, section 326B.106, is amended by adding a subdivision
106.14 to read:

106.15 Subd. 16. Refrigerants designated as acceptable for use. No provision of the code or
106.16 appendix chapter of the code may prohibit or otherwise limit the use of a refrigerant
106.17 designated as acceptable for use in accordance with United States Code, title 42, section
106.18 7671k, provided any equipment containing the refrigerant is listed and installed in full
106.19 compliance with all applicable requirements, safety standards, and use conditions imposed
106.20 pursuant to such a designation or as otherwise required by law.

106.21 Sec. 46. Minnesota Statutes 2022, section 326B.163, subdivision 5, is amended to read:

106.22 Subd. 5. **Elevator.** As used in this chapter, "elevator" means moving walks and vertical
106.23 transportation devices such as escalators, passenger elevators, freight elevators, dumbwaiters,
106.24 hand-powered elevators, endless belt lifts, and wheelchair platform lifts. Elevator does not
106.25 include external temporary material lifts or temporary construction personnel elevators at
106.26 sites of construction of new or remodeled buildings.

106.27 Sec. 47. Minnesota Statutes 2022, section 326B.163, is amended by adding a subdivision
106.28 to read:

106.29 Subd. 5a. Platform lift. As used in this chapter, "platform lift" means a powered hoisting
106.30 and lowering device designed to transport mobility-impaired persons on a guided platform.

107.1 Sec. 48. Minnesota Statutes 2022, section 326B.164, subdivision 13, is amended to read:

107.2 Subd. 13. **Exemption from licensing.** (a) Employees of a licensed elevator contractor
107.3 or licensed limited elevator contractor are not required to hold or obtain a license under this
107.4 section or be provided with direct supervision by a licensed master elevator constructor,
107.5 licensed limited master elevator constructor, licensed elevator constructor, or licensed limited
107.6 elevator constructor to install, maintain, or repair platform lifts and stairway chairlifts.
107.7 Unlicensed employees performing elevator work under this exemption must comply with
107.8 subdivision 5. This exemption does not include the installation, maintenance, repair, or
107.9 replacement of electrical wiring for elevator equipment.

107.10 (b) Contractors or individuals shall not be required to hold or obtain a license under this
107.11 section when performing work on:

107.12 (1) conveyors, excluding vertical reciprocating conveyors;

107.13 (2) platform lifts not covered under section 326B.163, subdivision 5a; or

107.14 (3) dock levelers.

107.15 Sec. 49. Minnesota Statutes 2022, section 326B.31, subdivision 30, is amended to read:

107.16 Subd. 30. **Technology system contractor.** "Technology system contractor" means a
107.17 licensed contractor whose responsible licensed individual is a licensed power limited
107.18 technician or licensed master electrician.

107.19 Sec. 50. Minnesota Statutes 2022, section 326B.32, subdivision 1, is amended to read:

107.20 Subdivision 1. **Composition.** (a) The Board of Electricity shall consist of 12 members.
107.21 Eleven members shall be appointed by the governor with the advice and consent of the
107.22 senate and shall be voting members. Appointments of members by the governor shall be
107.23 made in accordance with section 15.066. If the senate votes to refuse to consent to an
107.24 appointment of a member made by the governor, the governor shall appoint a new member
107.25 with the advice and consent of the senate. One member shall be the commissioner of labor
107.26 and industry or the commissioner's designee, who shall be a voting member. Of the 11
107.27 appointed members, the composition shall be as follows:

107.28 (1) one member shall be an electrical inspector;

107.29 (2) two members shall be representatives of the electrical suppliers in rural areas;

107.30 (3) two members shall be master electricians, who shall be contractors;

107.31 (4) two members shall be journeyworker electricians;

108.1 (5) one member shall be a registered consulting electrical engineer;

108.2 (6) ~~two members~~ one member shall be a power limited technicians technician, who shall
108.3 be a technology system contractors primarily engaged in the business of installing technology
108.4 circuits or systems contractor; and

108.5 (7) one member shall be a power limited technician; and

108.6 ~~(7)~~ (8) one member shall be a public member as defined by section 214.02.

108.7 The electrical inspector shall be appointed to a term to end December 31, 2011. One of
108.8 the rural electrical suppliers shall be appointed for a term to end December 31, 2011. The
108.9 other rural electrical supplier shall be appointed for a term to end December 31, 2010. The
108.10 consulting electrical engineer shall be appointed for a term to end December 31, 2011. One
108.11 of the master electrician contractors shall be appointed for a term to end December 31, 2011.
108.12 The other master electrician contractor shall be appointed for a term to end December 31,
108.13 2010. One of the journeyworker electricians shall be appointed for a term to end December
108.14 31, 2011. The other journeyworker electrician shall be appointed for a term to end December
108.15 31, 2010. One of the power limited technicians shall be appointed for a term to end December
108.16 31, 2011. The other power limited technician shall be appointed for a term to end December
108.17 31, 2010. The public member shall be appointed for a term to end December 31, 2010.

108.18 (b) The consulting electrical engineer must possess a current Minnesota professional
108.19 engineering license and maintain the license for the duration of the term on the board. All
108.20 other appointed members, except for the public member and the representatives of electrical
108.21 suppliers in rural areas, must possess a current electrical license issued by the Department
108.22 of Labor and Industry and maintain that license for the duration of their terms. All appointed
108.23 members must be residents of Minnesota at the time of and throughout the member's
108.24 appointment. The term of any appointed member that does not maintain membership
108.25 qualification status shall end on the date of the status change and the governor shall appoint
108.26 a new member. It is the responsibility of the member to notify the board of their status
108.27 change.

108.28 (c) For appointed members, except the initial terms designated in paragraph (a), each
108.29 term shall be three years with the terms ending on December 31. Members appointed by
108.30 the governor shall be limited to three consecutive terms. The governor shall, all or in part,
108.31 reappoint the current members or appoint replacement members with the advice and consent
108.32 of the senate. Midterm vacancies shall be filled for the remaining portion of the term.
108.33 Vacancies occurring with less than six months time remaining in the term shall be filled for
108.34 the existing term and the following three-year term. Members may serve until their successors

109.1 are appointed but in no case later than July 1 in a year in which the term expires unless
109.2 reappointed.

109.3 Sec. 51. Minnesota Statutes 2022, section 326B.36, subdivision 7, is amended to read:

109.4 Subd. 7. **Exemptions from inspections.** Installations, materials, or equipment shall not
109.5 be subject to inspection under sections 326B.31 to 326B.399:

109.6 (1) when owned or leased, operated and maintained by any employer whose maintenance
109.7 electricians are exempt from licensing under sections 326B.31 to 326B.399, while performing
109.8 electrical maintenance work only as defined by rule;

109.9 (2) when owned or leased, and operated and maintained by any electrical,
109.10 communications, or railway utility, cable communications company as defined in section
109.11 238.02, or telephone company as defined under section 237.01, in the exercise of its utility,
109.12 antenna, or telephone function; and

109.13 (i) are used exclusively for the generations, transformation, distribution, transmission,
109.14 load control, or metering of electric current, or the operation of railway signals, or the
109.15 transmission of intelligence, and do not have as a principal function the consumption or use
109.16 of electric current by or for the benefit of any person other than such utility, cable
109.17 communications company, or telephone company; and

109.18 (ii) are generally accessible only to employees of such utility, cable communications
109.19 company, or telephone company or persons acting under its control or direction; and

109.20 (iii) are not on the load side of the service point or point of entrance for communication
109.21 systems;

109.22 (3) when used in the street lighting operations of an electrical utility;

109.23 (4) when used as outdoor area lights which are owned and operated by an electrical
109.24 utility and which are connected directly to its distribution system and located upon the
109.25 utility's distribution poles, and which are generally accessible only to employees of such
109.26 utility or persons acting under its control or direction;

109.27 (5) when the installation, material, and equipment are in facilities subject to the
109.28 jurisdiction of the federal Mine Safety and Health Act; or

109.29 (6) when the installation, material, and equipment is part of an elevator installation for
109.30 which the elevator contractor, licensed under section 326B.164, is required to obtain a permit
109.31 from the authority having jurisdiction as provided by section 326B.184, and the inspection
109.32 has been or will be performed by an elevator inspector certified and licensed by the

110.1 department. This exemption shall apply only to installations, material, and equipment
110.2 permitted or required to be connected on the load side of the disconnecting means required
110.3 for elevator equipment under National Electrical Code Article 620, and elevator
110.4 communications and alarm systems within the machine room, car, hoistway, or elevator
110.5 lobby.

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

110.7 Sec. 52. Minnesota Statutes 2022, section 326B.36, is amended by adding a subdivision
110.8 to read:

110.9 Subd. 8. **Electric utility exemptions; additional requirements.** For exemptions to
110.10 inspections exclusively for load control allowed for electrical utilities under subdivision 7,
110.11 clause (2), item (i), the exempted work must be:

110.12 (1) performed by a licensed electrician employed by a class A electrical contractor
110.13 licensed under section 326B.33;

110.14 (2) for replacement or repair of existing equipment for an electric utility other than a
110.15 public utility as defined in section 216B.02, subdivision 4, only; and

110.16 (3) completed on or before December 31, 2028.

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

110.18 Sec. 53. Minnesota Statutes 2022, section 326B.805, subdivision 6, is amended to read:

110.19 Subd. 6. **Exemptions.** The license requirement does not apply to:

110.20 (1) an employee of a licensee performing work for the licensee;

110.21 (2) a material person, manufacturer, or retailer furnishing finished products, materials,
110.22 or articles of merchandise who does not install or attach the items;

110.23 (3) an owner of residential real estate who builds or improves ~~any structure on~~ residential
110.24 real estate; if the ~~building or improving is performed by the owner's bona fide employees~~
110.25 ~~or by individual owners personally. owner occupies or will occupy the residential real estate~~
110.26 for residential purposes, or will retain ownership for rental purposes upon completion of
110.27 the building or improvement. This exemption does not apply to an owner who constructs
110.28 or improves ~~property~~ residential real estate for purposes of ~~resale or speculation if the~~
110.29 ~~building or improving is performed by the owner's bona fide employees or by individual~~
110.30 ~~owners personally. A. An owner of residential building contractor or residential remodeler~~
110.31 real estate will be presumed to be building or improving for purposes of speculation if the

111.1 ~~contractor or remodeler~~ owner constructs or improves more than one property within any
111.2 24-month period, unless the properties will be retained by the owner for rental purposes;

111.3 (4) an architect or professional engineer engaging in professional practice as defined by
111.4 section 326.02, subdivisions 2 and 3;

111.5 (5) a person whose total gross annual receipts for performing specialty skills for which
111.6 licensure would be required under this section do not exceed \$15,000;

111.7 (6) a mechanical contractor;

111.8 (7) a plumber, electrician, or other person whose profession is otherwise subject to
111.9 statewide licensing, when engaged in the activity which is the subject of that licensure;

111.10 (8) specialty contractors who provide only one special skill as defined in section
111.11 326B.802;

111.12 (9) a school district, or a technical college governed under chapter 136F; and

111.13 (10) Habitat for Humanity and Builders Outreach Foundation, and their individual
111.14 volunteers when engaged in activities on their behalf.

111.15 To qualify for the exemption in clause (5), a person must obtain a certificate of exemption
111.16 from licensure from the commissioner. A certificate of exemption will be issued upon the
111.17 applicant's filing with the commissioner, an affidavit stating that the applicant does not
111.18 expect to exceed \$15,000 in gross annual receipts derived from performing services which
111.19 require licensure under this section during the calendar year in which the affidavit is received.
111.20 For the purposes of calculating fees under section 326B.092, a certificate of exemption is
111.21 an entry level license. To renew the exemption in clause (5), the applicant must file an
111.22 affidavit stating that the applicant did not exceed \$15,000 in gross annual receipts during
111.23 the past calendar year. If a person, operating under the exemption in clause (5), exceeds
111.24 \$15,000 in gross receipts during any calendar year, the person must immediately surrender
111.25 the certificate of exemption and apply for the appropriate license. The person must remain
111.26 licensed until such time as the person's gross annual receipts during a calendar year fall
111.27 below \$15,000. The person may then apply for an exemption for the next calendar year.

111.28 Sec. 54. Minnesota Statutes 2022, section 326B.921, subdivision 8, is amended to read:

111.29 Subd. 8. **Reciprocity with other states.** ~~The commissioner may issue a temporary license~~
111.30 ~~without examination, upon payment of the required fee, to nonresident applicants who are~~
111.31 ~~licensed under the laws of a state having standards for licensing which the commissioner~~
111.32 ~~determines are substantially equivalent to the standards of this state if the other state grants~~

112.1 ~~similar privileges to Minnesota residents duly licensed in this state. Applicants who receive~~
112.2 ~~a temporary license under this section may acquire an aggregate of 24 months of experience~~
112.3 ~~before they have to apply and pass the licensing examination. Applicants must register with~~
112.4 ~~the commissioner of labor and industry and the commissioner shall set a fee for a temporary~~
112.5 ~~license. Applicants have five years in which to comply with this section.~~

112.6 (a) The commissioner may enter into reciprocity agreements for personal licenses with
112.7 another state if approved by the board. Once approved by the board, the commissioner may
112.8 issue a personal license without requiring the applicant to pass an examination provided the
112.9 applicant:

112.10 (1) submits an application under this section;

112.11 (2) pays the application and examination fee and license fee required under section
112.12 326B.092; and

112.13 (3) holds a valid comparable license in the state participating in the agreement.

112.14 (b) Reciprocity agreements are subject to the following:

112.15 (1) the parties to the agreement must administer a statewide licensing program that
112.16 includes examination and qualifying experience or training comparable to Minnesota's
112.17 licensing program;

112.18 (2) the experience and training requirements under which an individual applicant qualified
112.19 for examination in the qualifying state must be deemed equal to or greater than required for
112.20 an applicant making application in Minnesota at the time the applicant acquired the license
112.21 in the qualifying state;

112.22 (3) the applicant must have acquired the license in the qualifying state through an
112.23 examination deemed equivalent to the same class of license examination in Minnesota;

112.24 (4) at the time of application, the applicant must hold a valid license in the qualifying
112.25 state and have held the license continuously for at least one year before making application
112.26 in Minnesota;

112.27 (5) an applicant is not eligible for a license under this subdivision if the applicant has
112.28 failed the same or greater class of license examination in Minnesota, or if the applicant's
112.29 license of the same or greater class has been revoked or suspended; and

112.30 (6) an applicant who has failed to renew a personal license for two years or more after
112.31 its expiration is not eligible for a license under this subdivision.

113.1 Sec. 55. Minnesota Statutes 2022, section 326B.925, subdivision 1, is amended to read:

113.2 Subdivision 1. **Composition.** (a) The Board of High Pressure Piping Systems shall
113.3 consist of 13 members. Twelve members shall be appointed by the governor with the advice
113.4 and consent of the senate and shall be voting members. Appointments of members by the
113.5 governor shall be made in accordance with section 15.066. If the senate votes to refuse to
113.6 consent to an appointment of a member made by the governor, the governor shall appoint
113.7 a new member with the advice and consent of the senate. One member shall be the
113.8 commissioner of labor and industry or the commissioner of labor and industry's designee,
113.9 who shall be a voting member. Of the 12 appointed members, the composition shall be as
113.10 follows:

113.11 (1) one member shall be a high pressure piping inspector;

113.12 (2) one member shall be a licensed mechanical engineer;

113.13 (3) one member shall be a representative of the high pressure piping industry;

113.14 (4) four members shall be master high pressure pipefitters engaged in the business of
113.15 high pressure piping, two from the metropolitan area and two from greater Minnesota;

113.16 (5) two members shall be journeyworker high pressure pipefitters ~~engaged in the business~~
113.17 ~~of high pressure piping systems installation~~, one from the metropolitan area and one from
113.18 greater Minnesota;

113.19 (6) one member shall be a representative of industrial companies that use high pressure
113.20 piping systems in their industrial process;

113.21 (7) one member shall be a representative from utility companies in Minnesota; and

113.22 (8) one member shall be a public member as defined by section 214.02.

113.23 The high pressure piping inspector shall be appointed for a term to end December 31,
113.24 2011. The professional mechanical engineer shall be appointed for a term to end December
113.25 31, 2010. The representative of the high pressure piping industry shall be appointed for a
113.26 term to end December 31, 2011. Two of the master high pressure pipefitters shall be
113.27 appointed for a term to end December 31, 2011. The other two master high pressure
113.28 pipefitters shall be appointed for a term to end December 31, 2010. One of the journeyworker
113.29 high pressure pipefitters shall be appointed for a term to end December 31, 2011. The other
113.30 journeyworker high pressure pipefitter shall be appointed for a term to end December 31,
113.31 2010. The one representative of industrial companies that use high pressure piping systems
113.32 in their industrial process shall be appointed for a term to end December 31, 2010. The one
113.33 representative of a utility company in Minnesota shall be appointed for a term to end

114.1 December 31, 2010. The public member shall be appointed for a term to end December 31,
114.2 2010.

114.3 (b) The licensed professional mechanical engineer must possess a current Minnesota
114.4 professional engineering license and maintain the license for the duration of their term. All
114.5 other appointed members, except for the representative of the piping industry, the
114.6 representative of industrial companies that use high pressure piping systems, the public
114.7 member, and the representative of public utility companies in Minnesota, must possess a
114.8 current high pressure piping license issued by the Department of Labor and Industry and
114.9 maintain that license for the duration of their term. All appointed members must be residents
114.10 of Minnesota at the time of and throughout the member's appointment. The term of any
114.11 appointed member that does not maintain membership qualification status shall end on the
114.12 date of status change and the governor shall appoint a new member. It is the responsibility
114.13 of the member to notify the board of the member's status change.

114.14 (c) For appointed members, except the initial terms designated in paragraph (a), each
114.15 term shall be three years with the terms ending on December 31. Members appointed by
114.16 the governor shall be limited to three consecutive terms. The governor shall, all or in part,
114.17 reappoint the current members or appoint replacement members with the advice and consent
114.18 of the senate. Midterm vacancies shall be filled for the remaining portion of the term.
114.19 Vacancies occurring with less than six months time remaining in the term shall be filled for
114.20 the existing term and the following three-year term. Members may serve until their successors
114.21 are appointed but in no case later than July 1 in a year in which the term expires unless
114.22 reappointed.

114.23 Sec. 56. Minnesota Statutes 2022, section 326B.988, is amended to read:

114.24 **326B.988 EXCEPTIONS.**

114.25 (a) The provisions of sections 326B.95 to 326B.998 shall not apply to:

114.26 (1) boilers and pressure vessels in buildings occupied solely for residence purposes with
114.27 accommodations for not more than five families;

114.28 (2) railroad locomotives operated by railroad companies for transportation purposes;

114.29 (3) air tanks installed on the right-of-way of railroads and used directly in the operation
114.30 of trains;

114.31 (4) boilers and pressure vessels under the direct jurisdiction of the United States;

- 115.1 (5) unfired pressure vessels having an internal or external working pressure not exceeding
115.2 15 psig with no limit on size;
- 115.3 (6) pressure vessels used for storage of compressed air not exceeding five cubic feet in
115.4 volume and equipped with an ASME code stamped safety valve set at a maximum of 100
115.5 psig;
- 115.6 (7) pressure vessels having an inside diameter not exceeding six inches;
- 115.7 (8) every vessel that contains water under pressure, including those containing air that
115.8 serves only as a cushion, whose design pressure does not exceed 300 psig and whose design
115.9 temperature does not exceed 210 degrees Fahrenheit;
- 115.10 (9) boiler or pressure vessels located on farms used solely for agricultural or horticultural
115.11 purposes; for purposes of this section, boilers used for mint oil extraction are considered
115.12 used for agricultural or horticultural purposes, provided that the owner or lessee complies
115.13 with the inspection requirements contained in section 326B.958;
- 115.14 (10) tanks or cylinders used for storage or transfer of liquefied petroleum gases;
- 115.15 (11) unfired pressure vessels in petroleum refineries;
- 115.16 (12) an air tank or pressure vessel which is an integral part of a passenger motor bus,
115.17 truck, or trailer;
- 115.18 (13) hot water heating and other hot liquid boilers not exceeding a heat input of 750,000
115.19 BTU per hour;
- 115.20 (14) hot water supply boilers ~~(water heaters)~~ not exceeding a heat input of ~~500,000~~
115.21 200,000 BTU per hour, a water temperature of 210 degrees Fahrenheit, or potable water
115.22 heaters not exceeding a heat input of 200,000 BTU per hour or a nominal water capacity
115.23 of 120 gallons, or a pressure of 160 psig;
- 115.24 (15) a laundry and dry cleaning press not exceeding five cubic feet of steam volume;
- 115.25 (16) pressure vessels operated full of water or other liquid not materially more hazardous
115.26 than water, if the vessel's contents' temperature does not exceed 210 degrees Fahrenheit or
115.27 a pressure of 200 psig;
- 115.28 (17) steam-powered turbines at papermaking facilities which are powered by steam
115.29 generated by steam facilities at a remote location;
- 115.30 (18) manually fired boilers for model locomotive, boat, tractor, stationary engine, or
115.31 antique motor vehicles constructed or maintained only as a hobby for exhibition, educational
115.32 or historical purposes and not for commercial use, if the boilers have an inside diameter of

116.1 12 inches or less, or a grate area of two square feet or less, and are equipped with an ASME
116.2 stamped safety valve of adequate size, a water level indicator, and a pressure gauge;

116.3 (19) any pressure vessel used as an integral part of an electrical circuit breaker;

116.4 (20) pressure vessels used for the storage of refrigerant if they are built to ASME code
116.5 specifications, registered with the national board, and equipped with an ASME code-stamped
116.6 pressure-relieving device set no higher than the maximum allowable working pressure of
116.7 the vessel. This does not include pressure vessels used in ammonia refrigeration systems;

116.8 (21) pressure vessels used for the storage of oxygen, nitrogen, helium, carbon dioxide,
116.9 argon, nitrous oxide, or other medical gas, provided the vessel is constructed to ASME or
116.10 Minnesota Department of Transportation specifications and equipped with an ASME
116.11 code-stamped pressure-relieving device. The owner of the vessels shall perform annual
116.12 visual inspections and planned maintenance on these vessels to ensure vessel integrity;

116.13 (22) pressure vessels used for the storage of compressed air for self-contained breathing
116.14 apparatuses;

116.15 (23) hot water heating or other hot liquid boilers vented directly to the atmosphere; and

116.16 (24) pressure vessels used for the storage of compressed air not exceeding 1.5 cubic feet
116.17 (11.22 gallons) in volume with a maximum allowable working pressure of 600 psi or less.

116.18 (b) An engineer's license is not required for hot water supply boilers.

116.19 (c) An engineer's license and annual inspection by the department is not required for
116.20 boilers, steam cookers, steam kettles, steam sterilizers or other steam generators not exceeding
116.21 100,000 BTU per hour input, 25 kilowatt, and a pressure of 15 psig.

116.22 (d) Electric boilers not exceeding a maximum working pressure of 50 psig, maximum
116.23 of 30 kilowatt input or three horsepower rating shall be inspected as pressure vessels and
116.24 shall not require an engineer license to operate.

116.25 **Sec. 57. [327.30] SACRED COMMUNITIES AND MICRO-UNIT DWELLINGS.**

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

116.28 (b) Chronically homeless" means an individual who:

116.29 (1) is homeless and lives or resides in a place not meant for human habitation, a safe
116.30 haven, or in an emergency shelter;

117.1 (2) has been homeless and living or residing in a place not meant for human habitation,
117.2 a safe haven, or in an emergency shelter continuously for at least one year or on at least
117.3 four separate occasions in the last three years; and

117.4 (3) has an adult head of household, or a minor head-of-household if no adult is present
117.5 in the household, with a diagnosable substance use disorder, serious mental illness,
117.6 developmental disability, post-traumatic stress disorder, cognitive impairments resulting
117.7 from a brain injury, or chronic physical illness or disability, including the co-occurrence of
117.8 two or more of those conditions.

117.9 (c) "Designated volunteers" means persons who have not experienced homelessness and
117.10 have been approved by the religious institution to live in a sacred community as their sole
117.11 form of housing.

117.12 (d) "Extremely low income" means an income that is equal to or less than 30 percent of
117.13 the area median income, adjusted for family size, as estimated by the Department of Housing
117.14 and Urban Development.

117.15 (e) "Micro unit" means a mobile residential dwelling providing permanent housing
117.16 within a sacred community that meets the requirements of subdivision 4.

117.17 (f) "Religious institution" means a church, synagogue, mosque, or other religious
117.18 organization organized under chapter 315.

117.19 (g) "Sacred community" means a residential settlement established on or contiguous to
117.20 the grounds of a religious institution's primary worship location primarily for the purpose
117.21 of providing permanent housing for chronically homeless persons, extremely low-income
117.22 persons, and designated volunteers that meets the requirements of subdivision 3.

117.23 Subd. 2. Dwelling in micro units in sacred communities authorized. Religious
117.24 institutions are authorized to provide permanent housing to people who are chronically
117.25 homeless, extremely low-income, or designated volunteers, in sacred communities composed
117.26 of micro units subject to the provisions of this section. Each religious institution that has
117.27 sited a sacred community must annually certify to the local unit of government that it has
117.28 complied with the eligibility requirements for residents of a sacred community in this section.

117.29 Subd. 3. Sacred community requirements. (a) A sacred community must provide
117.30 residents of micro units access to water and electric utilities either by connecting the micro
117.31 units to the utilities that are serving the principal building on the lot or by other comparable
117.32 means, or by providing the residents access to permanent common kitchen facilities and
117.33 common facilities for toilet, bathing, and laundry with the number and type of fixtures

118.1 required for an R-2 boarding house under Minnesota Rules, part 1305.2902. Any units that
118.2 are plumbed shall not be included in determining the minimum number of fixtures required
118.3 for the common facilities.

118.4 (b) A sacred community under this section must:

118.5 (1) be appropriately insured;

118.6 (2) have between one-third and 40 percent of the micro units occupied by designated
118.7 volunteers; and

118.8 (3) provide the municipality with a written plan approved by the religious institution's
118.9 governing board that outlines:

118.10 (i) disposal of water and sewage from micro units if not plumbed;

118.11 (ii) septic tank drainage if plumbed units are not hooked up to the primary worship
118.12 location's system;

118.13 (iii) adequate parking, lighting, and access to units by emergency vehicles;

118.14 (iv) protocols for security and addressing conduct within the settlement; and

118.15 (v) safety protocols for severe weather.

118.16 (c) Unless the municipality has designated sacred communities meeting the requirements
118.17 of this section as permitted uses, a sacred community meeting the requirements of this
118.18 section shall be approved and regulated as a conditional use without the application of
118.19 additional standards not included in this section. When approved, additional permitting is
118.20 not required for individual micro units.

118.21 (d) Sacred communities are subject to the laws governing landlords and tenants under
118.22 chapter 504B.

118.23 Subd. 4. **Micro unit requirements.** (a) In order to be eligible to be placed within a
118.24 sacred community, a micro unit must be built to the requirements of the American National
118.25 Standards Institute (ANSI) Code 119.5, which includes standards for heating, electrical
118.26 systems, and fire and life safety. A micro unit must also meet the following technical
118.27 requirements:

118.28 (1) be no more than 400 gross square feet;

118.29 (2) be built on a permanent chassis and anchored to pin foundations with engineered
118.30 fasteners;

119.1 (3) have exterior materials that are compatible in composition, appearance, and durability
119.2 to the exterior materials used in standard residential construction;

119.3 (4) have a minimum insulation rating of R-20 in walls, R-30 in floors, and R-38 in
119.4 ceilings, as well as residential grade insulated doors and windows;

119.5 (5) have a dry, compostable, or plumbed toilet or other system meeting the requirements
119.6 of the Minnesota Pollution Control Agency, Chapters 7035, 7040, 7049, and 7080, or other
119.7 applicable rules;

119.8 (6) have either an electrical system that meets NFPA 70 NEC, section 551 or 552 as
119.9 applicable or a low voltage electrical system that meets ANSI/RVIA Low Voltage Standard,
119.10 current edition;

119.11 (7) have minimum wall framing with two inch by four inch wood or metal studs with
119.12 framing of 16 inches to 24 inches on center, or the equivalent in structural insulated panels,
119.13 with a floor load of 40 pounds per square foot and a roof live load of 42 pounds per square
119.14 foot; and

119.15 (8) have smoke and carbon monoxide detectors installed.

119.16 (b) All micro units, including their anchoring, must be inspected and certified for
119.17 compliance with these requirements by a licensed Minnesota professional engineer or
119.18 qualified third-party inspector for ANSI compliance accredited pursuant to either the
119.19 American Society for Testing and Materials Appendix E541 or ISO/IEC 17020.

119.20 (c) Micro units that connect to utilities such as water, sewer, gas, or electric, must obtain
119.21 any permits or inspections required by the municipality or utility company for that connection.

119.22 (d) Micro units must comply with municipal setback requirements established by
119.23 ordinance for manufactured homes. If a municipality does not have such an ordinance, micro
119.24 units must be set back on all sides by at least ten feet.

119.25 **EFFECTIVE DATE.** This section is effective January 1, 2024.

119.26 Sec. 58. Minnesota Statutes 2022, section 572B.17, is amended to read:

119.27 **572B.17 WITNESSES; SUBPOENAS; DEPOSITIONS; DISCOVERY.**

119.28 (a) An arbitrator may issue a subpoena for the attendance of a witness and for the
119.29 production of records and other evidence at any hearing and may administer oaths. A
119.30 subpoena must be served in the manner for service of subpoenas in a civil action and, upon
119.31 motion to the court by a party to the arbitration proceeding or the arbitrator, enforced in the
119.32 manner for enforcement of subpoenas in a civil action.