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State of Minnesota  
**HOUSE OF REPRESENTATIVES**

**EIGHTY-SIXTH  
SESSION**

**HOUSE FILE No. 2362**

May 4, 2009

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The bill was read for the first time and referred to the Committee on Commerce and Labor

1.1 A bill for an act  
1.2 relating to construction codes and licensing; creating exemption from State  
1.3 Building Code preemption in certain cases; establishing an advisory committee;  
1.4 requiring a report.

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

1.6 Section 1. **CERTAIN MUNICIPAL BUILDING ORDINANCES NOT**  
1.7 **PREEMPTED BY STATE BUILDING CODE.**

1.8 **Subdivision 1. When State Building Code does not preempt municipal**  
1.9 **ordinance; criteria; duration.** Notwithstanding Minnesota Statutes, section 326B.121,  
1.10 and Minnesota Statutes 2006, section 16B.62, subdivision 1, and until August 1, 2010, a  
1.11 municipality may enforce a housing, property maintenance, or rental licensing ordinance  
1.12 or development agreement regulating components or systems of any structure that are  
1.13 different from any provision of the State Building Code, provided that the ordinance or  
1.14 development agreement became effective before May 15, 2008.

1.15 **Subd. 2. Advisory committee to review municipal ordinances; report to**  
1.16 **legislature.** By August 1, 2009, the Department of Labor and Industry shall establish an  
1.17 advisory committee of interested parties to review the municipal ordinances exempted  
1.18 by subdivision 1 from preemption by the State Building Code. By February 1, 2010, the  
1.19 Department of Labor and Industry shall provide a report to the chairs and ranking minority  
1.20 members of the legislative committees that have jurisdiction over construction codes that  
1.21 shall address statutory or rule amendments necessary to address thresholds of safety  
1.22 criteria applied to existing buildings through local ordinances.

1.23 **EFFECTIVE DATE.** This section is effective the day following final enactment  
1.24 and expires August 1, 2010.