

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

S.F. No. 1095

(SENATE AUTHORS: BAHR)

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Introduction and first reading
Referred to State and Local Government

OFFICIAL STATUS

1.1 A bill for an act
1.2 relating to local government; requiring counties and cities to have written
1.3 procedures that are available to the public; proposing coding for new law in
1.4 Minnesota Statutes, chapter 471.

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

1.6 Section 1. **[471.199] POLICIES AND PROCEDURES AVAILABLE TO PUBLIC.**

1.7 Subdivision 1. Requirement to maintain policies and operations manuals. (a) A
1.8 county, home rule charter city, or statutory city must have clear operating policies,
1.9 procedures, forms, deadlines, due dates, or payment requirements relating to each duty or
1.10 operation of the county or city on file in the applicable county or city office. The information
1.11 must be contained in one or more policies and operations manuals, and these manuals must
1.12 be available for employee training and reference and for inspection by the public at the
1.13 applicable office. A county or city may also publish the manuals on a county or city website.
1.14 If the manuals are published on a website, the website must include the physical location
1.15 where the hard copies of the manuals are available. If the manuals are not published on a
1.16 website, the manuals must be available at the city clerk's office or a county office designated
1.17 by the county board.

1.18 (b) If the information in the manuals described in paragraph (a) relates to the payment
1.19 of a fee or assessment, the manuals provided by the county or city must include any required
1.20 forms and all other payment information, including any information or instructions required
1.21 to complete a form, the due dates of payments, any other requirements, and the consequences
1.22 of a late payment or nonpayment of the fee or assessment.

2.1 (c) If the information in the manuals described in paragraph (a) includes a law
2.2 enforcement procedure relating to investigations or similar activities, a county or city must
2.3 include the procedure only if approved by the chief law enforcement officer of the county
2.4 or city. In the absence of a chief law enforcement officer, a county or city must include the
2.5 law enforcement procedure only if approved by at least two other law enforcement officers
2.6 delegated with decision-making authority by a county or city official.

2.7 (d) The information in the manuals described in paragraph (a) does not include
2.8 information that is not available to the public under the Administrative Procedure Act.

2.9 Subd. 2. **Definitions.** (a) For purposes of this section, the following terms have the
2.10 meanings given.

2.11 (b) "Each duty or operation of the county or city" means: (1) the implementation of laws,
2.12 ordinances, resolutions, and regulations; (2) the provision of services; (3) licensing
2.13 requirements; (4) fees or assessments; (5) administrative and financial operating procedures,
2.14 including budget and personnel procedures; and (6) any other similar duties or operations.

2.15 (c) "Fee or assessment" means any money, including penalties and interest, charged by
2.16 the county or city for a service, license, permit, use, record, or privilege that is to be paid
2.17 directly to the county or city. Fee or assessment includes child support obligations, recording
2.18 taxes and fees, and similar charges for which the county acts as an agent of the state. Fee
2.19 or assessment also includes special assessments and any money charged for services that
2.20 may become a lien or tax assessed on real property by the county or city. Fee or assessment
2.21 does not include property taxes under chapters 272 to 287, except as stated in this paragraph.