

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

**S.F. No. 1130**

(SENATE AUTHORS: HOFFMAN)

DATE  
02/10/2025

D-PG

Introduction and first reading  
Referred to Human Services

OFFICIAL STATUS

1.1 A bill for an act  
1.2 relating to human services; modifying residential program licensing requirements;  
1.3 amending Minnesota Statutes 2024, sections 144G.45, subdivision 3; 245A.11,  
1.4 subdivision 2.

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

1.6 Section 1. Minnesota Statutes 2024, section 144G.45, subdivision 3, is amended to read:

1.7 Subd. 3. **Local laws apply.** (a) Assisted living facilities shall comply with all applicable  
1.8 state and local governing laws, regulations, standards, ordinances, and codes for fire safety,  
1.9 building, and zoning requirements, except a facility with a licensed resident capacity of six  
1.10 or fewer is exempt from rental licensing regulations imposed by any town, municipality,  
1.11 or county. A town, home rule charter or statutory city, or county must not impose rental  
1.12 licensing regulations on a facility with a licensed resident capacity of six or fewer that are  
1.13 more restrictive than those imposed on other residential facilities required to obtain a rental  
1.14 license by the town, home rule charter or statutory city, or county.

1.15 (b) This subdivision must not be construed to exclude or prohibit facilities with a licensed  
1.16 resident capacity of six or fewer within the jurisdiction of a town, home rule charter or  
1.17 statutory city, or county.

1.18 Sec. 2. Minnesota Statutes 2024, section 245A.11, subdivision 2, is amended to read:

1.19 Subd. 2. **Permitted single-family residential use.** (a) Residential programs with a  
1.20 licensed capacity of six or fewer persons shall be considered a permitted single-family  
1.21 residential use of property for the purposes of zoning and other land use regulations, except  
1.22 that a residential program whose primary purpose is to treat juveniles who have violated

2.1 criminal statutes relating to sex offenses or have been adjudicated delinquent on the basis  
2.2 of conduct in violation of criminal statutes relating to sex offenses shall not be considered  
2.3 a permitted use. This exception shall not apply to residential programs licensed before July  
2.4 1, 1995. Programs otherwise allowed under this subdivision shall not be prohibited by  
2.5 operation of restrictive covenants or similar restrictions, regardless of when entered into,  
2.6 which cannot be met because of the nature of the licensed program, including provisions  
2.7 which require the home's occupants be related, and that the home must be occupied by the  
2.8 owner, or similar provisions. A town, home rule charter or statutory city, or county must  
2.9 not impose rental licensing regulations on a facility with a licensed resident capacity of six  
2.10 or fewer that are more restrictive than those imposed on other residential facilities required  
2.11 to obtain a rental license by the town, home rule charter or statutory city, or county.

2.12 (b) ~~A community residential setting as defined in section 245D.02, subdivision 4a, with~~  
2.13 ~~a licensed capacity of six or fewer persons that is actively serving residents for which it is~~  
2.14 ~~licensed is exempt from rental licensing regulations imposed by any town, municipality, or~~  
2.15 ~~county. This subdivision must not be construed to exclude or prohibit facilities with a~~  
2.16 licensed resident capacity of six or fewer within the jurisdiction of a town, home rule charter  
2.17 or statutory city, or county.