



# The Association of Minnesota Building Officials

*“Safe Homes – Resilient Communities”*

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## Session Overview

The Legislature reached the third committee deadline on March 4, 2023, and returned from spring break on April 11. Now they will work to pass record-setting omnibus budget bills. The budget bills are centered around the [2024-25 Budget Targets](#) that the House, Senate and Governor agreed to in March.

After the omnibus budget bills are passed off the floors, legislators will convene “conference committees,” where several members from each body are chosen to work out the differences between the House and Senate omnibus bills. These conference committee members will negotiate away the differences between the omnibus bills and then present the final bill(s) for full floor votes before sending the bills to the Governor for signature.

A major and unresolved element of the legislative session is the Capital Investment Bill, aka the Bonding Bill. The capital investment bill requires a 3/5<sup>th</sup> majority in each body which means Republican votes are needed to pass it. Another “cash bill” is also moving and can be passed solely by the Democrat majority. Many expect, and hope, that the cash bill and the bonding bill, will be passed this year.

The 2023 session is constitutionally required to end on May 22, 2023.

## Broad Democratic Priorities:

There are numerous bills working their way through the legislative process that will impact all employers & employees: Paid Family Medical Leave ([PFML](#)), Sick & Safe Time ([SST](#)) and Adult Use Cannabis Legalization (with a [safety sensitive](#) testing exemption). Each of these three bills have had many hearings, changed numerous times, and have been identified by the legislature as priorities for Democrats. Each has a high likelihood of passage.

## AMBO & Omnibus Bills:

Many provisions impacting the codes and the broader construction industry are included in one or both Labor Omnibus bills. It is likely that the Labor Omnibus bills will be included into a larger Jobs Omnibus Bill later in session. As the bills make their way through the process AMBO will continue to monitor each bill and weigh in with expertise when necessary.

**House Labor (HF1522) & Senate Labor (SF2782) Omnibus Bills Include the following:**

**Refrigerants designated as acceptable for use.** Prohibits using the State Building Code to bar or limit the use of refrigerants that federal law designates as acceptable to use, as long as the equipment that contains the refrigerant is listed and installed in full compliance with all applicable requirements, safety standards, and use conditions required by federal designation.

**Exemption from elevator licensing.** Allows work to be performed on conveyors other than vertical reciprocating conveyors, platform lifts other than those carrying mobility-impaired people, and dock levelers without being a licensed elevator contractor.

**Board of Electricity Composition. [CCLD]** Changes the composition of the Board of Electricity so that instead of including two power limited technicians who are both technology system contractors primarily engaged in installing technology circuits or systems, it will include two power limited technicians, but only one of whom must be a technology system contractor.

**Load control equipment inspections exemptions.** Exempts equipment used exclusively for load control from inspection requirements, effective the day after final enactment, as long as the installation is: 1) done by a licensed electrician employed by a class A electrical contractor; 2) for replacement or repair of existing equipment of an electric utility other than a public utility; and 3) completed on or before December 31, 2028.

**Reciprocity with other states. [CCLD]** Rewrites the statute relating to granting reciprocal licenses to people licensed in other states. Sets out new rules for how and when the commissioner may enter into interstate reciprocity agreements about licensing.

**High Pressure Piping Board Composition. [CCLD]** Deletes the requirement that the two members of the Board of High Pressure Piping Systems who are journeyworker high pressure pipefitters must be engaged in the business of high pressure piping systems installation.

**Boiler exceptions. [CCLD]** Adjusts an exception from the boiler inspection and licensing provisions to cut the maximum heat input for exempt hot water supply boilers from 500,000 BTU per hour to 200,000 BTU per hour and to stipulate that potable water heaters not exceeding a heat input of 200,000 BTU per hour or a nominal water capacity of 120 gallons are exempt.

**Sacred communities and micro unit dwellings.** Adds section 327.30 setting requirements for placing permanent micro unit dwellings surrounding a religious institution as a sacred community for housing the chronically homeless or extremely low-income individuals and designated volunteers. Defines terms and technical requirements for micro units placed in sacred communities to be authorized dwellings under this section.

**OSHA violations.** These sections increase penalties for OSHA violations and also allows for the commissioner to make adjustments to these penalty amounts for inflation. These sections are from the underlying bill, **S.F.2782**.

**Fees nonrefundable.** Clarifies exceptions for refunding of fees including when a license is not issued. This section is from the underlying bill, **S.F.2782**.

**Reinstatement of licenses.** Reduces fees for reinstatement of licenses issued under Ch. 326B. This section is from the underlying bill, **S.F.2782**.

**Electric vehicle parking spaces.** Add definitions related to electric vehicle parking spaces for purposes of the State Building Code and rulemaking. These sections are from the underlying bill, **S.F.2782**.

**State licensed facility.** Modifies the definition of “state licensed facility” to include assisted living facilities for purposes of the State Building Code. This section is from the underlying bill, **S.F.2782**.

**Adoption of code.** Directs the commissioner of labor and industry to act on the new model commercial energy code by adopting each new published edition of ASHRAE 90.1 or a more efficient standard. This is from **S.F. 1368** (Port).

**Special requirements.** Directs the commissioner to adopt rules requiring (1) window cleaning safety features that comply with a nationally recognized standard; and (2) adult-size changing facilities as part of the State Building Code. The adult-size changing facilities requirement is from **S.F. 999** (Boldon).

**Electric vehicle charging.** Requires the State Building Code to require a minimum number of electric vehicle ready spaces, electric vehicle capable spaces, and electric vehicle charging stations either within or adjacent to new commercial and multifamily structures that provide on-site parking facilities.

**Special skill.** Modifies the definition of “special skill” which would have the effect of requiring certain work involving more than one special skill related to solar photovoltaic systems to require a license as a residential contractor. This is from **S.F. 2735** (McEwen).

**Rulemaking authority.** Allows the commissioner to use expedited rulemaking related to adult-size changing facilities. This section is from **S.F. 999** (Boldon).

Bills	Author	Additional Construction & Code Bills	Latest Version
<a href="#">HF 406</a>	<a href="#">Berg</a>	Carbon monoxide alarm requirements modified for hotels and lodging houses, and safety warning for violation. Companion bills: <a href="#">SF 225</a>	<a href="#">Introduction</a>
<a href="#">HF 1132</a>	<a href="#">Lee, F.</a>	Withholding of grant funds required for capital projects before receipt of approval of compliance with sustainable building guidelines. Companion bills: <a href="#">SF 1550</a>	<a href="#">1st Engrossment</a>
<a href="#">HF 1557</a>	<a href="#">Robbins</a>	Regulation of radon licensing activities moved from commissioner of health to commissioner of labor and industry, and money appropriated. Companion bills: <a href="#">SF 563</a>	<a href="#">Introduction</a>
<a href="#">HF 1753</a>	<a href="#">Bahner</a>	Roof replacement code provisions modified.	<a href="#">Introduction</a>
<a href="#">HF 1962</a>	<a href="#">Acomb</a>	Definition for submerged closed-loop exchanger added, water supply well specified to include well containing submerged closed-loop heat exchanger. Companion bills: <a href="#">SF 1958</a>	<a href="#">Introduction</a>
<a href="#">HF 2235</a>	<a href="#">Elkins</a>	Legalizing Affordable Housing Act; land use and planning requirement provisions addressed.	<a href="#">Introduction</a>
<a href="#">HF 2283</a>	<a href="#">Elkins</a>	Threshold increased for municipal reporting of construction-related fee collections, and DLI required to establish cost per square foot valuation for purpose of setting municipal building permit fees (single family).	<a href="#">Introduction</a>
<a href="#">HF 2285</a>	<a href="#">Elkins</a>	Conforming industrialized or modular buildings for residential use added to structures that may not be prohibited by regulation.	<a href="#">Introduction</a>
<a href="#">SF 217</a>	<a href="#">Draheim</a>	Municipalities requirement use of designated building officials for inspections prohibition; municipalities authority to opt out of prohibition by ordinance; civil action against a municipality for negligent construction code inspection.	<a href="#">Introduction</a>

Bills	Author	Additional Construction & Code Bills	Latest Version
<a href="#">SF 218</a>	<a href="#">Draheim</a>	Building code adoption without legislative approval prohibition; moratorium on adoption of new or amended building codes establishment; energy code changes to be offset by savings requirement.	<a href="#">Introduction</a>
<a href="#">HF 669</a>	<a href="#">Lee, F.</a>	Capital investment; spending authorized to acquire and better public land and buildings and for other improvements. Companion bills: <a href="#">SF 676</a>	<a href="#">3rd Engrossment</a>
<a href="#">HF 670</a>	<a href="#">Lee, F.</a>	Capital investment; spending authorized to acquire and better land and buildings and for other improvements, prior appropriations canceled, and money appropriated. Companion bills: <a href="#">SF 677</a>	<a href="#">3rd Engrossment</a>
<a href="#">HF 826</a>	<a href="#">Newton</a>	Prevailing wage agreements required for projects funded in whole or part with renewable development account. Companion bills: <a href="#">SF 747</a>	<a href="#">2nd Engrossment</a>
<a href="#">HF 1555</a>	<a href="#">Nelson, M.</a>	Construction manager at risk contact procedures for municipalities clarified. Companion bills: <a href="#">SF 2609</a>	<a href="#">Introduction</a>
<a href="#">HF 1859</a>	<a href="#">Feist</a>	New enforcement provisions created for construction workers wage theft. Companion bills: <a href="#">SF 1988</a>	<a href="#">Introduction</a>
<a href="#">SF 10</a>	<a href="#">Seeberger</a>	Skilled and trained contractor workforce use at petroleum refineries authorization Companion bills: <a href="#">HF 10</a>	<a href="#">2nd Engrossment</a>
<a href="#">SF 1519</a>	<a href="#">Maye Quade</a>	Exemption provisions modification for construction materials by contractors. Companion bills: <a href="#">HF 1603</a>	<a href="#">Introduction</a>