

2024 Legislature Concludes Second Week of Session

The 2024 legislative session is at its two-week mark as of today. Almost 5,000 bills have been introduced, and committees have been meeting steadily in both bodies. Bills of interest to Metro Cities are receiving hearings, and updates are included in this newsletter.

Each week, Metro Cities publishes a “Bills of Note” section in the newsletter. Several bills have been introduced this session that would have significant implications for local decision-making authority. Metro Cities encourages city officials to review the newsletter updates and the ‘bills of note’ section for information on these and other bills and further encourages city officials to be in contact with your local legislators on bills that have implications for cities, and to contact Metro Cities staff for any further information you need.

School Resource Officer (SRO) Legislation Advances

[HF 3489 \(Frazier\)](#) was passed, as amended, out of the House Public Safety Committee this week, and referred to Ways and Means. This legislation comes after a change to law in 2023 that prohibited school resource officers (SROs) from using certain holds except when necessary to prevent bodily harm or death to the student being restrained or another individual in the school. The 2023 law change caused confusion and led to several agencies pulling their SROs out of schools.

HF 3489 does the following:

- Defines the term “school resource officer and removes SROs from the category of an “agent of the school,” making it clear they are not employees of the district and that they are not present for school disciplinary purposes.
- Clarifies SROs’ ability to use force under state statute (Minn. Stat. § 609.06)
- Specifies duties for SROs.
- Requires SRO training for peace officers assigned to serve in that capacity.
- Requires the Board of Peace Officer Standards and Training (POST Board) to develop an SRO training course.
- Requires the POST Board to develop a model policy in consultation with several stakeholder groups.
- Requires any law enforcement agency with a school resource officer program to adopt and implement policies based on the POST Board’s model policy.
- Includes the authority for the POST Board to impose licensing sanctions and seek injunctive relief for failure to comply with the requirements in the bill.

Click [HERE](#) for a summary of HF 3489. [SF 3534 \(Westlin\)](#) was heard in the Senate Judiciary and Public Safety Committee this week where it passed, as amended, and was referred to the Senate Finance Committee. Amendments in both bodies were adopted to respond to concerns raised by law enforcement and city associations. One such change clarifies that SROs have the authority to perform other duties as a peace officer including the ability to intervene in non-criminal, caretaker situations. HF 3489 is scheduled to be heard in Ways and Means on Monday, 2/26. SF 3534 is scheduled to be heard in the Finance committee on Thursday, 2/29.

Contact Mike Lund at michael@metrocitiesmn.org or 651-215-4003 with any questions.

Advancing “Missing Middle” Housing Bill Includes Local Preemption

On Tuesday, the House Housing Finance and Policy Committee heard a bill, [HF 4009](#), authored by Representative Larry Kraft (DFL- St. Louis Park), named the “Missing Middle” bill. The bill includes several provisions that would pre-empt local decision making and is of significant concern to Metro Cities. Provisions include the following:

- Cities of the first-class must allow development of four dwelling units on any residential lot.
- Cities of the second, third and fourth class must allow the development of two dwelling units on any residential lot.
- Accessory Dwelling Units (ADUs) are authorized by right.
- Sets minimum lot size requirements.
- Prohibits cities from requiring more than one off-street parking space per residential unit, prohibits any off-street parking requirement for a dwelling unit that is less than a ½ mile from a transit stop.
- An expedient administrative design review process for ‘middle’ housing.
- Limitations on aesthetic mandates.

Metro Cities signed on to a letter submitted to the committee [HERE](#). Thank you to Minnetonka Community Development Director Julie Wischnack for providing testimony in opposition to the bill.

During the hearing, additional language relating was added [HERE](#), that requires all cities to permit by right a multifamily building up to 150 feet in any commercialized zoned area, requires approval if multifamily development is consistent with a city’s comprehensive plan, removes building height restrictions, as well as other provisions. Other amendments were also adopted. The first, authored by Representative Brian Johnson (R-Cambridge), changes the threshold for multiple provisions in the bill from a city size of 5,000 to 10,000 in population.

Statewide, this means:

- Cities with a population under 10,000 would not have to designate a commercial district in lieu of a major transit stop, for the purposes of increased density.
- Cities under 10,000 in population would not be required to authorize at least six types of middle housing other than single-family detached homes to be built on residential lots in the city – however increased density still applies.

For cities outside of the metropolitan area under 10,000 in population:

- Minimum lot sizes included in the bill do not apply.
- These cities are required to permit only two residential dwelling units per lot.

The second amendment, authored by Representative Andrew Myers (R-Tonka Bay), changes the effective date for implementation of required increased residential densities for cities of the 2nd, 3rd

and 4th class to July 1, 2026. The bill passed the committee and was referred to the House State and Local Government Committee.

Metro Cities strongly encourages city officials to contact your local legislators to oppose this legislation. Stay tuned for additional information and updates. Questions: Contact Ania McDonnell at ania@metrocitiesmn.org.

Infrastructure Advisory Council Proposed

[HF 4025 \(Koegel\)](#) was heard in the House Sustainable Infrastructure Committee on Wednesday. The bill establishes the MN Advisory Council on Infrastructure which would be responsible for defining and maintaining a vision for the future of Minnesota's infrastructure that provides for its proper management, coordination, and investment. The proposed council would include a mix of voting and nonvoting members and as drafted, it would not have any regulatory powers. The council would be charged with developing a plan for statewide asset management and the bill includes an annual report due to the legislature. Wednesday's hearing was primarily focused on hearing testimony from interested stakeholders. Amendments will be considered at a future meeting of the Sustainable Infrastructure Committee. The Senate companion, [SF 4108 \(Hauschild\)](#) was introduced this week and referred to the Senate Labor Committee.

Contact Mike Lund at michael@metrocitiesmn.org or 651-215-4003 with any questions.

Transportation Advancement Account Estimates Available

Estimated city allocations from the Transportation Advancement Account (TAA) are now available to view on [MnDOT's website](#). The TAA, established in the 2023 Transportation Omnibus bill directs revenue from the sales tax on auto parts and the 50-cent retail delivery fee to local governments and a food delivery support account. The Transportation Advancement Account is distributed as follows: 36% to metropolitan counties, 10% to the CSAH system, 15% to a newly established Larger Cities Assistance Account, 27% to the Small Cities Assistance Account, 11% to the Town Road Account, and 1% to a food delivery support account. Metro Cities advocated for reliable funding for cities under 5,000 in population and the creation of a flexible, larger cities assistance account throughout the legislative session. Click [HERE](#) to view the full distribution of funding to each of the accounts that make up the TAA and [HERE](#) to view more information and city-specific amounts for cities.

Contact Mike Lund at michael@metrocitiesmn.org or 651-215-4003 with any questions.

Metropolitan Council 2050 Policy Plan Updates

On Wednesday, the Metropolitan Council Committee of the Whole met to hear three 2050 Policy Plan updates, the Parks Policy Plan Update, the Housing Policy Plan Update, and the Transportation Policy Plan Update.

For the Housing Policy Plan (HPP), Council staff shared an update on community engagement efforts. Staff also shared the work from a Technical Advisory Group, made up of county and city staff, developers and consultants, Minnesota Housing Staff, public housing authorities, as well as a staff person from Metro Cities. This group met five times through late 2023 and early 2024 and provided a variety of items of consensus for policy and direction for the next Housing Policy Plan. Read more about the consensus items as well as the draft objectives for the HPP [HERE](#).

The Transportation Policy Plan (TPP) provides direction for investment in the region and identifies performance outcomes for the regional transportation system. It includes strategies for advancing

regional outcomes and includes sections dedicated to all modes of travel. [See slides](#) for more details, including information tying TPP content to broader, cross-cutting regional policies on equity, safety, climate, resiliency and more.

If you have any questions, please reach out to Ania McDonnell at ania@metrocitiesmn.org or Mike Lund at mike@metrocitiesmn.org.

Safe Streets for All Funding

The U.S. Dept. of Transportation has opened applications for the \$1.256 billion 2024 Safe Streets for All program. This program seeks to support communities in planning and implementing projects to reduce traffic-related deaths and serious injuries. The deadline for implementation grants is May 16, 2024 and the deadline for planning and demonstration grants are April 4, May 16, and August 29. Click [HERE](#) for more information on the Safe Streets and Roads for All, including applicant guidance eligibility, and details on the different grant types.

Contact Mike Lund at michael@metrocitiesmn.org or 651-215-4003 with any questions.

Resilient Communities Project Call for Proposals

The Resilient Communities Project (RCP) at the University of Minnesota is currently accepting proposals from cities, counties, tribal public entities, and other local government agencies for partnerships during the University's 2024–2025 academic year. These RCP Partnerships are intended to advance community sustainability, equity, and resilience. Projects may address a wide array of local issues including housing, parks, transportation, climate change, public safety, and community development. Municipalities and counties within the jurisdiction of the Metropolitan Council are eligible for matching funds for projects that implement elements of a locally adopted 2040 comprehensive plan. Click [HERE](#) for more information on RCP and to find out how to apply. Click [HERE](#) to register for a March 15 pre-application webinar.

Minnesota Housing Survey on new NOAH Program

Minnesota Housing is administering a survey to get feedback and input as they design and implement a new program established by the 2023 Legislature to preserve naturally occurring affordable housing (NOAH). Minnesota Housing received \$80 million for a statewide program to provide grants or loans to eligible recipients, including local governments. The survey is open until Tuesday, March 5th. Click [HERE](#) for a link to the survey.

Office of Childcare Community Partnerships

On Thursday, the House Children and Families Finance and Policy and the House Economic Development Finance and Policy Committees met in a joint hearing to hear an update from the new [Office of Child Care Community Partnerships](#) created by the 2023 Legislature at the Department of Employment and Economic Development (DEED). This new office was created to bring together employers, businesses, and community organizations to advance childcare efforts as an economic and workforce development issue in the state. The new office was also created and an annual report submitted to the Legislature, which you can view [HERE](#).

Bills of Note

Each week during the legislative session, Metro Cities publishes newly introduced bills of note and significance for metropolitan cities. Please see the list below for newly introduced bills. Please note several bills that would pre-empt local decision-making.

[HF 3898](#), Petersburg/[SF 3778](#), Jasinski: Bill appropriates \$100 million in bonds for the Corridors of Commerce Program.

[HF 3908](#), Murphy/[SF 3775](#), Jasinski: Bill appropriates \$250 million in bonds for the Local Road Improvement Program and \$150 million for the Local Bridge Replacement and Rehabilitation Program.

[HF 3913](#), Petersburg: Bill appropriates \$5 million in bond proceeds for the transportation economic development infrastructure program.

[HF 3915](#), Petersburg: Bill appropriates \$15 million in bond proceeds for the local road wetland replacement program.

[HF 3917](#), Hassan/ [SF 3979](#), Pha: Bill clarifies a tenant's right to contact emergency services.

[HF 3918](#), Freiberg/[SF 3563](#), Rest: Bill allows absentee ballot applications to be submitted electronically for certain standalone local elections.

[HF 3920](#), Fogelman/[SF 3763](#), Jasinski: Bill appropriates \$25 million in bonds for the small cities assistance account.

[HF 3928](#), Novotny/[SF 3908](#), Rasmusson: Bill adds a heightened penalty for fleeing a peace officer in a negligent manner.

[HF 3938](#), Curran/ [SF 3839](#), Boldon: Bill preempts cities from zoning regulations related to a residential program with a capacity of six or fewer persons. This bill will be heard Monday in the House Human Services Policy Committee.

[HF 3945](#), Perryman: Bill authorizes local governments to conduct criminal background checks under certain circumstances.

[H. F. 3947](#), Nelson, M./ [SF 3852](#), McEwen: Bill allows an individual to perform electrical work on a residential dwelling that is located on a property the individual owns and occupies as a residence without obtaining a license.

[HF 3950](#), Robbins: Bill authorizes city attorneys to file delinquency petitions for offenses committed by a juvenile when a county attorney declines to file a petition. The bill also authorizes city attorneys to prosecute felony offenses and certain gross misdemeanor offenses when a county attorney declines to prosecute.

[HF 3961](#), Noor/ [SF 3571](#), Fateh: Bill provides tenants with remedies related to new construction delays.

[HF 3966](#), Wolgamott: Bill establishes public safety telecommunicator training and continuing education requirements. Bill establishes a Public Safety Telecommunicator Training and Standards Board.

[HF 3974](#), Elkins/ [SF 4025](#): Bill requires a city to approve or deny a building application as expeditiously as possible, and must approve or deny within 60 days. Failure to approve or deny a building permit request within 60 days is not an approval. If a city fails to approve or deny a building permit application more than 60 days from receipt of the application, they must refund all relevant permitting fees to the applicant within five business days.

[HF 4009](#), Kraft/[SF 3964](#), Mitchell: Bill creates minimum allowable densities in residential lots in cities, allows for accessory dwelling units, requires the authorization of middle housing types, authorizes the subdivision of residential lots, limits parking requirements established by cities, and limits aesthetic mandates required by cities.

[HF 4010](#), Kozlowski/[SF 3980](#), Pha: Bill permits multifamily residential developments in any zoning district that is not zoned as industrial or agricultural. Requires approval if the development is consistent with the comprehensive plan on the date of submission and does not allow a city to impose more restrictive standards to a multifamily residential development than those that apply to property zoned for the current use of the parcel.

[HF 4025](#), Koegel: Bill establishes the Minnesota Advisory Council on Infrastructure.

[H. F. 4028](#), Jordan: Bill specifies that increased residential density in a comprehensive plan, fiscal device, or official control approved by the Metropolitan Council that results in environmental and public health benefits does not constitute conduct that causes or is likely to cause pollution, impairment, or destruction. Bill requires environmental and public health considerations in the metropolitan council regional development guide.

[HF 4029](#), Tabke: Bill prohibits selling, giving, procuring lower-potency hemp edibles for the use of an impaired person.

[HF 4059](#), Engen: Bill prohibits being in a stolen vehicle.

[HF 4078](#), Koegel: Bill amends the requirements governing pavement life-cycle cost analysis.

[HF 4120](#), Koegel: Bill requires public comment periods if it is the public body's practice to offer a public comment period.

[HF 4121](#), Huot: Bill establishes a fire service consolidation working group.

[HF 4130](#), Lillie/[SF 3786](#), Pappas: Bill appropriates \$15 million in bonds for metropolitan regional parks and trails.

[HF 4136](#), Coulter/[SF 4132](#), Mitchell: Bill strengthens sanctions for noncompliance with the open meeting law.

[HF 4156](#), Feist: Bill requires law enforcement officers to collect and report certain data when conducting a traffic, pedestrian, or bicycle stop.

[HF 4162](#), Noor: Bill amends the requirements regarding professional peace officer education.

[HF 4178](#), Robbins/[SF 4126](#), Limmer: Bill permits recovery from a municipality for damages related to a sewage backup.

[HF 4186](#), Freiberg/[SF 3930](#), Mitchell: Bill imposes a public, educational, or governmental programming fee on certain digital video service providers.

[SF 3807](#), Kupec: Bill requires landlords to test for radon and provide disclosures.

[SF 3814](#), Limmer/[HF 3615](#), Quam: Bill establishes a pilot program to issue grants to local law enforcement agencies to purchase equipment to respond to active shooters in schools.

[SF 3816](#), Carlson: Bill adds a representative from the Emergency Medical Services Regulatory Board (EMSRB) to the Traffic Safety Advisory Council.

[SF 3818](#), Westlin/[HF 3557](#), Freiberg: Bill contains several elections policy provisions.

[SF 3839](#), Boldon/[HF 3938](#), Curran: Bill preempts local governments from requiring rental licenses for certain group homes.

[SF 3868](#), Morrison/[HF 3276](#), Frazier: Bill authorizes local governments to adopt ranked-choice voting.

[SF 3883](#), Eichorn/[HF 3885](#), Heintzeman: Bill authorizes all cities to appropriate money to public or private cemeteries.

[SF 3886](#), Hauschild/[HF 3992](#), Lislegard: Bill provides \$120 million in one-time aid to local governments and private ambulance services.

[SF 3925](#), Rasmusson: Bill clarifies the criminal penalty for use and possession of cannabis by persons under 21 years of age.

[SF 3938](#), Oumou Verbeten/[HF 3851](#), Frazier: Bill prohibits consent searches by peace officers.

[SF 3941](#), Boldon/[HF 4112](#), Brand: Bill appropriates funds for local recreation grants.

[SF 3942](#), Boldon: Bill authorizes a public finance program for local candidates.

[SF 3994](#), Champion/[HF 3527](#), Greenman: Bill establishes the Minnesota Voting Rights Act, and prohibits political subdivisions or other officials from suppressing or diluting the vote.

[SF 4015](#), Mohamed: Bill allows a landlord to only consider an applicant's criminal history if they meet certain criteria.

[SF 4022](#), Mohamed: Bill proposes a constitutional amendment to increase the state sales tax rate by three-eighths of one percent towards housing purposes.

[SF 4039](#), Westlin/[HF 4132](#), Virnig: Bill requires municipalities that administer absentee voting to transition to a .gov web domain.

[SF 4040](#), Maye Quade/[HF 3513](#), Feist: Bill prohibits government entities from requesting or obtaining reverse-location information.

[SF 4051](#), Boldon/[HF 4128](#), Freiberg: Bill authorizes cities to impose a public park dedication fee on certain new property developments, and to exclude certain developments.

[SF 4073](#), McEwen/[HF 4060](#), Pursell: Bill appropriates \$500,000 from the clean water fund to MPCA for grants to local governments to test wastewater treatment facilities for PFAS.

[SF 4084](#), Mitchell: Bill requires cities larger than 50,000 in population to elect its council by wards and to use a citizen commission for redistricting.

[SF 4113](#) Mitchell: Bill establishes a Local Government Oversight Task Force, including one representative appointed by Metro Cities.

[SF 4158](#), Port/ [HF 4194](#), Howard: Bill modifies the uses of housing infrastructure bonds to include recapitalization, security and front desk services. Bill also authorizes the issuance of additional housing infrastructure bonds.

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