

CHAPTER 327—H.F.No. 1540

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CHAPTER 328—H.F.No. 2040

An act relating to housing; providing for waiver of fees and surcharges imposed on motor vehicle registration data requests under certain circumstances; requiring the tenant's full name and date of birth in a written lease; requiring tenant screening reports and unlawful detainer case files to include certain information; requesting a study; amending Minnesota Statutes 1994, sections 168.345, subdivision 3, and by adding a subdivision; 504.012; 504.181, subdivision 1; 504.30, subdivision 4, and by adding a subdivision; and 566.05.

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

Section 1. Minnesota Statutes 1994, section 168.345, subdivision 3, is amended to read:

Subd. 3. **REQUESTS FOR INFORMATION; SURCHARGE ON FEE.** Except as otherwise provided in subdivision 4, the commissioner shall impose a surcharge of 50 cents on each fee charged by the commissioner under section 13.03, subdivision 3, for copies or electronic transmittal of public information concerning motor vehicle registrations. This surcharge only applies to a fee imposed in responding to a request made in person or by mail, or to a request for transmittal through a computer modem. The surcharge does not apply to the request of an individual for information concerning vehicles registered in that individual's name. The commissioner shall forward the surcharges collected under this subdivision to the commissioner of finance on a monthly basis. Upon receipt, the commissioner of finance shall credit the surcharges to the general fund.

Sec. 2. Minnesota Statutes 1994, section 168.345, is amended by adding a subdivision to read:

Subd. 4. **EXCEPTION TO FEE AND SURCHARGE.** Notwithstanding subdivision 3 or section 13.03, no fee or surcharge shall be imposed in responding to a request for public information concerning motor vehicle registrations if the requester gives the commissioner a signed statement that:

(1) the requester seeks the information on behalf of a community-based, nonprofit organization which has been designated by the local law enforcement agency to be a requester; and

(2) the information is needed in order to identify suspected prostitution law violators, controlled substance law violators, or health code violators.

The commissioner may not require a requester to make a certain minimum number of data requests nor limit a requester to a certain maximum number of data requests.

Sec. 3. Minnesota Statutes 1994, section 504.012, is amended to read:

New language is indicated by underline, deletions by strikeout.

504.012 WRITTEN LEASE REQUIRED; PENALTY.

An owner of a multiunit building, with 12 or more residential units, shall have a written lease for each unit rented to a residential tenant. Notwithstanding any other state law or city ordinance to the contrary, a landlord may ask for the tenant's full name and date of birth on the lease and application. An owner who fails to provide a lease, as required under this section, is guilty of a petty misdemeanor. The definitions of "owner," "tenant," and "building" in section 566.18 apply to this section.

Sec. 4. Minnesota Statutes 1994, section 504.181, subdivision 1, is amended to read:

Subdivision 1. **COVENANT NOT TO ALLOW DRUGS.** In every lease or license of residential premises, whether in writing or parol, the lessee or licensee covenants that:

(1) the lessee or licensee will not unlawfully allow controlled substances in those premises; and

(2) the common area and curtilage will not be used by the lessee or licensee or others acting under the lessee's or licensee's control to manufacture, sell, give away, barter, deliver, exchange, distribute, purchase, or possess a controlled substance in violation of any criminal provision of chapter 152.

The covenant is not violated when a person other than the lessee or licensee possesses or allows controlled substances in the premises, common area, or curtilage, unless the lessee or licensee knew or had reason to know of that activity.

Sec. 5. Minnesota Statutes 1994, section 504.30, subdivision 4, is amended to read:

Subd. 4. **COURT FILE INFORMATION.** (a) If a tenant screening service includes information from a court file on an individual in a tenant report, the report must provide the full name and date of birth of the individual in any case where the court file includes the individual's full name and date of birth, and the outcome of the court proceeding must be accurately recorded in the tenant report including the specific basis of the court's decision, when available. Whenever the court supplies information from a court file on an individual, in whatever form, the court shall include the full name and date of birth of the individual, if that is indicated on the court file or summary and information on the outcome of the court proceeding, including the specific basis of the court's decision, coded as provided in subdivision 4a for the type of action, when it becomes available. The tenant screening service is not liable under section 504.31 if the tenant screening service reports complete and accurate information as provided by the court.

(b) A tenant screening service shall not provide tenant reports containing information on unlawful detainer actions in the second and fourth judicial districts, unless the tenant report accurately records the outcome of the proceeding or other disposition of the unlawful detainer action such as settlement, entry of a judgment, default, or dismissal of the action.

Sec. 6. Minnesota Statutes 1994, section 504.30, is amended by adding a subdivision to read:

Subd. 4a. **UNLAWFUL DETAINER ACTION CODING.** The court shall indicate on the court file or any summary of a court file the specific basis of the court's deci-

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sion in an unlawful detainer action according to codes developed by the court that, at a minimum, indicates if the basis of the court's decision is nonpayment of rent, a violation of the covenants under section 504.18 or 504.181, other breach of a lease agreement, or a counterclaim for possession of the premises under section 566.34.

Sec. 7. Minnesota Statutes 1994, section 566.05, is amended to read:

566.05 COMPLAINT AND SUMMONS.

The person complaining shall file a complaint with the court, stating the full name and date of birth of the person against whom the complaint is made, unless it is not known, describing the premises of which possession is claimed, stating the facts which authorize the recovery, and praying for restitution thereof. The lack of the full name and date of birth of the person against whom the complaint is made does not deprive the court of jurisdiction or make the complaint invalid. The court shall issue a summons, commanding the person against whom the complaint is made to appear before the court on a day and at a place stated in the summons. The appearance shall be not less than seven nor more than 14 days from the day of issuing the summons. In scheduling appearances under this section, the court shall give priority to any unlawful detainer brought under section 504.181, or on the basis that the tenant is causing a nuisance or seriously endangers the safety of other residents, their property, or the landlord's property. A copy of the complaint shall be attached to the summons, which shall state that the copy is attached and that the original has been filed.

Sec. 8. STUDY REQUESTED.

The Hennepin and Ramsey county attorneys offices shall convene a working group to study and explore options for dealing with negative community impacts of chronic drug dealing and nuisance activity including:

- (1) barriers to full implementation of current nuisance law;
 - (2) community and criminal justice system response to drug offenders and drug addicted persons including drug courts;
 - (3) response to chronic substance abusers;
 - (4) fraudulent rental histories created by tenants, landlords, and screening services;
- and
- (5) facilitating a greater role and responsibility for neighborhood organizations in combating negative community impacts of drug and nuisance behavior.

The county attorneys are requested to consult with representatives of the housing court, landlords, tenants, legal aid, neighborhood community crime prevention, law enforcement community crime prevention, and anyone else the county attorneys determine would be helpful, and report to the legislature the results of the study and any recommendations by December 15, 1996.

Sec. 9. EFFECTIVE DATE.

Sections 3 and 4 are effective August 1, 1996, and apply to leases entered into, renewed, or modified on or after that date. Section 7 is effective August 1, 1996, and applies to any unlawful detainer action brought against a tenant whose tenancy begins on or after

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that date or for a tenant whose lease is renewed or modified on or after that date. Section 8 is effective the day after final enactment.

Presented to the governor March 15, 1996

Signed by the governor March 18, 1996, 9:52 a.m.

CHAPTER 329—H.F.No. 2380

An act relating to motor vehicles; specifying percentages of the motorcycle safety fund that may be spent on administration and motorcycle safety instruction; amending Minnesota Statutes 1995 Supplement, section 126.115, subdivision 3.

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

Section 1. Minnesota Statutes 1995 Supplement, section 126.115, subdivision 3, is amended to read:

Subd. 3. **APPROPRIATION.** (a) All funds in the motorcycle safety fund created by section 171.06, subdivision 2a, are hereby annually appropriated to the commissioner of public safety to carry out the purposes of subdivisions 1 and 2. The commissioner of public safety may make grants from the fund to the commissioner of children, families, and learning at such times and in such amounts as the commissioner deems necessary to carry out the purposes of subdivisions 1 and 2.

(b) Of the money appropriated under paragraph (a):

(1) In each of fiscal years 1997, 1998, and 1999, not more than \$25,000, and in subsequent years not more than five percent of the funds so appropriated, shall be expended to defray the administrative costs of carrying out the purposes of subdivisions 1 and 2, and.

(2) In each of fiscal years 1997, 1998, and 1999, not more than 65 percent, and in subsequent years not more than 60 percent of the money so appropriated, shall be expended for the combined purpose of training and coordinating the activities of motorcycle safety instructors and making reimbursements to schools and other approved organizations.

Sec. 2. **EFFECTIVE DATE.**

Section 1 is effective July 1, 1996.

Presented to the governor March 15, 1996

Signed by the governor March 18, 1996, 9:56 a.m.

CHAPTER 330—H.F.No. 2116

An act relating to agriculture; changing provisions of plant pests, fertilizer, and lime; changing licensing requirements for aquatic pest control applicators; amending Minnesota Statutes 1994,

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