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State of Minnesota

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HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 909

01/26/2023 Authored by Daniels, Newton, Novotny, Frazier, Curran and others
The bill was read for the first time and referred to the Committee on Judiciary Finance and Civil Law
02/27/2023 Adoption of Report: Placed on the General Register
Read for the Second Time

1.1 A bill for an act
1.2 relating to human rights; requiring closed-captioned television in certain
1.3 circumstances; amending Minnesota Statutes 2022, section 363A.11, subdivision
1.4 2.

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

1.6 Section 1. Minnesota Statutes 2022, section 363A.11, subdivision 2, is amended to read:

1.7 Subd. 2. General prohibitions. This subdivision lists general prohibitions against
1.8 discrimination on the basis of disability. For purposes of this subdivision, "individual" or
1.9 "class of individuals" refers to the clients or customers of the covered public accommodation
1.10 that enter into the contractual, licensing, or other arrangement.

1.11 (1) It is discriminatory to:

1.12 (i) subject an individual or class of individuals on the basis of a disability of that
1.13 individual or class, directly or through contractual, licensing, or other arrangements, to a
1.14 denial of the opportunity of the individual or class to participate in or benefit from the goods,
1.15 services, facilities, privileges, advantages, or accommodations of an entity;

1.16 (ii) afford an individual or class of individuals on the basis of the disability of that
1.17 individual or class, directly or through contractual, licensing, or other arrangements, with
1.18 the opportunity to participate in or benefit from the goods, services, facilities, privileges,
1.19 advantages, or accommodations that are not equal to those afforded to other individuals;
1.20 and

1.21 (iii) provide an individual or class of individuals, on the basis of a disability of that
1.22 individual or class, directly or through contractual, licensing, or other arrangements, with

2.1 goods, services, facilities, privileges, advantages, or accommodations that are different or
2.2 separate from those provided to other individuals, unless the action is necessary to provide
2.3 the individual or class of individuals with goods, services, facilities, privileges, advantages,
2.4 or accommodations, or other opportunities that are as effective as those provided to others;
2.5 and

2.6 (iv) not provide a deaf or hard-of-hearing individual or class of deaf or hard-of-hearing
2.7 individuals with closed-captioned television when television services are provided to other
2.8 individuals.

2.9 (2) Goods, services, facilities, privileges, advantages, and accommodations must be
2.10 afforded to an individual with a disability in the most integrated setting appropriate to the
2.11 needs of the individual.

2.12 (3) Notwithstanding the existence of separate or different programs or activities provided
2.13 in accordance with sections 363A.08 to 363A.19, and 363A.28, subdivision 10, the individual
2.14 with a disability may not be denied the opportunity to participate in the programs or activities
2.15 that are not separate or different.

2.16 (4) An individual or entity may not, directly or through contractual or other arrangements,
2.17 use standards or criteria and methods of administration:

2.18 (i) that have the effect of discriminating on the basis of disability; or

2.19 (ii) that perpetuate the discrimination of others who are subject to common administrative
2.20 control.

2.21 Sec. 2. **IMPLEMENTATION.**

2.22 The amended provision in section 1 must be implemented by August 1, 2024, for all
2.23 places of public accommodation.