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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-SEVENTH SESSION

H. F. No. 2936

03/19/2012 Authored by Westrom
The bill was read for the first time and referred to the Committee on Civil Law

1.1 A bill for an act
1.2 relating to real property; landlord and tenant; establishing a landlord's right to
1.3 seek police or emergency assistance; prohibiting certain fees, penalties, and
1.4 charges; preempting local law; proposing coding for new law in Minnesota
1.5 Statutes, chapter 504B.

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

1.7 Section 1. **[504B.280] RESIDENTIAL LANDLORD'S RIGHT TO SEEK POLICE**
1.8 **AND EMERGENCY ASSISTANCE.**

1.9 Subdivision 1. Police or emergency assistance. A political subdivision may not:

1.10 (1) bar or limit the right of a residential landlord to call for police or emergency
1.11 assistance to respond to or investigate an emergency or conduct on or near residential
1.12 premises that might constitute criminal activity, a nuisance, or a disturbance, or other
1.13 activity that violates a rental licensing ordinance, regulation, or similar law; or

1.14 (2) impose a fee or penalty on or otherwise penalize a residential landlord for a call
1.15 for police or emergency assistance described in clause (1).

1.16 Subd. 2. Cooperation with licensing requirements; reasonable witness fees. (a)
1.17 This subdivision applies to a political subdivision that has a residential licensing ordinance,
1.18 regulation, or similar law that requires a residential landlord to be proactive in preventing
1.19 or responding to criminal activity, a nuisance, a disturbance, or other activity on a rental
1.20 property that violates a rental licensing ordinance, regulation, or similar law. The political
1.21 subdivision may not unreasonably impose a witness fee or other charge for obtaining
1.22 the testimony of a police officer, building official, or other employee of the political
1.23 subdivision who was involved in reporting, responding to, or documenting incidents or
1.24 activities that gave rise to a notice by the political subdivision that the landlord must take

2.1 proactive action or face adverse licensing consequences. The political subdivision may
2.2 not require advance payment of a witness fee that is greater than \$20, plus mileage.

2.3 (b) It is a defense to an action to revoke a residential rental license, impose a fee or
2.4 penalty for a license violation, or assess a higher or additional inspection charge that the
2.5 landlord is unable to obtain testimony that is relevant to the landlord's defense because the
2.6 political subdivision requested a witness fee or other charge in violation of this subdivision.

2.7 Subd. 3. **Local preemption.** This section preempts an inconsistent local ordinance,
2.8 regulation, or similar law.