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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 1933

03/04/2021 Authored by Drazkowski, Mortensen and Munson
The bill was read for the first time and referred to the Committee on Health Finance and Policy

1.1 A bill for an act
1.2 relating to licensing; waiving fees and penalties for food and beverage service
1.3 establishments and for liquor licensees operating restaurants; requiring refunds of
1.4 certain penalties.

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

1.6 Section 1. WAIVER OF FEES AND PENALTIES; FOOD AND BEVERAGE
1.7 SERVICE ESTABLISHMENTS, CERTAIN LIQUOR LICENSEES.

1.8 Subdivision 1. Definitions. (a) The terms defined in this subdivision apply to this section.

1.9 (b) "Community health board" has the meaning given in Minnesota Statutes, section
1.10 145A.02, subdivision 5.

1.11 (c) "Food and beverage service establishment" has the meaning given in Minnesota
1.12 Statutes, section 157.15, subdivision 5.

1.13 Subd. 2. Waiver of fees and penalties. (a) Notwithstanding any law to the contrary,
1.14 from the effective date of this section through fiscal year 2022, the commissioner of health
1.15 must waive:

1.16 (1) all fees the commissioner is authorized or required to charge under Minnesota Statutes,
1.17 chapter 157, to a food and beverage service establishment; and

1.18 (2) all fines and penalties the commissioner is authorized or required to charge under
1.19 Minnesota Statutes, chapter 157, or Minnesota Statutes, sections 144.989 to 144.993, to a
1.20 food and beverage service establishment in relation to license suspension or revocation or
1.21 operating without a license.

2.1 (b) Notwithstanding any law to the contrary, from the effective date of this section
2.2 through fiscal year 2022, a community health board, county, or city with an agreement with
2.3 the commissioner of health under Minnesota Statutes, section 145A.07, to regulate food
2.4 and beverage service establishments must waive:

2.5 (1) all fees the entity is authorized or required to charge under Minnesota Statutes,
2.6 chapter 157, to a food and beverage service establishment; and

2.7 (2) all penalties the entity is authorized or required to charge under Minnesota Statutes,
2.8 chapter 157, to a food and beverage service establishment in relation to operating without
2.9 a license.

2.10 (c) Notwithstanding any law to the contrary, from the effective date of this section
2.11 through fiscal year 2022, the commissioner of public safety must waive:

2.12 (1) all fees the commissioner is authorized or required to charge under Minnesota Statutes,
2.13 chapter 340A, or Minnesota Rules, chapter 7515, to an applicant for or the holder of an
2.14 on-sale intoxicating liquor license issued to a restaurant under Minnesota Statutes, section
2.15 340A.404, subdivision 1, paragraph (a), clause (2), or subdivision 6, paragraph (a); and

2.16 (2) all fines and penalties the commissioner is authorized or required to charge under
2.17 Minnesota Statutes, chapter 340A, to an on-sale licensee described in clause (1) for a license
2.18 suspension or revocation.

2.19 Subd. 3. **Penalties; refund.** (a) The commissioner of public safety must refund all fines
2.20 and penalties described in subdivision 2, paragraph (c), clause (2), and paid after February
2.21 29, 2020, and before the effective date of this section.

2.22 (b) The commissioner of health must refund all fines and penalties described in
2.23 subdivision 2, paragraph (a), clause (2), and paid by a food and beverage service
2.24 establishment after February 29, 2020, and before the effective date of this section.

2.25 (c) A community health board, county, or city with an agreement with the commissioner
2.26 of health to regulate food and beverage service establishments must refund all penalties
2.27 described in subdivision 2, paragraph (b), clause (2), and paid by a food and beverage service
2.28 establishment after February 29, 2020, and before the effective date of this section.

2.29 **EFFECTIVE DATE.** This section is effective the day following final enactment, except
2.30 that subdivision 3 applies retroactively to fines and penalties paid after February 29, 2020.