

**Senator Port from the Committee on Housing and Homelessness Prevention, to which was referred**

**S.F. No. 4015:** A bill for an act relating to human rights; establishing the Minnesota Fair Chance Access to Housing Act; imposing penalties; proposing coding for new law in Minnesota Statutes, chapter 363A.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, after line 8, insert:

"Subd. 2. **Definitions.** (a) For purposes of this section, the following terms have the meanings given.

(b) "Applicant" means an individual that submits a rental application to rent or lease a rental unit.

(c) "Arrest record" means information that indicates that an individual has been questioned, apprehended, taken into custody or detention, held for investigation, arrested, charged, indicted, or tried for any felony, misdemeanor, or other offense by a law enforcement agency.

(d) "Background check report" means a report by a law enforcement agency, court, consumer reporting agency, or tenant screening agency regarding an applicant's criminal and credit history.

(e) "Conditional offer" means a written offer to rent or lease a rental unit made by the landlord to an applicant that is contingent on a subsequent inquiry into the applicant's criminal record.

(f) "Criminal record" means information transmitted orally, in writing, or by any other means, and obtained from any source, including but not limited to the individual to whom the information pertains, a government agency, or a background check report, regarding any of the following:

(1) a conviction;

(2) an arrest record;

(3) a sealed, dismissed, or vacated conviction;

(4) an expunged, voided, or invalidated conviction;

(5) a conviction rendered inoperative by judicial action or by statute;

(6) a determination or adjudication in the juvenile justice system;

(7) a matter considered in or processed through the juvenile justice system;

2.1 (8) participation in or completion of a diversion program; and

2.2 (9) a deferral of a diversion program.

2.3 (g) "Deposit" means a payment requested by a landlord during the application for a  
2.4 rental unit to reserve a rental unit for an applicant.

2.5 (h) "Landlord" means either:

2.6 (1) the owner, lessor, or sublessor of a rental unit or the property of which it is a part;

2.7 or

2.8 (2) a person authorized to exercise any aspect of the management of the premises,  
2.9 including a person that directly or indirectly acts as a rental agent, or receives rent, other  
2.10 than as a bona fide purchaser, and has no obligation to deliver the rent payments to another  
2.11 person.

2.12 (i) "Law enforcement agency" means the police department of a city, township, or village,  
2.13 the sheriff's department of a county, the department of state police, or any other governmental  
2.14 law enforcement agency of this state.

2.15 (j) "Rental unit" means a structure or part of a structure used as a home, residence, or  
2.16 sleeping unit by a single person or household unit, or any grounds, or other facilities or area  
2.17 promised for the use of a residential tenant. Rental units include but is not limited to  
2.18 apartment units, boarding houses, rooming houses, mobile home spaces, and single- and  
2.19 two-family dwellings."

2.20 Page 3, line 28, delete "less" and insert "fewer" and delete "....." and insert "four" and  
2.21 delete "and are" and insert ", at least one of which is" and after "occupied" insert a comma

2.22 Page 4, line 1, after "for" insert "a" and delete "less than ..... number of" and insert "up  
2.23 to two"

2.24 Page 4, line 2, after "for" insert "a" and delete "..... but less than ..... number of" and  
2.25 insert "two but fewer than six"

2.26 Page 4, line 4, after "for" insert "a" and delete "more than ..... but less than ..... number  
2.27 of" and insert "six or more"

2.28 Page 4, delete subdivision 9


2.29 Renumber the subdivisions in sequence

2.30 And when so amended the bill do pass and be re-referred to the Committee on Judiciary  
2.31 and Public Safety. Amendments adopted. Report adopted.

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(Committee Chair)



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February 22, 2024.....  
(Date of Committee recommendation)