

1.1 **Senator Latz from the Committee on Judiciary and Public Safety, to which was**
1.2 **re-referred**

1.3 **S.F. No. 4483:** A bill for an act relating to employees; prohibiting misclassification of
1.4 employees; imposing penalties; classifying data; amending Minnesota Statutes 2022, sections
1.5 177.27, subdivision 3; 181.171, subdivision 1; 181.722; 181.723; 270B.14, subdivision 17,
1.6 by adding a subdivision; 326B.081, subdivisions 3, 6, 8; 326B.082, subdivisions 1, 2, 4, 6,
1.7 7, 10, 11, 13, by adding a subdivision; 326B.701; Minnesota Statutes 2023 Supplement,
1.8 section 177.27, subdivisions 1, 2, 4, 7; proposing coding for new law in Minnesota Statutes,
1.9 chapter 181.

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

1.11 Page 5, line 13, after the fifth comma, insert "or" and delete everything after "agent"
1.12 and insert "who engaged in any of the prohibited activities in this subdivision"

1.13 Page 5, line 14, delete everything before "may"

1.14 Page 5, line 15, delete everything after "liable" and insert a period

1.15 Page 5, line 20, after the fourth comma, insert "or" and delete the fifth comma and insert
1.16 a semicolon

1.17 Page 5, delete line 21

1.18 Page 6, line 29, delete "but not less than \$5,000"

1.19 Page 10, line 9, after "services" insert ", if any," and delete "24" and insert "12"

1.20 Page 10, line 23, delete everything after "executed" and insert "no later than 30 days
1.21 after the date work commences;"

1.22 Page 10, line 24, delete "and"

1.23 Page 10, delete lines 25 to 30 and insert:

1.24 "(iv) provides for compensation from the person for the services provided or performed
1.25 under the contract on a commission or per-job or competitive bid basis and not on any other
1.26 basis; and

1.27 (v) the requirements of item (ii) shall not apply to change orders;"

1.28 Page 11, line 2, after "written" insert "proposal," and after "contract" insert ", or change
1.29 order"

1.30 Page 11, line 4, after "written" insert "proposal," and after "contract" insert ", or change
1.31 order" and delete "sole direction and"

1.32 Page 11, line 6, delete "directs and"

- 2.1 Page 11, line 8, after "written" insert "proposal," and delete everything after "contract"
- 2.2 and insert ", or change order;"
- 2.3 Page 11, delete line 9
- 2.4 Page 11, delete line 11 and insert "or performed under the written proposal, contract, or
- 2.5 change order and is responsible, as provided under the written proposal, contract, or change
- 2.6 order,"
- 2.7 Page 11, line 12, delete "contract"
- 2.8 Page 11, line 14, after "written" insert "proposal," and after "contract" insert ", or change
- 2.9 order" and after the third "the" insert "compensation provided under the"
- 2.10 Page 11, line 15, delete everything after "written" and insert "proposal, contract, or
- 2.11 change order."
- 2.12 Page 12, line 29, after "officer," insert "or" and delete everything after "agent" and insert
- 2.13 "who engaged in any of the prohibited activities in this subdivision"
- 2.14 Page 12, line 30, delete everything before "may"
- 2.15 Page 12, line 31, delete everything after "liable" and insert a period
- 2.16 Page 13, line 3, after the fourth comma, insert "or" and delete the fifth comma and insert
- 2.17 a semicolon
- 2.18 Page 13, delete line 4
- 2.19 Page 13, line 19, delete everything after the period
- 2.20 Page 13, delete lines 20 and 21
- 2.21 Page 13, line 31, delete "but not less than \$5,000"
- 2.22 Page 14, after line 19, insert:
- 2.23 "**EFFECTIVE DATE.** This section is effective August 1, 2024, except that the
- 2.24 amendments to subdivision 4 are effective for contracts entered into on or after that date
- 2.25 and for all building construction or improvement services provided or performed on or after
- 2.26 January 1, 2025."
- 2.27 Page 17, delete subdivision 5 and insert:
- 2.28 "**Subd. 5. Separation.** The Intergovernmental Misclassification Enforcement and
- 2.29 Education Partnership is not a separate agency or board and is not subject to chapter 13D.

3.1 Data shared or created by the partnership entities under this section or section 181.724 is
3.2 subject to chapter 13 and holds the data classification prescribed by law."

3.3 Page 23, line 25, after "who" insert "the commissioner has determined, based on an
3.4 inspection or investigation,"

3.5 Page 23, lines 26 and 27, delete "who"

3.6 Page 26, after line 3, insert:

3.7 "(l) Notwithstanding section 13.39, the data in a stop work order issued under this
3.8 subdivision are classified as public data after the commissioner has issued the order.

3.9 **EFFECTIVE DATE.** This section is effective August 1, 2024, for contracts entered
3.10 into on or after that date and for all building and construction or improvement services
3.11 provided or performed on or after January 1, 2025."

3.12 And when so amended the bill do pass and be re-referred to the Committee on State and
3.13 Local Government and Veterans. Amendments adopted. Report adopted.

3.14 
3.15
(Committee Chair)

3.16 March 20, 2024.....
3.17 (Date of Committee recommendation)