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Minnesota House of Representatives

Paul Thissen, Speaker

FOR IMMEDIATE RELEASE
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New Laws Effective Jan. 1, 2014

The following is a listing of selected new laws passed during the 2013 legislative session that take effect Jan. 1, 2014.

The asterisk following the bill number denotes the language that became law. Summaries of all laws passed by the 2013 Legislature are available online from nonpartisan House Public Information Services at <http://www.house.mn/hinfo/Newlaws2013-0.asp>.

CIVIL LAW

Access to some juvenile court records will be restricted

Many juvenile court records and proceedings are already closed to the public. A new law affects records stemming from hearings in which a 16- or 17-year-old has been charged with a felony. Those records are currently public even if an initial felony charge is later reduced or dismissed.

The new law limits access only to electronic court records. It will not affect public access to hearings or paper records. The law also makes exceptions that maintain public access to electronic records in certain cases involving serious offenses, unless the prosecutor agrees otherwise.

Rep. Carly Melin (DFL-Hibbing) and Sen. Ron Latz (DFL-St. Louis Park) sponsor the legislation.
HF392*/SF286/CH109

CONSUMERS

New regulations placed on estate sales operators

Estate sale operators will be required to guarantee their clients at least \$20,000 prior to agreeing to conduct an estate sale.

The new law, sponsored by Rep. Linda Slocum (DFL-Richfield) and Sen. Barb Goodwin (DFL-Columbia Heights), is the first to regulate estate sales by requiring operators to offer a surety bond. Certified public accountants and licensed attorneys, however, are exempt.

HF131*/SF316/CH60

Home sellers must disclose radon gas testing

A requirement for home sellers to disclose radon testing is one of the major provisions contained in the omnibus health policy law sponsored by Rep. Carolyn Laine (DFL-Columbia Heights) and Sen. John Marty (DFL-Roseville).

Radon is the second leading cause of lung cancer, and one in three Minnesota homes pose a risk from the odorless, tasteless gas, said Laine. The law will not mandate testing or mitigation, rather, a Department of Health radon awareness brochure will be given to the 40,000 annual homebuyers across

the state at the point of sale. If the seller has knowledge of radon in the home, that information must be disclosed to the buyer. The so-called Radon Awareness Act also requires the seller to hand over records pertaining to radon testing or mitigation of the residence, if available.

There are some exclusions to the disclosure requirement, such as property transferred due to divorce, foreclosure, death of a family member or when no money is transferred.

HF662/SF887*/CH43

ENVIRONMENT

New law will increase local community awareness about chemical spills

Under current law, the state emergency response center or a firefighting or law enforcement organization must be notified when a reportable quantity of a hazardous or extremely hazardous substance is released or spilled. There is no requirement to notify local jurisdictions.

Sponsored by Rep. Dan Schoen (DFL-St. Paul Park) and Sen. Katie Sieben (DFL-Newport), a new law requires the state emergency response center to notify a local 911 emergency dispatch center within 24 hours of the notification, unless “the situation requires an immediate response or the area is unknown to the center.” Then, the state emergency response center shall direct the caller to contact local authorities.

HF814*/SF1033/CH92

EMPLOYMENT

Ban the Box law expanded to private employers

Since 2009, state law has banned a public employer from inquiring whether a job applicant has a criminal record or criminal history at the time a person applies for a job.

Rep. Tim Mahoney (DFL-St. Paul) and Sen. Bobby Joe Champion (DFL-Mpls) sponsor the so-called Ban the Box law, which will add private employers to those who must wait until an applicant is selected for an interview to ask the question.

The law will remove the question that asks job applicants to check a box about whether they have ever been convicted of a felony or gross misdemeanor. For jobs that don’t include an interview, employers cannot ask about criminal issues until there is a conditional offer of employment.

Employers who violate the new law within the first year will be subject to a written warning after their first offense, followed by cash penalties for any subsequent violations.

HF690/SF523*/CH61

HEALTH AND HUMAN SERVICES

Medical Assistance expands to cover more Minnesotans

An estimated 40,000 additional low-wage earners and their families may qualify for Medical Assistance coverage as a result of a new law that extends coverage to those making up to 138 percent of the federal poverty level, including a standard 5 percent income disregard, or about \$15,000 per year.

Rep. Thomas Huntley (DFL-Duluth) and Sen. Kathy Sheran (DFL-Mankato) sponsor the law that allows the state to exercise its option under the federal Patient Protection and Affordable Care Act to expand Medical Assistance.

The federal government will pay 100 percent of the cost for adults without children who qualify through 2016. Beginning in 2017, the federal government will gradually reduce that support to 90 percent of the cost for 2020 and subsequent years.

In addition to the newly eligible, thousands of people currently enrolled in the state-offered MinnesotaCare health insurance program are expected to shift to the expanded Medical Assistance program. The law transfers about \$63.6 million from the Health Care Access Fund to the General Fund in the 2014-15 biennium to cover the cost of insuring some MinnesotaCare enrollees who are not eligible for the full federal funding under the Patient Protection and Affordable Care Act.

HF9*/SF5/CH1

PUBLIC SAFETY

Surveillance cameras required at scrap yards

Rep. Tim Mahoney (DFL-St. Paul) and Sen. Chuck Wiger (DFL-Maplewood) sponsor a new law that aims to expand licensing and regulatory provisions as they relate to scrap metal and scrapped vehicle purchases.

While Aug. 1, 2013, was the effective date for much of a larger law to prevent stolen cars from quickly becoming scrap metal, scrap vehicle operators must install and maintain video surveillance cameras at their operations, effective Jan. 1, 2014. Additionally, still digital cameras or similar devices must be positioned to clearly photograph the face of each seller of a scrap vehicle who enters the location. The scrap vehicle operator shall also photograph the seller's vehicle, including license plate. Any video must be shown to law enforcement, upon request.

HF1214*/SF934/CH126