

Biennial exemptions report— Accommodation for hard -of -hearing in state-funded capital projects

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Cost of report preparation

The total cost for the Commission to prepare this report was \$160.00. Estimated costs are provided in accordance with Minnesota Statutes, section 3.197, which requires that at the beginning of a report to the Legislature, the cost of preparing the report must be provided.

Legislative Charge

This report is submitted pursuant to Minnesota Statutes 16C.054.

16C.054 ACCOMMODATION FOR HARD-OF-HEARING IN STATE-FUNDED CAPITAL PROJECTS.

Subdivision 1. Definition.

For purposes of this section, "public gathering space" means a space that is constructed or renovated as part of the project: (1) that accommodates and is intended to be used for gatherings of 15 or more people; and (2) in which audible communications are integral to a use of the space.

Subd. 2. Accommodation for hard-of-hearing in state-funded capital projects.

No commissioner or agency head may approve a contract or grant state funds for a capital improvement project to construct or renovate a public gathering space in a building unless:

(1) the project includes equipping the public gathering space, if the public gathering space has or will have a permanent audio-amplification system, with audio-induction loops to provide an electromagnetic signal for hearing aids and cochlear implants; and

(2) the project includes meeting the American National Standards Institute Acoustical Performance Criteria, Design Requirements and Guidelines for Schools on maximum background noise level and reverberation times in the public gathering space.

Subd. 3. Exemption.

A commissioner or agency head may approve a contract or grant state funds for a capital improvement project to construct or renovate a building that does not meet a requirement of subdivision 2, when the commissioner or agency head determines that meeting that requirement is not feasible, is in conflict with other requirements in law, is in conflict with other project requirements, or that costs outweigh the benefits. The commissioner must consult with the Commission of the Deaf, DeafBlind and Hard of Hearing before making the determination.

Subd. 4. Exemption reports.

A commissioner or agency head who determines a contract is exempt under subdivision 3 must report the exemption to the Commission of the Deaf, DeafBlind and Hard of Hearing within three months of making the determination. The chair of the Commission of the Deaf, DeafBlind and Hard of Hearing shall submit a report to the chairs and ranking minority members of the committees in the house of representatives and senate with jurisdiction over state contracting by January 30 of even-numbered years beginning in 2020 identifying each exemption reported in the previous two calendar years.

Reported exemptions

Requester	Date of recommendation	Capital project	Reason for exemption	Comment
Playwrights Center	2/15/2024	Playwrights Center	Existing structure materials raise costs and create interference that minimizes the benefit of installing an induction loop system.	In lieu of audio-induction loop system, incorporated a RF system with permanently installed equipment.
City of Richfield	n/a	Nature Center	n/a	After Commission feedback, the requester indicated they would install audio-induction loop systems.

Conclusion

The Commission received and concurred with one exemption request during the 2024-2025 reporting period. Another request was received, and after feedback from the Commission, the requester informed the Commission that they would proceed with installing a hearing loop system as required for new construction.

Requesters are not required to inform the Commission if capital projects do comply with Minnesota Statutes 16C.054, so the Commission has no data about any projects that may have followed the statute.