

# Minnesota Legislative Update, Part III: Regular Session Winds Down With Many Bills Left in the Hopper

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As the 2019 regular session of the Minnesota Legislature draws to a close, lawmakers in St. Paul are deadlocked on the budget bill. As a result, many of the bills we reported on in our previous articles are stalled in committee or unlikely to see final action this year. The legislature must end its regular session on Monday, May 20, 2019, and it's unclear whether there will be a special session.



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watched bills, tell you which ones stand a chance of passage, and provide updates on the bills we summarized in our two previous reports. Most of those bills are not expected to move to final action this year.

### **Previously Summarized and Active Bills**

**Paid Family Leave – H.F. No. 5: Second Reading on April 25, 2019.** H.F. No. 5 remains active in the legislature. The bill seeks to create a state-administered paid family and medical leave insurance program that would require Minnesota employers to provide employees with up to 12 weeks of paid leave benefits for qualifying family care and up to 12 more weeks for qualifying medical reasons per year. Under the bill, the period for which an applicant may seek benefits must be or have been based on a single qualifying event of at least seven calendar days' duration, although the days need not be consecutive. The bill would create a funding mechanism through a payroll tax on employers and employees that would begin on January 1, 2021. The specific tax rates for employers would depend on which benefit programs the employer participated in, with a rate range from 0.114 percent to 0.6 percent.

**Statewide Paid Sick Leave – H.F. No. 11: Second Reading on April 26, 2019.** This bill, which would require that employees accrue a minimum of 1 hour of paid sick and safe leave for every 30 hours worked, up to a maximum of 48 hours per year, is still under active consideration by the Minnesota Legislature. As noted in our earlier reports, the bill would allow employees to use the accrued sick and safe time for various reasons, including to deal with their own illnesses or injuries, to care for family members, and/or to address domestic abuse-related issues. Employers already offering paid time off benefits meeting or exceeding the requirements of the bill would not need to implement new benefit programs.

**Wage Theft – H.F. No. 6: Second Reading on April 26, 2019.** This proposed bill is still showing activity in the legislature. As amended, the bill seeks to define “wage theft” to include all situations in which “an employer has failed to pay an employee all wages, salary, gratuities, earnings, or commissions at the employee’s rate or rates of pay or at the rate or rates required by law, including any applicable statute, regulation, rule, ordinance, government resolution or policy, contract, or other legal authority, whichever rate of pay is greater.” The bill also seeks to introduce stricter recordkeeping requirements for employers, increase the Minnesota Department of Labor and Industry’s enforcement tools (e.g., granting it the ability to issue subpoenas), and impose stricter penalties on employers for certain violations.

**Equal Rights Amendment: H.F. No. 13 and H.F. No. 71.** The Minnesota State Equal Rights Amendment (H.F. No. 13) would add a section to the Minnesota Constitution providing for gender equality. If ratified, the amendment would take effect on January 1, 2021. This bill was passed by the House in early March and is still before the Senate. H.F. No. 71, the “delete the deadline bill,” was passed 81-0 by the House on May 10. This bill contains a resolution asking for the removal of the deadline to ratify the Equal Rights Amendment to the United States Constitution. The bill was introduced in the Senate early this week and referred to committee.

### **Status of Other Previously Summarized Bills**

## **Paid Family Leave**

- S.F. No. 1060: Referred to Jobs and Economic Growth Finance and Policy Committee on February 11, 2019

## **Statewide Paid Sick Leave**

- H.F. No. 29: Introduction and first reading, referred to Labor Committee on January 10, 2019
- S.F. No. 528: Withdrawn and returned to the author on February 25, 2019
- S.F. No. 1597: Referred to Jobs and Economic Growth Finance and Policy Committee on February 21, 2019

## **Wage Theft**

- S.F. No. 1933: Referred to Jobs and Economic Growth Finance and Policy Committee on February 28, 2019
- S.F. No. 1816: Committee report recommendation to pass as amended and re-refer to Finance Committee on March 18, 2019

## **Sexual Harassment Standard**

- H.F. No. 10: Referred to Judiciary and Public Safety Finance and Policy Committee on March 25, 2019
- H.F. No. 31: Introduction and first reading, referred to Judiciary Finance and Civil Law Division Committee on January 10, 2019
- S.F. No. 1307: Referred to Judiciary and Public Safety Finance and Policy Committee on February 14, 2019
- S.F. No. 2295: Second reading on March 18, 2019

## **Disclosure of Information in Workplace Sexual Harassment Investigations**

- H.F. No. 798: Referred to Judiciary Finance and Civil Law Division on February 7, 2019
- S.F. No. 172: Referred to Judiciary and Public Safety Finance and Policy Committee on January 7, 2019

## **Minimum Wage and Sick Leave Preemption**

- H.F. No. 2776: Introduction, first reading, and referral to Labor Committee on April 1, 2019, with no action taken since April 1, 2019
- S.F. No. 2321: Introduction, first reading, and referral to Local Government Committee on March 11, 2019, which recommended the bill's passage; referred to Jobs and Economic Growth Finance and Policy Committee on March 13, 2019; no action taken since March 13, 2019

## **Restrictions on Employer Use of Social Media Account Information**

- H.F. No. 1196: Referred to Judiciary Finance and Civil Law Division Committee on February 14, 2019
- S.F. No. 1432: Referred to Judiciary and Public Safety Finance and Policy Committee on February 18, 2019

## **Right to Work**

- H.F. No. 352: Referred to Labor Committee on January 21, 2019
- No companion bill in Senate

## **Employee Immunization Refusal Protection**

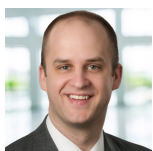
- H.F. No. 999: Referred to Labor Committee on February 11, 2019
- S.F. No. 1916: Referred to Jobs and Economic Growth Finance and Policy Committee on February 28, 2019

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### **TOPICS**

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