

This Document can be made available
in alternative formats upon request

State of Minnesota
HOUSE OF REPRESENTATIVES

NINETIETH SESSION

H. F. No. 423

01/23/2017 Authored by Theis; Howe; O'Driscoll; Anderson, P.; Youakim and others
The bill was read for the first time and referred to the Committee on Government Operations and Elections Policy
02/06/2017 Adoption of Report: Amended and re-referred to the Committee on Capital Investment

1.1 A bill for an act
1.2 relating to state government; requiring that certain equipment to accommodate
1.3 hearing-impaired people be included in capital improvement projects using state
1.4 funds; proposing coding for new law in Minnesota Statutes, chapter 16C.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. **[16C.053] ACCOMMODATION FOR HARD-OF-HEARING IN**
1.7 **STATE-FUNDED CAPITAL PROJECTS.**

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

1.12 Subd. 2. **Accommodation for hard-of-hearing in state-funded capital projects.** No
1.13 commissioner or agency head may approve a contract or grant state funds for a capital
1.14 improvement project to construct or renovate a public gathering space in a building unless:

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

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

1.21 Subd. 3. **Exemption.** A commissioner or agency head may approve a contract or grant
1.22 state funds for a capital improvement project to construct or renovate a building that does

2.1 not meet a requirement of subdivision 2, when the commissioner or agency head determines
2.2 that meeting that requirement is not feasible, is in conflict with other requirements in law,
2.3 is in conflict with other project requirements, or that costs outweigh the benefits. The
2.4 commissioner must consult with the Commission of Deaf, Deafblind, and Hard-of-Hearing
2.5 Minnesotans before making the determination.

2.6 Subd. 4. **Exemption reports.** A commissioner or agency head who determines a contract
2.7 is exempt under subdivision 3 must report the exemption to the Commission of Deaf,
2.8 Deafblind, and Hard-of-Hearing Minnesotans within three months of making the
2.9 determination. The chair of the Commission of Deaf, Deafblind, and Hard-of-Hearing
2.10 Minnesotans shall submit a report to the chairs and ranking minority members of the
2.11 committees in the house of representatives and senate with jurisdiction over state contracting
2.12 by January 30 of even-numbered years beginning in 2020 identifying each exemption
2.13 reported in the previous two calendar years.

2.14 **EFFECTIVE DATE.** (a) This section is effective the day following final enactment,
2.15 and, except as provided in paragraph (b), applies to any project funded with an appropriation
2.16 enacted after January 1, 2017.

2.17 (b) This section does not apply to a project that has completed schematic design on the
2.18 effective date of this section, but the commissioner and agency heads are encouraged to
2.19 comply with it.