

1.1 A bill for an act

1.2 relating to health and human services; requiring the commissioners of health  
1.3 and human services to provide notice to cities of certain residential programs'  
1.4 licensure; amending Minnesota Statutes 2008, sections 144D.03, by adding a  
1.5 subdivision; 245A.11, subdivision 4, by adding a subdivision.

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

1.7 Section 1. Minnesota Statutes 2008, section 144D.03, is amended by adding a  
1.8 subdivision to read:

1.9 Subd. 3. **Notification.** Within 30 days after a housing with services establishment  
1.10 is registered, the commissioner shall provide written notification to the city or town in  
1.11 which the facility is located informing the city or town of the location of the facility and  
1.12 the name, address, and telephone number of the owner or managing agent of the facility.

1.13 Sec. 2. Minnesota Statutes 2008, section 245A.11, subdivision 4, is amended to read:

1.14 Subd. 4. **Location of residential programs.** In determining whether to grant  
1.15 a license, the commissioner shall specifically consider the population, size, land use  
1.16 plan, availability of community services, and the number and size of existing licensed  
1.17 residential programs in the town, municipality, or county in which the applicant seeks to  
1.18 operate a residential program. The commissioner shall not grant an initial license to any  
1.19 residential program if the residential program will be within 1,320 feet of an existing  
1.20 residential program unless one of the following conditions apply:

1.21 (1) the existing residential program is located in a hospital licensed by the  
1.22 commissioner of health;

1.23 (2) the town, municipality, or county zoning authority grants the residential program  
1.24 a conditional use or special use permit; or

**S.F. No. 1650, as introduced - 86th Legislative Session (2009-2010) [09-2949]**

2.1 ~~(3) the program serves six or fewer persons and is not located in a city of the first~~  
2.2 ~~class; or~~  
2.3 ~~(4)~~ (3) the program is foster care.

2.4 Sec. 3. Minnesota Statutes 2008, section 245A.11, is amended by adding a subdivision  
2.5 to read:

2.6 Subd. 8. **Notification.** Within 30 days after the commissioner has issued a license  
2.7 under this section, the commissioner shall provide written notification to the city or town  
2.8 in which the facility is located informing the city or town of the location of the facility and  
2.9 the name, address, and telephone number of the owner or managing agent of the facility.