



2023 Minnesota Legislative End of Session Report

Community Associations Institute's (CAI) Minnesota Legislative Action Committee (MN LAC) had a busy legislative session advocating on behalf of the approximately [1,531,000 Minnesotans living in 612,000 homes in more than 7,850 community associations](#). There were 4,800 bills introduced, and the MN LAC closely monitored 35 bills that would have directly affected community associations. Below is a brief overview:

HF 100, Cannabis finance and policy bill. The MN LAC monitored this legislation concerning cannabis use and nuisances in communities. Importantly, with the newly enacted statute defining cannabis use as a nuisance, it is crucial to highlight that any provision in the governing documents that prohibits nuisances will automatically extend to the use of cannabis. This broad application applies even if the association has not implemented specific rules or declaration terms regulating or prohibiting smoking or other forms of cannabis use. The inclusion of cannabis within the nuisance definition provides associations with enhanced authority to address and regulate such activities within the community.

The legislation enables the enforcement of existing smoking restrictions and allows associations to amend their declarations to prohibit or restrict cannabis use in the future. It also establishes regulations for nuisances, supporting the enforcement of governing documents and bylaws pertaining to cannabis use on the property. Notably, the new law introduces penalties not just for individuals causing nuisances but holds associations accountable for failing to enforce provisions of the governing documents related to recreational cannabis use. In cases where owners file complaints seeking compensation for damages or penalties, legal action against the association for its failure to enforce the governing documents would be allowed.

Status: Passed

HF 2084, Attorney fee and assessment provisions modified. The MN LAC spent several years working with the MN Legal Aid to craft this legislation, which died last year sine die. This legislation would have amended the powers of a unit owners' association to charge attorney fees to unit owners who dispute a fine or assessment. Furthermore, if the board or committee does not adopt a resolution to levy the fine or uphold the assessment against the unit owner or their unit after the hearing process, the fine or assessment cannot be enforced. This legislation



would have also required associations to provide extensive notices to violators. Ultimately, the LAC reached a compromise, proposing a more limited measure that aimed to clarify existing laws concerning the imposition of attorney fees on homeowners and provide enhanced notice explaining the consequences of non-payment of fines or fees.

Status: Bill died sine die

SF 365, Single-family homes conversion to rental property units prohibition. In recent years, CAI has been actively advocating for legislatures to grant community associations the authority to determine their approach towards rental matters. This legislation was extremely important to CAI and the MN LAC's advocacy priorities as it would have created regulations on ownership of single-family homes to promote affordable housing in the state. Provisions of the legislation would prohibit corporate entities from purchasing or obtaining an interest in single-family homes and subsequently converting them into non-homestead residential real estate with a single rental unit. While the bill died, provisions applicable to single-family homes and multi-unit buildings with one singular owner were included in the environmental omnibus bill.

Status: Bill died sine die

HF1449/SF 1443, Common interest communities requirement to file annual reports and bylaws with the attorney general. This legislation would have amended the requirements for community associations in regards to annual reporting, requiring associations to file these annual reports, bylaws and amendments with the Minnesota Attorney General.

Status: Bill died sine die

HF 445, Rental discrimination based on participation in public assistance prohibited. This legislation would have prohibited discrimination passed on participation in a public assistance program. The legislation would have defined public assistance as participation in a federal, state, or local housing assistance program.

Status: Bill died sine die

SF 37, Constitutional amendment providing for equality under the law. This legislation would have proposed a constitutional amendment to voters of the state, to codify the equal rights for all Minnesotans based race, color, creed, sex, sexual orientation, gender identity or expression, age, disability, ancestry, or national origin.



Status: Bill died sine die

SF 1003/HF 1262, Certain Utility Requirements Modification. The MN-LAC opposed this legislation that would prohibit an association from restricting roof-mounted solar panels. CAI and the MN-LAC support environmental and energy efficiency policies that recognize and respect the governance and contractual obligations of community association residents as the best mechanism to enact sustainable environmental policies. However, this legislation would preclude associations from regulating solar panel installation.

Status: Successfully Died

Your Assistance is Needed

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Minnesota Contact Information

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