

1.1 moves to amend H.F. No. 1200, the second engrossment, as follows:

1.2 Page 10, delete subdivision 22, and insert:

1.3 "Subd. 22. **Family member.** (a) "Family member" means, with respect to an employee:

1.4 (1) a spouse, including a domestic partner in a civil union or other registered domestic
1.5 partnership recognized by the state, and a spouse's parent;

1.6 (2) a child and a child's spouse;

1.7 (3) a parent and a parent's spouse;

1.8 (4) a sibling and a sibling's spouse;

1.9 (5) a grandparent, a grandchild, or a spouse of a grandparent or grandchild; and

1.10 (6) any other individual who is related by blood or affinity and whose association with
1.11 the employee is equivalent of a family relationship. For the purposes of this clause, with
1.12 respect to an employee, that includes but is not limited to:

1.13 (i) a child of a sibling of the employee;

1.14 (ii) a sibling of the parents of the employee;

1.15 (iii) a child-in-law, a parent-in-law, a sibling-in-law, a grandparent-in-law; and

1.16 (iv) an individual who has resided at the same address as the employee for at least one
1.17 year as of the first day of leave under this chapter.

1.18 (b) For the purposes of this chapter, a child includes a stepchild, biological, adopted, or
1.19 foster child of the employee, or a child for whom the employee is standing in loco parentis.

1.20 (c) For the purposes of this chapter, a grandchild includes a step-grandchild, biological,
1.21 adopted, or foster grandchild of the employee."

1.22 Page 11, line 10, before "perform" insert "fully"

2.1 Page 19, line 29, delete "may" and insert "shall"

2.2 Page 23, line 18, delete everything after "unless" and insert "an appeal is filed by the
2.3 applicant within 30 calendar days after the sending of the determination or amended
2.4 determination, or within 60 calendar days, if an applicant establishes good cause for not
2.5 appealing within 30 days. For the purposes of this paragraph, "good cause" is a reason that
2.6 would have prevented an applicant from acting with due diligence in appealing within 30
2.7 days and shall take into account any illness, disability, or linguistic and literacy limitation
2.8 of the applicant, along with other relevant factors. If an applicant claims good cause for a
2.9 late appeal, the applicant must be granted a hearing on the issue of timeliness. This hearing
2.10 can be held at the same time as a hearing on the merits of the appeal."

2.11 Page 23, delete lines 19 and 20

2.12 Page 23, line 21, delete everything before "Proceedings"

2.13 Page 25, line 11, delete "must" and insert "shall"

2.14 Page 26, delete lines 26 and 27

2.15 Renumber the clauses in sequence and correct the internal references

2.16 Page 29, line 18, delete "48" and insert "12"

2.17 Page 30, line 3, delete "20" and insert "30" and before the period, insert ", or within 60
2.18 calendar days, if the applicant establishes good cause for not appealing within 30 days. For
2.19 the purposes of this paragraph, "good cause" is a reason that would have prevented an
2.20 applicant from acting with due diligence in appealing within 30 days and shall take into
2.21 account any illness, disability, or linguistic and literacy limitation of the applicant, along
2.22 with other relevant factors. If an applicant claims good cause for a late appeal, the applicant
2.23 must be granted a hearing on the issue of timeliness. This hearing can be held at the same
2.24 time as a hearing on the merits of the appeal"

2.25 Page 31, line 30, delete "verbal" and insert "oral, telephone, or text message"

2.26 Page 32, delete line 19, and insert "if such leave is reasonable and appropriate to the
2.27 needs of the individual with the serious health condition."

2.28 Page 35, line 24, delete "would have" and insert "has"

2.29 Page 35, line 26, delete ". Restoration"

2.30 Page 39, line 14, delete "October" and insert "December"

- 3.1 Page 39, line 15, delete "2022" and insert "2024" and delete "268B.21" and insert
- 3.2 "268B.24"
- 3.3 Page 45, line 29, delete "2023" and insert "2024"
- 3.4 Page 46, line 3, delete "2026" and insert "2027"
- 3.5 Page 50, line 16, delete "2023" and insert "2024" and delete "2023" and insert "2024"
- 3.6 Page 50, line 18, delete "2024" and insert "2025"
- 3.7 Page 50, line 25, delete "2023" and insert "2024"
- 3.8 Page 51, line 11, delete "a" and insert "an intentional"
- 3.9 Page 51, line 12, delete "without" and after "representation" insert "in an effort to
- 3.10 fraudulently collect benefits. Overpayment because of misrepresentation does not occur
- 3.11 where there is an unintentional mistake or" and after the second "to" insert "eligibility or"
- 3.12 Page 51, delete lines 14 to 16
- 3.13 Reletter the paragraphs in sequence and correct the internal references
- 3.14 Page 51, line 17, delete "20" and insert "30"
- 3.15 Page 51, line 18, after the comma, insert "or within 60 calendar days, if the applicant
- 3.16 establishes good cause for not appealing within 30 days,"
- 3.17 Page 51, line 19, after the period, insert "For the purposes of this paragraph, good cause
- 3.18 is a reason that would have prevented an applicant from acting with due diligence in
- 3.19 appealing within 30 days and shall take into account any illness, disability, or linguistic and
- 3.20 literacy limitation of the applicant, along with other relevant factors. If an applicant claims
- 3.21 good cause for a late appeal, the applicant must be granted a hearing on the issue of
- 3.22 timeliness. This hearing can be held at the same time as a hearing on the merits of the
- 3.23 appeal."
- 3.24 Page 51, line 26, delete "48" and insert "12"
- 3.25 Page 52, line 4, delete "one" and insert "six"
- 3.26 Page 52, line 5, delete "month or any part of a month" and insert "year"
- 3.27 Page 52, delete subdivisions 5 to 7 and insert:
- 3.28 "Subd. 5. Offset of benefits. An employee may offset from any future family and medical
- 3.29 leave benefits otherwise payable the amount of an overpayment. No single offset may exceed
- 3.30 20 percent of the amount of the payment from which the offset is made."

4.1 Subd. 6. Cancellation of overpayments. (a) If family and medical leave benefits overpaid
 4.2 are not repaid or offset from subsequent benefits within three years after the date of the
 4.3 determination or decision holding the applicant overpaid, the commissioner must cancel
 4.4 the overpayment balance, and no administrative or legal proceedings may be used to enforce
 4.5 collection of those amounts.

4.6 (b) The commissioner may cancel at any time any overpayment, including penalties and
 4.7 interest that the commissioner determines is uncollectible because of death or bankruptcy."

4.8 Renumber the subdivisions in sequence and correct the internal references

4.9 Page 53, delete section 27

4.10 Page 60, line 21, delete "2023" and insert "2024"

4.11 Page 61, line 7, delete "2023" and insert "2024"

4.12 Page 64, delete section 38, and insert:

4.13 "Sec. 37. APPROPRIATION.

4.14 (a) \$1,700,000,000 in fiscal year 2023 is appropriated from the general fund to the
 4.15 commissioner of employment and economic development for transfer to the family and
 4.16 medical insurance benefit account for the purposes of Minnesota Statutes, chapter 268B,
 4.17 including payment of benefits for calendar years 2023 and 2024, implementation and
 4.18 administration of the family and medical benefit insurance program, and outreach, education,
 4.19 and technical assistance for employees, employers, and self-employed individuals regarding
 4.20 Minnesota Statutes, chapter 268B. This is a onetime appropriation and is available until
 4.21 June 30, 2024. Any unspent money cancels to the general fund.

4.22 (b) \$..... in fiscal year 2025 is appropriated from the family and medical insurance
 4.23 benefit account to the commissioner of employment and economic development for the
 4.24 purposes of Minnesota Statutes, chapter 268B, including administration of the family and
 4.25 medical benefit insurance program, and outreach, education, and technical assistance for
 4.26 employees, employers, and self-employed individuals. Of the amount used for outreach,
 4.27 education, and technical assistance, at least half must be used for grants to community-based
 4.28 groups providing outreach, education, and technical assistance for employees, employers,
 4.29 and self-employed individuals regarding Minnesota Statutes, chapter 268B. Outreach must
 4.30 include efforts to notify self-employed individuals of their ability to elect coverage under
 4.31 Minnesota Statutes, section 268B.11, and provide them with technical assistance in doing
 4.32 so. The base for fiscal year 2026 and beyond is \$.....

5.1 Sec. 38. **EFFECTIVE DATES.**

5.2 (a) Family and medical benefits under Minnesota Statutes, chapter 268B, may be applied
5.3 for and paid starting January 1, 2023. Notwithstanding Minnesota Statutes, section 268B.03,
5.4 or any other law to the contrary, for calendar years 2023 and 2024, the commissioner shall
5.5 pay benefits under this chapter from the money appropriated in article 3.

5.6 (b) Sections 1, 2, 4, 5, 6, 15, and 37 are effective July 1, 2022.

5.7 (c) Except as provided in paragraph (a), sections 7 to 14, 16 to 18, 20, 22, 26 to 31, and
5.8 33 to 36 are effective January 1, 2023.

5.9 (c) Sections 3, 19, 21, 23 to 25, and 32 are effective January 1, 2024."

5.10 Page 67, line 5, delete "2024" and insert "2023"

5.11 Page 67, delete article 3

5.12 Renumber the sections in sequence and correct the internal references

5.13 Amend the title accordingly