

1.1 moves to amend H.F. No. 2414, the delete everything amendment
1.2 (A19-0349), as follows:

1.3 Page 818, delete line 6

1.4 Renumber the subdivisions in sequence

1.5 Page 818, line 7, delete everything after "Dementia" and insert "has the meaning given
1.6 in section 144I.01, subdivision 16."

1.7 Page 818, delete lines 8 to 17

1.8 Page 818, line 23, after "that" insert "for a fee, provides sleeping accommodations to
1.9 one or more adults and offers or provides one or more supportive services directly or through
1.10 a related supportive services provider. For purposes of this chapter, independent senior
1.11 living facility does not include"

1.12 Page 818, delete lines 24 to 26 and insert:

1.13 "(i) emergency shelter, transitional housing, or any other residential units serving
1.14 exclusively or primarily homeless individuals, as defined under section 116L.361;

1.15 (ii) a nursing home licensed under chapter 144A;

1.16 (iii) a hospital, certified boarding care home, or supervised living facility licensed under
1.17 sections 144.50 to 144.56;

1.18 (iv) a lodging establishment licensed under chapter 157 and Minnesota Rules, parts
1.19 9520.0500 to 9520.0670, or under chapter 245D or 245G;

1.20 (v) a lodging establishment serving as a shelter for individuals fleeing domestic violence;

1.21 (vi) services and residential settings licensed under chapter 245A, including adult foster
1.22 care and services and settings governed under the standards in chapter 245D;

2.1 (vii) private homes where the residents own or rent the home and control all aspects of
 2.2 the property and building;

2.3 (viii) a duly organized condominium, cooperative, and common interest community, or
 2.4 owners' association of the condominium, cooperative, and common interest community
 2.5 where at least 80 percent of the units that comprise the condominium, cooperative, or
 2.6 common interest community are occupied by individuals who are the owners, members, or
 2.7 shareholders of the units;

2.8 (ix) temporary family health care dwellings as defined in sections 394.307 and 462.3593;

2.9 (x) settings offering services conducted by and for the adherents of any recognized
 2.10 church or religious denomination for its members through spiritual means or by prayer for
 2.11 healing;

2.12 (xi) housing financed pursuant to sections 462A.37 and 462A.375, units financed with
 2.13 low-income housing tax credits pursuant to United States Code, title 26, section 42, and
 2.14 units financed by the Minnesota Housing Finance Agency that are intended to serve
 2.15 individuals with disabilities or individuals who are homeless;

2.16 (xii) rental housing developed under United States Code, title 42, section 1437, or United
 2.17 States Code, title 12, section 1701q;

2.18 (xiii) rental housing designated for occupancy by only elderly or elderly and disabled
 2.19 residents under United States Code, title 42, section 1437e, or rental housing for qualifying
 2.20 families under Code of Federal Regulations, title 24, section 983.56;

2.21 (xiv) rental housing funded under United States Code, title 42, chapter 89, or United
 2.22 States Code, title 42, section 8011; or

2.23 (xv) an assisted living facility or assisted living facility with dementia care licensed
 2.24 under chapter 144I."

2.25 Page 819, line 11, after the semicolon insert "or"

2.26 Page 819, line 12, delete "; or" and insert a period

2.27 Page 819, delete line 13

2.28 Page 819, line 17, delete everything after "to"

2.29 Page 819, delete line 18 and insert ", by any means, check on the health, safety, and
 2.30 well-being of a resident."

2.31 Page 819, delete section 2 and insert:

3.1 "Sec. 2. **[144K.02] DECEPTIVE MARKETING AND BUSINESS PRACTICES**
 3.2 **PROHIBITED.**

3.3 (a) No employee or agent of any independent senior living facility may make any false,
 3.4 fraudulent, deceptive, or misleading statements or representations or material omissions in
 3.5 marketing, advertising, or any other description or representation of care or services.

3.6 (b) No residency and services contract required under section 144K.03, subdivision 1,
 3.7 may include any provision that the facility knows or should know to be deceptive, unlawful,
 3.8 or unenforceable under state or federal law.

3.9 (c) No facility may advertise or represent that the facility is an assisted living facility as
 3.10 defined in section 144I.01, subdivision 6, or an assisted living facility with dementia care
 3.11 as defined in section 144I.01, subdivision 8.

3.12 Sec. 3. **[144K.025] REQUIRED DISCLOSURE BY FACILITY.**

3.13 An independent senior living facility must disclose to prospective residents and residents
 3.14 that the facility is not licensed as an assisted living facility and is not permitted to provide
 3.15 assisted living services, as defined in section 144I.01, subdivision 7, either directly or through
 3.16 a provider under a business relationship or other affiliation with the facility."

3.17 Page 820, delete lines 26 and 27

3.18 Renumber the clauses in sequence

3.19 Page 821, line 32, delete everything after the period

3.20 Page 821, delete line 33

3.21 Page 822, after line 5 insert:

3.22 "Subd. 8. **Contract restriction.** No independent senior living facility may offer wellness
 3.23 check services."

3.24 Page 824, after line 20, insert:

3.25 "Sec. 10. **[144K.09] ENFORCEMENT.**

3.26 (a) A violation of this chapter constitutes a violation of section 325F.69, subdivision 1.
 3.27 The attorney general may enforce this section using the remedies in section 325F.70.

3.28 (b) A resident who meets the criteria in section 325F.71, subdivision 1, has a cause of
 3.29 action under section 325F.71, subdivision 4, for a violation of this chapter.

3.30 **EFFECTIVE DATE.** This section is effective August 1, 2021."

- 4.1 Page 829, line 15, delete everything after "to"
- 4.2 Page 829, delete lines 16 and 17 and insert ", by any means, check on the health, safety,
- 4.3 and well-being of a resident; and"
- 4.4 Renumber the sections in sequence and correct the internal references
- 4.5 Amend the title accordingly