

Subject Minnesota Human Rights Act; Changes to Civil and Administrative Procedures

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Overview

This bill makes changes to the Minnesota Human Rights Act, updating definitions, changing procedures, and amending the damage awards for civil actions.

Summary

Section	Description
1	Freedom from discrimination. Clarifying the statement of purpose in the Minnesota Human Rights Act.
2	Disability. Expanding and clarifying the definition of “disability” to include conditions which are episodic so that when a person’s life is materially impacted by the condition it is considered a disability at that time.
3	Discriminate. Updating the definition on discriminate to include harassment based on a protected class, not just sex.
4	Familiar status. Expanding and clarifying the definition of familial status to include parents and guardians who have custody or written permission from the parents to care for the child, as well as adults who are disabled and need assistance or care from another.
5	Party in interest. Amending a definition to exclude an obsolete reference.

Section	Description
6	Construction and exclusivity. Clarifying an administrative proceeding is exclusive in some cases, while pending, and that the rights and remedies in the Human Rights Act are in addition to other rights provided under the law.
7	Publication of case accounts. Changes the ability of the human rights department to publish accounts of cases that are dismissed or voluntarily resolved.
8	Withdrawal from local commission. Expands the time a person has to file a civil action when a charge has been dismissed by a local human rights commission.
9	Personal or commercial credit. Adds familial status to the protected class from discrimination for the extension of credit.
10	Discrimination against persons with disabilities prohibited. Provides that it is unfair discrimination in certain places of public accommodation to discriminate based on the use of service animal when the person has a disability. The current law limits the application to physical and sensory disabilities.
11	Alternative dispute resolution. Allows parties to an administrative dispute to use alternative dispute resolution (ADR) including mediation to try to resolve the matter.
12	Conduct of hearing. Clarifying the procedure when a party contests a determination made by the commissioner.
13	Tolling during investigation. Changes the time for the commissioner to make a determination from 6 months to one year, and removes the process for complex cases which previously were allowed one year, as the time for investigation has been changed to one year.
14	Court actions, suits by private parties, intervention. Amends the time a person or the commissioner can bring a civil cause of action from 45 days to 90 days when the issue has been dismissed or they found no probable cause.

Section	Description
15	<p>Civil penalty; punitive damages.</p> <p>Requires the court to order a civil penalty fine against a party who violated the discrimination provisions of the Minnesota Human Rights Act, and to require them to pay a party who has suffered from the discrimination damages. The court is also allowed to order punitive damages to an aggrieved party, but punitive damages against a political subdivision are capped at \$25,000, and liability is limited against individual actors of the political subdivision.</p>
16	<p>Other remedies.</p> <p>Allows the court to order equitable relief in employment and housing cases, including reinstatement, back pay, and alternative housing.</p>
17	<p>Repealer.</p> <p>Repeals an obsolete definition.</p>



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