

1.1 moves to amend H.F. No. 4145 as follows:

1.2 Delete everything after the enacting clause and insert:

1.3 "Section 1. **[340A.4015] NURSING HOMES, BOARDING CARE HOMES, AND**
1.4 **ASSISTED LIVING FACILITIES; WHEN LICENSE NOT REQUIRED.**

1.5 (a) A nursing home as defined in section 144A.01, subdivision 5, a boarding care home
1.6 as defined in Minnesota Rules, chapter 4655, or an assisted living facility as defined in
1.7 section 144G.08, subdivision 7 (collectively "facility" or "facilities"), is not required to
1.8 obtain a license or permit under this chapter for the service of intoxicating liquor on its
1.9 premise, subject to the following:

1.10 (1) the facility must submit notice to the commissioner of its intent to allow the service
1.11 of intoxicating liquor under this section;

1.12 (2) the facility must hold the license(s) required by the commissioner of health to be a
1.13 valid licensed facility;

1.14 (3) intoxicating liquor may only be served to or by the residents of the facility and their
1.15 guests, when the guests are physically accompanied by a resident for the entirety of the
1.16 service;

1.17 (4) the service of intoxicating liquor may only occur at activities or events conducted
1.18 primarily for residents of the facility and their invited guests, and only within the licensed
1.19 facility or on its property;

1.20 (5) intoxicating liquor may not be sold, offered for sale, or otherwise provided for any
1.21 form of consideration; and

1.22 (6) facilities are subject to all other provisions and requirements of this chapter and its
1.23 applicable rules, not inconsistent with this section.

2.1 (b) A facility allowing the service of intoxicating liquor under this section is open for
2.2 inspection by the commissioner and the commissioner's representative and by peace officers,
2.3 who may enter and inspect during reasonable hours.

2.4 (c) Facilities operating under this section are subject to the requirements and penalties
2.5 outlined in section 340A.415 in the same manner as if they were a license or permit holder.

2.6 (d) The commissioner may take enforcement action as provided in section 340A.415
2.7 against any facility operating under this section for any violation of this section and any
2.8 other provision of this chapter and Minnesota Rules, chapter 7515 not inconsistent with this
2.9 section, including service to an obviously intoxicated person, unlawful furnishing, underage
2.10 access or consumption, unlawful possession, unlawful storage, or other alcohol-related
2.11 violations.

2.12 (e) The commissioner may prohibit service and require corrective action plans or
2.13 mandatory training for staff prior to a facility resuming operation under this section.

2.14 (f) The commissioner may refer any pattern of unsafe service, health risk associated
2.15 with alcohol service or storage, or failure to comply with this subdivision to the commissioner
2.16 of health for investigation.

2.17 (g) Nothing in this section limits or otherwise affects criminal enforcement under this
2.18 chapter or any other law against a facility or any person"