

Subject COVID-19 business restrictions

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## Overview

This bill would impose occupancy, sanitation, social distancing, and other restrictions and requirements on certain industries for the remainder of the COVID-19 peacetime emergency. The affected industries are bars and restaurants, venues, fitness centers, personal care services, and pools and water parks.

The restrictions and requirements vary by industry and could become more or less stringent depending upon the state's current COVID-19 risk level, as determined by the Minnesota Department of Health using the private Covid Act Now framework available at <https://covidactnow.org>.

The business restrictions and requirements in this bill would supersede those imposed by Governor Tim Walz via executive order. However, all aspects of the Governor's COVID-19 executive orders that do not conflict with the restrictions and requirements in this bill would remain in effect.

The bill also appropriates \$20 million to compensate bars and restaurants for food and beverages that spoiled or expired due to COVID-19 business restrictions.

H.F. 1514 would take effect upon enactment and expire the same day that the Governor's COVID-19 peacetime emergency expires.

## Summary

Section	Description
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<b>1</b>	<b>COVID-19 business restrictions.</b>
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	Provides that this act supersedes the Governor's executive orders as applied to bars and restaurants, venues, fitness centers, personal care services, and pools and water parks. Requires the Minnesota Department of Health (MDH) to utilize the Covid Act Now framework and certify the state COVID-19 risk level every two weeks as severe,
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critical, high, medium, or low. The nonprofit Covid Act Now framework uses three metrics (daily new cases, infection rate, and positive test rate) to determine a state's risk level, with substantial emphasis placed on daily new cases. For more information, see <https://covidactnow.org/covid-risk-levels-metrics>.

This section also provides that the restrictions and requirements in this act may be enforced in the same manner as the Governor's peacetime emergency executive orders (i.e., a willful violation is a misdemeanor crime punishable by a fine of up to \$1,000 or up to 90 days of imprisonment).

**2 Bars and restaurants.**

Establishes unique restrictions and requirements for bars and restaurants, as defined. Provides that these restrictions and requirements are in addition to those that apply to all industries, as provided in section 7. Bar and restaurant restrictions would vary depending on the state's current COVID-19 risk level as determined under section 1. Encourages all bars and restaurant owners, regardless of the current COVID-19 risk level, to implement the "COVID-19 Preparedness Plan Requirements for Restaurants and Bars" document dated February 12, 2021, and posted on the MDH website.

**3 Venues.**

Establishes unique restrictions and requirements for venues, as defined. Provides that these restrictions and requirements are in addition to those that apply to all industries, as provided in section 7. Venue restrictions would vary depending on the state's current COVID-19 risk level as determined under section 1. Encourages all venue owners, regardless of the current COVID-19 risk level, to implement the "COVID-19 Stay Safe Guidance for Entertainment and Meeting Venues" document dated February 12, 2021, and posted on the Department of Labor and Industry (DOLI) website.

**4 Fitness centers.**

Establishes unique restrictions and requirements for fitness centers, as defined. Provides that these restrictions and requirements are in addition to those that apply to all industries, as provided in section 7. Fitness center restrictions would vary depending on the state's current COVID-19 risk level as determined under section 1. Encourages all fitness center owners, regardless of the current COVID-19 risk level, to implement the "COVID-19 Preparedness Plan Guidance: Requirements for Gyms, Studios, and Fitness Centers" document dated February 12, 2021, and posted on the DOLI website.

**5 Personal care services.**

Establishes unique restrictions and requirements for personal care services, as defined. Provides that these restrictions and requirements are in addition to those

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|   | that apply to all industries, as provided in section 7. Personal care restrictions would vary depending on the state's current COVID-19 risk level as determined under section 1. Encourages all providers of personal care services, regardless of the current COVID-19 risk level, to implement the "COVID-19 Preparedness Plan Guidance: Requirements for Personal Care Services" document dated February 12, 2021, and posted on the DOLI website. |
| 6 | <b>Pools and water parks.</b><br>Establishes unique restrictions and requirements for pools and water parks, as defined. Provides that these restrictions and requirements are in addition to those that apply to all industries, as provided in section 7. Pool and water park restrictions would vary depending on the state's current COVID-19 risk level as determined under section 1.  |
| 7 | <b>General business restrictions and requirements.</b><br>Establishes baseline restrictions and requirements that apply to each of the industries governed by this act. Provides that if a restriction or requirement in this section is in conflict with one found elsewhere in this act, the more stringent restriction or requirement applies.  |
| 8 | <b>Bar and restaurant spoilage direct payments; appropriation.</b><br>Appropriates \$20 million to the Department of Employment and Economic Development for payments to bars and restaurants for food and beverages that spoiled or expired due to COVID-19 business restrictions.  |
| 9 | <b>Effective date; expiration.</b><br>Provides that this act takes effect the day following final enactment and expires the same day as the COVID-19 peacetime emergency declared and extended by Governor Walz.   |



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