



Office of Governor Tim Walz &
Lt. Governor Peggy Flanagan

Appendix B: Final Form 2026 Session*

Has this form changed since the Preliminary Form (A) was submitted? ☒ Yes ☐ No

Has the attached bill language changed since the Preliminary Form (A) was uploaded? ☒ Yes ☐ No

Date Submitted: 10/14/25

Today's Date: 10/14/25

Tracking #s:

Agency Tracking #: 3207

Revisor's #: TBD

Agency: Department of Labor and Industry

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Type:

☒ Technical/Housekeeping

☐ Policy

☐ Placeholder

☐ Fiscal

Title: Construction Codes and Licensing building code administration technical
Changes from Preliminary Proposal:

- Bill language included
- Additional/new information in description and background of proposal
- Additional stakeholder engagement information

Description and Background of the Proposal:

This proposal includes technical changes to MN statutes 326B.107, subdivisions 2 and 3. These subdivisions scope out the existing framework for delegating authority to municipalities to administer and enforce the building code for public buildings and state-licensed facilities. The changes proposed do four things:

- 1) Update references to “qualified inspectors” to instead use the phrase “qualified persons”. Persons is more accurate, as code administration staff perform several duties, such as plan review, that do not constitute an inspection.
- 2) Updates another reference to “inspectors” to instead refer to “code administration staff.” For the same reason as #1, code administration staff is more accurate than “inspectors.”
- 3) Updates 326B.107, subd. 3 so that the description of the services delegated matches the list in 326B.107, subd. 2. Currently, subd. 3 omits “plan review,” which is not the intent.
- 4) Update the heading in 326B.107, subd. 2 to strike “all” in order to more accurately reflect the scope of what building projects may be delegated under this subdivision.

Each of these changes is technical/cleanup, and does not have a substantive impact on DLI’s ability to enter into an agreement with a municipality for code enforcement on public buildings and state-licensed facilities.

Impact to Your Agency:

Has the response to this section changed after revisions to the Preliminary Form?

☒ Yes

Previously, this placeholder proposal did not answer this question. This proposal does not have an impact on agency operations.

Impact to Other Agency/Agencies:

Has the response to this section changed after revisions to the Preliminary Form?

☒ Yes

Previously, this placeholder proposal did not answer this question. This proposal does not have an impact on the operations of any other agency.

Minnesota Tribal government Engagement:

Has the response to this section changed after revisions to the Preliminary form?

☒ Yes

☐ No

This question was previously unanswered. There are no impacts to tribal nations associated with this proposal.

Was this proposal identified as part of an interagency or subcabinet discussion or recommendation? If so, mark which one:

- ☐ Children’s Cabinet
- ☐ Interagency Council on Homelessness (MICH)
- ☐ One Minnesota Council on Inclusion and Equity
- ☐ Climate Change Subcabinet
- ☐ Healthcare Subcabinet
- ☐ Thriving Economy and Workforce Interagency Workgroup
- ☐ Subcabinet on Opioids, Substance Use, and Addiction
- ☒ Not applicable

One Minnesota Goals:

This proposal does not relate to One Minnesota goals. It is technical/cleanup.

Equity and Inclusion:

N/A

Stakeholder Engagement:

DLI is convening a technical advisory group (TAG) to build recommendations to update the process of delegating building code administration to municipalities. The goal of the TAG is to make recommendations that provide more flexibility for municipalities to administer the building code for different types of public buildings and state-licensed facilities. The TAG will be established at the next meeting of the CCAC and complete their work between November 2025-February 2026. The TAG's work will recommend rules, and DLI already has the necessary authority to do the proposed rulemaking. This TAG will be a good venue to inform stakeholders of this proposal and solicit their feedback. Key stakeholders will include the Association of Minnesota Building Officials and municipalities.

Legislator Engagement:

If the proposal moves forward, DLI will work with labor chairs.



10/14/25

Commissioner's Signature

Date of Approval

Bill Language

MN statutes 326B.107, subd. 2 is amended to read:

Subd. 2. **Municipal agreement for ~~all~~ building projects.**

(a) The commissioner shall enter into an agreement with a municipality other than the state for plan review, inspection, code administration, and code enforcement on public buildings and state-licensed facilities in the jurisdiction if the municipality requests to provide those services and the commissioner determines that the municipality has enough adequately trained and qualified ~~persons inspectors~~ persons to provide those services. In determining whether a municipality has enough adequately trained and qualified ~~persons inspectors~~ persons to provide the service, the commissioner must consider all ~~code enforcement staff inspectors~~ code enforcement staff who are employed by the municipality, are under contract with the municipality to provide ~~code enforcement inspection~~ code enforcement services, or are obligated to provide ~~code enforcement inspection~~ code enforcement services to the municipality under any other lawful agreement.

(b) The criteria used to make this determination shall be provided in writing to the municipality requesting an agreement.

(c) If the commissioner determines that the municipality lacks enough adequately trained and qualified ~~persons inspectors~~ persons to provide the required services, a written explanation of the deficiencies shall be provided to the municipality.

(d) The municipality shall be given an opportunity to remedy any deficiencies and request reconsideration of the commissioner's determination. A request for reconsideration must be in writing and accompanied by substantiating documentation. A request for reconsideration must be received by the commissioner within 90 days of the determination explanation. The commissioner shall review the information and issue a final determination to the municipality within 30 days of the request.

(e) A municipality aggrieved by a final decision of the commissioner to not enter into an agreement may appeal to be heard as a contested case in accordance with chapter 14.

MN statutes 326B.107, subd. 3 is amended to read:

Subd. 3. **Municipal agreement for certain building projects.**

The commissioner shall enter into an agreement with a municipality other than the state for ~~plan review,~~ plan review, inspection, code administration, and code enforcement of reserved projects occurring on public buildings and state-licensed facilities in its jurisdiction if the municipality has a designated building official as required by section [326B.133](#) and requests to provide those services.