

1.1 moves to amend H.F. No. 1514 as follows:

1.2 Delete everything after the enacting clause and insert:

1.3 "**Section 1. COVID-19 BAR AND RESTAURANT RESTRICTIONS.**

1.4 **Subdivision 1. Definition.** For purposes of this act, "bars and restaurants" means bars,
1.5 restaurants, and other places of public accommodation that offer food, beverages, or tobacco
1.6 products for on-premises consumption.

1.7 **Subd. 2. Effect.** Notwithstanding any executive order to the contrary, bars and restaurants
1.8 are subject to the county-based restriction system established in this act and are exempt
1.9 from executive orders promulgated in response to a peacetime emergency declared and
1.10 extended for the infectious disease known as COVID-19 that limit occupancy, require
1.11 physical distancing or facial coverings, or otherwise direct or control the conduct of persons
1.12 at bars and restaurants.

1.13 **Subd. 3. County classification required.** No later than one week after the effective date
1.14 of this section, and at least once per month thereafter, the commissioner of health must
1.15 determine and publicize the COVID-19 risk level for each county. In addition to the criteria
1.16 in subdivision 4, the commissioner may consider county population density, hospitalization
1.17 rates and capacity, and other relevant criteria.

1.18 **Subd. 4. Criteria and risk levels.**

<u>Criteria (14-day rolling average)</u>	<u>Critical</u>	<u>High Risk</u>	<u>Moderate Risk</u>	<u>Low Risk</u>	<u>New Normal</u>
<u>Active cases per 10,000</u>	<u>Over 40</u>	<u>30-39</u>	<u>20-29</u>	<u>10-19</u>	<u>Under 10</u>
<u>Tests per 10,000</u>	<u>Under 20</u>	<u>21-30</u>	<u>31-40</u>	<u>41-45</u>	<u>46 or more</u>
<u>Percent positive tests</u>	<u>Over 15</u>	<u>10-14.99</u>	<u>5-9.99</u>	<u>2-4.99</u>	<u>Under 2</u>

2.1 Subd. 5. **Critical counties.** Bars and restaurants located in a county designated by the
2.2 commissioner of health as critical must not offer dine-in service but may offer takeout and
2.3 delivery.

2.4 Subd. 6. **High risk counties.** Bars and restaurants located in a county designated by the
2.5 commissioner of health as high risk are subject to the following restrictions:

2.6 (1) bars and restaurants are encouraged to limit service to takeout and delivery; and

2.7 (2) if a bar or restaurant offers dine-in service:

2.8 (i) indoor occupancy is limited to 50 percent of normal seating capacity and no more
2.9 than 150 people at a time, with a minimum of six feet of space between tables;

2.10 (ii) the number of people at each table must not exceed ten or one family group;

2.11 (iii) outdoor seating must be encouraged when possible, and a minimum of six feet of
2.12 space must be maintained between outdoor tables;

2.13 (iv) standing room is prohibited and all food, beverage, and tobacco products must be
2.14 consumed while seated;

2.15 (v) bar seating is prohibited unless a physical barrier separates staff from customers and
2.16 seating is limited to no more than two guests per group with at least six feet of space between
2.17 groups;

2.18 (vi) indoor or outdoor waiting areas must be marked for social distancing, with only one
2.19 member of a party allowed in the waiting area at a time;

2.20 (vii) employees must wear facial coverings and be screened for symptoms before each
2.21 shift;

2.22 (viii) customers must wear face coverings before and after meal service and self-service
2.23 is prohibited except for prepackaged items;

2.24 (ix) employees should wear gloves while handling unwrapped bar straws and stir sticks;

2.25 (x) handheld entertainment or reservation notification systems are discouraged and if
2.26 used must be cleaned and disinfected between customers; and

2.27 (xi) dance floors, as well as pool tables, dart boards, shuffleboard, arcades, and other
2.28 gaming areas, should be closed.

2.29 Subd. 7. **Moderate risk counties.** Bars and restaurants located in a county designated
2.30 by the commissioner of health as moderate risk are subject to the following restrictions:

2.31 (1) bars and restaurants may offer dine-in, takeout, and delivery;

3.1 (2) indoor occupancy is limited to 65 percent of normal seating capacity and no more
3.2 than 200 people at a time. The maximum number of people at each table must not exceed
3.3 ten or one family group. A minimum of six feet of space must be maintained between indoor
3.4 tables, but back-to-back booth seating is allowed;

3.5 (3) outdoor seating must be encouraged when possible, and a minimum of six feet of
3.6 space must be maintained between outdoor tables;

3.7 (4) standing room is prohibited and all food, beverage, and tobacco products must be
3.8 consumed while seated;

3.9 (5) bar seating is limited to no more than two guests per group with at least six feet of
3.10 space between groups;

3.11 (6) indoor or outdoor waiting areas must be marked for social distancing, with only one
3.12 member of a party allowed in the waiting area at a time;

3.13 (7) self-service, including buffets and salad bars, are allowed only if pre-portioned
3.14 servings are offered or portions are served by an employee;

3.15 (8) beverage stations that are not touch-free must be cleaned after each use; and

3.16 (9) dance floors, as well as pool tables, dart boards, shuffleboard, arcades, and other
3.17 gaming areas should be closed.

3.18 Subd. 8. **Low risk counties.** Bars and restaurants located in a county designated by the
3.19 commissioner of health as low risk are subject to the following restrictions:

3.20 (1) bars and restaurants may offer dine-in, takeout, and delivery;

3.21 (2) indoor occupancy is limited to 80 percent of normal seating capacity and no more
3.22 than 300 people at a time;

3.23 (3) standing room is allowed if the bar or restaurant requires social distancing; and

3.24 (4) pool tables, dart boards, shuffleboard, arcades, and other gaming areas may be open
3.25 if gaming equipment is not shared by customers or is cleaned and disinfected between
3.26 customers.

3.27 Subd. 9. **New normal counties.** Bars and restaurants located in a county designated by
3.28 the commissioner of health as new normal may resume normal occupancy and activity but
3.29 remain subject to the requirements for all bars and restaurants in subdivision 10.

3.30 Subd. 10. **All levels; actions required and encouraged.** (a) All bars and restaurants
3.31 must:

4.1 (1) develop and implement enhanced cleaning protocols for workstations, tables,
4.2 equipment, restrooms, and other high-touch surfaces;

4.3 (2) ensure that menus and drink coasters are single-use or of a material that can be
4.4 sanitized after each use;

4.5 (3) remain closed at least four hours each day for cleaning; and

4.6 (4) increase ventilation and air exchange to the extent practicable.

4.7 (b) All bars and restaurants are encouraged to implement the COVID-19 Preparedness
4.8 Plan Requirements for Restaurants and Bars document dated February 12, 2021, and posted
4.9 on the Department of Health's website.

4.10 Subd. 11. **Enforcement.** This act may be enforced as provided in Minnesota Statutes,
4.11 section 12.45.

4.12 Subd. 12. **Other law.** In addition to this act, bars and restaurants are subject to other
4.13 applicable state and local laws and regulations.

4.14 **EFFECTIVE DATE; EXPIRATION.** This section is effective the day following final
4.15 enactment and expires the same day that the peacetime emergency declared and extended
4.16 for the infectious disease known as COVID-19 expires or is terminated."

4.17 Delete the title and insert:

4.18 "A bill for an act
4.19 relating to state government; modifying COVID-19 restrictions for bars and
4.20 restaurants."