

2.30 (1) for the first violation, the commissioner shall issue a written warning to the
 2.31 employer that includes a notice regarding the penalties for subsequent violations;
 2.32 (2) if a first violation is not remedied within 30 days of the issuance of a warning
 2.33 under clause (1), the commissioner may impose up to a \$500 fine; and
 3.1 (3) subsequent violations before January 1, 2015, are subject to a fine of up to \$500
 3.2 per violation, not to exceed \$500 in a calendar month.
 3.3 (c) For violations that occur after December 31, 2014, the penalties are as follows:
 3.4 (1) for employers that employ ten or fewer persons at a site in this state, the penalty
 3.5 is up to \$100 for each violation, not to exceed \$100 in a calendar month;
 3.6 (2) for employers that employ 11 to 20 persons at a site in this state, the penalty is up
 3.7 to \$500 for each violation, not to exceed \$500 in a calendar month; and
 3.8 (3) for employers that employ more than 20 persons at one or more sites in this state,
 3.9 the penalty is up to \$500 for each violation, not to exceed \$2,000 in a calendar month.
 3.10 (d) The remedies under this subdivision are exclusive. A private employer is not
 3.11 otherwise liable for complying with or failing to comply with section 364.021.

3.12 Sec. 5. Minnesota Statutes 2012, section 364.09, is amended to read:

3.13 **364.09 EXCEPTIONS.**

3.14 (a) This chapter does not apply to the licensing process for peace officers; to law
 3.15 enforcement agencies as defined in section 626.84, subdivision 1, paragraph (f); to fire
 3.16 protection agencies; to eligibility for a private detective or protective agent license; to the
 3.17 licensing and background study process under chapters 245A and 245C; to eligibility
 3.18 for school bus driver endorsements; to eligibility for special transportation service
 3.19 endorsements; to eligibility for a commercial driver training instructor license, which is
 3.20 governed by section 171.35 and rules adopted under that section; to emergency medical
 3.21 services personnel, or to the licensing by political subdivisions of taxicab drivers, if the
 3.22 applicant for the license has been discharged from sentence for a conviction within the ten
 3.23 years immediately preceding application of a violation of any of the following:
 3.24 (1) sections 609.185 to 609.21, 609.221 to 609.223, 609.342 to 609.3451, or 617.23,
 3.25 subdivision 2 or 3;
 3.26 (2) any provision of chapter 152 that is punishable by a maximum sentence of
 3.27 15 years or more; or
 3.28 (3) a violation of chapter 169 or 169A involving driving under the influence, leaving
 3.29 the scene of an accident, or reckless or careless driving.
 3.30 This chapter also shall not apply to eligibility for juvenile corrections employment, where
 3.31 the offense involved child physical or sexual abuse or criminal sexual conduct.
 3.32 (b) This chapter does not apply to a school district or to eligibility for a license
 3.33 issued or renewed by the Board of Teaching or the commissioner of education.
 3.34 (c) Nothing in this section precludes the Minnesota Police and Peace Officers
 3.35 Training Board or the state fire marshal from recommending policies set forth in this
 4.1 chapter to the attorney general for adoption in the attorney general's discretion to apply to
 4.2 law enforcement or fire protection agencies.
 4.3 (d) This chapter does not apply to a license to practice medicine that has been denied
 4.4 or revoked by the Board of Medical Practice pursuant to section 147.091, subdivision 1a.
 4.5 (e) This chapter does not apply to any person who has been denied a license to
 4.6 practice chiropractic or whose license to practice chiropractic has been revoked by the
 4.7 board in accordance with section 148.10, subdivision 7.
 4.8 (f) This chapter does not supersede a requirement under law to conduct a criminal
 4.9 history background investigation or consider criminal history records in hiring for
 4.10 particular types of employment.

4.11 Sec. 6. Minnesota Statutes 2012, section 364.10, is amended to read:

4.12 **364.10 VIOLATION OF CIVIL RIGHTS.**

4.13 Violation of the rights established in sections 364.01 to 364.10 by a public employer
 4.14 shall constitute a violation of a person's civil rights.

4.15 Sec. 7. **EFFECTIVE DATE.**

4.16 This act is effective January 1, 2014.