

**SENATE
STATE OF MINNESOTA
NINETY-THIRD SESSION**

S.F. No. 4465

(SENATE AUTHORS: XIONG)

DATE
03/04/2024

D-PG

Introduction and first reading
Referred to Judiciary and Public Safety

OFFICIAL STATUS

1.1 A bill for an act
1.2 relating to housing; clarifying the right to counsel in evictions; amending Minnesota
1.3 Statutes 2023 Supplement, section 504B.268, subdivision 1.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. Minnesota Statutes 2023 Supplement, section 504B.268, subdivision 1, is
1.6 amended to read:

1.7 Subdivision 1. **Right to counsel.** A defendant in ~~public~~ public housing subsidized by the United
1.8 States Department of Housing and Urban Development under Section 9 of the United States
1.9 Housing Act of 1937 subject to an eviction action under sections 504B.281 to 504B.371
1.10 alleging breach of lease under section 504B.171 or 504B.285 who is financially unable to
1.11 obtain counsel has the right to counsel appointed by the court. The complaint required by
1.12 section 504B.321 shall include the notice on the first page of the complaint in bold 12-point
1.13 type: "If financially unable to obtain counsel, the defendant has the right to a court-appointed
1.14 attorney." At the initial hearing, the court shall ask the defendant if the defendant wants
1.15 court-appointed counsel and shall explain what such appointed counsel can accomplish for
1.16 the defendant.