

Minnesota State and Federal Smoke-Free Housing Laws

		AREA/TYPE OF MULTI-UNIT HOUSING*					
		Individual Units of Rental Apartment Buildings	Individual Units of Common Interest Communities (CICs) (such as condos)	Indoor Common Areas of Rental Apartment Buildings**	Indoor Common Areas of Common Interest Communities (CICs) (such as condos)	Outdoor Areas of Multi-Unit Housing Properties	Public Housing Authorities (PHA)
S U B S T A N C E	Smoking Commercial Tobacco	At property owner/managers discretion	At CIC's discretion	Prohibited by state law Minn. Stat. §§ 144.411-417	At CIC's discretion	At property owner/manager's or CIC's discretion	Prohibited in units, common areas, and within 25 feet of building under federal law 24 CFR 965.653
	Smoking Non-Medical Cannabis	Prohibited by state law Minn. Stat. § 342.56, subd. 1(b)	Prohibited by state law Minn. Stat. § 342.56, subd. 1(b)	Prohibited by state law Minn. Stat. §§ 144.411-417 Minn. Stat. § 342.56, subd. 1(b)	Prohibited by state law Minn. Stat. § 342.56, subd. 1(b)	At property owner/manager's or CIC's discretion (excluding patios and balconies)	Prohibited on public housing properties under federal law*** 42 U.S. Code § 13662
	Vaping Nicotine	At property owner/managers discretion	At CIC's discretion	Prohibited by state law Minn. Stat. § 144.411-417	At CIC's discretion	At property owner/manager's or CIC's discretion	At PHA's discretion
	Vaping Non-Medical Cannabis	Prohibited by state law Minn. Stat. § 342.56, subd. 1(b)	Prohibited by state law Minn. Stat. § 342.56, subd. 1(b)	Prohibited by state law Minn. Stat. §§ 144.411-417, Minn. Stat. § 342.56, subd. 1(b)	Prohibited by state law Minn. Stat. § 342.56, subd. 1(b)	At property owner/manager's or CIC's discretion (excluding patios and balconies)	Prohibited on public housing properties under federal law*** 42 U.S. Code § 13662
	Smoking or Vaping Medical Cannabis	At property owner/managers discretion	At CIC's discretion	Prohibited by state law Minn. Stat. §§ 144.411-144417	At CIC's discretion	At property owner/manager's or CIC's discretion	Prohibited on public housing properties under federal law*** 42 U.S. Code § 13662

Report Violations

Minnesota Clean Indoor Air Act (Minnesota Statute 144 411 – 144 417): contact the Minnesota Department of Health at 651-201-4601 or by email at health.indoorair@state.mn.us.

Minnesota Cannabis Law (Minnesota Statute 342.56 subdivision 1(b)) report to the Office of Cannabis Management at <https://redcap.health.state.mn.us/redcap/surveys/?s=NAXCFJCNHH8LNX7D>



*According to the Office of Cannabis Management, multifamily housing is defined as “cooperatives, groups of townhouses with four or more dwelling units, or any building with one or more dwelling units intended for residence.” (Minn. Stat. 462C.02 subd. 5)

** The Minnesota Department of Health interprets the term “rental apartment buildings” to mean buildings with three or more rented living units. Common areas include rental offices, elevators, entrances, hallways, laundry rooms, party rooms, exercise rooms, public restrooms, indoor swimming pool areas, and other places open to all tenants. (<https://www.health.state.mn.us/communities/environment/air/mciaa/rental.html>)

*** The U.S. Department of Housing and Urban Development memorandum addressing use of marijuana in multi-family assisted properties: <https://www.hud.gov/sites/documents/useofmarijinmfassistpropty.pdf>



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Legend: state law federal law

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