

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. **5216**

04/02/2024 Authored by Moller, Curran and Becker-Finn
The bill was read for the first time and referred to the Committee on Public Safety Finance and Policy
04/18/2024 Adoption of Report: Amended and re-referred to the Committee on Ways and Means
05/01/2024 Adoption of Report: Placed on the General Register as Amended
Read for the Second Time
05/03/2024 Calendar for the Day
Bill was laid on the Table
05/07/2024 Bill was taken from the Table
Read Third Time as Amended
Passed by the House as Amended and transmitted to the Senate to include Floor Amendments
05/17/2024 Returned to the House as Amended by the Senate
Refused to concur and a Conference Committee was appointed
05/18/2024 Conference Committee Report Adopted
Read Third Time as Amended by Conference and repassed by the House
05/19/2024 Read Third Time as Amended by Conference and repassed by the Senate
Presented to Governor
05/24/2024 Governor Approval

1.1 A bill for an act

1.2 relating to state government; providing policy for crime victims, law enforcement,
1.3 criminal justice, corrections, public safety, crime, predatory offenders, restorative
1.4 practices restitution program, Clemency Review Commission, protective orders,
1.5 judicial data privacy, judiciary, public defense, civil law, contracts for deed, and
1.6 state government data; providing for the Uniform Public Expression Protection
1.7 Act; establishing the State Board of Civil Legal Aid; authorizing Anoka County
1.8 to build jail and criminal justice center; providing for grants; providing for working
1.9 groups and task forces; providing criminal penalties; providing for reports;
1.10 appropriating money for judiciary, public safety, and corrections; amending
1.11 Minnesota Statutes 2022, sections 5B.02; 5B.03, subdivision 3; 5B.04; 5B.05;
1.12 13.045, subdivision 3; 13.84, subdivision 6; 14.05, subdivision 7; 14.08; 14.16,
1.13 subdivision 3; 14.26, subdivision 3a; 14.386, as amended; 14.388, subdivision 2;
1.14 14.3895, subdivisions 2, 6; 14.48, subdivision 2; 14.62, subdivision 2a; 15A.083,
1.15 subdivision 6a; 16E.01, subdivision 2; 16E.03, subdivisions 3, 4, 5, 7; 16E.04,
1.16 subdivisions 2, 3; 16E.07; 117.042; 152.025, subdivision 4; 169A.03, by adding
1.17 a subdivision; 169A.51, subdivision 3; 171.177, subdivisions 1, 3, 4, 5, 8, 12;
1.18 171.182, subdivisions 2, 3; 211B.33, subdivision 2; 211B.34, subdivisions 1, 2;
1.19 211B.35, subdivisions 1, 3; 241.021, subdivisions 1h, 4b; 241.75, subdivision 2;
1.20 243.05, subdivision 1b; 243.166, subdivisions 1a, 3, 6, by adding a subdivision;
1.21 243.167, subdivision 1; 243.52, subdivision 2; 244.052, subdivisions 3, 4, 4a;
1.22 253B.02, subdivision 4d; 253B.18, subdivision 5a, as amended; 253D.14,
1.23 subdivision 1; 260B.007, subdivisions 6, 16; 260B.198, subdivision 7; 260C.007,
1.24 subdivision 6; 260E.06, subdivision 1; 260E.08; 272.12; 299A.73, subdivision 4;
1.25 326.338, subdivision 4; 326.3388; 480.15, subdivision 10c; 480.24, subdivisions
1.26 2, 4; 480.242, subdivisions 2, 3; 480.243, subdivision 1; 491A.01, subdivision 3a;
1.27 507.235, subdivisions 1a, 5; 513.73, subdivision 3; 518B.01, subdivisions 2, 3a,
1.28 3b, 4, 5, 6a, 7, 8, 8a, 9, 9a, 11, by adding a subdivision; 524.5-315; 524.5-317;
1.29 548.251, subdivision 2; 559.21, subdivisions 2a, 4, by adding subdivisions; 559.211,
1.30 subdivision 1; 559.213; 563.01; 590.01, subdivision 4; 590.03; 593.50, subdivision
1.31 1; 604A.05, subdivision 1; 609.02, by adding a subdivision; 609.06, subdivision
1.32 1, as amended, by adding a subdivision; 609.075; 609.1056, by adding a
1.33 subdivision; 609.14, subdivisions 2, 3, by adding a subdivision; 609.324,
1.34 subdivision 1; 609.748, subdivisions 3a, 5, 5b, by adding a subdivision; 609.78,
1.35 subdivision 3, by adding a subdivision; 611.215, subdivision 2; 611.24; 611.26,
1.36 subdivisions 2, 3, 3a, 4; 611.263, subdivision 1; 611.265; 611.27, subdivisions 1,
1.37 8, 10, 11, 13, 16; 611A.06, subdivision 3a, by adding a subdivision; 611A.212,
1.38 subdivision 1; 611A.73, subdivision 4; 626.05, subdivision 2; 626.5534; 626.84,

subdivision 1; 626.8435, subdivision 1; 626.8457, subdivision 3; 629.72, subdivisions 1, 7; 629.725; 629.73, subdivision 1, by adding a subdivision; Minnesota Statutes 2023 Supplement, sections 16E.01, subdivision 3; 16E.03, subdivision 2; 146A.08, subdivision 1; 169A.51, subdivision 4; 214.10, subdivision 10; 241.021, subdivision 1; 243.166, subdivision 1b; 244.05, subdivision 5; 244.17, subdivision 3; 244.21, subdivision 2; 244.41, subdivisions 6, 14, by adding a subdivision; 244.46, subdivisions 1, 2; 244.50, subdivision 4; 299A.49, subdivisions 8, 9; 299A.95, subdivision 5; 299C.105, subdivision 1; 307.08, subdivision 3a; 326.3387, subdivision 1; 401.01, subdivision 2; 401.10, subdivision 1; 515B.2-103; 515B.3-102; 524.5-313; 609.1095, subdivision 1; 609.133, subdivision 4; 609.135, subdivision 2; 609.14, subdivision 1; 609.3455, subdivision 5; 609.35; 609.522, subdivisions 1, 2; 609A.015, subdivision 3, as amended; 609A.02, subdivision 3; 609A.06, subdivision 2; 611.215, subdivision 1; 611.23; 611.41, subdivision 7; 611.55, subdivision 1; 611.56, subdivisions 1, 6; 611.57, subdivisions 1, 4; 611A.039, subdivision 1; 611A.52, subdivision 5; 626.8516, subdivision 6; 629.292, subdivision 2; 638.09, subdivision 5; 638.12, subdivision 2; 638.15, subdivision 1; Laws 2023, chapter 52, article 1, section 2, subdivision 3; article 2, sections 3, subdivisions 5, 8, as amended; 6, subdivisions 1, 4; article 4, section 24, subdivisions 3, 7; article 8, section 20, subdivision 3; Laws 2023, chapter 63, article 5, section 5; proposing coding for new law in Minnesota Statutes, chapters 3C; 13; 14; 16A; 16E; 169; 219; 241; 244; 260B; 299A; 480; 500; 554; 609; 626; 627; 634; proposing coding for new law as Minnesota Statutes, chapter 559A; repealing Minnesota Statutes 2022, sections 16E.035; 16E.0465, subdivisions 1, 2; 16E.055; 16E.20; 241.265; 480.242, subdivision 1; 554.01; 554.02; 554.03; 554.04; 554.045; 554.05; 554.06; 559.201; 559.202; 609B.050; 609B.100; 609B.101; 609B.102; 609B.103; 609B.104; 609B.106; 609B.107; 609B.108; 609B.109; 609B.110; 609B.111; 609B.112; 609B.113; 609B.120; 609B.121; 609B.122; 609B.123; 609B.124; 609B.125; 609B.126; 609B.127; 609B.128; 609B.129; 609B.130; 609B.132; 609B.133; 609B.134; 609B.135; 609B.136; 609B.139; 609B.140; 609B.141; 609B.142; 609B.143; 609B.144; 609B.146; 609B.147; 609B.148; 609B.149; 609B.1495; 609B.150; 609B.151; 609B.152; 609B.153; 609B.155; 609B.157; 609B.158; 609B.159; 609B.160; 609B.162; 609B.164; 609B.1641; 609B.1645; 609B.165; 609B.168; 609B.170; 609B.171; 609B.172; 609B.173; 609B.174; 609B.175; 609B.176; 609B.177; 609B.179; 609B.180; 609B.181; 609B.183; 609B.184; 609B.185; 609B.187; 609B.188; 609B.189; 609B.191; 609B.192; 609B.193; 609B.194; 609B.195; 609B.200; 609B.201; 609B.203; 609B.205; 609B.206; 609B.216; 609B.231; 609B.235; 609B.237; 609B.241; 609B.245; 609B.255; 609B.262; 609B.263; 609B.265; 609B.271; 609B.273; 609B.275; 609B.277; 609B.301; 609B.310; 609B.311; 609B.312; 609B.320; 609B.321; 609B.330; 609B.331; 609B.332; 609B.333; 609B.340; 609B.341; 609B.342; 609B.343; 609B.344; 609B.345; 609B.400; 609B.405; 609B.410; 609B.415; 609B.425, subdivision 1; 609B.430; 609B.435, subdivisions 1, 3; 609B.445; 609B.450; 609B.455; 609B.460; 609B.465; 609B.500; 609B.505; 609B.510; 609B.515; 609B.518; 609B.520; 609B.525; 609B.530; 609B.535; 609B.540; 609B.545; 609B.600; 609B.610; 609B.611; 609B.612; 609B.613; 609B.614; 609B.615; 609B.700; 609B.710; 609B.720; 609B.721; 609B.722; 609B.723; 609B.724; 609B.725; 611.20, subdivisions 3, 4, 7; 611.25, subdivision 3; 611.27, subdivisions 6, 9, 12; Minnesota Statutes 2023 Supplement, sections 609B.161; 609B.425, subdivision 2; 609B.435, subdivision 2.

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

ARTICLE 1

APPROPRIATIONS

Section 1. APPROPRIATIONS.

The sums shown in the columns marked "Appropriations" are added to or, if shown in parentheses, subtracted from the appropriations in Laws 2023, chapter 52, articles 1 and 2, to the agencies and for the purposes specified in this article. The appropriations are from the general fund, or another named fund, and are available for the fiscal years indicated for each purpose. The figures "2024" and "2025" used in this article mean that the addition to or subtraction from the appropriation listed under them is available for the fiscal year ending June 30, 2024, or June 30, 2025, respectively. "The first year" is fiscal year 2024. "The second year" is fiscal year 2025. Supplemental appropriations and reductions to appropriations for the fiscal year ending June 30, 2024, are effective the day following final enactment.

		<u>APPROPRIATIONS</u> <u>Available for the Year</u> <u>Ending June 30</u>	
		<u>2024</u>	<u>2025</u>
Sec. 2. <u>SUPREME COURT</u>	\$	<u>-0-</u>	\$ <u>5,663,000</u>
<u>(a) Safe and Secure Courthouse Initiative</u>			
<u>\$500,000 the second year is for a competitive grant program for courthouse safety and security improvements. Grants may be awarded to governmental entities to fund courthouse security assessments, equipment, technology, construction, or training needs. Grant recipients must provide a 50 percent nonstate match. This is a onetime appropriation.</u>			
<u>(b) Court Cyber Security</u>			
<u>\$5,163,000 the second year is for the judicial branch cyber security program. This is a onetime appropriation and is available until June 30, 2027.</u>			
Sec. 3. <u>DISTRICT COURTS</u>	\$	<u>6,652,000</u>	\$ <u>23,685,000</u>
<u>(a) Psychological Services</u>			
<u>\$5,317,000 the first year and \$15,951,000 the second year are for the psychological and psychiatric examiner services program, which</u>			

4.1 delivers statutorily mandated psychological
 4.2 examinations for civil commitment, criminal
 4.3 competency, and criminal responsibility
 4.4 evaluations. The appropriation in the second
 4.5 year is onetime and is available until June 30,
 4.6 2027.

4.7 **(b) Forensic Examiner Rate Increase**
 4.8 \$1,070,000 the second year is to raise forensic
 4.9 examiner payment rates.

4.10 **(c) Court Interpreters**
 4.11 \$1,290,000 the first year and \$3,870,000 the
 4.12 second year are for court interpreters. The
 4.13 appropriation in the second year is onetime
 4.14 and is available until June 30, 2027.

4.15 **(d) Court Interpreter Rate Increase**
 4.16 \$235,000 the second year is to raise payment
 4.17 rates for certified court interpreters.

4.18 **(e) Court Interpreter Paid Travel Time**
 4.19 \$170,000 the second year is to reimburse
 4.20 certified court interpreters for travel time.

4.21 **(f) Increased Cost of Jury Programs**
 4.22 \$20,000 the first year and \$2,364,000 the
 4.23 second year are for increased costs of jury
 4.24 programs. The appropriation in the second
 4.25 year is onetime and is available until June 30,
 4.26 2027.

4.27 **(g) Trauma Services for Jurors**
 4.28 \$25,000 each year is to provide vicarious
 4.29 trauma services for jurors.

4.30 Sec. 4. **PUBLIC SAFETY**

4.31	<u>Subdivision 1. Total</u>			
4.32	<u>Appropriation</u>	<u>\$</u>	<u>7,000,000</u>	<u>\$ 9,850,000</u>

5.1 Appropriations by Fund5.2 2024 20255.3 General 0 9,850,0005.4 911 Fund 7,000,000 0

5.5 The amounts that may be spent for each
5.6 purpose are specified in the following
5.7 subdivisions.

5.8 Subd. 2. Public Safety5.9 Administration -0- 50,0005.10 Task Force on Domestic Violence and5.11 Firearms

5.12 \$50,000 the second year is to provide
5.13 administrative support including meeting
5.14 space and administrative assistance, or to hire
5.15 or contract with another party to provide any
5.16 portion of that support, for the Task Force on
5.17 Domestic Violence and Firearms. This is a
5.18 onetime appropriation.

5.19 Subd. 3. Driver and Vehicle Services -0- 133,0005.20 Motor Vehicle Registration Compliance5.21 Working Group

5.22 \$133,000 the second year is for administrative
5.23 support for the Motor Vehicle Registration
5.24 Compliance Working Group. This is a onetime
5.25 appropriation.

5.26 Subd. 4. Office of Justice Programs -0- 9,667,0005.27 (a) Direct Assistance to Crime Victim5.28 Survivors

5.29 \$9,467,000 the second year is to provide
5.30 grants to organizations that received a grant
5.31 from the crime victim services unit in fiscal
5.32 year 2024. Grants must be used for direct
5.33 services and advocacy for victims of sexual

6.1 assault, general crime, domestic violence, and
6.2 child abuse. Funding must support the direct
6.3 needs of organizations serving victims of
6.4 crime by providing: direct client assistance to
6.5 crime victims; competitive wages for direct
6.6 service staff; hotel stays and other
6.7 housing-related supports and services;
6.8 culturally responsive programming; prevention
6.9 programming, including domestic abuse
6.10 transformation and restorative justice
6.11 programming; and for other needs of
6.12 organizations and crime victim survivors.
6.13 Services funded must include services for
6.14 victims of crime in underserved communities
6.15 most impacted by violence and reflect the
6.16 ethnic, racial, economic, cultural, and
6.17 geographic diversity of the state. Up to five
6.18 percent of the appropriation is available for
6.19 grant administration. This appropriation is
6.20 onetime and is in addition to any amount
6.21 previously appropriated for this purpose.

6.22 **(b) Preventing Violence Against Latina**
6.23 **Women Report**

6.24 \$50,000 the second year is for a grant to
6.25 Esperanza United to complete a report on
6.26 preventing violence against Latina women and
6.27 queer Latines. This is a onetime appropriation.

6.28 **(c) Law Enforcement and Fire Department**
6.29 **Therapy Dog Grant Program**

6.30 \$100,000 the second year is to issue grants to
6.31 law enforcement agencies and fire departments
6.32 to acquire, train, and maintain therapy dogs
6.33 to aid in treating peace officers and firefighters
6.34 suffering from job-related trauma and
6.35 post-traumatic stress disorder and to assist in

7.1 responding to calls involving persons in crisis.
7.2 Eligible law enforcement agencies and fire
7.3 departments may receive grants of up to
7.4 \$10,000. Interested law enforcement agencies
7.5 and fire departments must submit an
7.6 application to the commissioner on a form
7.7 prepared by the commissioner. The
7.8 commissioner must give preference to
7.9 applicants that demonstrate that the agency's
7.10 peace officers or department's firefighters
7.11 suffer a high rate of job-related trauma or
7.12 post-traumatic stress disorder or are exposed
7.13 regularly to high-stress incidents that are
7.14 known to cause job-related trauma or
7.15 post-traumatic stress disorder. This is a
7.16 onetime appropriation.

7.17 Each grant recipient must report to the
7.18 commissioner and the chairs and ranking
7.19 minority members of the legislative
7.20 committees and divisions with jurisdiction
7.21 over public safety policy and finance on how
7.22 the grant was expended. The report must
7.23 include an overview of the grant recipient's
7.24 budget, a detailed explanation of how grant
7.25 funds were expended, the number of dogs
7.26 trained with grant funds, the number of peace
7.27 officers or firefighters served by dogs trained
7.28 with grant funds, and a list and explanation of
7.29 the benefits received by peace officers or
7.30 firefighters who were served by dogs trained
7.31 with grant funds. An initial report is due by
7.32 January 15, 2025, and a final report is due by
7.33 January 15, 2026.

7.34 **(d) Mediation and Restorative Justice**
7.35 **Grants**

8.1 \$50,000 the second year is for a grant to a
 8.2 nonprofit organization that provides mediation
 8.3 and dispute resolution services in the Hmong
 8.4 community to provide mediation and
 8.5 restorative justice services. This is a onetime
 8.6 appropriation.

8.7 **Subd. 5. Emergency Communication Networks** 7,000,000 -0-

8.8 **Digital Geographic Information System**
 8.9 **Mapping For School Facilities**

8.10 \$7,000,000 the first year from the state
 8.11 government special revenue fund for 911
 8.12 emergency telecommunications services is to
 8.13 issue grants to the regional emergency
 8.14 communications boards as defined by
 8.15 Minnesota Statutes, section 403.392, for
 8.16 digital geographic information system
 8.17 mapping for school facilities. This is a onetime
 8.18 appropriation and is available until June 30,
 8.19 2026.

8.20 **Sec. 5. CORRECTIONS** \$ 5,900,000 \$ 2,000,000

8.21 **Operating Deficiency**

8.22 \$5,900,000 the first year and \$2,000,000 the
 8.23 second year are for the operation of
 8.24 correctional facilities. The base for this
 8.25 appropriation is \$7,110,000 beginning in fiscal
 8.26 year 2026.

8.27 **Sec. 6. CLEMENCY REVIEW COMMISSION** \$ -0- \$ 986,000

8.28 \$986,000 the second year is for the Clemency
 8.29 Review Commission in Minnesota Statutes,
 8.30 section 638.09. Of this amount, \$200,000 is
 8.31 for grants to support outreach and clemency
 8.32 application assistance.

8.33 **Sec. 7. MINNESOTA MANAGEMENT AND**
 8.34 **BUDGET** \$ -0- \$ 150,000

9.1 \$150,000 the second year is for the Office of
9.2 Addiction and Recovery to provide support
9.3 staff, office and meeting space, and
9.4 administrative services for the Task Force on
9.5 Holistic and Effective Responses to Illicit
9.6 Drug Use. This is a onetime appropriation.

9.7 Sec. 8. **[16A.286] TRANSFER; DISASTER ASSISTANCE CONTINGENCY**
9.8 **ACCOUNT.**

9.9 (a) If the balance in the disaster assistance contingency account under section 12.221 at
9.10 the end of a biennium is less than \$50,000,000, the commissioner of management and budget
9.11 must make transfers according to this section.

9.12 (b) If the final general fund closing balance for a biennium exceeds the closing balance
9.13 projected for that biennium at the end of the previous regular legislative session by at least
9.14 \$50,000,000, the commissioner of management and budget must transfer the difference
9.15 between \$50,000,000 and the balance in the disaster assistance contingency account at the
9.16 end of the biennium from the general fund to the disaster assistance contingency account.

9.17 (c) If the final general fund closing balance for a biennium exceeds the closing balance
9.18 projected for that biennium at the end of the previous legislative session by less than
9.19 \$50,000,000, the commissioner of management and budget must transfer the difference
9.20 between \$50,000,000 and the balance in the disaster assistance contingency account at the
9.21 end of the biennium from the general fund to the disaster assistance contingency account.
9.22 The amount transferred under this paragraph shall not exceed the difference between the
9.23 final closing balance for the previous biennium and the closing balance projected for the
9.24 general fund at the end of the previous regular legislative session.

9.25 (d) For the purposes of this section, the term "regular legislative session" includes a
9.26 special legislative session to enact the biennial budget.

9.27 (e) If a transfer is required under this section, the transfer must be completed before
9.28 October 15 following the end of the previous biennium.

9.29 **EFFECTIVE DATE.** This section is effective the day following final enactment.

9.30 Sec. 9. Laws 2023, chapter 52, article 1, section 2, subdivision 3, is amended to read:

9.31 Subd. 3. Civil Legal Services	33,560,000	33,560,000
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10.1 The general fund base is ~~\$34,167,000~~ \$0
10.2 beginning in fiscal year 2026.

10.3 **Legal Services to Low-Income Clients in**
10.4 **Family Law Matters**

10.5 \$1,017,000 each year is to improve the access
10.6 of low-income clients to legal representation
10.7 in family law matters. This appropriation must
10.8 be distributed under Minnesota Statutes,
10.9 section 480.242, to the qualified legal services
10.10 program described in Minnesota Statutes,
10.11 section 480.242, subdivision 2, paragraph (a).
10.12 Any unencumbered balance remaining in the
10.13 first year does not cancel and is available in
10.14 the second year.

10.15 Sec. 10. Laws 2023, chapter 52, article 2, section 3, subdivision 5, is amended to read:

10.16	Subd. 5. Fire Marshal	17,013,000	17,272,000
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10.17	Appropriations by Fund		
10.18	General	4,184,000	4,190,000
10.19	Special Revenue	12,829,000	13,082,000

10.20 The special revenue fund appropriation is from
10.21 the fire safety account in the special revenue
10.22 fund and is for activities under Minnesota
10.23 Statutes, section 299F.012. The base
10.24 appropriation for this account is \$13,182,000
10.25 in fiscal year 2026 and \$13,082,000 in fiscal
10.26 year 2027.

10.27 **(a) Hazardous Materials and Emergency**
10.28 **Response Teams**

10.29 \$1,695,000 the first year and \$1,595,000 the
10.30 second year are from the fire safety account
10.31 for hazardous materials and emergency
10.32 response teams. The base for these purposes
10.33 is \$1,695,000 in the first year of future biennia

11.1 and \$1,595,000 in the second year of future
11.2 biennia.

11.3 (b) **Bomb Squad Reimbursements**

11.4 \$250,000 from the fire safety account and
11.5 \$50,000 from the general fund each year are
11.6 for reimbursements to local governments for
11.7 bomb squad services.

11.8 (c) **Nonresponsible Party Reimbursements**

11.9 \$750,000 each year from the fire safety
11.10 account is for nonresponsible party hazardous
11.11 material, Urban Search and Rescue, Minnesota
11.12 Air Rescue Team, and bomb squad incident
11.13 reimbursements. Money appropriated for this
11.14 purpose is available for one year.

11.15 (d) **Hometown Heroes Assistance Program**

11.16 \$4,000,000 each year from the general fund
11.17 is for grants to the Minnesota Firefighter
11.18 Initiative to fund the hometown heroes
11.19 assistance program established in Minnesota
11.20 Statutes, section 299A.477.

11.21 **EFFECTIVE DATE.** This section is effective the day following final enactment.

11.22 Sec. 11. Laws 2023, chapter 52, article 2, section 3, subdivision 8, as amended by Laws
11.23 2023, chapter 69, section 12, is amended to read:

11.24	Subd. 8. Office of Justice Programs	94,758,000	80,434,000
11.25	Appropriations by Fund		
11.26	General	94,662,000	80,338,000
11.27	State Government		
11.28	Special Revenue	96,000	96,000

11.29 (a) **Domestic and Sexual Violence Housing**

11.30 \$1,500,000 each year is to establish a
11.31 Domestic Violence Housing First grant
11.32 program to provide resources for survivors of

12.1 violence to access safe and stable housing and
12.2 for staff to provide mobile advocacy and
12.3 expertise in housing resources in their
12.4 community and a Minnesota Domestic and
12.5 Sexual Violence Transitional Housing
12.6 program to develop and support medium to
12.7 long term transitional housing for survivors
12.8 of domestic and sexual violence with
12.9 supportive services. The base for this
12.10 appropriation is \$1,000,000 beginning in fiscal
12.11 year 2026.

12.12 **(b) Federal Victims of Crime Funding Gap**

12.13 \$11,000,000 each year is to fund services for
12.14 victims of domestic violence, sexual assault,
12.15 child abuse, and other crimes. This is a
12.16 onetime appropriation.

12.17 **(c) Office for Missing and Murdered Black**
12.18 **Women and Girls**

12.19 \$1,248,000 each year is to establish and
12.20 maintain the Minnesota Office for Missing
12.21 and Murdered Black Women and Girls.

12.22 **(d) Increased Staffing**

12.23 \$667,000 the first year and \$1,334,000 the
12.24 second year are to increase staffing in the
12.25 Office of Justice Programs for grant
12.26 monitoring and compliance; provide training
12.27 and technical assistance to grantees and
12.28 potential grantees; conduct community
12.29 outreach and engagement to improve the
12.30 experiences and outcomes of applicants, grant
12.31 recipients, and crime victims throughout
12.32 Minnesota; expand the Minnesota Statistical
12.33 Analysis Center; and increase staffing for the

13.1 crime victim reimbursement program and the
13.2 Crime Victim Justice Unit.

13.3 **(e) Office of Restorative Practices**

13.4 \$500,000 each year is to establish and
13.5 maintain the Office of Restorative Practices.

13.6 **(f) Crossover and Dual-Status Youth Model**
13.7 **Grants**

13.8 \$1,000,000 each year is to provide grants to
13.9 local units of government to initiate or expand
13.10 crossover youth practices model and
13.11 dual-status youth programs that provide
13.12 services for youth who are involved with or
13.13 at risk of becoming involved with both the
13.14 child welfare and juvenile justice systems, in
13.15 accordance with the Robert F. Kennedy
13.16 National Resource Center for Juvenile Justice
13.17 model. This is a onetime appropriation.

13.18 **(g) Restorative Practices Initiatives Grants**

13.19 \$4,000,000 each year is for grants to establish
13.20 and support restorative practices initiatives
13.21 pursuant to Minnesota Statutes, section
13.22 299A.95, subdivision 6. The base for this
13.23 appropriation is \$2,500,000 beginning in fiscal
13.24 year 2026.

13.25 **(h) Ramsey County Youth Treatment**

13.26 **Homes Acquisition and Betterment**

13.27 \$5,000,000 the first year is for a grant to
13.28 Ramsey County to establish, with input from
13.29 community stakeholders, including impacted
13.30 youth and families, up to seven intensive
13.31 trauma-informed therapeutic treatment homes
13.32 in Ramsey County that are licensed by the
13.33 Department of Human Services, that are

14.1 culturally specific, that are community-based,
14.2 and that can be secured. These residential
14.3 spaces must provide intensive treatment and
14.4 intentional healing for youth as ordered by the
14.5 court as part of the disposition of a case in
14.6 juvenile court. This appropriation is available
14.7 through June 30, 2026.

14.8 **(i) Ramsey County Violence Prevention**

14.9 \$5,000,000 the first year is for a grant to
14.10 Ramsey County to award grants to develop
14.11 new and further enhance existing
14.12 community-based organizational support
14.13 through violence prevention and community
14.14 wellness grants. Grantees must use the money
14.15 to create family support groups and resources
14.16 to support families during the time a young
14.17 person is placed out of home following a
14.18 juvenile delinquency adjudication and support
14.19 the family through the period of postplacement
14.20 reentry; create community-based respite
14.21 options for conflict or crisis de-escalation to
14.22 prevent incarceration or further systems
14.23 involvement for families; or establish
14.24 additional meaningful employment
14.25 opportunities for systems-involved youth. This
14.26 appropriation is available through June 30,
14.27 2027.

14.28 **(j) Office for Missing and Murdered**

14.29 **Indigenous Relatives**

14.30 \$274,000 each year is for increased staff and
14.31 operating costs of the Office for Missing and
14.32 Murdered Indigenous Relatives, the Missing
14.33 and Murdered Indigenous Relatives Advisory
14.34 Board, and the Gaagige-Mikwendaagoziwag
14.35 reward advisory group.

15.1 **(k) Youth Intervention Programs**

15.2 \$3,525,000 the first year and \$3,526,000 the
15.3 second year are for youth intervention
15.4 programs under Minnesota Statutes, section
15.5 299A.73. The base for this appropriation is
15.6 \$3,526,000 in fiscal year 2026 and \$3,525,000
15.7 in fiscal year 2027.

15.8 **(l) Community Crime Intervention and**
15.9 **Prevention Grants**

15.10 \$750,000 each year is for community crime
15.11 intervention and prevention program grants,
15.12 authorized under Minnesota Statutes, section
15.13 299A.296. This is a onetime appropriation.

15.14 **(m) Resources for Victims of Crime**

15.15 \$1,000,000 each year is for general crime
15.16 victim grants to meet the needs of victims of
15.17 crime not covered by domestic violence,
15.18 sexual assault, or child abuse services. This is
15.19 a onetime appropriation.

15.20 **(n) Prosecutor Training**

15.21 \$100,000 each year is for a grant to the
15.22 Minnesota County Attorneys Association to
15.23 be used for prosecutorial and law enforcement
15.24 training, including trial school training and
15.25 train-the-trainer courses. All training funded
15.26 with grant proceeds must contain blocks of
15.27 instruction on racial disparities in the criminal
15.28 justice system, collateral consequences to
15.29 criminal convictions, and trauma-informed
15.30 responses to victims. This is a onetime
15.31 appropriation.

15.32 The Minnesota County Attorneys Association
15.33 must report to the chairs and ranking minority

16.1 members of the legislative committees with
16.2 jurisdiction over public safety policy and
16.3 finance on the training provided with grant
16.4 proceeds, including a description of each
16.5 training and the number of prosecutors and
16.6 law enforcement officers who received
16.7 training. The report is due by February 15,
16.8 2025. The report may include trainings
16.9 scheduled to be completed after the date of
16.10 submission with an estimate of expected
16.11 participants.

16.12 **(o) Minnesota Heals**

16.13 \$500,000 each year is for the Minnesota Heals
16.14 grant program. This is a onetime
16.15 appropriation.

16.16 **(p) Sexual Assault Exam Costs**

16.17 \$3,967,000 the first year and \$3,767,000 the
16.18 second year are to reimburse qualified health
16.19 care providers for the expenses associated with
16.20 medical examinations administered to victims
16.21 of criminal sexual conduct as required under
16.22 Minnesota Statutes, section 609.35, and for
16.23 costs to administer the program. The base for
16.24 this appropriation is \$3,771,000 in fiscal year
16.25 2026 and \$3,776,000 in fiscal year 2027.

16.26 **(q) First Responder Mental Health**

16.27 **Curriculum**

16.28 \$75,000 each year is for a grant to the Adler
16.29 graduate school. The grantee must use the
16.30 grant to develop a curriculum for a 24-week
16.31 certificate to train licensed therapists to
16.32 understand the nuances, culture, and stressors
16.33 of the work environments of first responders
16.34 to allow those therapists to provide effective

17.1 treatment to first responders in distress. The
17.2 grantee must collaborate with first responders
17.3 who are familiar with the psychological,
17.4 cultural, and professional issues of their field
17.5 to develop the curriculum and promote it upon
17.6 completion.

17.7 The grantee may provide the program online.

17.8 The grantee must seek to recruit additional
17.9 participants from outside the 11-county
17.10 metropolitan area.

17.11 The grantee must create a resource directory
17.12 to provide law enforcement agencies with
17.13 names of counselors who complete the
17.14 program and other resources to support law
17.15 enforcement professionals with overall
17.16 wellness. The grantee shall collaborate with
17.17 the Department of Public Safety and law
17.18 enforcement organizations to promote the
17.19 directory. This is a onetime appropriation.

17.20 **(r) Pathways to Policing**

17.21 \$400,000 each year is for reimbursement
17.22 grants to state and local law enforcement
17.23 agencies that operate pathway to policing
17.24 programs. Applicants for reimbursement
17.25 grants may receive up to 50 percent of the cost
17.26 of compensating and training program
17.27 participants. Reimbursement grants shall be
17.28 proportionally allocated based on the number
17.29 of grant applications approved by the
17.30 commissioner. This is a onetime appropriation.

17.31 **(s) Direct Assistance to Crime Victim**
17.32 **Survivors**

17.33 \$5,000,000 each year is to provide grants for
17.34 direct services and advocacy for victims of

18.1 sexual assault, general crime, domestic
18.2 violence, and child abuse. Funding must
18.3 support the direct needs of organizations
18.4 serving victims of crime by providing: direct
18.5 client assistance to crime victims; competitive
18.6 wages for direct service staff; hotel stays and
18.7 other housing-related supports and services;
18.8 culturally responsive programming; prevention
18.9 programming, including domestic abuse
18.10 transformation and restorative justice
18.11 programming; and for other needs of
18.12 organizations and crime victim survivors.
18.13 Services funded must include services for
18.14 victims of crime in underserved communities
18.15 most impacted by violence and reflect the
18.16 ethnic, racial, economic, cultural, and
18.17 geographic diversity of the state. The office
18.18 shall prioritize culturally specific programs,
18.19 or organizations led and staffed by persons of
18.20 color that primarily serve communities of
18.21 color, when allocating funds.

18.22 **(t) Racially Diverse Youth**

18.23 \$250,000 each year is for grants to
18.24 organizations to address racial disparity of
18.25 youth using shelter services in the Rochester
18.26 and St. Cloud regional areas. Of this amount,
18.27 \$125,000 each year is to address this issue in
18.28 the Rochester area and \$125,000 each year is
18.29 to address this issue in the St. Cloud area. A
18.30 grant recipient shall establish and operate a
18.31 pilot program connected to shelter services to
18.32 engage in community intervention outreach,
18.33 mobile case management, family reunification,
18.34 aftercare, and follow up when family members
18.35 are released from shelter services. A pilot

19.1 program must specifically address the high
19.2 number of racially diverse youth that enter
19.3 shelters in the regions. This is a onetime
19.4 appropriation.

19.5 **(u) Violence Prevention Project Research**
19.6 **Center**

19.7 \$500,000 each year is for a grant to the
19.8 Violence Prevention Project Research Center,
19.9 operating as a 501(c)(3) organization, for
19.10 research focused on reducing violence in
19.11 society that uses data and analysis to improve
19.12 criminal justice-related policy and practice in
19.13 Minnesota. Research must place an emphasis
19.14 on issues related to deaths and injuries
19.15 involving firearms. This is a onetime
19.16 appropriation.

19.17 Beginning January 15, 2025, the Violence
19.18 Prevention Project Research Center must
19.19 submit an annual report to the chairs and
19.20 ranking minority members of the legislative
19.21 committees with jurisdiction over public safety
19.22 policy and finance on its work and findings.
19.23 The report must include a description of the
19.24 data reviewed, an analysis of that data, and
19.25 recommendations to improve criminal
19.26 justice-related policy and practice in
19.27 Minnesota with specific recommendations to
19.28 address deaths and injuries involving firearms.

19.29 **(v) Report on Approaches to Address Illicit**
19.30 **Drug Use in Minnesota**

19.31 \$118,000 each year is to enter into an
19.32 agreement with Rise Research LLC for a study
19.33 and set of reports on illicit drug use in
19.34 Minnesota describing current responses to that

20.1 use, reviewing alternative approaches utilized
20.2 in other jurisdictions, and making policy and
20.3 funding recommendations for a holistic and
20.4 effective response to illicit drug use and the
20.5 illicit drug trade. The agreement must establish
20.6 a budget and schedule with clear deliverables.
20.7 This appropriation is onetime.

20.8 The study must include a review of current
20.9 policies, practices, and funding; identification
20.10 of alternative approaches utilized effectively
20.11 in other jurisdictions; and policy and funding
20.12 recommendations for a response to illicit drug
20.13 use and the illicit drug trade that reduces and,
20.14 where possible, prevents harm and expands
20.15 individual and community health, safety, and
20.16 autonomy. Recommendations must consider
20.17 impacts on public safety, racial equity,
20.18 accessibility of health and ancillary supportive
20.19 social services, and the intersections between
20.20 drug policy and mental health, housing and
20.21 homelessness, overdose and infectious disease,
20.22 child welfare, and employment.

20.23 Rise Research may subcontract and coordinate
20.24 with other organizations or individuals to
20.25 conduct research, provide analysis, and
20.26 prepare the reports required by this section.

20.27 Rise Research shall submit reports to the
20.28 chairs and ranking minority members of the
20.29 legislative committees with jurisdiction over
20.30 public safety finance and policy, human
20.31 services finance and policy, health finance and
20.32 policy, and judiciary finance and policy. Rise
20.33 Research shall submit an initial report by
20.34 February 15, 2024, and a final report by March
20.35 1, 2025.

21.1 **(w) Legal Representation for Children**

21.2 \$150,000 each year is for a grant to an
21.3 organization that provides legal representation
21.4 for children in need of protection or services
21.5 and children in out-of-home placement. The
21.6 grant is contingent upon a match in an equal
21.7 amount from nonstate funds. The match may
21.8 be in kind, including the value of volunteer
21.9 attorney time, in cash, or a combination of the
21.10 two. These appropriations are in addition to
21.11 any other appropriations for the legal
21.12 representation of children. This appropriation
21.13 is onetime.

21.14 **(x) Pretrial Release Study and Report**

21.15 \$250,000 each year are for a grant to the
21.16 Minnesota Justice Research Center to study
21.17 and report on pretrial release practices in
21.18 Minnesota and other jurisdictions, including
21.19 but not limited to the use of bail as a condition
21.20 of pretrial release. This appropriation is
21.21 onetime.

21.22 **(y) Intensive Comprehensive Peace Officer**
21.23 **Education and Training Program**

21.24 \$5,000,000 the first year is to implement the
21.25 intensive comprehensive peace officer
21.26 education and training program described in
21.27 Minnesota Statutes, section 626.8516. This
21.28 appropriation is available through June 30,
21.29 2027.

21.30 **(z) Youth Services Office**

21.31 \$250,000 each year is to operate the Youth
21.32 Services Office.

22.1 Sec. 12. Laws 2023, chapter 52, article 2, section 6, subdivision 1, is amended to read:

22.2	Subdivision 1. Total				826,661,000
22.3	Appropriation	\$	12,643,000	\$	797,937,000
				\$	<u>825,675,000</u>

22.4 The amounts that may be spent for each
22.5 purpose are specified in the following
22.6 subdivisions.

22.7 Sec. 13. Laws 2023, chapter 52, article 2, section 6, subdivision 4, is amended to read:

22.8	Subd. 4. Organizational, Regulatory, and				74,287,000
22.9	Administrative Services			73,586,000	<u>73,301,000</u>

22.10 **(a) Public Safety Data Infrastructure**

22.11 \$22,914,000 the first year and \$22,915,000
22.12 the second year are for technology
22.13 modernization and the development of an
22.14 information-sharing and data-technology
22.15 infrastructure. The base for this purpose is
22.16 \$4,097,000 beginning in fiscal year 2026. Any
22.17 unspent funds from the current biennium do
22.18 not cancel and are available in the next
22.19 biennium.

22.20 **(b) Supervised Release Board**

22.21 \$40,000 each year is to establish and operate
22.22 the supervised release board pursuant to
22.23 Minnesota Statutes, section 244.049.

22.24 **(c) Recruitment and Retention**

22.25 \$3,200,000 the first year and \$400,000 the
22.26 second year are for recruitment and retention
22.27 initiatives. Of this amount, \$2,800,000 the first
22.28 year is for staff recruitment, professional
22.29 development, conflict resolution, and staff
22.30 wellness, and to contract with community
22.31 collaborative partners who specialize in trauma
22.32 recovery.

22.33 **(d) Clemency Review Commission**

23.1 \$986,000 ~~each year~~ the first year is for the
 23.2 clemency review commission described in
 23.3 Minnesota Statutes, section 638.09. Of this
 23.4 amount, \$200,000 each year is for grants to
 23.5 support outreach and clemency application
 23.6 assistance. Any unencumbered balance
 23.7 remaining in the first year does not cancel, but
 23.8 must be transferred to the Clemency Review
 23.9 Commission by July 30, 2024. Funds
 23.10 transferred under this paragraph are available
 23.11 until June 30, 2025.

23.12 **(e) Accountability and Transparency**

23.13 \$1,000,000 each year is for accountability and
 23.14 transparency initiatives. The base for this
 23.15 appropriation is \$1,480,000 beginning in fiscal
 23.16 year 2026.

23.17 **(f) Organizational, Regulatory, and**
 23.18 **Administrative Services Base Budget**

23.19 The base for organizational, regulatory, and
 23.20 administrative services is ~~\$55,849,000~~
 23.21 \$54,863,000 in fiscal year 2026 and
 23.22 ~~\$55,649,000~~ \$54,663,000 in fiscal year 2027.

23.23 **Sec. 14. 2024 TRANSFER; DISASTER ASSISTANCE CONTINGENCY ACCOUNT.**

23.24 If the general fund final closing balance for the fiscal year ending June 30, 2024, exceeds
 23.25 the projected ending balance for the fiscal year ending June 30, 2024, made at the end of
 23.26 the 2024 legislative session, the commissioner of management and budget shall transfer an
 23.27 amount equal to the lesser of (1) the difference between the general fund final closing
 23.28 balance and the projected ending balance for the fiscal year ending June 30, 2024, or (2)
 23.29 the difference between \$50,000,000 and the balance in the disaster assistance contingency
 23.30 account on June 30, 2024, from the general fund to the disaster assistance contingency
 23.31 account created in Minnesota Statutes, section 12.221, subdivision 6. The amount transferred
 23.32 shall not result in a balance in the disaster assistance contingency account of more than
 23.33 \$50,000,000. This is a onetime transfer to be completed by October 15, 2024.

24.1 Sec. 15. **STATE BOARD OF CIVIL LEGAL AID.**

24.2 The general fund appropriation base for the State Board of Civil Legal Aid is \$34,167,000
24.3 beginning in fiscal year 2026 for staffing and other costs needed to establish and perform
24.4 the duties of the State Board of Civil Legal Aid.

24.5 Sec. 16. **REPORT PREVENTING VIOLENCE AGAINST LATINA WOMEN AND**
24.6 **QUEER LATINES IN MINNESOTA.**

24.7 (a) The commissioner of public safety shall provide a grant to Esperanza United to
24.8 develop a report that provides preliminary research and recommendations to reduce, prevent,
24.9 and end violence against Latina women and girls, including queer Latines, in Minnesota.
24.10 The Department of Public Safety shall provide support and technical assistance to Esperanza
24.11 United as requested.

24.12 (b) The report may include recommended strategies to disrupt the pathways toward
24.13 gender-based violence and help prevent violence before it occurs, such as outreach and
24.14 communication, public engagement, and public campaigns to address and educate local
24.15 communities about self confidence, leadership skills, family support, and healthy
24.16 relationships. The report may identify:

24.17 (1) ways to effectively connect programs and services provided by state agencies,
24.18 counties, and nongovernmental organizations to improve services to victims and survivors,
24.19 and their families and communities;

24.20 (2) systemic causes behind violence impacting Latina women and girls, including queer
24.21 Latines, and patterns and underlying factors explaining disproportionality, including
24.22 underlying historical, social, economic, religious, institutional, immigration, and cultural
24.23 factors that may contribute to the violence;

24.24 (3) appropriate methods for tracking and collecting data on violence against Latinas and
24.25 queer Latines, including data and research on prevention methods;

24.26 (4) policies and institutional practices in education, labor, child welfare, coroner practices,
24.27 policing, health care, civil and criminal legal systems, and other practices impacting victims;

24.28 (5) measures necessary to address and reduce violence, including public awareness,
24.29 research, community awareness campaigns, youth education, and family support practices;
24.30 and

24.31 (6) measures to help victims and survivors, and their families and communities, prevent
24.32 and heal from violence, including recommendations to expand existing programs; identify

25.1 new strategies that educate young people in effective communication, training in self
25.2 confidence, leadership skills, and healthy relationships; and general innovative strategies
25.3 that strengthen relationships with families and networks of support.

25.4 (c) The report shall be submitted to the chairs and ranking minority members of the
25.5 legislative committees with jurisdiction over public safety by January 1, 2025.

25.6 **Sec. 17. YOUTH SUPPORT SERVICES GRANTS.**

25.7 Subdivision 1. **Grants to counties.** Of the amount appropriated for fiscal year 2026
25.8 from the community crime and violence prevention account in the special revenue fund to
25.9 the commissioner of public safety for grants to community crime intervention and prevention
25.10 programs, \$500,000 must be distributed as provided in this section. The commissioner of
25.11 public safety shall issue grants to Anoka County, Hennepin County, and Ramsey County
25.12 for the purposes described in subdivision 2. Of the total amount appropriated for this purpose,
25.13 20 percent is for a grant to Anoka County, 40 percent is for a grant to Hennepin County,
25.14 and 40 percent is for a grant to Ramsey County.

25.15 Subd. 2. **Grants to community organizations; eligibility.** (a) A county that receives a
25.16 grant pursuant to subdivision 1 must use the money received to issue subgrants to community
25.17 organizations or community-rooted programs to provide intervention and support services
25.18 for youth who come into contact with peace officers and are suspected to have committed
25.19 a juvenile petty offense or delinquent act. A subgrantee must disclose to the county the
25.20 number of cases and the types of offenses they are able to accept. A subgrantee may also
25.21 use a subgrant to provide stipends or salaries to employ eligible youth. A county may retain
25.22 up to five percent of the amount received for administrative costs.

25.23 (b) To qualify for a subgrant under this section, a program must provide services that:

25.24 (1) were in operation before July 1, 2024;

25.25 (2) may be used as an alternative to arrest pursuant to Minnesota Statutes, section
25.26 260B.1755;

25.27 (3) promote personal accountability, prosocial connections, and positive youth
25.28 development;

25.29 (4) include wraparound services to educate and support families of participating youth;
25.30 and

25.31 (5) utilize data-supported practices.

(c) Eligible programs may utilize restorative practices or qualify as a pretrial diversion program for juveniles pursuant to Minnesota Statutes, section 388.24.

(d) In issuing subgrants, counties must prioritize programs that incorporate employment or jobs skills training and programs that collaborate with local law enforcement agencies and accept referrals for intervention from local law enforcement agencies.

Subd. 3. **Return of grant money.** Any portion of a grant issued to a county pursuant to subdivision 1 that is unspent or unencumbered on July 1, 2026, must be returned to the commissioner of public safety. Any money returned to the commissioner pursuant to this subdivision must be treated as a canceled appropriation and deposited in the general fund.

Subd. 4. **Reports.** By September 30, 2026, the counties receiving grants under this section must report to the commissioner of public safety on the programs that received subgrants. At a minimum, the report must include:

(1) the recipients of any subgrants;

(2) the programs and services provided by each recipient;

(3) the number of youth served by each recipient and the respective referring agency, if applicable;

(4) aggregated demographic data regarding youth participating in programs provided by each recipient;

(5) if applicable, the number and percentage of youth who successfully completed a program or were still participating in a program at the time of the report; and

(6) the total number of unique youth referrals, and additional referrals for youth for new delinquent offenses after youth began participating in a program or receiving services.

Sec. 18. DIGITAL GEOGRAPHIC INFORMATION SYSTEM MAPPING FOR SCHOOL FACILITIES.

(a) The commissioner of public safety shall issue grants to regional emergency communications boards to map school facilities.

(b) If awarded a grant, a regional emergency communications board must use the grant funds exclusively to create digital geographic information system mapping data of facilities managed by a school district; a charter school; an intermediate school district or cooperative unit under Minnesota Statutes, section 123A.24, subdivision 2; the Perpich Center for Arts Education; the Minnesota State Academies; private schools; or a Tribal contract school that serves children in early childhood or prekindergarten programs or students enrolled in

27.1 kindergarten through grade 12 within the regional emergency communications board's
27.2 jurisdiction.

27.3 (c) The data created pursuant to paragraph (b) must be:

27.4 (1) compatible with software platforms used by local, state, and federal public safety
27.5 agencies that provide emergency services to the specific school for which the data are
27.6 provided without requiring the agencies to purchase additional software or requiring a fee
27.7 to view or access the data;

27.8 (2) compatible with security software platforms in use by the specific school for which
27.9 the data are provided without requiring the local law enforcement agencies or school districts
27.10 to purchase additional software or requiring a fee to view or access the data;

27.11 (3) verified for accuracy following a physical walkthrough; and

27.12 (4) perpetually available to schools and law enforcement agencies mapped pursuant to
27.13 a grant and the Department of Public Safety.

27.14 (d) The statewide emergency communications board may implement further requirements
27.15 at the board's discretion.

27.16 (e) At the conclusion of work completed pursuant to a grant under this section, the
27.17 regional emergency communications board must deliver a copy of the data created, collected,
27.18 or maintained under this section to the school that manages the facility that was mapped
27.19 without payment, and in a manner that the school may use and access the data without
27.20 limitation. The data must be provided in a form that permits the school to share the data
27.21 with a law enforcement agency.

27.22 (f) Regional emergency communications boards and schools must report any breach of
27.23 the security of the data as defined in Minnesota Statutes, section 13.055, subdivision 1,
27.24 paragraph (a), to the superintendent of the Bureau of Criminal Apprehension.

27.25 (g) Each regional emergency communications board that receives a grant must complete
27.26 the mapping project and report completion to the commissioner on or before July 1, 2026.
27.27 Upon request, the commissioner may grant a reasonable extension of time to the requesting
27.28 regional emergency communications board to complete the project.

27.29 (h) Regional emergency communications boards shall work collaboratively with schools
27.30 and public safety agencies to include local law enforcement agencies, fire departments,
27.31 EMS, and emergency 911 services during the procurement process.

28.1 (i) Subject to the requirements in paragraph (e), regional emergency communications
28.2 boards shall have exclusive ownership and control over any data created or collected pursuant
28.3 to this section.

28.4 (j) Any data created under this section are classified as nonpublic data as defined in
28.5 Minnesota Statutes, section 13.02, subdivision 9.

28.6 ARTICLE 2

28.7 CRIME VICTIM PROVISIONS

28.8 Section 1. Minnesota Statutes 2022, section 243.05, subdivision 1b, is amended to read:

28.9 Subd. 1b. **Victim's rights.** (a) This subdivision applies to parole decisions relating to
28.10 inmates convicted of first-degree murder who are described in subdivision 1, clauses (a)
28.11 and (b). As used in this subdivision, "victim" ~~means the murder victim's surviving spouse~~
28.12 ~~or next of kin~~ has the meaning given in section 611A.01, paragraph (b).

28.13 (b) The commissioner shall make reasonable efforts to notify the victim, in advance, of
28.14 the time and place of the inmate's parole review hearing. The victim has a right to submit
28.15 an oral or written statement at the review hearing. The statement may summarize the harm
28.16 suffered by the victim as a result of the crime and give the victim's recommendation on
28.17 whether the inmate should be paroled at that time. The commissioner must consider the
28.18 victim's statement when making the parole decision.

28.19 **EFFECTIVE DATE.** This section is effective the day following final enactment.

28.20 Sec. 2. Minnesota Statutes 2022, section 244.052, subdivision 3, is amended to read:

28.21 Subd. 3. **End-of-confinement review committee.** (a) The commissioner of corrections
28.22 shall establish and administer end-of-confinement review committees at each state
28.23 correctional facility and at each state treatment facility where predatory offenders are
28.24 confined. The committees shall assess on a case-by-case basis the public risk posed by
28.25 predatory offenders who are about to be released from confinement.

28.26 (b) Each committee shall be a standing committee and shall consist of the following
28.27 members appointed by the commissioner:

28.28 (1) the chief executive officer or head of the correctional or treatment facility where the
28.29 offender is currently confined, or that person's designee;

28.30 (2) a law enforcement officer;

28.31 (3) a treatment professional who is trained in the assessment of sex offenders;

29.1 (4) a caseworker experienced in supervising sex offenders; and

29.2 (5) a victim's services professional.

29.3 Members of the committee, other than the facility's chief executive officer or head, shall
29.4 be appointed by the commissioner to two-year terms. The chief executive officer or head
29.5 of the facility or designee shall act as chair of the committee and shall use the facility's staff,
29.6 as needed, to administer the committee, obtain necessary information from outside sources,
29.7 and prepare risk assessment reports on offenders.

29.8 (c) The committee shall have access to the following data on a predatory offender only
29.9 for the purposes of its assessment and to defend the committee's risk assessment
29.10 determination upon administrative review under this section:

29.11 (1) private medical data under section 13.384 or sections 144.291 to 144.298, or welfare
29.12 data under section 13.46 that relate to medical treatment of the offender;

29.13 (2) private and confidential court services data under section 13.84;

29.14 (3) private and confidential corrections data under section 13.85; and

29.15 (4) private criminal history data under section 13.87.

29.16 Data collected and maintained by the committee under this paragraph may not be
29.17 disclosed outside the committee, except as provided under section 13.05, subdivision 3 or
29.18 4. The predatory offender has access to data on the offender collected and maintained by
29.19 the committee, unless the data are confidential data received under this paragraph.

29.20 (d)(i) Except as otherwise provided in items (ii), (iii), and (iv), at least 90 days before a
29.21 predatory offender is to be released from confinement, the commissioner of corrections
29.22 shall convene the appropriate end-of-confinement review committee for the purpose of
29.23 assessing the risk presented by the offender and determining the risk level to which the
29.24 offender shall be assigned under paragraph (e). The offender and the law enforcement agency
29.25 that was responsible for the charge resulting in confinement shall be notified of the time
29.26 and place of the committee's meeting. The offender has a right to be present and be heard
29.27 at the meeting. The law enforcement agency, agent, and victim may provide material in
29.28 writing that is relevant to the offender's risk level to the chair of the committee. The
29.29 committee shall use the risk factors described in paragraph (g) and the risk assessment scale
29.30 developed under subdivision 2 to determine the offender's risk assessment score and risk
29.31 level. Offenders scheduled for release from confinement shall be assessed by the committee
29.32 established at the facility from which the offender is to be released.

(ii) If an offender is received for confinement in a facility with less than 90 days remaining in the offender's term of confinement, the offender's risk shall be assessed at the first regularly scheduled end of confinement review committee that convenes after the appropriate documentation for the risk assessment is assembled by the committee. The commissioner shall make reasonable efforts to ensure that offender's risk is assessed and a risk level is assigned or reassigned at least 30 days before the offender's release date.

(iii) If the offender is subject to a mandatory life sentence under section 609.3455, subdivision 3 or 4, the commissioner of corrections shall convene the appropriate end-of-confinement review committee at least nine months before the offender's minimum term of imprisonment has been served. If the offender is received for confinement in a facility with less than nine months remaining before the offender's minimum term of imprisonment has been served, the committee shall conform its procedures to those outlined in item (ii) to the extent practicable.

(iv) If the offender is granted supervised release, the commissioner of corrections shall notify the appropriate end-of-confinement review committee that it needs to review the offender's previously determined risk level at its next regularly scheduled meeting. The commissioner shall make reasonable efforts to ensure that the offender's earlier risk level determination is reviewed and the risk level is confirmed or reassigned at least 60 days before the offender's release date. The committee shall give the report to the offender and to the law enforcement agency, and the commissioner shall provide notice of the risk level assignment to the victim, if requested, at least 60 days before an offender is released from confinement.

(e) The committee shall assign to risk level I a predatory offender whose risk assessment score indicates a low risk of reoffense. The committee shall assign to risk level II an offender whose risk assessment score indicates a moderate risk of reoffense. The committee shall assign to risk level III an offender whose risk assessment score indicates a high risk of reoffense.

(f) Before the predatory offender is released from confinement, the committee shall prepare a risk assessment report which specifies the risk level to which the offender has been assigned and the reasons underlying the committee's risk assessment decision. Except for an offender subject to a mandatory life sentence under section 609.3455, subdivision 3 or 4, who has not been granted supervised release, the committee shall give the report to the offender and to the law enforcement agency, and the commissioner shall provide notice of the risk level assignment to the victim, if requested, at least 60 days before an offender is released from confinement. If the offender is subject to a mandatory life sentence and

31.1 has not yet served the entire minimum term of imprisonment, the committee shall give the
31.2 report to the offender and to the commissioner at least six months before the offender is
31.3 first eligible for release. If the risk assessment is performed under the circumstances described
31.4 in paragraph (d), item (ii), the report shall be given to the offender and the law enforcement
31.5 agency as soon as it is available. The committee also shall inform the offender of the
31.6 availability of review under subdivision 6.

31.7 (g) As used in this subdivision, "risk factors" includes, but is not limited to, the following
31.8 factors:

31.9 (1) the seriousness of the offense should the offender reoffend. This factor includes
31.10 consideration of the following:

31.11 (i) the degree of likely force or harm;

31.12 (ii) the degree of likely physical contact; and

31.13 (iii) the age of the likely victim;

31.14 (2) the offender's prior offense history. This factor includes consideration of the following:

31.15 (i) the relationship of prior victims to the offender;

31.16 (ii) the number of prior offenses or victims;

31.17 (iii) the duration of the offender's prior offense history;

31.18 (iv) the length of time since the offender's last prior offense while the offender was at
31.19 risk to commit offenses; and

31.20 (v) the offender's prior history of other antisocial acts;

31.21 (3) the offender's characteristics. This factor includes consideration of the following:

31.22 (i) the offender's response to prior treatment efforts; and

31.23 (ii) the offender's history of substance abuse;

31.24 (4) the availability of community supports to the offender. This factor includes
31.25 consideration of the following:

31.26 (i) the availability and likelihood that the offender will be involved in therapeutic
31.27 treatment;

31.28 (ii) the availability of residential supports to the offender, such as a stable and supervised
31.29 living arrangement in an appropriate location;

32.1 (iii) the offender's familial and social relationships, including the nature and length of
32.2 these relationships and the level of support that the offender may receive from these persons;
32.3 and

32.4 (iv) the offender's lack of education or employment stability;

32.5 (5) whether the offender has indicated or credible evidence in the record indicates that
32.6 the offender will reoffend if released into the community; and

32.7 (6) whether the offender demonstrates a physical condition that minimizes the risk of
32.8 reoffense, including but not limited to, advanced age or a debilitating illness or physical
32.9 condition.

32.10 (h) Upon the request of the law enforcement agency or the offender's corrections agent,
32.11 the commissioner may reconvene the end-of-confinement review committee for the purpose
32.12 of reassessing the risk level to which an offender has been assigned under paragraph (e). In
32.13 a request for a reassessment, the law enforcement agency which was responsible for the
32.14 charge resulting in confinement or agent shall list the facts and circumstances arising after
32.15 the initial assignment or facts and circumstances known to law enforcement or the agent
32.16 but not considered by the committee under paragraph (e) which support the request for a
32.17 reassessment. The request for reassessment by the law enforcement agency must occur
32.18 within 30 days of receipt of the report indicating the offender's risk level assignment. The
32.19 offender's corrections agent, in consultation with the chief law enforcement officer in the
32.20 area where the offender resides or intends to reside, may request a review of a risk level at
32.21 any time if substantial evidence exists that the offender's risk level should be reviewed by
32.22 an end-of-confinement review committee. This evidence includes, but is not limited to,
32.23 evidence of treatment failures or completions, evidence of exceptional crime-free community
32.24 adjustment or lack of appropriate adjustment, evidence of substantial community need to
32.25 know more about the offender or mitigating circumstances that would narrow the proposed
32.26 scope of notification, or other practical situations articulated and based in evidence of the
32.27 offender's behavior while under supervision. Upon review of the request, the
32.28 end-of-confinement review committee may reassign an offender to a different risk level. If
32.29 the offender is reassigned to a higher risk level, the offender has the right to seek review of
32.30 the committee's determination under subdivision 6.

32.31 (i) An offender may request the end-of-confinement review committee to reassess the
32.32 offender's assigned risk level after three years have elapsed since the committee's initial
32.33 risk assessment and may renew the request once every two years following subsequent
32.34 denials. In a request for reassessment, the offender shall list the facts and circumstances

which demonstrate that the offender no longer poses the same degree of risk to the community. In order for a request for a risk level reduction to be granted, the offender must demonstrate full compliance with supervised release conditions, completion of required post-release treatment programming, and full compliance with all registration requirements as detailed in section 243.166. The offender must also not have been convicted of any felony, gross misdemeanor, or misdemeanor offenses subsequent to the assignment of the original risk level. The committee shall follow the process outlined in paragraphs (a) to (c) in the reassessment. An offender who is incarcerated may not request a reassessment under this paragraph.

(j) Offenders returned to prison as release violators shall not have a right to a subsequent risk reassessment by the end-of-confinement review committee unless substantial evidence indicates that the offender's risk to the public has increased.

(k) If the committee assigns a predatory offender to risk level III, the committee shall determine whether residency restrictions shall be included in the conditions of the offender's release based on the offender's pattern of offending behavior.

Sec. 3. Minnesota Statutes 2022, section 253B.18, subdivision 5a, as amended by Laws 2024, chapter 79, article 5, section 15, is amended to read:

Subd. 5a. **Victim notification of petition and release; right to submit statement.** (a) As used in this subdivision:

(1) "crime" has the meaning given to "violent crime" in section 609.1095, and includes criminal sexual conduct in the fifth degree and offenses within the definition of "crime against the person" in section 253B.02, subdivision 4e, and also includes offenses listed in section 253D.02, subdivision 8, paragraph (b), regardless of whether they are sexually motivated;

(2) "victim" means a person who has incurred loss or harm as a result of a crime the behavior for which forms the basis for a commitment under this section or chapter 253D, and includes the family members, guardian, conservator, or custodian of a minor, incompetent, incapacitated, or deceased person; and

(3) "convicted" and "conviction" have the meanings given in section 609.02, subdivision 5, and also include juvenile court adjudications, findings under Minnesota Rules of Criminal Procedure, rule 20.02, that the elements of a crime have been proved, and findings in commitment cases under this section or chapter 253D that an act or acts constituting a crime occurred or were part of their course of harmful sexual conduct.

(b) A county attorney who files a petition to commit a person under this section or chapter 253D shall make a reasonable effort to provide prompt notice of filing the petition to any victim of a crime for which the person was convicted. In addition, the county attorney shall make a reasonable effort to promptly notify the victim of the resolution of the petition and the process for requesting notification of an individual's change in status as provided in paragraph (c).

(c) A victim may request notification of an individual's discharge or release as provided in paragraph (d) by submitting a written request for notification to the executive director of the facility in which the individual is confined. The Department of Corrections or a county attorney who receives a request for notification from a victim under this section shall promptly forward the request to the executive director of the treatment facility in which the individual is confined.

(d) Before provisionally discharging, discharging, granting pass-eligible status, approving a pass plan, or otherwise permanently or temporarily releasing a person committed under this section from a state-operated treatment program or treatment facility, the head of the state-operated treatment program or head of the treatment facility shall make a reasonable effort to notify any victim of a crime for which the person was convicted that the person may be discharged or released and that the victim has a right to submit a written statement regarding decisions of the medical director of the secure treatment facility, special review board, or executive board with respect to the person. To the extent possible, the notice must be provided at least 14 days before any special review board hearing or before a determination on a pass plan. Notwithstanding section 611A.06, subdivision 4, the executive board shall provide the judicial appeal panel with victim information in order to comply with the provisions of this section. The judicial appeal panel shall ensure that the data on victims remains private as provided for in section 611A.06, subdivision 4. These notices shall only be provided to victims who have submitted a written request for notification as provided in paragraph (c).

(e) The rights under this subdivision are in addition to rights available to a victim under chapter 611A. This provision does not give a victim all the rights of a "notified person" or a person "entitled to statutory notice" under subdivision 4a, 4b, or 5 or section 253D.14.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 4. Minnesota Statutes 2022, section 253D.14, subdivision 1, is amended to read:

Subdivision 1. **Definitions.** As used in this section:

(1) "crime" has the meaning given to "violent crime" in section 609.1095, and includes criminal sexual conduct in the fifth degree and offenses within the definition of "crime against the person" in section 253B.02, subdivision 4e, and also includes offenses listed in section 253D.02, subdivision 8, paragraph (b), regardless of whether they are sexually motivated;

(2) "victim" means a person who has incurred loss or harm as a result of a crime, the behavior for which forms the basis for a commitment under this chapter, and includes the family members, guardian, conservator, or custodian of a minor, incompetent, incapacitated, or deceased person; and

(3) "convicted" and "conviction" have the meanings given in section 609.02, subdivision 5, and also include juvenile court adjudications, findings under Minnesota Rules of Criminal Procedure, rule 20.02, that the elements of a crime have been proved, and findings in commitment cases under this section or section 253B.18, that an act or acts constituting a crime occurred.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 5. Minnesota Statutes 2023 Supplement, section 609.35, is amended to read:

609.35 COSTS OF MEDICAL EXAMINATION.

(a) Costs incurred by a hospital or other emergency medical facility or by a physician, sexual assault nurse examiner, forensic nurse, or other licensed health care provider for the examination of a victim of criminal sexual conduct that occurred in the state shall be paid by the state. These costs include, but are not limited to, the cost of the medical forensic examination, associated tests and treatments relating to sexually transmitted infection, and pregnancy status, including emergency contraception. A hospital, emergency medical facility, or health care provider shall submit the costs for examination and any associated tests and treatment to the Office of Justice Programs for payment. Upon receipt of the costs, the commissioner shall provide payment to the facility or health care provider. Reimbursement for an examination and any associated test and treatments shall not exceed \$1,400. Beginning on January 1, 2024, the maximum amount of an award shall be adjusted annually by the inflation rate.

(b) Nothing in this section shall be construed to limit the duties, responsibilities, or liabilities of any insurer, whether public or private. The hospital or other licensed health care provider performing the examination may seek insurance reimbursement from the victim's insurer only if authorized by the victim. This authorization may only be sought

after the examination is performed. When seeking this authorization, the hospital or other licensed health care provider shall inform the victim that if the victim does not authorize this, the state is required by law to pay for the examination and that the victim is in no way liable for these costs or obligated to authorize the reimbursement.

(c) The applicability of this section does not depend upon whether the victim reports the offense to law enforcement or the existence or status of any investigation or prosecution.

(d) Requests for reimbursement and supporting documents are private data on individuals as defined in section 13.02, subdivision 12.

EFFECTIVE DATE. This section is effective the day following final enactment and applies to data requests received before that date if the responsible authority has not yet provided a response.

Sec. 6. Minnesota Statutes 2023 Supplement, section 611A.039, subdivision 1, is amended to read:

Subdivision 1. **Notice required.** (a) Except as otherwise provided in subdivision 2, within 15 working days after a conviction, acquittal, or dismissal in a criminal case in which there is an identifiable crime victim, the prosecutor shall make reasonable good faith efforts to provide to each affected crime victim oral or written notice of the final disposition of the case and of the victim rights under section 611A.06. When the court is considering modifying the sentence for a felony or a crime of violence or an attempted crime of violence, the prosecutor shall make a reasonable and good faith effort to notify the victim of the crime. ~~If the victim is incapacitated or deceased, notice must be given to the victim's family. If the victim is a minor, notice must be given to the victim's parent or guardian.~~ The notice must include:

(1) the date and approximate time of the review;

(2) the location where the review will occur;

(3) the name and telephone number of a person to contact for additional information;

and

(4) a statement that the victim ~~and victim's family~~ may provide input to the court concerning the sentence modification.

(b) The Office of Justice Programs in the Department of Public Safety shall develop and update a model notice of postconviction rights under this subdivision and section 611A.06.

(c) As used in this section;

(1) "crime of violence" has the meaning given in section 624.712, subdivision 5, and also includes violations of section 609.3458, gross misdemeanor violations of section 609.224, and nonfelony violations of sections 518B.01, 609.2231, 609.3451, 609.748, and 609.749; and

(2) "victim" has the meaning given in section 611A.01, paragraph (b).

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 7. Minnesota Statutes 2022, section 611A.06, is amended by adding a subdivision to read:

Subd. 2a. Notice of end-of-confinement review committee process and opportunity to provide input. If an individual scheduled to be released from imprisonment is subject to an end-of-confinement review under section 244.052, the commissioner of corrections shall make a good faith effort to notify the victim of the end-of-confinement review process and that the victim has a right to submit written input for consideration at the end-of-confinement review hearing. The victim has a continuing right to submit input if the end-of-confinement review committee receives a request to reassess the individual's assigned risk level. These notices shall only be provided to victims who have submitted a written request for this notice to the commissioner of corrections or an electronic request through the Department of Corrections electronic victim notification system. The good faith effort to notify the victim must occur before the offender's end-of-confinement review hearing and provide sufficient time for the input to be considered in the end-of-confinement determination.

Sec. 8. Minnesota Statutes 2022, section 611A.212, subdivision 1, is amended to read:

Subdivision 1. **Grants.** The commissioner of public safety shall award grants for statewide organizations to provide subgrants, support, resources, and technical assistance to sexual assault programs that provide sexual assault primary prevention services to prevent initial perpetration or victimization of sexual assault.

Sec. 9. Minnesota Statutes 2023 Supplement, section 611A.52, subdivision 5, is amended to read:

Subd. 5. **Collateral source.** "Collateral source" means a source of benefits or advantages for economic loss otherwise reimbursable under sections 611A.51 to 611A.68 which the victim or claimant has received, or which is readily available to the victim, from:

(1) the offender;

(2) the government of the United States or any agency thereof, a state or any of its political subdivisions, or an instrumentality of two or more states, unless the law providing for the benefits or advantages makes them excess or secondary to benefits under sections 611A.51 to 611A.68;

(3) Social Security, Medicare, and Medicaid;

(4) state required temporary nonoccupational disability insurance;

(5) workers' compensation;

(6) wage continuation programs of any employer;

(7) proceeds of a contract of insurance payable to the victim for economic loss sustained because of the crime;

(8) a contract providing prepaid hospital and other health care services, or benefits for disability; or

~~(9) any private source as a voluntary donation or gift; or~~

~~(10)~~ (9) proceeds of a lawsuit brought as a result of the crime.

The term does not include a life insurance contract or benefits from any private source provided as a voluntary donation or gift.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 10. Minnesota Statutes 2022, section 611A.73, subdivision 4, is amended to read:

Subd. 4. **Victim.** "Victim" ~~refers to anyone or the next of kin of anyone who has been or purports to have been subjected to a criminal act, whether a felony, a gross misdemeanor, or misdemeanor~~ has the meaning given in section 611A.01, paragraph (b).

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 11. Minnesota Statutes 2022, section 629.72, subdivision 1, is amended to read:

Subdivision 1. **Definitions.** (a) For purposes of this section, the following terms have the meanings given them.

(b) "Domestic abuse" has the meaning given in section 518B.01, subdivision 2.

(c) "Harass" and "stalking" have the meanings given in section 609.749.

(d) "Violation of a domestic abuse no contact order" has the meaning given in section 629.75.

39.1 (e) "Violation of an order for protection" has the meaning given in section 518B.01,
39.2 subdivision 14.

39.3 (f) "Victim" has the meaning in section 611A.01, paragraph (b).

39.4 **EFFECTIVE DATE.** This section is effective the day following final enactment.

39.5 Sec. 12. Minnesota Statutes 2022, section 629.72, subdivision 7, is amended to read:

39.6 Subd. 7. **Notice to victim regarding bail hearing.** (a) When a person arrested for or a
39.7 juvenile detained for domestic assault or harassing or stalking is scheduled to be reviewed
39.8 under subdivision 2 for release from pretrial detention, the court shall make a reasonable
39.9 good faith effort to notify:

39.10 ~~(1) the victim of the alleged crime;~~

39.11 ~~(2) if the victim is incapacitated or deceased, the victim's family; and~~

39.12 ~~(3) if the victim is a minor, the victim's parent or guardian.~~

39.13 (b) The notification must include:

39.14 (1) the date and approximate time of the review;

39.15 (2) the location where the review will occur;

39.16 (3) the name and telephone number of a person that can be contacted for additional
39.17 information; and

39.18 (4) a statement that the victim ~~and the victim's family~~ may attend the review.

39.19 **EFFECTIVE DATE.** This section is effective the day following final enactment.

39.20 Sec. 13. Minnesota Statutes 2022, section 629.725, is amended to read:

39.21 **629.725 NOTICE TO VICTIM REGARDING BAIL HEARING OF ARRESTED**
39.22 **OR DETAINED PERSON.**

39.23 (a) When a person arrested or a juvenile detained for a crime of violence or an attempted
39.24 crime of violence is scheduled to be reviewed under section 629.715 for release from pretrial
39.25 detention, the court shall make a reasonable and good faith effort to notify the victim of the
39.26 alleged crime. ~~If the victim is incapacitated or deceased, notice must be given to the victim's~~
39.27 ~~family. If the victim is a minor, notice must be given to the victim's parent or guardian.~~ The
39.28 notification must include:

39.29 (1) the date and approximate time of the review;

40.1 (2) the location where the review will occur;

40.2 (3) the name and telephone number of a person that can be contacted for additional
40.3 information; and

40.4 (4) a statement that the victim and the victim's family may attend the review.

40.5 (b) As used in this section:

40.6 (1) "crime of violence" has the meaning given it in section 624.712, subdivision 5, and
40.7 also includes:

40.8 ~~(1)~~ (i) sections 609.2112, 609.2113, 609.2114, and 609.3458;

40.9 ~~(2)~~ (ii) gross misdemeanor violations of section 609.224;

40.10 ~~(3)~~ (iii) nonfelony violations of sections 518B.01, 609.2231, 609.3451, 609.748, and
40.11 609.749; and

40.12 ~~(4)~~ (iv) Minnesota Statutes 2012, section 609.21; and

40.13 (2) "victim" has the meaning given in section 611A.01, paragraph (b).

40.14 **EFFECTIVE DATE.** This section is effective the day following final enactment.

40.15 Sec. 14. Minnesota Statutes 2022, section 629.73, subdivision 1, is amended to read:

40.16 Subdivision 1. **Oral notice.** When a person arrested or a juvenile detained for a crime
40.17 of violence or an attempted crime of violence is about to be released from pretrial detention,
40.18 the agency having custody of the arrested or detained person or its designee shall make a
40.19 reasonable and good faith effort before release to inform orally the victim ~~or, if the victim~~
40.20 ~~is incapacitated, the same or next of kin, or if the victim is a minor, the victim's parent or~~
40.21 ~~guardian~~ of the following matters:

40.22 (1) the conditions of release, if any;

40.23 (2) the time of release;

40.24 (3) the time, date, and place of the next scheduled court appearance of the arrested or
40.25 detained person and, where applicable, the victim's right to be present at the court appearance;
40.26 and

40.27 (4) the location and telephone number of at least one area crime victim service provider
40.28 as designated by the Office of Justice Programs in the Department of Public Safety.

40.29 **EFFECTIVE DATE.** This section is effective the day following final enactment.

Sec. 15. Minnesota Statutes 2022, section 629.73, is amended by adding a subdivision to read:

Subd. 4. **Definition.** As used in this section, "victim" has the meaning given in section 611A.01, paragraph (b).

EFFECTIVE DATE. This section is effective the day following final enactment.

ARTICLE 3

LAW ENFORCEMENT PROVISIONS

Section 1. **[169.905] TRAFFIC STOP; QUESTIONING LIMITED.**

A peace officer making a traffic stop for a violation of this chapter or chapter 168 must not ask if the operator can identify the reason for the stop. A peace officer making such a traffic stop must inform the vehicle's operator of a reason for the stop unless it would be unreasonable to do so under the totality of the circumstances. A peace officer's failure to comply with this section must not serve as the basis for exclusion of evidence or dismissal of a charge or citation. Section 645.241 does not apply to violations of this section.

Sec. 2. Minnesota Statutes 2023 Supplement, section 214.10, subdivision 10, is amended to read:

Subd. 10. **Board of Peace Officers Standards and Training; receipt of complaint.** Notwithstanding the provisions of subdivision 1 to the contrary, when the executive director or any member of the Board of Peace Officer Standards and Training produces or receives a written statement or complaint that alleges a violation of a statute or rule that the board is empowered to enforce, the executive director ~~shall designate the appropriate law enforcement agency to investigate the complaint and~~ may order it an appropriate law enforcement agency to conduct an inquiry into the complaint's allegations. If directed to complete an investigation, the investigating agency must complete the inquiry and submit a written summary of it to the executive director within 30 days of the order for inquiry.

Sec. 3. **[219.995] RAILROAD PEACE OFFICERS.**

Subdivision 1. **Chief law enforcement officer.** A railroad that intends to employ railroad peace officers as defined in section 626.84, subdivision 1, paragraph (h), shall appoint a chief law enforcement officer to oversee and take responsibility for all railroad peace officers employed by the railroad. The chief law enforcement officer of a railroad company must

be a Minnesota-licensed peace officer. Before appointing a railroad chief law enforcement officer, the railroad must submit a request for license for a license-eligible applicant, or a notice of appointment for an officer already licensed in Minnesota, to the Board of Peace Officer Standards and Training attesting that the appointee has met all education, training, and minimum selection standards in Minnesota Rules, chapter 6700. The appointee may not exercise peace officer powers until the request for license or notification form is received and approved by the board.

Subd. 2. Railroad; employment of peace officers. After appointing a railroad chief law enforcement officer, a railroad may employ railroad peace officers to aid and supplement law enforcement agencies in the protection of property owned by or in the care, custody, or control of a railroad and to protect the persons and property of railroad passengers and employees.

Subd. 3. Responsibilities of railroad company. A railroad company that employs railroad peace officers must cooperate with the Board of Peace Officer Standards and Training with respect to the board's authority to oversee peace officer licensing. Upon request by the board, a railroad company that employs railroad peace officers must share or produce any public, private, or confidential data that the board has the authority to request from other state and local law enforcement agencies. Failure by the railroad company to comply with the board's exercise of its regulatory and oversight authority may result in implementation of sanctions as described in subdivision 7.

Subd. 4. Duties of railroad chief law enforcement officer. A railroad chief law enforcement officer has the same duties and responsibilities as the chief law enforcement officer of any state or local law enforcement agency, including but not limited to appointing and supervising peace officers, ensuring ongoing continuing education of peace officers, maintaining agency and peace officer records, reporting misconduct and policy compliance, and any other duty or responsibility described in chapter 626 or Minnesota Rules, chapter 6700.

Subd. 5. Authority; limitation. (a) Except as otherwise provided by this section, a railroad peace officer has all powers and privileges of a licensed peace officer in this state in connection with the prevention, investigation, arrest, or prosecution of an offense occurring on railroad property and involving injury to passengers or employees of a railroad or involving an offense against property owned by or in the care, custody, or control of a railroad. A railroad peace officer's law enforcement powers shall apply only on railroad property, except that an officer may exercise the authority given to peace officers under section 629.40, subdivisions 2 and 4. If a search warrant is obtained by a railroad peace

officer, the officer shall notify the chief of police of an organized full-time police department of the municipality or, if there is no local chief of police, the sheriff or a deputy sheriff of the county in which service of the warrant is to be made, prior to execution.

(b) A railroad must not direct, require, or allow a railroad peace officer to enforce a railroad's rules, policies, or procedures that are unrelated to the commission of a criminal offense, or investigate any matter involving civil litigation by or against a railroad. A railroad company that employs railroad peace officers must adopt or update any applicable policy to be consistent with this paragraph and must provide a copy of the policy to the representatives of any labor organization that represents employees of the railroad, including but not limited to any labor organization subject to the Federal Railway Labor Act. Notwithstanding any law to the contrary, a railroad peace officer who makes a representation of being a peace officer and performs or attempts to perform any of those acts is subject to discipline as if the peace officer violated the standards of conduct set forth in Minnesota Rules, chapter 6700.

Subd. 6. **Licensing.** The Board of Peace Officer Standards and Training shall license railroad peace officers appointed by the railroad's chief law enforcement officer under subdivision 1 who meet the board's standards for peace officer licensure under chapter 626 and Minnesota Rules, chapter 6700. Except as otherwise provided in this section, railroad peace officers are subject to all of the provisions applicable to peace officers under chapter 626 and Minnesota Rules, chapter 6700.

Subd. 7. **Immediate suspension of authority.** At the sole discretion of the Board of Peace Officer Standards and Training, the board may immediately suspend or revoke the license of the chief law enforcement officer of a railroad company for any reason within the board's jurisdiction. If the board suspends or revokes the license of the chief law enforcement officer, the railroad's law enforcement agency shall be deemed disbanded and the licenses of all peace officers on the railroad agency roster will be placed in inactive status. The requirement to place a peace officer's license in inactive status does not apply to a railroad peace officer who also works as a licensed peace officer for a different law enforcement agency in Minnesota, but such an officer must no longer be designated a railroad peace officer. Except as noted in this section, the licenses of railroad peace officers are subject to the requirements, restrictions, and disciplinary procedures that apply to any other licensed peace officer.

Subd. 8. **Compensation; benefits; fees.** (a) A railroad peace officer shall be compensated by the railroad by which the officer is employed.

44.1 (b) A railroad peace officer is not entitled to receive any compensation, benefits, or other
44.2 remuneration provided or required to be provided to other licensed peace officers by this
44.3 state or any political subdivision or agency of this state.

44.4 (c) A railroad peace officer may attend any training course offered to peace officers of
44.5 this state, provided that railroad peace officers pay reasonable tuition and costs.

44.6 Subd. 9. **Railroad liability.** A railroad company employing a railroad peace officer in
44.7 this state is liable for all acts, errors, and omissions of a railroad peace officer occurring in
44.8 the course and scope of the peace officer's employment by the railroad and shall indemnify
44.9 its peace officers for civil damages, penalties, or fines claimed or levied against the officer
44.10 according to section 181.970. Neither this state nor any political subdivision or agency of
44.11 the state is liable for any act, error, or omission of a railroad peace officer.

44.12 Subd. 10. **Construction.** Nothing in this section shall be construed to limit or in any
44.13 way restrict the rights, powers, or privileges granted to a peace officer in this state who is
44.14 not a railroad peace officer.

44.15 Sec. 4. Minnesota Statutes 2022, section 626.05, subdivision 2, is amended to read:

44.16 Subd. 2. **Peace officer.** The term "peace officer," as used in sections 626.04 to 626.17,
44.17 means a person who is licensed as a peace officer in accordance with section 626.84,
44.18 subdivision 1, and who serves as a sheriff, deputy sheriff, police officer, conservation officer,
44.19 agent of the Bureau of Criminal Apprehension, agent of the Division of Alcohol and
44.20 Gambling Enforcement, peace officer of the Commerce Fraud Bureau, University of
44.21 Minnesota peace officer, Metropolitan Transit police officer, Minnesota Department of
44.22 Corrections Fugitive Apprehension Unit member, ~~or~~ State Patrol trooper as authorized by
44.23 section 299D.03, or railroad peace officer as authorized by section 219.995 and United
44.24 States Code, title 49, section 28101.

44.25 Sec. 5. **[626.223] ODOR OF CANNABIS; SEARCH PROHIBITED.**

44.26 A peace officer's perception of the odor of cannabis shall not serve as the sole basis to
44.27 search a motor vehicle, or to search the driver, passengers, or any of the contents of a motor
44.28 vehicle.

Sec. 6. Minnesota Statutes 2022, section 626.5534, is amended to read:

**626.5534 USE OF FORCE REPORTING; INDEPENDENT INVESTIGATIONS
REQUIRED.**

Subdivision 1. Report required. A chief law enforcement officer must provide the information requested by the Federal Bureau of Investigation about each incident of law enforcement use of force resulting in serious bodily injury or death, as those terms are defined in the Federal Bureau of Investigation's reporting requirements, to the superintendent of the Bureau of Criminal Apprehension. The superintendent shall adopt a reporting form for use by law enforcement agencies in making the report required under this section. The report must include for each incident all of the information requested by the Federal Bureau of Investigation.

Subd. 2. Use of information collected. A chief law enforcement officer must file the report under subdivision 1 once a month in the form required by the superintendent. The superintendent must summarize and analyze the information received and submit an annual written report to the chairs and ranking minority members of the house of representatives and senate committees with jurisdiction over public safety. The superintendent shall submit the information to the Federal Bureau of Investigation.

Subd. 3. Independent investigations required. (a) The Use of Force Investigations Unit within the Bureau of Criminal Apprehension must investigate any officer-involved death as defined in section 299C.80, subdivision 1, paragraph (c), unless the subject of the investigation is a peace officer employed by the Bureau of Criminal Apprehension. Section 299C.80, subdivision 4, applies to an officer-involved death investigation of a peace officer employed by the Bureau of Criminal Apprehension.

(b) Law enforcement agencies must fully cooperate with and promptly respond to requests for information from the entity conducting an investigation mandated under paragraph (a).

(c) An entity that conducts an investigation under this subdivision must prepare a report detailing the entity's investigation and promptly deliver the report to the prosecutor for the county in which the incident occurred. If a prosecuting authority determines that there is no basis to file charges against a peace officer involved in the incident, the prosecutor must simultaneously publicly disclose the prosecutor's determination and all inactive investigative data in the report that are public under section 13.82, subdivision 7, or other applicable law. The prosecutor must cooperate with the entity that conducted the investigation in determining what data in the report must be publicly disclosed.

Sec. 7. Minnesota Statutes 2022, section 626.84, subdivision 1, is amended to read:

Subdivision 1. **Definitions.** For purposes of sections 626.84 to 626.863, the following terms have the meanings given them:

(a) "Board" means the Board of Peace Officer Standards and Training.

(b) "Director" means the executive director of the board.

(c) "Peace officer" means:

(1) an employee or an elected or appointed official of a political subdivision or law enforcement agency who is licensed by the board, charged with the prevention and detection of crime and the enforcement of the general criminal laws of the state and who has the full power of arrest, and shall also include the Minnesota State Patrol, agents of the Division of Alcohol and Gambling Enforcement, state conservation officers, Metropolitan Transit police officers, Department of Corrections Fugitive Apprehension Unit officers, ~~and~~ Department of Commerce Fraud Bureau Unit officers, ~~and~~ the statewide coordinator of the Violent Crime Coordinating Council, and railroad peace officers as authorized by section 219.995 and United States Code, title 49, section 28101; and

(2) a peace officer who is employed by a law enforcement agency of a federally recognized tribe, as defined in United States Code, title 25, section 450b(e), and who is licensed by the board.

(d) "Part-time peace officer" means an individual licensed by the board whose services are utilized by law enforcement agencies no more than an average of 20 hours per week, not including time spent on call when no call to active duty is received, calculated on an annual basis, who has either full powers of arrest or authorization to carry a firearm while on active duty. The term shall apply even though the individual receives no compensation for time spent on active duty, and shall apply irrespective of the title conferred upon the individual by any law enforcement agency.

(e) "Reserve officer" means an individual whose services are utilized by a law enforcement agency to provide supplementary assistance at special events, traffic or crowd control, and administrative or clerical assistance, and shall include reserve deputies, special deputies, mounted or unmounted patrols, and all other employees or volunteers performing reserve officer functions. A reserve officer's duties do not include enforcement of the general criminal laws of the state, and the officer does not have full powers of arrest or authorization to carry a firearm on duty.

(f) "Law enforcement agency" means:

(1) a unit of state or local government that is authorized by law to grant full powers of arrest and to charge a person with the duties of preventing and detecting crime and enforcing the general criminal laws of the state; ~~and~~

(2) subject to the limitations in section 626.93, a law enforcement agency of a federally recognized tribe, as defined in United States Code, title 25, section 450b(e); and

(3) subject to the limitation of section 219.995, a railroad company.

(g) "Professional peace officer education" means a postsecondary degree program, or a nondegree program for persons who already have a college degree, that is offered by a college or university in Minnesota, designed for persons seeking licensure as a peace officer, and approved by the board.

(h) "Railroad peace officer" means an individual as authorized under United States Code, title 49, section 28101:

(1) employed by a railroad for the purpose of aiding and supplementing law enforcement agencies in the protection of property owned by or in the care, custody, or control of a railroad and to protect the persons and property of railroad passengers and employees; and

(2) licensed by the board.

Sec. 8. Minnesota Statutes 2022, section 626.8435, subdivision 1, is amended to read:

Subdivision 1. **Establishment and membership.** ~~The Ensuring Police Excellence and Improving Community Relations~~ Public Safety Advisory Council is established under the Peace Officer Standards and Training Board. The council consists of the following 15 members:

(1) the superintendent of the Bureau of Criminal Apprehension, or a designee;

(2) the executive director of the Peace Officer Standards and Training Board, or a designee;

(3) the executive director of the Minnesota Police and Peace Officers Association, or a designee;

(4) the executive director of the Minnesota Sheriffs' Association, or a designee;

(5) the executive director of the Minnesota Chiefs of Police Association, or a designee;

(6) six community members, of which:

(i) four members shall represent the community-specific boards established under sections 15.0145 and 3.922, reflecting one appointment made by each board;

(ii) one member shall be a mental health advocate and shall be appointed by the Minnesota chapter of the National Alliance on Mental Illness; and

(iii) one member shall be an advocate for victims and shall be appointed by Violence Free Minnesota; and

(7) four members appointed by the legislature, of which one shall be appointed by the speaker of the house, one by the house minority leader, one by the senate majority leader, and one by the senate minority leader.

The appointing authorities shall make their appointments by September 15, 2020, and shall ensure geographical balance when making appointments.

Sec. 9. [626.8437] TRAINING IN EXCITED DELIRIUM AND SIMILAR TERMS PROHIBITED.

Subdivision 1. Definition. For the purposes of this chapter, "excited delirium" means a description of a person's state of agitation, excitability, paranoia, extreme aggression, physical violence, and apparent immunity to pain that is not listed in the most current version of the Diagnostic and Statistical Manual of Mental Disorders, or for which there is insufficient scientific evidence or diagnostic criteria to be recognized as a medical condition. Excited delirium includes excited delirium syndrome, hyperactive delirium, agitated delirium, exhaustive mania, and similar terms.

Subd. 2. No continuing education credits or tuition reimbursement. (a) The board may not certify a continuing education course that includes training on the detection or use of the term excited delirium.

(b) The board may not grant continuing education credit to a peace officer for a course that includes training on the detection or use of the term excited delirium.

(c) The board may not reimburse a law enforcement agency or a peace officer for a course that includes training on the detection or use of the term excited delirium.

Subd. 3. Training prohibited. A law enforcement agency may not provide, directly or through a third party, to a peace officer any course that includes training on the detection or use of excited delirium. This section does not prohibit peace officer training in responding to and the proper care of a person in crisis.

Sec. 10. Minnesota Statutes 2022, section 626.8457, subdivision 3, is amended to read:

Subd. 3. **Report on alleged misconduct; database; report.** (a) A chief law enforcement officer shall report annually to the board summary data regarding the investigation and disposition of cases involving alleged misconduct, indicating the total number of investigations, the total number by each subject matter, the number dismissed as unfounded, and the number dismissed on grounds that the allegation was unsubstantiated.

(b) Beginning July 1, 2021, a chief law enforcement officer, in real time, must submit individual peace officer data classified as public data on individuals, as defined by section 13.02, subdivision 15, or private data on individuals, as defined by section 13.02, subdivision 12, and submitted using encrypted data that the board determines is necessary to:

(1) evaluate the effectiveness of statutorily required training;

(2) assist the ~~Ensuring Police Excellence and Improving Community Relations~~ Public Safety Advisory Council in accomplishing the council's duties; and

(3) allow for the board, the ~~Ensuring Police Excellence and Improving Community Relations~~ Public Safety Advisory Council, and the board's complaint investigation committee to identify patterns of behavior that suggest an officer is in crisis or is likely to violate a board-mandated model policy.

(c) The reporting obligation in paragraph (b) is ongoing. A chief law enforcement officer must update data within 30 days of final disposition of a complaint or investigation.

(d) Law enforcement agencies and political subdivisions are prohibited from entering into a confidentiality agreement that would prevent disclosure of the data identified in paragraph (b) to the board. Any such confidentiality agreement is void as to the requirements of this section.

(e) By February 1 of each year, the board shall prepare a report that contains summary data provided under paragraph (b). The board must post the report on its publicly accessible website and provide a copy to the chairs and ranking minority members of the senate and house of representatives committees and divisions having jurisdiction over criminal justice policy.

Sec. 11. **ANOKA COUNTY; JAIL AND CRIMINAL JUSTICE CENTER.**

Subdivision 1. **Jail and criminal justice center.** Notwithstanding Minnesota Statutes, section 373.05, Anoka County may build a jail and criminal justice center in any city located within the county to replace the current jail located in the city of Anoka.

Subd. 2. **Sheriff's office.** Notwithstanding Minnesota Statutes, section 382.04, the sheriff of Anoka County may keep office in the jail and criminal justice center authorized under subdivision 1 instead of in the county seat.

EFFECTIVE DATE. This section is effective the day following final enactment.

ARTICLE 4

MISCELLANEOUS CRIMINAL JUSTICE PROVISIONS

Section 1. **[3C.20] IDENTIFICATION, COLLECTION, AND PUBLICATION OF LAWS REGARDING COLLATERAL CONSEQUENCES.**

Subdivision 1. **Definitions.** (a) For the purposes of this section, the following terms have the meanings given.

(b) "Collateral consequence" means a collateral sanction or a disqualification.

(c) "Collateral sanction" means a penalty, disability, or disadvantage, however denominated, imposed on an individual as a result of the individual's conviction of an offense that applies by operation of law whether or not the penalty, disability, or disadvantage is included in the judgment or sentence. Collateral sanction does not include imprisonment, probation, parole, supervised release, forfeiture, restitution, fine, assessment, or costs of prosecution.

(d) "Conviction" or "convicted" includes a child adjudicated delinquent.

(e) "Disqualification" means a penalty, disability, or disadvantage, however denominated, that an administrative agency, governmental official, or court in a civil proceeding is authorized but not required to impose on an individual on grounds relating to the individual's conviction of an offense.

(f) "Offense" means a felony, gross misdemeanor, misdemeanor, or adjudication as a delinquent under the laws of this state, another state, or the United States.

Subd. 2. **Revisor's duties.** (a) The revisor of statutes shall:

(1) identify or cause to be identified any provision in this state's constitution, statutes, and administrative rules that imposes a collateral sanction or authorizes the imposition of a disqualification, and any provision of law that may afford relief from a collateral consequence;

51.1 (2) in a timely manner after the effective date of this section prepare a collection of
51.2 citations to, and the text or short descriptions of, the provisions identified under clause (1);
51.3 and

51.4 (3) annually update the collection in a timely manner after the regular or last special
51.5 session of the legislature in a calendar year.

51.6 In complying with clauses (1) and (2), the revisor may rely on the study of this state's
51.7 collateral sanctions, disqualifications, and relief provisions prepared by the National Institute
51.8 of Justice described in section 510 of the Court Security Improvement Act of 2007, Public
51.9 Law 110-177.

51.10 (b) The revisor of statutes shall include the following statements or substantially similar
51.11 language in a prominent manner at the beginning of the collection required under paragraph
51.12 (a):

51.13 (1) This collection has not been enacted into law and does not have the force of law.

51.14 (2) An error or omission in this collection or in any reference work cited in this collection
51.15 is not a reason for invalidating a plea, conviction, or sentence or for not imposing a collateral
51.16 sanction or authorizing a disqualification.

51.17 (3) The laws of other jurisdictions and local governments that impose additional collateral
51.18 sanctions and authorize additional disqualifications are not included in this collection.

51.19 (4) This collection does not include any law or other provision regarding the imposition
51.20 of or relief from a collateral sanction or a disqualification enacted or adopted after (date the
51.21 collection was prepared or last updated).

51.22 (c) The Office of the Revisor of Statutes shall publish the collection prepared and updated
51.23 as required under paragraph (a). If available, the revisor of statutes shall publish as part of
51.24 the collection the title and Internet address of the most recent collection of:

51.25 (1) the collateral consequences imposed by federal law; and

51.26 (2) any provision of federal law that may afford relief from a collateral consequence.

51.27 (d) The collection described under paragraph (c) must be available to the public on the
51.28 Internet without charge in a reasonable time after the collection is created or updated.

51.29 **EFFECTIVE DATE.** This section is effective January 1, 2025.

52.1 Sec. 2. Minnesota Statutes 2022, section 260B.007, subdivision 6, is amended to read:

52.2 Subd. 6. **Delinquent child.** (a) Except as otherwise provided in paragraphs (b), ~~and~~ (c),
52.3 and (d), "delinquent child" means a child:

52.4 (1) who has violated any state or local law, except as provided in section 260B.225,
52.5 subdivision 1, and except for juvenile offenders as described in subdivisions 16 to 18;

52.6 (2) who has violated a federal law or a law of another state and whose case has been
52.7 referred to the juvenile court if the violation would be an act of delinquency if committed
52.8 in this state or a crime or offense if committed by an adult;

52.9 (3) who has escaped from confinement to a state juvenile correctional facility after being
52.10 committed to the custody of the commissioner of corrections; or

52.11 (4) who has escaped from confinement to a local juvenile correctional facility after being
52.12 committed to the facility by the court.

52.13 (b) The term delinquent child does not include a child alleged to have committed murder
52.14 in the first degree after becoming 16 years of age, but the term delinquent child does include
52.15 a child alleged to have committed attempted murder in the first degree.

52.16 (c) The term delinquent child does not include a child alleged to have engaged in conduct
52.17 which would, if committed by an adult, violate any federal, state, or local law relating to
52.18 being hired, offering to be hired, or agreeing to be hired by another individual to engage in
52.19 sexual penetration or sexual conduct.

52.20 (d) Effective August 1, 2026, and applied to acts committed on or after that date, the
52.21 term delinquent child does not include a child alleged to have committed a delinquent act
52.22 before becoming 13 years old.

52.23 Sec. 3. Minnesota Statutes 2022, section 260B.007, subdivision 16, is amended to read:

52.24 Subd. 16. **Juvenile petty offender; juvenile petty offense.** (a) "Juvenile petty offense"
52.25 includes a juvenile alcohol offense, a juvenile controlled substance offense, a violation of
52.26 section 609.685, or a violation of a local ordinance, which by its terms prohibits conduct
52.27 by a child under the age of 18 years which would be lawful conduct if committed by an
52.28 adult.

52.29 (b) Except as otherwise provided in paragraph (c), "juvenile petty offense" also includes
52.30 an offense that would be a misdemeanor if committed by an adult.

52.31 (c) "Juvenile petty offense" does not include any of the following:

53.1 (1) a misdemeanor-level violation of section 518B.01, 588.20, 609.224, 609.2242,
53.2 609.324, subdivision 2 or 3, 609.5632, 609.576, 609.66, 609.746, 609.748, 609.79, or
53.3 617.23;

53.4 (2) a major traffic offense or an adult court traffic offense, as described in section
53.5 260B.225;

53.6 (3) a misdemeanor-level offense committed by a child whom the juvenile court previously
53.7 has found to have committed a misdemeanor, gross misdemeanor, or felony offense; or

53.8 (4) a misdemeanor-level offense committed by a child whom the juvenile court has
53.9 found to have committed a misdemeanor-level juvenile petty offense on two or more prior
53.10 occasions, unless the county attorney designates the child on the petition as a juvenile petty
53.11 offender notwithstanding this prior record. As used in this clause, "misdemeanor-level
53.12 juvenile petty offense" includes a misdemeanor-level offense that would have been a juvenile
53.13 petty offense if it had been committed on or after July 1, 1995.

53.14 (d) A child who commits a juvenile petty offense is a "juvenile petty offender." The
53.15 term juvenile petty offender does not include a child alleged to have violated any law relating
53.16 to being hired, offering to be hired, or agreeing to be hired by another individual to engage
53.17 in sexual penetration or sexual conduct which, if committed by an adult, would be a
53.18 misdemeanor.

53.19 (e) Effective August 1, 2026, and applied to acts committed on or after that date,
53.20 notwithstanding any contrary provision in paragraphs (a) to (d), a juvenile petty offender
53.21 does not include a child who is alleged to have committed a juvenile petty offense before
53.22 reaching the age of 13 years.

53.23 **Sec. 4. [260B.009] DNA COLLECTION; PARENTAL CONSENT, COURT ORDER,**
53.24 **OR WARRANT REQUIRED.**

53.25 (a) As used in this section, "DNA analysis" has the meaning given in section 299C.155.

53.26 (b) A biological specimen for the purpose of DNA analysis must not be taken from a
53.27 minor without the consent of the minor's parent or custodian, a court order, or a warrant.

53.28 (c) A minor whose biological specimen is collected in violation of paragraph (b) may
53.29 move the court to suppress the use, as evidence, of the results of the DNA analysis and for
53.30 destruction of the biological specimen.

53.31 **EFFECTIVE DATE.** This section is effective August 1, 2024, and applies to biological
53.32 specimens collected on or after that date.

54.1 Sec. 5. Minnesota Statutes 2022, section 260C.007, subdivision 6, is amended to read:

54.2 Subd. 6. **Child in need of protection or services.** "Child in need of protection or
54.3 services" means a child who is in need of protection or services because the child:

54.4 (1) is abandoned or without parent, guardian, or custodian;

54.5 (2)(i) has been a victim of physical or sexual abuse as defined in section 260E.03,
54.6 subdivision 18 or 20, (ii) resides with or has resided with a victim of child abuse as defined
54.7 in subdivision 5 or domestic child abuse as defined in subdivision 13, (iii) resides with or
54.8 would reside with a perpetrator of domestic child abuse as defined in subdivision 13 or child
54.9 abuse as defined in subdivision 5 or 13, or (iv) is a victim of emotional maltreatment as
54.10 defined in subdivision 15;

54.11 (3) is without necessary food, clothing, shelter, education, or other required care for the
54.12 child's physical or mental health or morals because the child's parent, guardian, or custodian
54.13 is unable or unwilling to provide that care;

54.14 (4) is without the special care made necessary by a physical, mental, or emotional
54.15 condition because the child's parent, guardian, or custodian is unable or unwilling to provide
54.16 that care;

54.17 (5) is medically neglected, which includes, but is not limited to, the withholding of
54.18 medically indicated treatment from an infant with a disability with a life-threatening
54.19 condition. The term "withholding of medically indicated treatment" means the failure to
54.20 respond to the infant's life-threatening conditions by providing treatment, including
54.21 appropriate nutrition, hydration, and medication which, in the treating physician's, advanced
54.22 practice registered nurse's, or physician assistant's reasonable medical judgment, will be
54.23 most likely to be effective in ameliorating or correcting all conditions, except that the term
54.24 does not include the failure to provide treatment other than appropriate nutrition, hydration,
54.25 or medication to an infant when, in the treating physician's, advanced practice registered
54.26 nurse's, or physician assistant's reasonable medical judgment:

54.27 (i) the infant is chronically and irreversibly comatose;

54.28 (ii) the provision of the treatment would merely prolong dying, not be effective in
54.29 ameliorating or correcting all of the infant's life-threatening conditions, or otherwise be
54.30 futile in terms of the survival of the infant; or

54.31 (iii) the provision of the treatment would be virtually futile in terms of the survival of
54.32 the infant and the treatment itself under the circumstances would be inhumane;

(6) is one whose parent, guardian, or other custodian for good cause desires to be relieved of the child's care and custody, including a child who entered foster care under a voluntary placement agreement between the parent and the responsible social services agency under section 260C.227;

(7) has been placed for adoption or care in violation of law;

(8) is without proper parental care because of the emotional, mental, or physical disability, or state of immaturity of the child's parent, guardian, or other custodian;

(9) is one whose behavior, condition, or environment is such as to be injurious or dangerous to the child or others. An injurious or dangerous environment may include, but is not limited to, the exposure of a child to criminal activity in the child's home;

(10) is experiencing growth delays, which may be referred to as failure to thrive, that have been diagnosed by a physician and are due to parental neglect;

(11) is a sexually exploited youth;

(12) has committed a delinquent act or a juvenile petty offense before becoming ten years old. This clause expires July 31, 2026;

(13) is a runaway;

(14) is a habitual truant;

(15) has been found incompetent to proceed or has been found not guilty by reason of mental illness or mental deficiency in connection with a delinquency proceeding, a certification under section 260B.125, an extended jurisdiction juvenile prosecution, or a proceeding involving a juvenile petty offense; ~~or~~

(16) has a parent whose parental rights to one or more other children were involuntarily terminated or whose custodial rights to another child have been involuntarily transferred to a relative and there is a case plan prepared by the responsible social services agency documenting a compelling reason why filing the termination of parental rights petition under section 260C.503, subdivision 2, is not in the best interests of the child; or

(17) effective August 1, 2026, has committed a delinquent act or a juvenile petty offense before becoming 13 years old.

Sec. 6. Minnesota Statutes 2022, section 260E.06, subdivision 1, is amended to read:

Subdivision 1. **Mandatory reporters.** (a) A person who knows or has reason to believe a child is being maltreated, as defined in section 260E.03, or has been maltreated within

the preceding three years shall immediately report the information to the local welfare agency, agency responsible for assessing or investigating the report, police department, county sheriff, tribal social services agency, or tribal police department if the person is:

(1) a professional or professional's delegate who is engaged in the practice of the healing arts, social services, hospital administration, psychological or psychiatric treatment, child care, education, correctional supervision, probation and correctional services, or law enforcement; or

(2) employed as a member of the clergy and received the information while engaged in ministerial duties, provided that a member of the clergy is not required by this subdivision to report information that is otherwise privileged under section 595.02, subdivision 1, paragraph (c).

(b) "Practice of social services" for the purposes of this subdivision includes but is not limited to employee assistance counseling and the provision of guardian ad litem and parenting time expeditor services.

(c) A corporation, school, nonprofit organization, religious organization, facility as defined in section 260E.03, subdivision 6, or similar entity must not have any policies, written or otherwise, that prevent or discourage a mandatory or voluntary reporter from reporting suspected or alleged maltreatment of a child in accordance with this section.

Sec. 7. Minnesota Statutes 2022, section 260E.08, is amended to read:

260E.08 CRIMINAL PENALTIES FOR FAILURE TO REPORT; CIVIL PENALTY FOR MAKING FALSE REPORT.

(a) A person mandated by section 260E.06, subdivision 1, to report who knows or has reason to believe that a child is maltreated, as defined in section 260E.03, or has been maltreated within the preceding three years, and fails to report is guilty of a misdemeanor.

(b) A person mandated by section 260E.06, subdivision 1, to report who knows or has reason to believe that two or more children not related to the offender have been maltreated, as defined in section 260E.03, by the same offender within the preceding ten years, and fails to report is guilty of a gross misdemeanor.

(c) A parent, guardian, or caretaker who knows or reasonably should know that the child's health is in serious danger and who fails to report as required by section 260E.06, subdivision 3, is guilty of a gross misdemeanor if the child suffers substantial or great bodily harm because of the lack of medical care. If the child dies because of the lack of medical care, the person is guilty of a felony and may be sentenced to imprisonment for not more

than two years or to payment of a fine of not more than \$4,000, or both. The provision in section 609.378, subdivision 1, paragraph (a), clause (1), providing that a parent, guardian, or caretaker may, in good faith, select and depend on spiritual means or prayer for treatment or care of a child, does not exempt a parent, guardian, or caretaker from the duty to report under this chapter.

(d) Any person who knowingly or recklessly makes a false report under the provisions of this chapter shall be liable in a civil suit for any actual damages suffered by the person or persons so reported and for any punitive damages set by the court or jury, plus costs and reasonable attorney fees.

(e) A person who intentionally prevents or attempts to prevent a person mandated by section 260E.06, subdivision 1, to report under this chapter is guilty of a misdemeanor.

Sec. 8. Minnesota Statutes 2023 Supplement, section 299C.105, subdivision 1, is amended to read:

Subdivision 1. **Required collection of biological specimen for DNA testing.** (a) Sheriffs, peace officers, and community corrections agencies operating secure juvenile detention facilities shall take or cause to be taken biological specimens for the purpose of DNA analysis as defined in section 299C.155, of the following:

~~(1) persons who have appeared in court and have had a judicial probable cause determination on a charge of committing,~~ or persons having been convicted of or attempting to commit; any of the following:

(i) murder under section 609.185, 609.19, or 609.195;

(ii) manslaughter under section 609.20 or 609.205;

(iii) assault under section 609.221, 609.222, or 609.223;

(iv) robbery under section 609.24, aggravated robbery under section 609.245, or carjacking under section 609.247;

(v) kidnapping under section 609.25;

(vi) false imprisonment under section 609.255;

(vii) criminal sexual conduct under section 609.342, 609.343, 609.344, 609.345, 609.3451, subdivision 3, or 609.3453;

(viii) incest under section 609.365;

(ix) burglary under section 609.582, subdivision 1; or

- 58.1 (x) indecent exposure under section 617.23, subdivision 3;
- 58.2 (2) persons sentenced as patterned sex offenders under section 609.3455, subdivision
- 58.3 3a; or
- 58.4 (3) ~~juveniles who have appeared in court and have had a judicial probable cause~~
- 58.5 ~~determination on a charge of committing, or~~ juveniles having been adjudicated delinquent
- 58.6 for committing or attempting to commit; any of the following:
- 58.7 (i) murder under section 609.185, 609.19, or 609.195;
- 58.8 (ii) manslaughter under section 609.20 or 609.205;
- 58.9 (iii) assault under section 609.221, 609.222, or 609.223;
- 58.10 (iv) robbery under section 609.24, aggravated robbery under section 609.245, or
- 58.11 carjacking under section 609.247;
- 58.12 (v) kidnapping under section 609.25;
- 58.13 (vi) false imprisonment under section 609.255;
- 58.14 (vii) criminal sexual conduct under section 609.342, 609.343, 609.344, 609.345,
- 58.15 609.3451, subdivision 3, or 609.3453;
- 58.16 (viii) incest under section 609.365;
- 58.17 (ix) burglary under section 609.582, subdivision 1; or
- 58.18 (x) indecent exposure under section 617.23, subdivision 3.
- 58.19 (b) Unless the superintendent of the bureau requires a shorter period, within 72 hours
- 58.20 the biological specimen required under paragraph (a) must be forwarded to the bureau in
- 58.21 such a manner as may be prescribed by the superintendent.
- 58.22 (c) Prosecutors, courts, and probation officers shall attempt to ensure that the biological
- 58.23 specimen is taken on a person described in paragraph (a).
- 58.24 Sec. 9. Minnesota Statutes 2022, section 590.01, subdivision 4, is amended to read:
- 58.25 Subd. 4. **Time limit.** (a) No petition for postconviction relief may be filed more than
- 58.26 two years after the later of:
- 58.27 (1) the entry of judgment of conviction or sentence if no direct appeal is filed; or
- 58.28 (2) an appellate court's disposition of petitioner's direct appeal.

59.1 (b) Notwithstanding paragraph (a), a court may hear a petition for postconviction relief
59.2 if:

59.3 (1) the petitioner establishes that a physical disability or mental disease precluded a
59.4 timely assertion of the claim;

59.5 (2) the petitioner alleges the existence of newly discovered evidence, including scientific
59.6 evidence, that provides facts necessary to sustain one or more legally cognizable claims for
59.7 postconviction relief, if such evidence could not have been ascertained by the exercise of
59.8 due diligence by the petitioner or petitioner's attorney within the two-year time period for
59.9 filing a postconviction petition, ~~and the evidence~~ is not cumulative to evidence presented
59.10 at trial, and is not for impeachment purposes, ~~and establishes by a clear and convincing~~
59.11 ~~standard that the petitioner is innocent of the offense or offenses for which the petitioner~~
59.12 ~~was convicted;~~

59.13 (3) the petitioner asserts a new interpretation of federal or state constitutional or statutory
59.14 law by either the United States Supreme Court or a Minnesota appellate court and the
59.15 petitioner establishes that this interpretation is retroactively applicable to the petitioner's
59.16 case;

59.17 (4) the petition is brought pursuant to subdivision 3; or

59.18 (5) the petitioner establishes to the satisfaction of the court that the petition is not frivolous
59.19 and is in the interests of justice.

59.20 (c) Any petition invoking an exception provided in paragraph (b) must be filed within
59.21 two years of the date the claim arises.

59.22 Sec. 10. Minnesota Statutes 2022, section 590.03, is amended to read:

59.23 **590.03 PLEADINGS AND PRACTICE AFTER FILING A POSTCONVICTION**
59.24 **PETITION.**

59.25 Within ~~20~~ 45 days after the filing of the petition pursuant to section 590.01 or within
59.26 such time as the judge to whom the matter has been assigned may fix, the county attorney,
59.27 or the attorney general, on behalf of the state, shall respond to the petition by answer or
59.28 motion which shall be filed with the court administrator of district court and served on the
59.29 petitioner if unrepresented or on the petitioner's attorney. No further pleadings are necessary
59.30 except as the court may order. The court may at any time prior to its decision on the merits
59.31 permit a withdrawal of the petition, may permit amendments thereto, and to the answer.
59.32 The court shall liberally construe the petition and any amendments thereto and shall look
59.33 to the substance thereof and waive any irregularities or defects in form.

Sec. 11. Minnesota Statutes 2022, section 604A.05, subdivision 1, is amended to read:

Subdivision 1. **Person seeking medical providing assistance; immunity from prosecution.** A person acting in good faith who seeks medical assistance for or acts in concert with a person seeking medical assistance for another person who is experiencing a drug-related overdose may not be charged or prosecuted for the possession, sharing, or use of a controlled substance under section 152.023, subdivision 2, ~~clauses (4) and (6),~~ 152.024, or 152.025, ~~or possession of drug paraphernalia.~~ A person qualifies for the immunities provided in this subdivision only if:

(1) the evidence for the charge or prosecution was obtained as a result of the person's seeking medical assistance for or acting in concert with a person seeking medical assistance for another person; and

(2) the person seeks medical assistance for or acts in concert with a person seeking medical assistance for another person who is in need of medical assistance for an immediate health or safety concern, provided that the person ~~who seeks the medical assistance is the first person to seek the assistance,~~ provides a name and contact information, remains on the scene until assistance arrives or is provided, and cooperates with the authorities.

Good faith does not include seeking medical assistance during the course of the execution of an arrest warrant or search warrant or a lawful search.

EFFECTIVE DATE. This section is effective August 1, 2024, and applies to acts committed on or after that date.

Sec. 12. Minnesota Statutes 2023 Supplement, section 609.3455, subdivision 5, is amended to read:

Subd. 5. **Life sentences; minimum term of imprisonment.** At the time of sentencing under subdivision 3 or 4, the court shall specify a minimum term of imprisonment, based on the sentencing guidelines or any applicable mandatory minimum sentence, that must be served before the offender may be considered for supervised release. If the offender was under 18 years of age at the time of the commission of the offense, the minimum term of imprisonment specified by the court shall not exceed the applicable minimum term of imprisonment described in section 244.05, subdivision 4b.

EFFECTIVE DATE. This section is effective the day following final enactment.

61.1 Sec. 13. Minnesota Statutes 2023 Supplement, section 609A.015, subdivision 3, as amended
61.2 by Laws 2024, chapter 80, article 8, section 63, is amended to read:

61.3 Subd. 3. **Eligibility; certain criminal proceedings.** (a) A person is eligible for a grant
61.4 of expungement relief if the person:

61.5 (1) was convicted of a qualifying offense;

61.6 (2) has not been convicted of a new offense, other than an offense that would be a petty
61.7 misdemeanor, in Minnesota:

61.8 (i) during the applicable waiting period immediately following discharge of the disposition
61.9 or sentence for the crime; or

61.10 (ii) during the applicable waiting period immediately preceding a subsequent review
61.11 performed pursuant to subdivision 5, paragraph (a); and

61.12 (3) is not charged with an offense, other than an offense that would be a petty
61.13 misdemeanor, in Minnesota at the time the person reaches the end of the applicable waiting
61.14 period or at the time of a subsequent review.

61.15 (b) As used in this subdivision, "qualifying offense" means a conviction for:

61.16 (1) any petty misdemeanor offense other than a violation of a traffic regulation relating
61.17 to the operation or parking of motor vehicles;

61.18 (2) any misdemeanor offense other than:

61.19 (i) section 169A.20 under the terms described in section 169A.27 (fourth-degree driving
61.20 while impaired);

61.21 (ii) section 518B.01, subdivision 14 (violation of an order for protection);

61.22 (iii) section 609.224 (assault in the fifth degree);

61.23 (iv) section 609.2242 (domestic assault);

61.24 (v) section 609.746 (interference with privacy);

61.25 (vi) section 609.748 (violation of a harassment restraining order);

61.26 (vii) section 609.78 (interference with emergency call);

61.27 (viii) section 609.79 (obscene or harassing phone calls);

61.28 (ix) section 617.23 (indecent exposure); or

61.29 (x) section 629.75 (violation of domestic abuse no contact order);

- 62.1 (3) any gross misdemeanor offense other than:
- 62.2 (i) section 169.13, subdivision 1, if the person causes great bodily harm or death to
- 62.3 another (reckless driving resulting in great bodily harm or death);
- 62.4 ~~(i)~~ (ii) section 169A.25 (second-degree driving while impaired);
- 62.5 ~~(ii)~~ (iii) section 169A.26 (third-degree driving while impaired);
- 62.6 ~~(iii)~~ (iv) section 518B.01, subdivision 14 (violation of an order for protection);
- 62.7 ~~(iv)~~ (v) section 609.2113, subdivision 3 (criminal vehicular operation);
- 62.8 ~~(v)~~ (vi) section 609.2231 (assault in the fourth degree);
- 62.9 ~~(vi)~~ (vii) section 609.224 (assault in the fifth degree);
- 62.10 ~~(vii)~~ (viii) section 609.2242 (domestic assault);
- 62.11 ~~(viii)~~ (ix) section 609.233 (criminal neglect);
- 62.12 ~~(ix)~~ (x) section 609.3451 (criminal sexual conduct in the fifth degree);
- 62.13 ~~(x)~~ (xi) section 609.377 (malicious punishment of child);
- 62.14 ~~(xi)~~ (xii) section 609.485 (escape from custody);
- 62.15 ~~(xii)~~ (xiii) section 609.498 (tampering with witness);
- 62.16 ~~(xiii)~~ (xiv) section 609.582, subdivision 4 (burglary in the fourth degree);
- 62.17 ~~(xiv)~~ (xv) section 609.746 (interference with privacy);
- 62.18 ~~(xv)~~ (xvi) section 609.748 (violation of a harassment restraining order);
- 62.19 ~~(xvi)~~ (xvii) section 609.749 (harassment; stalking);
- 62.20 ~~(xvii)~~ (xviii) section 609.78 (interference with emergency call);
- 62.21 ~~(xviii)~~ (xix) section 617.23 (indecent exposure);
- 62.22 ~~(xix)~~ (xx) section 617.261 (nonconsensual dissemination of private sexual images); or
- 62.23 ~~(xx)~~ (xxi) section 629.75 (violation of domestic abuse no contact order); or
- 62.24 (4) any felony offense listed in section 609A.02, subdivision 3, paragraph (b), other
- 62.25 than:
- 62.26 (i) section 152.023, subdivision 2 (possession of a controlled substance in the third
- 62.27 degree);
- 62.28 (ii) 152.024, subdivision 2 (possession of a controlled substance in the fourth degree);

63.1 (iii) section 609.485, subdivision 4, paragraph (a), clause (2) or (4) (escape from civil
63.2 commitment for mental illness); ~~or~~

63.3 (iv) section 609.582, subdivision 3, paragraph (a) (burglary in the third degree; other
63.4 than trespass); or

63.5 (v) section 609.746, subdivision 1, paragraph (g) (interference with privacy;
63.6 subsequent violation or minor victim).

63.7 (c) As used in this subdivision, "applicable waiting period" means:

63.8 (1) if the offense was a petty misdemeanor, two years since discharge of the sentence;

63.9 (2) if the offense was a misdemeanor, two years since discharge of the sentence for the
63.10 crime;

63.11 (3) if the offense was a gross misdemeanor, three years since discharge of the sentence
63.12 for the crime;

63.13 (4) if the offense was a felony violation of section 152.025, four years since the discharge
63.14 of the sentence for the crime; and

63.15 (5) if the offense was any other felony, five years since discharge of the sentence for the
63.16 crime.

63.17 (d) Felony offenses deemed to be a gross misdemeanor or misdemeanor pursuant to
63.18 section 609.13, subdivision 1, remain ineligible for expungement under this section. Gross
63.19 misdemeanor offenses ineligible for a grant of expungement under this section remain
63.20 ineligible if deemed to be for a misdemeanor pursuant to section 609.13, subdivision 2.

63.21 (e) The service requirements in section 609A.03, subdivision 8, do not apply to any
63.22 expungements ordered under this subdivision.

63.23 (f) An expungement order does not apply to records held by the commissioners of
63.24 children, youth, and families; health; and human services.

63.25 **EFFECTIVE DATE.** This section is effective January 1, 2025.

63.26 Sec. 14. Minnesota Statutes 2023 Supplement, section 609A.02, subdivision 3, is amended
63.27 to read:

63.28 Subd. 3. **Certain criminal proceedings.** (a) A petition may be filed under section
63.29 609A.03 to seal all records relating to an arrest, indictment or information, trial, or verdict
63.30 if the records are not subject to section 299C.11, subdivision 1, paragraph (b), and if:

(1) all pending actions or proceedings were resolved in favor of the petitioner. For purposes of this chapter, a verdict of not guilty by reason of mental illness is not a resolution in favor of the petitioner. For the purposes of this chapter, an action or proceeding is resolved in favor of the petitioner, if the petitioner received an order under section 590.11 determining that the petitioner is eligible for compensation based on exoneration;

(2) the petitioner has successfully completed the terms of a diversion program or stay of adjudication and has not been charged with a new crime for at least one year since completion of the diversion program or stay of adjudication;

(3) the petitioner was convicted of a petty misdemeanor or misdemeanor or the sentence imposed was within the limits provided by law for a misdemeanor and the petitioner has not been convicted of a new crime for at least two years since discharge of the sentence for the crime;

(4) the petitioner was convicted of a gross misdemeanor or the sentence imposed was within the limits provided by law for a gross misdemeanor and the petitioner has not been convicted of a new crime for at least three years since discharge of the sentence for the crime;

(5) the petitioner was convicted of a gross misdemeanor that is deemed to be for a misdemeanor pursuant to section 609.13, subdivision 2, clause (2), and has not been convicted of a new crime for at least three years since discharge of the sentence for the crime;

(6) the petitioner was convicted of a felony violation of section 152.025 and has not been convicted of a new crime for at least four years since discharge of the sentence for the crime;

(7) the petitioner was convicted of a felony that is deemed to be for a gross misdemeanor or misdemeanor pursuant to section 609.13, subdivision 1, clause (2), and has not been convicted of a new crime for at least:

(i) four years since discharge of the sentence for the crime if the conviction was for an offense listed in paragraph (b); or

(ii) five years since discharge of the sentence for the crime if the conviction was for any other offense; or

(8) the petitioner was convicted of a felony violation of an offense listed in paragraph (b), and has not been convicted of a new crime for at least four years since discharge of the sentence for the crime.

(b) Paragraph (a), clause ~~(7)~~ (8), applies to the following offenses:

- 65.1 (1) section 35.824 (altering livestock certificate);
- 65.2 (2) section 62A.41 (insurance regulations);
- 65.3 (3) section 86B.865, subdivision 1 (certification for title on watercraft);
- 65.4 (4) section 152.023, subdivision 2 (possession of a controlled substance in the third
- 65.5 degree); 152.024, subdivision 2 (possession of a controlled substance in the fourth degree);
- 65.6 152.025 (controlled substance in the fifth degree); or 152.097 (sale of simulated controlled
- 65.7 substance);
- 65.8 (5) section 168A.30, subdivision 1 (certificate of title false information); or 169.09,
- 65.9 subdivision 14, paragraph (a), clause (2) (accident resulting in great bodily harm);
- 65.10 (6) chapter 201; 203B; or 204C (voting violations);
- 65.11 (7) section 228.45; 228.47; 228.49; 228.50; or 228.51 (false bill of lading);
- 65.12 (8) section 256.984 (false declaration in assistance application);
- 65.13 (9) section 296A.23, subdivision 2 (willful evasion of fuel tax);
- 65.14 (10) section 297D.09, subdivision 1 (failure to affix stamp on scheduled substances);
- 65.15 (11) section 297G.19 (liquor taxation); or 340A.701 (unlawful acts involving liquor);
- 65.16 (12) section 325F.743 (precious metal dealers); or 325F.755, subdivision 7 (prize notices
- 65.17 and solicitations);
- 65.18 (13) section 346.155, subdivision 10 (failure to control regulated animal);
- 65.19 (14) section 349.2127; or 349.22 (gambling regulations);
- 65.20 (15) section 588.20 (contempt);
- 65.21 (16) section 609.27, subdivision 1, clauses (2) to (5) (coercion);
- 65.22 (17) section 609.31 (leaving state to evade establishment of paternity);
- 65.23 (18) section 609.485, subdivision 4, paragraph (a), clause (2) or (4) (escape from civil
- 65.24 commitment for mental illness);
- 65.25 (19) section 609.49 (failure to appear in court);
- 65.26 (20) section 609.52, subdivision 2, when sentenced pursuant to section 609.52,
- 65.27 subdivision 3, clause (3)(a) (theft of \$5,000 or less) or 609.52, subdivision 3a, clause (1)
- 65.28 (theft of \$1,000 or less with risk of bodily harm); or any other offense sentenced pursuant
- 65.29 to section 609.52, subdivision 3, clause (3)(a);

- 66.1 (21) section 609.521 (possession of shoplifting gear);
- 66.2 (22) section 609.525 (bringing stolen goods into state);
- 66.3 (23) section 609.526, subdivision 2, clause (2) (metal dealer receiving stolen goods);
- 66.4 (24) section 609.527, subdivision 5b (possession or use of scanning device or reencoder);
- 66.5 609.528, subdivision 3, clause (3) (possession or sale of stolen or counterfeit check); or
- 66.6 609.529 (mail theft);
- 66.7 (25) section 609.53 (receiving stolen goods);
- 66.8 (26) section 609.535, subdivision 2a, paragraph (a), clause (1) (dishonored check over
- 66.9 \$500);
- 66.10 (27) section 609.54, clause (1) (embezzlement of public funds \$2,500 or less);
- 66.11 (28) section 609.551 (rustling and livestock theft);
- 66.12 (29) section 609.5641, subdivision 1a, paragraph (a) (wildfire arson);
- 66.13 (30) section 609.576, subdivision 1, clause (3), item (iii) (negligent fires);
- 66.14 (31) section 609.582, subdivision 3 (burglary in the third degree);
- 66.15 (32) section 609.59 (possession of burglary or theft tools);
- 66.16 (33) section 609.595, subdivision 1, clauses (3) to (5), and subdivision 1a, paragraph
- 66.17 (a) (criminal damage to property);
- 66.18 (34) section 609.597, subdivision 3, clause (3) (assaulting or harming police horse);
- 66.19 (35) section 609.625 (aggravated forgery); 609.63 (forgery); 609.631, subdivision 4,
- 66.20 clause (3)(a) (check forgery and offering forged check, \$2,500 or less); 609.635 (obtaining
- 66.21 signature by false pretense); 609.64 (recording, filing forged instrument); or 609.645
- 66.22 (fraudulent statements);
- 66.23 (36) section 609.65, clause (1) (false certification by notary); or 609.651, subdivision
- 66.24 4, paragraph (a) (lottery fraud);
- 66.25 (37) section 609.652 (fraudulent driver's license and identification card);
- 66.26 (38) section 609.66, subdivision 1a, paragraph (a) (discharge of firearm; silencer); or
- 66.27 609.66, subdivision 1b (furnishing firearm to minor);
- 66.28 (39) section 609.662, subdivision 2, paragraph (b) (duty to render aid);
- 66.29 (40) section 609.686, subdivision 2 (tampering with fire alarm);

- 67.1 (41) section 609.746, subdivision 1, paragraph (g) (interference with privacy; subsequent
67.2 violation or minor victim);
- 67.3 (42) section 609.80, subdivision 2 (interference with cable communications system);
- 67.4 (43) section 609.821, subdivision 2 (financial transaction card fraud);
- 67.5 (44) section 609.822 (residential mortgage fraud);
- 67.6 (45) section 609.825, subdivision 2 (bribery of participant or official in contest);
- 67.7 (46) section 609.855, subdivision 2, paragraph (c), clause (1) (interference with transit
67.8 operator);
- 67.9 (47) section 609.88 (computer damage); or 609.89 (computer theft);
- 67.10 (48) section 609.893, subdivision 2 (telecommunications and information services fraud);
- 67.11 (49) section 609.894, subdivision 3 or 4 (cellular counterfeiting);
- 67.12 (50) section 609.895, subdivision 3, paragraph (a) or (b) (counterfeited intellectual
67.13 property);
- 67.14 (51) section 609.896 (movie pirating);
- 67.15 (52) section 624.7132, subdivision 15, paragraph (b) (transfer pistol to minor); 624.714,
67.16 subdivision 1a (pistol without permit; subsequent violation); or 624.7141, subdivision 2
67.17 (transfer of pistol to ineligible person); or
- 67.18 (53) section 624.7181 (rifle or shotgun in public by minor).

67.19 Sec. 15. **[627.16] CRIMINAL SEXUAL CONDUCT; MENTALLY**
67.20 **INCAPACITATED; ASLEEP OR NOT CONSCIOUS.**

67.21 A criminal action arising out of an incident of alleged criminal sexual conduct may be
67.22 prosecuted either in the county where any element of the alleged sexual penetration or sexual
67.23 contact was committed or the county where the complainant is found when the complainant
67.24 was, at the time of the act:

67.25 (1) mentally incapacitated, as defined in section 609.341, subdivision 7; or

67.26 (2) physically helpless, as defined in section 609.341, subdivision 9, as the result of
67.27 being asleep or not conscious.

Sec. 16. **[634.025] CONFESSION BY A JUVENILE; INADMISSIBLE WHEN DECEPTION IS USED.**

(a) Any admission, confession, or statement, whether written or oral, made by a person under 18 years of age during a custodial interrogation by a law enforcement agency official or their agent, is presumed to have been made involuntarily and is inadmissible in any proceeding if, during the interrogation, a law enforcement agency official or that person's agent:

(1) communicated information that an official or agent conducting or participating in the interrogation knew to be false if that information was about the existence or nature of evidence that a reasonable person would find to be material in assessing any suspected or alleged criminal conduct by the individual being interrogated; or

(2) communicated statements regarding leniency that the official or agent was not authorized to make.

(b) The presumption that any such admission, confession, or statement, or any portion thereof, is made involuntarily and is inadmissible may be overcome if the state proves by a preponderance of the evidence that the admission, confession, or statement, or the given portion thereof, was voluntary, reliable, and not induced by any act described in paragraph (a).

(c) The presumption of inadmissibility set forth in paragraph (a) shall not apply to any portion of an admission, confession, or statement that occurs prior to the first instance in which one of the acts described in paragraph (a) occurs.

(d) That an admission, confession, or statement is deemed inadmissible under this section shall have no effect on the admissibility of evidence obtained as a result of the admission, confession, or statement if the evidence would have been discovered through independent lawful means or if knowledge of the evidence was acquired through an independent source.

EFFECTIVE DATE. This section is effective January 1, 2025, and applies to an admission, confession, or statement, whether written or oral, made on or after that date.

Sec. 17. Minnesota Statutes 2023 Supplement, section 638.12, subdivision 2, is amended to read:

Subd. 2. **Pardon eligibility; waiver.** (a) Except as provided in paragraphs (b) and (c), an individual convicted of a crime in a court of this state may apply for a pardon of the individual's conviction on or after five years from the sentence's expiration or discharge date.

(b) An individual convicted before August 1, 2023, of a violation of section 609.19, subdivision 1, clause (1), under the theory of liability for crimes of another may apply for a pardon upon the sentence's expiration or discharge date if the individual:

(1) was charged with a violation of section 609.185, paragraph (a), clause (3), and:

(i) thereafter pled guilty to a violation of section 609.19, subdivision 1, clause (1);

(ii) did not cause the death of a human being; and

(iii) did not intentionally aid, advise, hire, counsel, or conspire with or otherwise procure another with the intent to cause the death of a human being; or

(2) was charged with a violation of section 609.19, subdivision 2, and:

(i) thereafter pled guilty to a violation of section 609.19, subdivision 1, clause (1);

(ii) did not cause the death of a human being; and

(iii) was not a major participant, as defined in section 609.05, subdivision 2a, paragraph (c), in the underlying felony ~~and~~ or did not act with extreme indifference to human life.

(c) An individual may request the board to waive the waiting period if there is a showing of unusual circumstances and special need.

(d) The commission must review a waiver request and recommend to the board whether to grant the request. When considering a waiver request, the commission is exempt from the meeting requirements under section 638.14 and chapter 13D.

(e) The board must grant a waiver request unless the governor or a board majority opposes the waiver.

Sec. 18. Minnesota Statutes 2023 Supplement, section 638.15, subdivision 1, is amended to read:

Subdivision 1. **Grounds for recommending clemency.** (a) When recommending whether to grant clemency, the commission must consider any factors that the commission deems appropriate, including but not limited to:

(1) the nature, seriousness, and circumstances of the applicant's crime; the applicant's age at the time of the crime; and the time that has elapsed between the crime and the application;

(2) the successful completion or revocation of previous probation, parole, supervised release, or conditional release;

- 70.1 (3) the number, nature, and circumstances of the applicant's other criminal convictions;
- 70.2 (4) the extent to which the applicant has demonstrated rehabilitation through
- 70.3 postconviction conduct, character, and reputation;
- 70.4 (5) the extent to which the applicant has accepted responsibility, demonstrated remorse,
- 70.5 and made restitution to victims;
- 70.6 (6) whether the sentence is clearly excessive in light of the applicant's crime and criminal
- 70.7 history and any sentence received by an accomplice and with due regard given to:
- 70.8 (i) any plea agreement;
- 70.9 (ii) the sentencing judge's views; and
- 70.10 (iii) the sentencing ranges established by law;
- 70.11 (7) whether the applicant was convicted before August 1, 2023, of a violation of section
- 70.12 609.19, subdivision 1, clause (1), under the theory of liability for crimes of another and, if
- 70.13 so, whether the applicant:
- 70.14 (i) was charged with a violation of section 609.185, paragraph (a), clause (3), and:
- 70.15 (A) thereafter pled guilty to a violation of section 609.19, subdivision 1, clause (1);
- 70.16 (B) did not cause the death of a human being; and
- 70.17 (C) did not intentionally aid, advise, hire, counsel, or conspire with or otherwise procure
- 70.18 another with the intent to cause the death of a human being; or
- 70.19 (ii) was charged with a violation of section 609.19, subdivision 2, and:
- 70.20 (A) thereafter pled guilty to a violation of section 609.19, subdivision 1, clause (1);
- 70.21 (B) did not cause the death of a human being; and
- 70.22 (C) was not a major participant, as defined in section 609.05, subdivision 2a, paragraph
- 70.23 (c), in the underlying felony ~~and~~ or did not act with extreme indifference to human life;
- 70.24 (8) whether the applicant's age or medical status indicates that it is in the best interest
- 70.25 of society that the applicant receive clemency;
- 70.26 (9) the applicant's asserted need for clemency, including family needs and barriers to
- 70.27 housing or employment created by the conviction;
- 70.28 (10) for an applicant under the department's custody, the adequacy of the applicant's
- 70.29 reentry plan;

71.1 (11) the amount of time already served by the applicant and the availability of other
71.2 forms of judicial or administrative relief;

71.3 (12) the extent to which there is credible evidence indicating that the applicant is or may
71.4 be innocent of the crime for which they were convicted; and

71.5 (13) if provided by the applicant, the applicant's demographic information, including
71.6 race, ethnicity, gender, disability status, and age.

71.7 (b) Unless an applicant knowingly omitted past criminal convictions on the application,
71.8 the commission or the board must not prejudice an applicant for failing to identify past
71.9 criminal convictions.

71.10 Sec. 19. Laws 2023, chapter 52, article 4, section 24, subdivision 3, is amended to read:

71.11 Subd. 3. **Notification.** (a) By ~~December~~ September 1, 2023 2024, the commissioner of
71.12 corrections shall notify individuals convicted for a violation of Minnesota Statutes, section
71.13 609.185, paragraph (a), clause (3), or 609.19, subdivision 2, clause (1), of the right to file
71.14 a preliminary application for relief if:

71.15 (1) the person was convicted for a violation of Minnesota Statutes, section 609.185,
71.16 paragraph (a), clause (3), and the person:

71.17 (i) did not cause the death of a human being; and

71.18 (ii) did not intentionally aid, advise, hire, counsel, or conspire with or otherwise procure
71.19 another with the intent to cause the death of a human being; or

71.20 (2) the person was convicted for a violation of Minnesota Statutes, section 609.19,
71.21 subdivision 2, clause (1), and the person:

71.22 (i) did not cause the death of a human being; and

71.23 (ii) was not a major participant in the underlying felony ~~and~~ or did not act with extreme
71.24 indifference to human life.

71.25 (b) The notice shall include the address of the Ramsey County District Court court
71.26 administration.

71.27 (c) The commissioner of corrections may coordinate with the judicial branch to establish
71.28 a standardized notification form.

71.29 **EFFECTIVE DATE.** This section is effective the day following final enactment.

72.1 Sec. 20. Laws 2023, chapter 52, article 4, section 24, subdivision 7, is amended to read:

72.2 Subd. 7. **Determination; order; resentencing.** (a) A petitioner who was convicted of
72.3 a violation of Minnesota Statutes, section 609.185, paragraph (a), clause (3), is entitled to
72.4 relief if the petitioner shows by a preponderance of the evidence that the petitioner:

72.5 (1) did not cause the death of a human being; and

72.6 (2) did not intentionally aid, advise, hire, counsel, or conspire with or otherwise procure
72.7 another with the intent to cause the death of a human being.

72.8 (b) A petitioner who was convicted of a violation of Minnesota Statutes, section 609.19,
72.9 subdivision 2, clause (1), is entitled to relief if the petitioner shows by a preponderance of
72.10 the evidence that the petitioner:

72.11 (1) did not cause the death of a human being; and

72.12 (2) was not a major participant in the underlying felony ~~and~~ or did not act with extreme
72.13 indifference to human life.

72.14 (c) If the court determines that the petitioner does not qualify for relief, the court shall
72.15 issue an order denying the petition.

72.16 (d) If the court determines that the petitioner is entitled to relief, the court shall issue an
72.17 order vacating the conviction for a violation of Minnesota Statutes, section 609.185,
72.18 paragraph (a), clause (3), or 609.19, subdivision 2, clause (1), and either:

72.19 (1) resentence the petitioner for the most serious remaining offense for which the
72.20 petitioner was convicted; ~~or~~

72.21 (2) enter a conviction and impose a sentence for any other predicate felony arising out
72.22 of the course of conduct that served as the factual basis for the conviction vacated by the
72.23 court; or

72.24 (3) enter a conviction and impose a sentence for any lesser included offense as described
72.25 in Minnesota Statutes, section 631.14.

72.26 (e) If the court intends to enter a conviction and impose a sentence for a lesser included
72.27 offense, the court must hold a hearing to determine the appropriate offense.

72.28 ~~(d)~~ (f) If the court proceeds under paragraph (d), clause (1) or (2), the new sentence
72.29 announced by the court under this section must be for the most serious predicate felony
72.30 unless the most serious remaining offense for which the petitioner was convicted is that
72.31 offense or a more serious offense.

~~(e)~~ (g) If, pursuant to paragraph ~~(e)~~ (d), the court either resentsences a petitioner or imposes a sentence, the court shall also resentence the petitioner for any other offense if the sentence was announced by a district court of the same county, the sentence was either ordered to be served consecutively to the vacated conviction or the criminal history calculation for that sentence included the vacated sentence, and the changes made pursuant to paragraph ~~(e)~~ (d) would have resulted in a different criminal history score being used at the time of sentencing.

~~(f)~~ (h) The court shall state in writing or on the record the reasons for its decision on the petition.

~~(g)~~ (i) If the court intends to resentence a petitioner or impose a sentence on a petitioner, the court must hold the hearing at a time that allows any victim an opportunity to submit a statement consistent with Minnesota Statutes, section 611A.038. The prosecutor shall make a good faith and reasonable effort to notify any person determined to be a victim of the hearing and the right to submit or make a statement. A sentence imposed under this subdivision shall not increase the petitioner's total period of confinement or, if the petitioner was serving a stayed sentence, increase the period of supervision. The court may increase the period of confinement for a sentence that was ordered to be served consecutively to the vacated conviction based on a change in the appropriate criminal history score provided the court does not increase the petitioner's total period of confinement. A person resented under this paragraph is entitled to credit for time served in connection with the vacated offense.

~~(h)~~ (j) Relief granted under this section shall not be treated as an exoneration for purposes of the Incarceration and Exoneration Remedies Act.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 21. **ADDITIONAL REQUIREMENTS.**

(a) An individual who was denied relief under Laws 2023, chapter 52, article 4, section 24, for a conviction under Minnesota Statutes, section 609.19, subdivision 2, clause (1), due to a determination that the individual was not a major participant in the underlying felony and did not act with extreme indifference to human life, and who is now eligible for relief under the changes made in this act, may reapply for relief.

(b) By September 1, 2024, the commissioner of corrections shall notify individuals to whom notice was previously provided under Laws 2023, chapter 52, article 4, section 24, subdivision 3, paragraph (a), clause (2), about the changes to law made in this act. The

74.1 notice must inform the individual that the individual may apply or reapply for relief under
74.2 Laws 2023, chapter 52, article 4, section 24, if eligible based on the changes made in this
74.3 act.

74.4 (c) Notwithstanding Laws 2023, chapter 52, article 4, section 24, an individual authorized
74.5 to apply or reapply for relief under paragraph (a) or (b) may do so anytime before October
74.6 1, 2026.

74.7 **EFFECTIVE DATE.** This section is effective the day following final enactment.

74.8 Sec. 22. **REPEALER.**

74.9 (a) Minnesota Statutes 2022, sections 609B.050; 609B.100; 609B.101; 609B.102;
74.10 609B.103; 609B.104; 609B.106; 609B.107; 609B.108; 609B.109; 609B.110; 609B.111;
74.11 609B.112; 609B.113; 609B.120; 609B.121; 609B.122; 609B.123; 609B.124; 609B.125;
74.12 609B.126; 609B.127; 609B.128; 609B.129; 609B.130; 609B.132; 609B.133; 609B.134;
74.13 609B.135; 609B.136; 609B.139; 609B.140; 609B.141; 609B.142; 609B.143; 609B.144;
74.14 609B.146; 609B.147; 609B.148; 609B.149; 609B.1495; 609B.150; 609B.151; 609B.152;
74.15 609B.153; 609B.155; 609B.157; 609B.158; 609B.159; 609B.160; 609B.162; 609B.164;
74.16 609B.1641; 609B.1645; 609B.165; 609B.168; 609B.170; 609B.171; 609B.172; 609B.173;
74.17 609B.174; 609B.175; 609B.176; 609B.177; 609B.179; 609B.180; 609B.181; 609B.183;
74.18 609B.184; 609B.185; 609B.187; 609B.188; 609B.189; 609B.191; 609B.192; 609B.193;
74.19 609B.194; 609B.195; 609B.200; 609B.201; 609B.203; 609B.205; 609B.206; 609B.216;
74.20 609B.231; 609B.235; 609B.237; 609B.241; 609B.245; 609B.255; 609B.262; 609B.263;
74.21 609B.265; 609B.271; 609B.273; 609B.275; 609B.277; 609B.301; 609B.310; 609B.311;
74.22 609B.312; 609B.320; 609B.321; 609B.330; 609B.331; 609B.332; 609B.333; 609B.340;
74.23 609B.341; 609B.342; 609B.343; 609B.344; 609B.345; 609B.400; 609B.405; 609B.410;
74.24 609B.415; 609B.425, subdivision 1; 609B.430; 609B.435, subdivisions 1 and 3; 609B.445;
74.25 609B.450; 609B.455; 609B.460; 609B.465; 609B.500; 609B.505; 609B.510; 609B.515;
74.26 609B.518; 609B.520; 609B.525; 609B.530; 609B.535; 609B.540; 609B.545; 609B.600;
74.27 609B.610; 609B.611; 609B.612; 609B.613; 609B.614; 609B.615; 609B.700; 609B.710;
74.28 609B.720; 609B.721; 609B.722; 609B.723; 609B.724; and 609B.725, are repealed.

74.29 (b) Minnesota Statutes 2023 Supplement, sections 609B.161; 609B.425, subdivision 2;
74.30 and 609B.435, subdivision 2, are repealed.

74.31 **EFFECTIVE DATE.** This section is effective January 1, 2025.

ARTICLE 5

PUBLIC SAFETY

Section 1. Minnesota Statutes 2022, section 169A.03, is amended by adding a subdivision to read:

Subd. 23a. Search warrant. As used in this section, "search warrant" means an order in writing that is:

(1) in the name of this state or, if the person is located in an adjacent state, in the name of the adjacent state;

(2) signed by a court other than a court exercising probate jurisdiction; and

(3) obtained pursuant to the requirements in sections 626.04 to 626.18 or conforming statutes in the adjacent state.

Sec. 2. Minnesota Statutes 2022, section 169A.51, subdivision 3, is amended to read:

Subd. 3. **Blood or urine tests; search warrant required.** (a) Notwithstanding any contrary provisions in sections 169A.51 to 169A.53, a blood or urine test may be conducted only pursuant to a search warrant ~~under sections 626.04 to 626.18~~, or a judicially recognized exception to the search warrant requirement. In addition, blood and urine tests may be conducted only as provided in sections 169A.51 to 169A.53 and 171.177.

(b) When, under the provisions of section 169A.20, 169A.51, or 171.177, a search warrant is required for a blood or urine test, that requirement is met if a judicially recognized exception to the warrant requirement is applicable.

Sec. 3. Minnesota Statutes 2023 Supplement, section 169A.51, subdivision 4, is amended to read:

Subd. 4. **Requirement of urine or blood test.** A blood or urine test may be required pursuant to a search warrant ~~under sections 626.04 to 626.18~~ even after a breath test has been administered if there is probable cause to believe that:

(1) there is impairment by a controlled substance; an intoxicating substance; or cannabis flower, a cannabis product, a lower-potency hemp edible, a hemp-derived consumer product, artificially derived cannabinoids, or tetrahydrocannabinols that is not subject to testing by a breath test;

(2) a controlled substance listed in Schedule I or II or its metabolite, other than cannabis flower, a cannabis product, a lower-potency hemp edible, a hemp-derived consumer product,

76.1 artificially derived cannabinoids, or tetrahydrocannabinols, is present in the person's body;
76.2 or

76.3 (3) the person is unconscious or incapacitated to the point that the peace officer providing
76.4 a breath test advisory, administering a breath test, or serving the search warrant has a
76.5 good-faith belief that the person is mentally or physically unable to comprehend the breath
76.6 test advisory or otherwise voluntarily submit to chemical tests.

76.7 Action may be taken against a person who refuses to take a blood test under this
76.8 subdivision only if a urine test was offered and action may be taken against a person who
76.9 refuses to take a urine test only if a blood test was offered. This limitation does not apply
76.10 to an unconscious person under the circumstances described in clause (3).

76.11 Sec. 4. Minnesota Statutes 2022, section 171.177, subdivision 1, is amended to read:

76.12 Subdivision 1. **Search warrant-required testing advisory.** At the time a blood or urine
76.13 test is directed pursuant to a search warrant ~~under sections 626.04 to 626.18~~, the person
76.14 must be informed that refusal to submit to a blood or urine test is a crime.

76.15 Sec. 5. Minnesota Statutes 2022, section 171.177, subdivision 3, is amended to read:

76.16 Subd. 3. **License revocation pursuant to search warrant.** After executing a search
76.17 warrant ~~under sections 626.04 to 626.18~~ for the collection of a blood or urine sample based
76.18 upon probable cause of a violation of section 169A.20, the peace officer acting under sections
76.19 626.13 to 626.17 shall certify to the commissioner of public safety:

76.20 (1) when a person refuses to comply with the execution of the search warrant; or

76.21 (2) if a person submits to the test and the test results indicate:

76.22 (i) an alcohol concentration of 0.08 or more;

76.23 (ii) an alcohol concentration of 0.04 or more, if the person was driving, operating, or in
76.24 physical control of a commercial motor vehicle at the time of the violation; or

76.25 (iii) the presence of a controlled substance listed in Schedule I or II or its metabolite,
76.26 other than marijuana or tetrahydrocannabinols.

76.27 Sec. 6. Minnesota Statutes 2022, section 171.177, subdivision 4, is amended to read:

76.28 Subd. 4. **Test refusal; license revocation.** (a) Upon certification under subdivision 3
76.29 that there existed probable cause to believe the person had been driving, operating, or in
76.30 physical control of a motor vehicle in violation of section 169A.20, and that the person

77.1 refused to comply with the execution of the search warrant ~~under sections 626.04 to 626.18,~~
77.2 the commissioner shall revoke the person's license or permit to drive or nonresident operating
77.3 privilege. The commissioner shall revoke the license, permit, or nonresident operating
77.4 privilege:

77.5 (1) for a person with no qualified prior impaired driving incidents within the past ten
77.6 years, for a period of not less than one year;

77.7 (2) for a person under the age of 21 years and with no qualified prior impaired driving
77.8 incidents within the past ten years, for a period of not less than one year;

77.9 (3) for a person with one qualified prior impaired driving incident within the past ten
77.10 years or two qualified prior impaired driving incidents, for a period of not less than two
77.11 years;

77.12 (4) for a person with two qualified prior impaired driving incidents within the past ten
77.13 years or three qualified prior impaired driving incidents, for a period of not less than three
77.14 years;

77.15 (5) for a person with three qualified prior impaired driving incidents within the past ten
77.16 years, for a period of not less than four years; or

77.17 (6) for a person with four or more qualified prior impaired driving incidents, for a period
77.18 of not less than six years.

77.19 (b) When a person who had been driving, operating, or in physical control of a
77.20 commercial motor vehicle refuses to comply with the search warrant and permit testing,
77.21 the commissioner shall disqualify the person from operating a commercial motor vehicle
77.22 and shall revoke the person's license or permit to drive or nonresident operating privilege
77.23 according to the federal regulations adopted by reference in section 171.165, subdivision
77.24 2.

77.25 Sec. 7. Minnesota Statutes 2022, section 171.177, subdivision 5, is amended to read:

77.26 Subd. 5. **Test failure; license revocation.** (a) Upon certification under subdivision 3,
77.27 pursuant to a search warrant ~~under sections 626.04 to 626.18,~~ that there existed probable
77.28 cause to believe the person had been driving, operating, or in physical control of a motor
77.29 vehicle in violation of section 169A.20, and that the person submitted to a test and the test
77.30 results indicate an alcohol concentration of 0.08 or more or the presence of a controlled
77.31 substance listed in Schedule I or II or its metabolite, other than marijuana or
77.32 tetrahydrocannabinols, the commissioner shall revoke the person's license or permit to drive
77.33 or nonresident operating privilege:

78.1 (1) for a period of 90 days or, if the test results indicate an alcohol concentration of twice
78.2 the legal limit or more, not less than one year;

78.3 (2) if the person is under the age of 21 years, for a period of not less than 180 days or,
78.4 if the test results indicate an alcohol concentration of twice the legal limit or more, not less
78.5 than one year;

78.6 (3) for a person with one qualified prior impaired driving incident within the past ten
78.7 years or two qualified prior impaired driving incidents, for a period of not less than one
78.8 year or, if the test results indicate an alcohol concentration of twice the legal limit or more,
78.9 not less than two years;

78.10 (4) for a person with two qualified prior impaired driving incidents within the past ten
78.11 years or three qualified prior impaired driving incidents, for a period of not less than three
78.12 years;

78.13 (5) for a person with three qualified prior impaired driving incidents within the past ten
78.14 years, for a period of not less than four years; or

78.15 (6) for a person with four or more qualified prior impaired driving incidents, for a period
78.16 of not less than six years.

78.17 (b) On certification by the peace officer that there existed probable cause to believe the
78.18 person had been driving, operating, or in physical control of a commercial motor vehicle
78.19 with any presence of alcohol and that the person submitted to a test and the test results
78.20 indicated an alcohol concentration of 0.04 or more, the commissioner shall disqualify the
78.21 person from operating a commercial motor vehicle under section 171.165.

78.22 (c) If the test is of a person's blood or urine by a laboratory operated by the Bureau of
78.23 Criminal Apprehension or authorized by the bureau to conduct the analysis of a blood or
78.24 urine sample, the laboratory may directly certify to the commissioner the test results, and
78.25 the peace officer shall certify to the commissioner that there existed probable cause to
78.26 believe the person had been driving, operating, or in physical control of a motor vehicle in
78.27 violation of section 169A.20, and that the person submitted to a test. Upon receipt of both
78.28 certifications, the commissioner shall undertake the license actions described in paragraphs
78.29 (a) and (b).

78.30 Sec. 8. Minnesota Statutes 2022, section 171.177, subdivision 8, is amended to read:

78.31 Subd. 8. **Test refusal; driving privilege lost.** (a) On behalf of the commissioner, a peace
78.32 officer requiring a test or directing the administration of a chemical test pursuant to a search
78.33 warrant under sections ~~626.04 to 626.18~~ shall serve immediate notice of intention to revoke

79.1 and of revocation on a person who refuses to permit a test or on a person who submits to a
79.2 test, the results of which indicate an alcohol concentration of 0.08 or more.

79.3 (b) On behalf of the commissioner, a peace officer requiring a test or directing the
79.4 administration of a chemical test of a person driving, operating, or in physical control of a
79.5 commercial motor vehicle pursuant to a search warrant ~~under sections 626.04 to 626.18~~
79.6 shall serve immediate notice of intention to disqualify and of disqualification on a person
79.7 who refuses to permit a test or on a person who submits to a test, the results of which indicate
79.8 an alcohol concentration of 0.04 or more.

79.9 (c) The officer shall:

79.10 (1) invalidate the person's driver's license or permit card by clipping the upper corner
79.11 of the card in such a way that no identifying information including the photo is destroyed,
79.12 and immediately return the card to the person;

79.13 (2) issue the person a temporary license effective for only seven days; and

79.14 (3) send the notification of this action to the commissioner along with the certificate
79.15 required by subdivision 4 or 5.

79.16 Sec. 9. Minnesota Statutes 2022, section 171.177, subdivision 12, is amended to read:

79.17 Subd. 12. **Judicial hearing; issues, order, appeal.** (a) A judicial review hearing under
79.18 this section must be before a district judge in any county in the judicial district where the
79.19 alleged offense occurred. The hearing is to the court and may be conducted at the same time
79.20 and in the same manner as hearings upon pretrial motions in the criminal prosecution under
79.21 section 169A.20, if any. The hearing must be recorded. The commissioner shall appear and
79.22 be represented by the attorney general or through the prosecuting authority for the jurisdiction
79.23 involved. The hearing must be held at the earliest practicable date, and in any event no later
79.24 than 60 days following the filing of the petition for review. The judicial district administrator
79.25 shall establish procedures to ensure efficient compliance with this subdivision. To accomplish
79.26 this, the administrator may, whenever possible, consolidate and transfer review hearings
79.27 among the locations within the judicial district where terms of district court are held.

79.28 (b) The scope of the hearing is limited to the issues in clauses (1) to (13):

79.29 (1) Did the peace officer have probable cause to believe the person was driving, operating,
79.30 or in physical control of a motor vehicle or commercial motor vehicle in violation of section
79.31 169A.20?

79.32 (2) Was the person lawfully placed under arrest for violation of section 169A.20?

80.1 (3) Was the person involved in a motor vehicle accident or collision resulting in property
80.2 damage, personal injury, or death?

80.3 (4) Did a licensed peace officer apply for a search warrant in accordance with the
80.4 requirements set forth in sections 626.04 to 626.18 or conforming statutes in an adjacent
80.5 state?

80.6 (5) Did a neutral magistrate review the application for a search warrant and determine
80.7 there was probable cause to believe that the person was driving, operating, or in physical
80.8 control of a motor vehicle or commercial motor vehicle in violation of section 169A.20?

80.9 (6) Was the search warrant and the process by which it was obtained valid?

80.10 (7) At the time of directing the person to take the test, did the peace officer inform the
80.11 person that refusing the test was a crime as required by subdivision 1?

80.12 (8) Did the person refuse to permit the test?

80.13 (9) If a test was taken by a person driving, operating, or in physical control of a motor
80.14 vehicle, did the test results indicate at the time of testing:

80.15 (i) an alcohol concentration of 0.08 or more; or

80.16 (ii) the presence of a controlled substance listed in Schedule I or II or its metabolite,
80.17 other than marijuana or tetrahydrocannabinols?

80.18 (10) If a test was taken by a person driving, operating, or in physical control of a
80.19 commercial motor vehicle, did the test results indicate an alcohol concentration of 0.04 or
80.20 more at the time of testing?

80.21 (11) Was the testing method used valid and reliable and were the test results accurately
80.22 evaluated?

80.23 (12) Did the person prove the defense of necessity?

80.24 (13) Did the person prove the defense of controlled substance use in accordance with a
80.25 prescription?

80.26 (c) Certified or otherwise authenticated copies of laboratory or medical personnel reports,
80.27 records, documents, licenses, and certificates are admissible as substantive evidence.

80.28 (d) The court shall order that the revocation or disqualification be either rescinded or
80.29 sustained and forward the order to the commissioner. The court shall file its order within
80.30 14 days following the hearing. If the revocation or disqualification is sustained, the court
80.31 shall also forward the person's driver's license or permit to the commissioner for further

81.1 action by the commissioner if the license or permit is not already in the commissioner's
81.2 possession.

81.3 (e) Any party aggrieved by the decision of the reviewing court may appeal the decision
81.4 as provided in the Rules of Appellate Procedure.

81.5 (f) The civil hearing under this section shall not give rise to an estoppel on any issues
81.6 arising from the same set of circumstances in any criminal prosecution.

81.7 (g) It is an affirmative defense for the petitioner to prove a necessity.

81.8 (h) It is an affirmative defense to the presence of a Schedule I or II controlled substance
81.9 that the person used the controlled substance according to the terms of a prescription issued
81.10 for the person according to sections 152.11 and 152.12, unless the court finds by a
81.11 preponderance of the evidence that the use of the controlled substance impaired the person's
81.12 ability to operate a motor vehicle.

81.13 Sec. 10. Minnesota Statutes 2023 Supplement, section 299A.49, subdivision 8, is amended
81.14 to read:

81.15 Subd. 8. **State emergency response asset.** "State emergency response asset" means any
81.16 team or teams defined under this section that has entered into a contractual agreement with
81.17 the State Fire Marshal Division.

81.18 **EFFECTIVE DATE.** This section is effective the day following final enactment.

81.19 Sec. 11. Minnesota Statutes 2023 Supplement, section 299A.49, subdivision 9, is amended
81.20 to read:

81.21 Subd. 9. **Urban search and rescue team (USAR) (US&R).** "Urban search and rescue
81.22 team" or "USAR" "US&R" means a ~~team trained and equipped to respond to and carry out~~
81.23 ~~rescue and recovery operations at the scene of a collapsed structure. A USAR team may~~
81.24 ~~include strategically located fire department assets combined under one joint powers~~
81.25 ~~agreement~~ multihazard discipline that involves the location, extrication, and initial medical
81.26 stabilization of victims trapped or missing because of a man-made or natural disaster.

81.27 **EFFECTIVE DATE.** This section is effective the day following final enactment.

81.28 Sec. 12. Minnesota Statutes 2022, section 299A.73, subdivision 4, is amended to read:

81.29 Subd. 4. **Administrative costs.** The commissioner may use up to ~~two~~ ten percent of the
81.30 biennial appropriation for grants-in-aid to the youth intervention program to pay costs
81.31 incurred by the department in administering the youth intervention program.

82.1 **EFFECTIVE DATE.** This section is effective the day following final enactment.

82.2 Sec. 13. Minnesota Statutes 2022, section 326.338, subdivision 4, is amended to read:

82.3 Subd. 4. **Protective agent.** A person who for a fee, reward, or other valuable consideration
82.4 undertakes any of the following acts is considered to be engaged in the business of protective
82.5 agent:

82.6 (1) providing guards, private patrol, or other security personnel to protect persons or
82.7 their property or to prevent the theft, unlawful taking of goods, merchandise, or money, or
82.8 to prevent the misappropriation or concealment of goods, merchandise, money, or other
82.9 valuable things, or to procure the return of those things;

82.10 (2) physically responding to any alarm signal device, burglar alarm, television camera,
82.11 still camera, or a mechanical or electronic device installed or used to prevent or detect
82.12 burglary, theft, shoplifting, pilferage, losses, or other security measures;

82.13 (3) providing armored car services for the protection of persons or property;

82.14 (4) controlling motor traffic on public streets, roads, and highways for the purpose of
82.15 escorting a funeral procession and oversized loads; ~~or~~

82.16 (5) providing management and control of crowds for the purpose of safety and protection;
82.17 or

82.18 (6) providing guards or other security personnel to transport prisoners or any other person
82.19 arrested on a warrant, except that this does not apply to the transport or escort of offenders
82.20 by staff of the Department of Corrections; the transport of a person by the sheriff of a county
82.21 to the appropriate adult or juvenile correctional facility as designated by the commissioner
82.22 of corrections or to and from court in connection with postconviction, habeas corpus, or
82.23 intrastate mandatory disposition of detainers proceedings; the transfer of a person by
82.24 emergency medical services personnel; or the transfer of a person by a peace officer as
82.25 defined in section 626.84, subdivision 1, paragraph (c).

82.26 A person covered by this subdivision may perform the traffic-control duties in clause
82.27 (4) in place of a police officer when a special permit is required, provided that the protective
82.28 agent is first-aid qualified.

83.1 Sec. 14. Minnesota Statutes 2023 Supplement, section 326.3387, subdivision 1, is amended
83.2 to read:

83.3 Subdivision 1. **Basis for action.** (a) The board may revoke or suspend or refuse to issue
83.4 or reissue a private detective or protective agent license if:

83.5 (1) the license holder violates a provision of sections 326.32 to 326.339 or a rule adopted
83.6 under those sections;

83.7 (2) the license holder has engaged in fraud, deceit, or misrepresentation while in the
83.8 business of private detective or protective agent;

83.9 (3) the license holder has made a false statement in an application submitted to the board
83.10 or in a document required to be submitted to the board;

83.11 (4) the license holder violates an order of the board; or

83.12 (5) the individual or entity previously operated without a license.

83.13 (b) The board must revoke or suspend or refuse to issue or reissue a protective agent
83.14 license if the license holder provides guards or other security personnel to transport prisoners
83.15 or any other person arrested on a warrant and the board determines that the license holder
83.16 or any employee or agent of the license holder committed an act in any place that, if
83.17 committed in Minnesota, would constitute criminal sexual conduct against a person being
83.18 transported or committed an act in any place that involved the unreasonable use of force on
83.19 a person being transported.

83.20 Sec. 15. Minnesota Statutes 2022, section 326.3388, is amended to read:

83.21 **326.3388 ADMINISTRATIVE PENALTIES.**

83.22 The board shall, by rule, establish a graduated schedule of administrative penalties for
83.23 violations of sections 326.32 to 326.339 or the board's rules. The schedule must include
83.24 minimum and maximum penalties for each violation and be based on and reflect the
83.25 culpability, frequency, and severity of the violator's actions. The minimum penalty for an
83.26 act described in section 326.3387, subdivision 1, paragraph (b), must be \$10,000 for each
83.27 act. The board may impose a penalty from the schedule on a license holder for a violation
83.28 of sections 326.32 to 326.339 or the rules of the board. The penalty is in addition to any
83.29 criminal penalty imposed for the same violation. Administrative penalties imposed by the
83.30 board must be paid to the general fund.

84.1 Sec. 16. **MOTOR VEHICLE REGISTRATION COMPLIANCE WORKING GROUP.**

84.2 **Subdivision 1. Definitions.** (a) For purposes of this section, the following terms have
84.3 the meanings given.

84.4 (b) "Commissioner" means the commissioner of public safety.

84.5 (c) "Working group" means the motor vehicle registration compliance working group
84.6 required under this section.

84.7 **Subd. 2. Establishment.** The commissioner of public safety must convene a working
84.8 group by September 1, 2024, to examine motor vehicle registration and registration tax
84.9 collection and compliance.

84.10 **Subd. 3. Membership.** (a) In addition to appropriate representatives of the Department
84.11 of Public Safety, the commissioner must solicit the following individuals to participate in
84.12 the working group:

84.13 (1) one member representing the Department of Transportation, appointed by the
84.14 commissioner of transportation;

84.15 (2) one member representing the Department of Revenue, appointed by the commissioner
84.16 of revenue;

84.17 (3) one member representing Tribal governments;

84.18 (4) one member appointed by the Center for Transportation Studies at the University of
84.19 Minnesota;

84.20 (5) one member appointed by the Minnesota Chiefs of Police Association;

84.21 (6) one member appointed by the Minnesota Sheriffs' Association;

84.22 (7) one member appointed by the Minnesota Peace and Police Officers Association;

84.23 (8) one member appointed by the Association of Minnesota Counties;

84.24 (9) one member appointed by the League of Minnesota Cities;

84.25 (10) one member appointed by the Minnesota Deputy Registrars Association;

84.26 (11) one member appointed by the Deputy Registrar Business Owners Association;

84.27 (12) one member appointed by the Minnesota Automobile Dealers Association;

84.28 (13) one member appointed by AAA Minnesota; and

84.29 (14) one member appointed by the Minnesota Transportation Alliance.

(b) The commissioner may solicit participation in the working group by additional individuals if the commissioner determines that particular expertise or perspective would be beneficial to the working group in the performance of its duties.

Subd. 4. **Appointment; vacancy.** Members of the working group serve at the pleasure of the appointing authority or until the working group expires. Vacancies must be filled by the appointing authority.

Subd. 5. **Duties.** (a) At a minimum, the working group must:

(1) identify and evaluate potential methods for enforcement of motor vehicle registration and registration tax payment requirements that would replace enforcement through the use of criminal penalties, including but not limited to:

(i) alignment with individual income taxes;

(ii) revenue recapture; and

(iii) retention of license plates with a vehicle following a change of vehicle ownership; and

(2) develop recommendations, a legislative proposal, or both, related to motor vehicle registration and registration tax compliance through methods other than the use of criminal penalties.

(b) In evaluating methods under paragraph (a), clause (2), the working group must use criteria that include effectiveness, administrative efficiency, equity, burdens on motor vehicle owners, and substantial elimination of vehicle registration enforcement through traffic stops performed by peace officers.

Subd. 6. **Administration.** (a) The commissioner must provide administrative support to the working group. Upon request of the working group, the commissioners of transportation and revenue must provide relevant technical support.

(b) Members of the working group are not eligible for compensation.

(c) The working group is subject to the Minnesota Open Meeting Law under Minnesota Statutes, chapter 13D.

(d) The working group is subject to the Minnesota Data Practices Act under Minnesota Statutes, chapter 13.

Subd. 7. **Report.** By February 15, 2025, the commissioner must submit a report on motor vehicle registration compliance to the chairs and ranking minority members of the legislative committees and divisions with jurisdiction over transportation and public safety. At a

86.1 minimum, the report must summarize the activities of the working group and provide
86.2 information related to each of the duties specified in subdivision 3.

86.3 Subd. 8. **Expiration.** The working group expires June 30, 2025.

86.4 **Sec. 17. TASK FORCE ON HOLISTIC AND EFFECTIVE RESPONSES TO**
86.5 **ILLICIT DRUG USE.**

86.6 Subdivision 1. **Establishment.** The Task Force on Holistic and Effective Responses to
86.7 Illicit Drug Use is established to review the reports on approaches to address illicit drug use
86.8 in Minnesota prepared and submitted pursuant to Laws 2023, chapter 52, article 2, section
86.9 3, subdivision 8, paragraph (v); develop a phased timeline for implementation of policy
86.10 changes; and make policy and funding recommendations to the legislature.

86.11 Subd. 2. **Membership.** (a) The task force consists of the following members:

86.12 (1) the state public defender or a designee;

86.13 (2) two county attorneys, one from a county in the metropolitan area as defined in
86.14 Minnesota Statutes, section 473.121, subdivision 2, and one from a county outside the
86.15 metropolitan area, appointed by the Minnesota County Attorneys Association;

86.16 (3) one peace officer, as defined in Minnesota Statutes, section 626.84, subdivision 1,
86.17 paragraph (c), appointed by the Minnesota Sheriffs' Association;

86.18 (4) one peace officer, as defined in Minnesota Statutes, section 626.84, subdivision 1,
86.19 paragraph (c), appointed by the Minnesota Police and Peace Officers Association;

86.20 (5) two medical professionals, one with expertise in substance use disorder treatment
86.21 and one with experience working with harm reduction providers, appointed by the Minnesota
86.22 Medical Association;

86.23 (6) one member appointed by the Minnesota Association of Criminal Defense Lawyers;

86.24 (7) one member representing a Tribal government, appointed by the Indian Affairs
86.25 Council;

86.26 (8) one member with knowledge of expungement law, representing criminal legal reform
86.27 organizations;

86.28 (9) one academic researcher specializing in drug use or drug policy;

86.29 (10) one member with lived experience with drug use;

86.30 (11) one member who resides in a community that has been disproportionately impacted
86.31 by drug sentencing laws;

87.1 (12) one member representing an organization with knowledge of youth intervention
87.2 services and the juvenile justice system; and

87.3 (13) one member, appointed by the Minnesota Association of County Social Service
87.4 Administrators, with experience administering supportive social services, including mental
87.5 health, substance use disorder, housing, and other related services.

87.6 (b) The members identified in paragraph (a), clauses (8) to (12), must be appointed by
87.7 the governor.

87.8 (c) Appointments must be made no later than August 31, 2024.

87.9 (d) Members of the task force serve without compensation.

87.10 (e) Members of the task force serve at the pleasure of the appointing authority or until
87.11 the task force expires. Vacancies shall be filled by the appointing authority consistent with
87.12 the qualifications of the vacating member required by this subdivision.

87.13 Subd. 3. **Duties.** (a) The task force must:

87.14 (1) review and analyze the research and recommendations released in reports prepared
87.15 by Rise Research pursuant to Laws 2023, chapter 52, article 2, section 3, subdivision 8,
87.16 paragraph (v);

87.17 (2) collect, review, and analyze other relevant information and data;

87.18 (3) gather and consider input and feedback from the public, including but not limited to
87.19 feedback from individuals with lived experience involving the use of illicit drugs and family
87.20 members of persons with that lived experience; and

87.21 (4) make recommendations, including specific plans and timeline goals, to implement
87.22 and fund policies addressing illicit drug use, with the goal of reducing and, where possible,
87.23 preventing harm to users of illicit drugs and promoting the health and safety of individuals
87.24 and communities.

87.25 (b) The task force may examine other issues relevant to the duties specified in this
87.26 subdivision.

87.27 Subd. 4. **Officers; meetings.** (a) The director of the Office of Addiction and Recovery
87.28 shall convene the first meeting of the task force by September 30, 2024.

87.29 (b) At the first meeting, the members of the task force shall elect a chair and vice-chair,
87.30 and may elect other officers as the members deem necessary.

(c) The task force shall meet monthly or as determined by the chair. The task force shall meet a sufficient amount of time to accomplish the tasks identified in this section. Meetings of the task force are subject to Minnesota Statutes, chapter 13D.

Subd. 5. **Staff; meeting space.** The Office of Addiction and Recovery shall provide support staff, office and meeting space, and administrative services for the task force.

Subd. 6. **Report.** The task force must submit a report to the chairs and ranking minority members of the legislative committees and divisions with jurisdiction over public safety, health, and human services on the work, findings, and recommendations of the task force. The recommendations of the task force must include proposed legislation and implementation plans. The task force must submit the report by February 15, 2025. The task force may submit additional information to the legislature.

Subd. 7. **Expiration.** The task force expires on June 30, 2025.

Sec. 18. TASK FORCE ON DOMESTIC VIOLENCE AND FIREARM SURRENDER.

Subdivision 1. **Establishment.** The Task Force on Domestic Violence and Firearm Surrender is established to review existing laws that require the surrender of firearms by individuals subject to an order for protection, subject to an extreme risk protection order, or convicted of domestic assault, harassment, or stalking; identify best practices to ensure the surrender of firearms that prioritize the safety of peace officers, victims, and others; identify policies and procedures that reduce the danger to peace officers and other emergency responders called to an incident involving domestic violence; and make policy and funding recommendations to the legislature.

Subd. 2. **Membership.** (a) The task force consists of the following members:

(1) the commissioner of public safety, or a designee;

(2) the director of the Missing and Murdered Indigenous Relatives Office, or a designee;

(3) the chief justice of the supreme court, or a designee;

(4) the state public defender, or a designee;

(5) a county attorney appointed by the Minnesota County Attorneys Association;

(6) an individual appointed by the Indian Affairs Council;

(7) a peace officer as defined in Minnesota Statutes, section 626.84, subdivision 1, paragraph (c), appointed by the Minnesota Chiefs of Police Association;

89.1 (8) a peace officer as defined in Minnesota Statutes, section 626.84, subdivision 1,
89.2 paragraph (c), appointed by the Minnesota Sheriffs' Association;

89.3 (9) an individual appointed by Violence Free Minnesota;

89.4 (10) an individual appointed by Minnesota Coalition Against Sexual Assault; and

89.5 (11) an individual appointed by the Gun Violence Prevention Law Clinic at the University
89.6 of Minnesota Law School.

89.7 (b) Appointments must be made no later than September 1, 2024.

89.8 (c) Members shall serve without compensation.

89.9 (d) Members of the task force serve at the pleasure of the appointing authority or until
89.10 the task force expires. Vacancies shall be filled by the appointing authority consistent with
89.11 the qualifications of the vacating member required by this subdivision.

89.12 Subd. 3. **Officers; meetings.** (a) The commissioner of public safety shall convene the
89.13 first meeting of the task force no later than September 15, 2024, and shall provide meeting
89.14 space and administrative assistance for the task force to conduct its work.

89.15 (b) At its first meeting, the task force must elect a chair and vice-chair from among its
89.16 members. The task force may elect other officers as necessary.

89.17 (c) The task force shall meet at least monthly or upon the call of the chair. The task force
89.18 shall meet a sufficient amount of time to accomplish the tasks identified in this section.
89.19 Meetings of the task force are subject to Minnesota Statutes, chapter 13D.

89.20 Subd. 4. **Duties.** (a) The task force shall, at a minimum:

89.21 (1) examine existing laws requiring the surrender of firearms by individuals subject to
89.22 orders for protection, convicted of domestic assault, and convicted of harassment or stalking;

89.23 (2) examine existing policies and procedures, if any, used in Minnesota to enforce orders
89.24 requiring the surrender of firearms by individuals subject to an order for protection or
89.25 convicted of domestic assault, harassment, or stalking;

89.26 (3) examine laws, policies, and procedures in other states related to enforcing orders
89.27 requiring the surrender of firearms;

89.28 (4) identify barriers to enforcing orders in Minnesota that require the surrender of firearms
89.29 by individuals subject to an order for protection or convicted of domestic assault, harassment,
89.30 or stalking;

(5) identify best practices for enforcing orders requiring the surrender of firearms, prioritizing practices that protect the safety of peace officers, prosecutors, judges and court staff, victims, and others;

(6) identify policies and procedures that reduce the danger to peace officers and other emergency responders called to an incident involving domestic violence; and

(7) make policy and funding recommendations to the legislature.

(b) At its discretion, the task force may examine other issues consistent with this section.

Subd. 5. **Recommendations; report.** The task force may issue recommendations and reports at any time during its existence. By February 1, 2025, the task force must submit a report to the chairs and ranking minority members of the legislative committees and divisions with jurisdiction over public safety finance and policy on the findings and recommendations of the task force.

Subd. 6. **Expiration.** The task force expires the day after submitting its report under subdivision 5.

Sec. 19. **GRAND PORTAGE BAND OF LAKE SUPERIOR CHIPPEWA TRIBE; COAST GUARD SERVICES; GRANT PURPOSES EXPANSION.**

In addition to the uses specified in Laws 2023, chapter 52, article 2, section 3, subdivision 3, paragraph (d), the Grand Portage Band of Lake Superior Chippewa may use the grant awarded for equipment, personnel, patrolling, and other related costs of providing coast guard services off the north shore of Lake Superior.

ARTICLE 6

CRIMINAL PROVISIONS

Section 1. Minnesota Statutes 2023 Supplement, section 146A.08, subdivision 1, is amended to read:

Subdivision 1. **Prohibited conduct.** (a) The commissioner may impose disciplinary action as described in section 146A.09 against any unlicensed complementary and alternative health care practitioner. The following conduct is prohibited and is grounds for disciplinary action:

(b) Conviction of a crime, including a finding or verdict of guilt, an admission of guilt, or a no-contest plea, in any court in Minnesota or any other jurisdiction in the United States, reasonably related to engaging in complementary and alternative health care practices.

91.1 Conviction, as used in this subdivision, includes a conviction of an offense which, if
91.2 committed in this state, would be deemed a felony, gross misdemeanor, or misdemeanor,
91.3 without regard to its designation elsewhere, or a criminal proceeding where a finding or
91.4 verdict of guilty is made or returned but the adjudication of guilt is either withheld or not
91.5 entered.

91.6 (c) Conviction of any crime against a person. For purposes of this chapter, a crime against
91.7 a person means violations of the following: sections 609.185; 609.19; 609.195; 609.20;
91.8 609.205; 609.2112; 609.2113; 609.2114; 609.215; 609.221; 609.222; 609.223; 609.224;
91.9 609.2242; 609.23; 609.231; 609.2325; 609.233; 609.2335; 609.235; 609.24; 609.245;
91.10 609.247; 609.25; 609.255; 609.26, subdivision 1, clause (1) or (2); 609.265; 609.342;
91.11 609.343; 609.344; 609.345; 609.365; 609.498, subdivision 1 or 1b; 609.50, subdivision 1,
91.12 clause (1); 609.561; 609.562; 609.595; and 609.72, subdivision 3; and Minnesota Statutes
91.13 2012, section 609.21.

91.14 (d) Failure to comply with the self-reporting requirements of section 146A.03, subdivision
91.15 7.

91.16 (e) Engaging in sexual contact with a complementary and alternative health care client,
91.17 engaging in contact that may be reasonably interpreted by a client as sexual, engaging in
91.18 any verbal behavior that is seductive or sexually demeaning to the client, or engaging in
91.19 sexual exploitation of a client or former client.

91.20 (f) Advertising that is false, fraudulent, deceptive, or misleading.

91.21 (g) Conduct likely to deceive, defraud, or harm the public or demonstrating a willful or
91.22 careless disregard for the health, welfare, or safety of a complementary and alternative
91.23 health care client; or any other practice that may create danger to any client's life, health,
91.24 or safety, in any of which cases, proof of actual injury need not be established.

91.25 (h) Adjudication as mentally incompetent or as a person who is dangerous to self or
91.26 adjudication pursuant to chapter 253B as chemically dependent, mentally ill, developmentally
91.27 disabled, mentally ill and dangerous to the public, or as a sexual psychopathic personality
91.28 or sexually dangerous person.

91.29 (i) Inability to engage in complementary and alternative health care practices with
91.30 reasonable safety to complementary and alternative health care clients.

91.31 (j) The habitual overindulgence in the use of or the dependence on intoxicating liquors.

92.1 (k) Improper or unauthorized personal or other use of any legend drugs as defined in
92.2 chapter 151, any chemicals as defined in chapter 151, or any controlled substance as defined
92.3 in chapter 152.

92.4 (l) Revealing a communication from, or relating to, a complementary and alternative
92.5 health care client except when otherwise required or permitted by law.

92.6 (m) Failure to comply with a complementary and alternative health care client's request
92.7 made under sections 144.291 to 144.298 or to furnish a complementary and alternative
92.8 health care client record or report required by law.

92.9 (n) Splitting fees or promising to pay a portion of a fee to any other professional other
92.10 than for services rendered by the other professional to the complementary and alternative
92.11 health care client.

92.12 (o) Engaging in abusive or fraudulent billing practices, including violations of the federal
92.13 Medicare and Medicaid laws or state medical assistance laws.

92.14 (p) Failure to make reports as required by section 146A.03 or cooperate with an
92.15 investigation of the office.

92.16 (q) Obtaining money, property, or services from a complementary and alternative health
92.17 care client, other than reasonable fees for services provided to the client, through the use
92.18 of undue influence, harassment, duress, deception, or fraud.

92.19 (r) Failure to provide a complementary and alternative health care client with a copy of
92.20 the client bill of rights or violation of any provision of the client bill of rights.

92.21 (s) Violating any order issued by the commissioner.

92.22 (t) Failure to comply with any provision of sections 146A.01 to 146A.11 and the rules
92.23 adopted under those sections.

92.24 (u) Failure to comply with any additional disciplinary grounds established by the
92.25 commissioner by rule.

92.26 (v) Revocation, suspension, restriction, limitation, or other disciplinary action against
92.27 any health care license, certificate, registration, or right to practice of the unlicensed
92.28 complementary and alternative health care practitioner in this or another state or jurisdiction
92.29 for offenses that would be subject to disciplinary action in this state or failure to report to
92.30 the office that charges regarding the practitioner's license, certificate, registration, or right
92.31 of practice have been brought in this or another state or jurisdiction.

(w) Use of the title "doctor," "Dr.," or "physician" alone or in combination with any other words, letters, or insignia to describe the complementary and alternative health care practices the practitioner provides.

(x) Failure to provide a complementary and alternative health care client with a recommendation that the client see a health care provider who is licensed or registered by a health-related licensing board or the commissioner of health, if there is a reasonable likelihood that the client needs to be seen by a licensed or registered health care provider.

EFFECTIVE DATE. This section is effective August 1, 2024, and applies to violations that occur on or after that date.

Sec. 2. Minnesota Statutes 2022, section 152.025, subdivision 4, is amended to read:

Subd. 4. **Penalty.** (a) A person convicted under the provisions of subdivision 2, clause (1), who has not been previously convicted of a violation of this chapter or a similar offense in another jurisdiction, is guilty of a gross misdemeanor if: (1) the amount of the controlled substance possessed, other than heroin, is less than 0.25 grams or one dosage unit or less if the controlled substance was possessed in dosage units; or (2) the controlled substance possessed is heroin and the amount possessed is less than 0.05 grams.

(b) A person convicted under the provisions of subdivision 1; subdivision 2, clause (1), unless the conduct is described in paragraph (a); or subdivision 2, clause (2), may be sentenced to imprisonment for not more than five years or to payment of a fine of not more than \$10,000, or both.

(c) If a peace officer encounters a person who is suspected of violating this section, the peace officer may refer the person to a local service provider that can offer substance use assistance to the person. Upon request at the time of initial contact, a peace officer must, if practicable and available, provide a person suspected of violating this section with a referral to local service providers. For purposes of this paragraph, "local service provider" includes but is not limited to substance use disorder treatment and recovery providers, peer support groups and systems, homeless shelters, detoxification centers, hospital systems, mental health crisis centers, naloxone providers, syringe service providers, and harm reduction programs.

Sec. 3. Minnesota Statutes 2022, section 243.167, subdivision 1, is amended to read:

Subdivision 1. **Definition.** As used in this section, "crime against the person" means a violation of any of the following or a similar law of another state or of the United States:

94.1 section 609.165; 609.185; 609.19; 609.195; 609.20; 609.205; 609.221; 609.222; 609.223;
94.2 609.2231; 609.224, subdivision 2 or 4; 609.2242, subdivision 2 or 4; 609.2247; 609.235;
94.3 609.245, subdivision 1; 609.25; 609.255; 609.3451, subdivision 2; 609.498, subdivision 1
94.4 or 1b; 609.582, subdivision 1; or 617.23, subdivision 2; or any felony-level violation of
94.5 section 609.229; 609.377; 609.749; or 624.713.

94.6 Sec. 4. Minnesota Statutes 2022, section 609.06, subdivision 1, as amended by Laws 2024,
94.7 chapter 78, section 7, is amended to read:

94.8 Subdivision 1. **When authorized.** Except as otherwise provided in subdivisions 2 ~~and~~
94.9 ~~3 to 4~~, reasonable force may be used upon or toward the person of another without the
94.10 other's consent when the following circumstances exist or the actor reasonably believes
94.11 them to exist:

94.12 (1) when used by a public officer or one assisting a public officer under the public
94.13 officer's direction:

94.14 (i) in effecting a lawful arrest; or

94.15 (ii) in the execution of legal process; or

94.16 (iii) in enforcing an order of the court; or

94.17 (iv) in executing any other duty imposed upon the public officer by law; or

94.18 (2) when used by a person not a public officer in arresting another in the cases and in
94.19 the manner provided by law and delivering the other to an officer competent to receive the
94.20 other into custody; or

94.21 (3) when used by any person in resisting or aiding another to resist an offense against
94.22 the person; or

94.23 (4) when used by any person in lawful possession of real or personal property, or by
94.24 another assisting the person in lawful possession, in resisting a trespass upon or other
94.25 unlawful interference with such property; or

94.26 (5) when used by any person to prevent the escape, or to retake following the escape,
94.27 of a person lawfully held on a charge or conviction of a crime; or

94.28 (6) when used by a parent, guardian, or other lawful custodian of a child, in the exercise
94.29 of lawful authority, to restrain or correct such child; or

(7) when used by a teacher, school principal, school employee, school bus driver, or other agent of a district in the exercise of lawful authority, to restrain a child or pupil to prevent bodily harm or death to the child, pupil, or another; or

(8) when used by a common carrier in expelling a passenger who refuses to obey a lawful requirement for the conduct of passengers and reasonable care is exercised with regard to the passenger's personal safety; or

(9) when used to restrain a person with a mental illness or a person with a developmental disability from self-injury or injury to another or when used by one with authority to do so to compel compliance with reasonable requirements for the person's control, conduct, or treatment; or

(10) when used by a public or private institution providing custody or treatment against one lawfully committed to it to compel compliance with reasonable requirements for the control, conduct, or treatment of the committed person.

EFFECTIVE DATE. This section is effective August 1, 2024, and applies to crimes committed on or after that date.

Sec. 5. Minnesota Statutes 2022, section 609.06, is amended by adding a subdivision to read:

Subd. 4. Use of force not authorized; reaction to victim's sexual orientation or gender identity. Force may not be used against another based on the discovery of, knowledge about, or potential disclosure of the victim's actual or perceived sexual orientation, gender identity, or gender expression.

EFFECTIVE DATE. This section is effective August 1, 2024, and applies to crimes committed on or after that date.

Sec. 6. Minnesota Statutes 2022, section 609.075, is amended to read:

609.075 DEFENSES; INTOXICATION AS A DEFENSE, REACTION TO VICTIM'S SEXUAL ORIENTATION OR GENDER IDENTITY.

Subdivision 1. Intoxication as defense. An act committed while in a state of voluntary intoxication is not less criminal by reason thereof, but when a particular intent or other state of mind is a necessary element to constitute a particular crime, the fact of intoxication may be taken into consideration in determining such intent or state of mind.

96.1 Subd. 2. **Reaction to victim's sexual orientation or gender identity.** It is not a defense
96.2 to a crime that the defendant acted based on the discovery of, knowledge about, or potential
96.3 disclosure of the victim's actual or perceived sexual orientation, gender identity, or gender
96.4 expression.

96.5 **EFFECTIVE DATE.** This section is effective August 1, 2024, and applies to crimes
96.6 committed on or after that date.

96.7 Sec. 7. Minnesota Statutes 2022, section 609.1056, is amended by adding a subdivision
96.8 to read:

96.9 Subd. 3a. **Reporting.** (a) If the court imposes a deferred sentence under subdivision 2,
96.10 paragraph (b), the court shall prepare a deferred sentence report containing the following
96.11 information:

96.12 (1) the name of the defendant;

96.13 (2) the case number;

96.14 (3) the underlying charge or charges;

96.15 (4) the fact that proceedings have been deferred pursuant to this section;

96.16 (5) the length of the term of probation ordered by the court;

96.17 (6) the conditions of probation; and

96.18 (7) a copy of the sentencing worksheet prepared pursuant to section 609.115, if a
96.19 worksheet was prepared.

96.20 (b) If the defendant violates a condition of probation and the court enters an adjudication
96.21 of guilt as described in subdivision 2, paragraph (d), the court shall prepare a violation report
96.22 containing the following information:

96.23 (1) the name of the defendant;

96.24 (2) the case number;

96.25 (3) whether the violation was a technical violation as defined in section 244.195,
96.26 subdivision 15, or involved allegation of a subsequent criminal act; and

96.27 (4) the sentence announced by the court.

96.28 (c) The deferred sentence report prepared under paragraph (a), any violation report
96.29 prepared under paragraph (b), and a record of any discharge and dismissal prepared pursuant
96.30 to subdivision 3 must be forwarded to the Sentencing Guidelines Commission. By January

97.1 15 of each year, the Sentencing Guidelines Commission shall provide a report to the
97.2 committees and divisions with jurisdiction over public safety finance and policy and veterans
97.3 and military affairs finance and policy that consists solely of summary data and includes:

97.4 (1) the number of individuals who received a deferred sentence pursuant to subdivision
97.5 2, paragraph (b), in the previous year, disaggregated by county;

97.6 (2) the number of individuals who received an adjudication of guilt as described in
97.7 subdivision 2, paragraph (d), in the previous year, disaggregated by county;

97.8 (3) for the individuals identified in clause (2), the number who committed a technical
97.9 violation of probation and the number alleged to have committed a subsequent criminal act;
97.10 and

97.11 (4) the number of proceedings dismissed pursuant to subdivision 3 in the previous year,
97.12 disaggregated by county.

97.13 (d) The report required under paragraph (c) may be submitted as a section of any other
97.14 annual report required to be submitted by the Sentencing Guidelines Commission.

97.15 **EFFECTIVE DATE.** This section is effective August 1, 2024, and applies to deferred
97.16 sentences announced on or after that date.

97.17 Sec. 8. Minnesota Statutes 2023 Supplement, section 609.1095, subdivision 1, is amended
97.18 to read:

97.19 Subdivision 1. **Definitions.** (a) As used in this section, the following terms have the
97.20 meanings given.

97.21 (b) "Conviction" means any of the following accepted and recorded by the court: a plea
97.22 of guilty, a verdict of guilty by a jury, or a finding of guilty by the court. The term includes
97.23 a conviction by any court in Minnesota or another jurisdiction.

97.24 (c) "Prior conviction" means a conviction that occurred before the offender committed
97.25 the next felony resulting in a conviction and before the offense for which the offender is
97.26 being sentenced under this section.

97.27 (d) "Violent crime" means a violation of or an attempt or conspiracy to violate any of
97.28 the following laws of this state or any similar laws of the United States or any other state:
97.29 sections 152.137; 609.165; 609.185; 609.19; 609.195; 609.20; 609.205; 609.2112; 609.2113;
97.30 609.2114; 609.221; 609.222; 609.223; 609.228; 609.235; 609.24; 609.245; 609.247; 609.25;
97.31 609.255; 609.2661; 609.2662; 609.2663; 609.2664; 609.2665; 609.267; 609.2671; 609.268;
97.32 609.322; 609.342; 609.343; 609.344; 609.345; 609.498, subdivision 1 or 1b; 609.561;

609.562; 609.582, subdivision 1; 609.66, subdivision 1e; 609.687; and 609.855, subdivision 5; any provision of sections 609.229; 609.377; 609.378; 609.749; and 624.713 that is punishable by a felony penalty; or any provision of chapter 152 that is punishable by a maximum sentence of 15 years or more; or Minnesota Statutes 2012, section 609.21.

Sec. 9. Minnesota Statutes 2023 Supplement, section 609.135, subdivision 2, is amended to read:

Subd. 2. Stay of sentence maximum periods. (a) Except as provided in paragraph (b), if the conviction is for a felony, the stay shall be for not more than five years or the maximum period for which the sentence of imprisonment might have been imposed, whichever is less.

(b) If the conviction is for a felony ~~described in~~ violation of, or a felony-level attempt or conspiracy to violate, section 609.19; 609.195; 609.20; 609.2112; 609.2113, subdivision 2; 609.2662; 609.2663; 609.2664; 609.268; 609.342; 609.343; 609.344; 609.345; 609.3451; 609.3458; or 609.749; or a felony-level attempt or conspiracy to violate section 609.185 or 609.2661, the stay shall be for not more than four years or the maximum period for which the sentence of imprisonment might have been imposed, whichever is longer.

(c) If the conviction is for a gross misdemeanor violation of section 169A.20, 609.2113, subdivision 3, or 609.3451, the stay shall be for not more than four years. The court shall provide for unsupervised probation for the last year of the stay unless the court finds that the defendant needs supervised probation for all or part of the last year.

(d) If the conviction is for a gross misdemeanor not specified in paragraph (c), the stay shall be for not more than two years.

(e) If the conviction is for any misdemeanor under section 169A.20; 609.746, subdivision 1; 609.79; or 617.23; or for a misdemeanor under section 609.2242 or 609.224, subdivision 1, in which the victim of the crime was a family or household member as defined in section 518B.01, the stay shall be for not more than two years. The court shall provide for unsupervised probation for the second year of the stay unless the court finds that the defendant needs supervised probation for all or part of the second year.

(f) If the conviction is for a misdemeanor not specified in paragraph (e), the stay shall be for not more than one year.

(g) The defendant shall be discharged six months after the term of the stay expires, unless the stay has been revoked or extended under paragraph (h), or the defendant has already been discharged.

(h) Notwithstanding the maximum periods specified for stays of sentences under paragraphs (a) to (g), a court may extend a defendant's term of probation for up to one year if it finds, at a hearing conducted under subdivision 1a, that:

(1) the defendant has not paid court-ordered restitution in accordance with the payment schedule or structure; and

(2) the defendant is likely to not pay the restitution the defendant owes before the term of probation expires.

This one-year extension of probation for failure to pay restitution may be extended by the court for up to one additional year if the court finds, at another hearing conducted under subdivision 1a, that the defendant still has not paid the court-ordered restitution that the defendant owes.

Nothing in this subdivision limits the court's ability to refer the case to collections under section 609.104.

(i) Notwithstanding the maximum periods specified for stays of sentences under paragraphs (a) to (g), a court may extend a defendant's term of probation for up to three years if it finds, at a hearing conducted under subdivision 1c, that:

(1) the defendant has failed to complete court-ordered treatment successfully; and

(2) the defendant is likely not to complete court-ordered treatment before the term of probation expires.

EFFECTIVE DATE. This section is effective August 1, 2024, and applies to sentences announced on or after that date.

Sec. 10. Minnesota Statutes 2023 Supplement, section 609.14, subdivision 1, is amended to read:

Subdivision 1. **Grounds.** (a) When it appears that the defendant has violated any of the conditions of probation or intermediate sanction, or has otherwise been guilty of misconduct ~~which that~~ warrants the ~~imposing~~ adjudication of guilt, or imposition or execution of sentence, the court may without notice revoke the stay and direct that the defendant be taken into immediate custody. Revocation shall only be used as a last resort when rehabilitation has failed.

(b) When it appears that the defendant violated any of the conditions of probation during the term of the stay, but the term of the stay has since expired, the defendant's probation officer or the prosecutor may ask the court to initiate probation revocation proceedings

100.1 under the Rules of Criminal Procedure at any time within six months after the expiration
100.2 of the stay. The court also may initiate proceedings under these circumstances on its own
100.3 motion. If proceedings are initiated within this six-month period, the court may conduct a
100.4 revocation hearing and take any action authorized under rule 27.04 at any time during or
100.5 after the six-month period.

100.6 (c) Notwithstanding the provisions of section 609.135 or any law to the contrary, after
100.7 proceedings to revoke the stay have been initiated by a court order revoking the stay and
100.8 directing either that the defendant be taken into custody or that a summons be issued in
100.9 accordance with paragraph (a), the proceedings to revoke the stay may be concluded and
100.10 the summary hearing provided by subdivision 2 may be conducted after the expiration of
100.11 the stay or after the six-month period set forth in paragraph (b). The proceedings to revoke
100.12 the stay shall not be dismissed on the basis that the summary hearing is conducted after the
100.13 term of the stay or after the six-month period. The ability or inability to locate or apprehend
100.14 the defendant prior to the expiration of the stay or during or after the six-month period shall
100.15 not preclude the court from conducting the summary hearing unless the defendant
100.16 demonstrates that the delay was purposefully caused by the state in order to gain an unfair
100.17 advantage.

100.18 Sec. 11. Minnesota Statutes 2022, section 609.14, subdivision 2, is amended to read:

100.19 Subd. 2. **Notification of grounds for revocation.** The defendant shall thereupon be
100.20 notified in writing and in such manner as the court directs of the grounds alleged to exist
100.21 for revocation of the stay ~~of imposition or execution of sentence~~. If such grounds are brought
100.22 in issue by the defendant, a summary hearing shall be held thereon at which the defendant
100.23 is entitled to be heard and to be represented by counsel.

100.24 Sec. 12. Minnesota Statutes 2022, section 609.14, subdivision 3, is amended to read:

100.25 Subd. 3. **Sentence.** If any of such grounds are found to exist the court may:

100.26 (1) if imposition of sentence was previously stayed, again stay sentence or impose
100.27 sentence and stay the execution thereof, and in either event place the defendant on probation
100.28 or order intermediate sanctions pursuant to section 609.135, or impose sentence and order
100.29 execution thereof; ~~or~~

100.30 (2) if sentence was previously imposed and execution thereof stayed, continue such stay
100.31 and place the defendant on probation or order intermediate sanctions in accordance with
100.32 the provisions of section 609.135, or order execution of the sentence previously imposed;
100.33 or

101.1 (3) if adjudication was stayed or prosecution was deferred, continue the stay without
101.2 intermediate sanctions, continue it with intermediate sanctions, or adjudicate guilt and
101.3 proceed as otherwise provided, including, in the event of a felony conviction, as provided
101.4 in section 244.10.

101.5 Sec. 13. Minnesota Statutes 2022, section 609.14, is amended by adding a subdivision to
101.6 read:

101.7 Subd. 5. **Definition.** For the purposes of this section, "stay" means a stay of adjudication,
101.8 a stay of imposition, a stay of execution, or a deferred prosecution.

101.9 Sec. 14. Minnesota Statutes 2022, section 609.324, subdivision 1, is amended to read:

101.10 Subdivision 1. **Engaging in, hiring, or agreeing to hire minor to engage in**
101.11 **prostitution; penalties.** (a) Whoever intentionally does any of the following may be
101.12 sentenced to imprisonment for not more than 20 years or to payment of a fine of not more
101.13 than \$40,000, or both:

101.14 (1) engages in prostitution with an individual under the age of 14 years;

101.15 (2) hires or offers or agrees to hire an individual under the age of 14 years to engage in
101.16 sexual penetration or sexual contact; or

101.17 (3) hires or offers or agrees to hire an individual who the actor reasonably believes to
101.18 be under the age of 14 years to engage in sexual penetration or sexual contact.

101.19 (b) Whoever intentionally does any of the following may be sentenced to imprisonment
101.20 for not more than ten years or to payment of a fine of not more than \$20,000, or both:

101.21 (1) engages in prostitution with an individual under the age of 16 years but at least 14
101.22 years;

101.23 (2) hires or offers or agrees to hire an individual under the age of 16 years but at least
101.24 14 years to engage in sexual penetration or sexual contact; or

101.25 (3) hires or offers or agrees to hire an individual who the actor reasonably believes to
101.26 be under the age of 16 years but at least ~~13~~ 14 years to engage in sexual penetration or sexual
101.27 contact.

101.28 (c) Whoever intentionally does any of the following may be sentenced to imprisonment
101.29 for not more than five years or to payment of a fine of not more than \$10,000, or both:

101.30 (1) engages in prostitution with an individual under the age of 18 years but at least 16
101.31 years;

102.1 (2) hires or offers or agrees to hire an individual under the age of 18 years but at least
102.2 16 years to engage in sexual penetration or sexual contact; or

102.3 (3) hires or offers or agrees to hire an individual who the actor reasonably believes to
102.4 be under the age of 18 years but at least 16 years to engage in sexual penetration or sexual
102.5 contact.

102.6 **EFFECTIVE DATE.** This section is effective August 1, 2024, and applies to crimes
102.7 committed on or after that date.

102.8 Sec. 15. Minnesota Statutes 2023 Supplement, section 609.522, subdivision 1, is amended
102.9 to read:

102.10 Subdivision 1. **Definitions.** (a) As used in this section, the following terms have the
102.11 meanings given.

102.12 (b) "Pattern of retail theft" means acts committed or directed by the defendant on at least
102.13 two separate occasions in the preceding six months that would constitute a violation of:

102.14 (1) section 609.52, subdivision 2, paragraph (a), ~~clauses~~ clause (1), (3), ~~and~~ or (4),
102.15 involving retail merchandise;

102.16 (2) section 609.521;

102.17 (3) section 609.53, subdivision 1, involving retail merchandise;

102.18 (4) section 609.582 when the building was a retail establishment; or

102.19 (5) section 609.59.

102.20 (c) "Retail establishment" means the building where a retailer sells retail merchandise.

102.21 (d) "Retail merchandise" means all forms of tangible property, without limitation, held
102.22 out for sale by a retailer.

102.23 (e) "Retail theft enterprise" means a group of two or more individuals with a shared goal
102.24 involving the unauthorized removal of retail merchandise from a retailer. Retail theft
102.25 enterprise does not require the membership of the enterprise to remain the same or that the
102.26 same individuals participate in each offense committed by the enterprise.

102.27 (f) "Retailer" means a person or entity that sells retail merchandise.

102.28 (g) "Value" means the retail market value at the time of the theft or, if the retail market
102.29 value cannot be ascertained, the cost of replacement of the property within a reasonable
102.30 time after the theft.

103.1 Sec. 16. Minnesota Statutes 2023 Supplement, section 609.522, subdivision 2, is amended
103.2 to read:

103.3 Subd. 2. **Organized retail theft.** A person is guilty of organized retail theft if:

103.4 (1) the person is employed by or associated with a retail theft enterprise;

103.5 (2) the person has previously engaged in a pattern of retail theft and intentionally commits
103.6 an act or directs another member of the retail theft enterprise to commit an act involving
103.7 retail merchandise that would constitute a violation of:

103.8 (i) section 609.52, subdivision 2, paragraph (a), ~~elauses~~ clause (1), (3), ~~and~~ or (4); or

103.9 (ii) section 609.53, subdivision 1; and

103.10 (3) the person or another member of the retail theft enterprise:

103.11 (i) resells or intends to resell the stolen retail merchandise;

103.12 (ii) advertises or displays any item of the stolen retail merchandise for sale; or

103.13 (iii) returns any item of the stolen retail merchandise to a retailer for anything of value.

103.14 Sec. 17. Minnesota Statutes 2022, section 609.78, is amended by adding a subdivision to
103.15 read:

103.16 Subd. 2c. **Felony offense; reporting fictitious emergency resulting in response to**
103.17 **the home of certain officials.** Whoever violates subdivision 2, clause (2), is guilty of a
103.18 felony and may be sentenced to imprisonment for not more than one year or to payment of
103.19 a fine of not more than \$5,000, or both, if the person places the call with the intent of
103.20 prompting an emergency response to the home of:

103.21 (1) an elected official;

103.22 (2) a judge as defined in section 609.221, subdivision 6, clause (5);

103.23 (3) a prosecuting attorney as defined in section 609.221, subdivision 6, clause (4);

103.24 (4) an employee of a correctional facility as defined in section 241.021, subdivision 1i;

103.25 or

103.26 (5) a peace officer as defined in section 626.84, subdivision 1, paragraph (c).

103.27 **EFFECTIVE DATE.** This section is effective August 1, 2024, and applies to crimes
103.28 committed on or after that date.

104.1 Sec. 18. Minnesota Statutes 2022, section 609.78, subdivision 3, is amended to read:

104.2 Subd. 3. **Definition.** (a) Except as provided in paragraph (b), for purposes of this section,
104.3 "emergency call" means:

104.4 (1) a 911 call;

104.5 (2) any call for emergency medical or ambulance service; or

104.6 (3) any call for assistance from a police or fire department or for other assistance needed
104.7 in an emergency to avoid serious harm to person or property,
104.8 and an emergency exists.

104.9 (b) As used in subdivisions 1, clause (6); 2, clause (2); ~~and 2a;~~ and 2c:

104.10 (1) "call" includes the use of any method of communication including, but not limited
104.11 to: telephones, facsimiles, Voice over Internet Protocols, email messages, text messages,
104.12 and electronic transmissions of an image or video; and

104.13 (2) "emergency call" has the meaning given in paragraph (a) but does not require the
104.14 existence of an emergency.

104.15 **EFFECTIVE DATE.** This section is effective August 1, 2024.

104.16 Sec. 19. **[609.84] SALE OF HUMAN REMAINS.**

104.17 **Subdivision 1. Definitions.** (a) For purposes of this section, the following terms have
104.18 the meanings given.

104.19 (b) "Human remains" means any part of a dead human body, the cremated remains of a
104.20 dead human body, or the hydrolyzed remains of a dead human body.

104.21 (c) "Law enforcement agency" has the meaning given in section 626.84, subdivision 1,
104.22 paragraph (f).

104.23 (d) "Local organization for emergency management" has the meaning given in section
104.24 12.03, subdivision 6.

104.25 (e) "Search and rescue unit" means an organization, team, or individual authorized by
104.26 the state or federal government, a Tribal government, or by a county, city, town, or a
104.27 metropolitan airports commission organized and existing under sections 473.601 to 473.679
104.28 whose mission is to locate lost, missing, or trapped persons, victims of natural or other
104.29 disasters, and human bodies.

Subd. 2. **Sale of human remains prohibited; donation and reimbursement.** (a) Except as provided in paragraph (b), a person is prohibited from selling human remains or offering human remains for sale.

(b) Paragraph (a) shall not be construed to limit the donation of human remains:

(1) to a licensed health care provider, an individual employed by or under contract with a licensed health care provider, a public or private postsecondary educational institution, or an individual employed by or under contract with a public or private postsecondary educational institution, for legitimate medical or scientific purposes or for educational purposes;

(2) to a company registered with the United States Food and Drug Administration or an individual, company, or entity employed by or under contract with a company registered with the United States Food and Drug Administration for legitimate medical or scientific purposes, including but not limited to the development, manufacturing, and research of medical products; or

(3) to a law enforcement agency, search and rescue unit, or local organization for emergency management to conduct search and rescue training or to entities that train dogs to locate dead human bodies.

(c) Paragraph (a) does not apply to the sale or offer for sale of human remains that is incidental to the sale of real property, including undisturbed burial plots, cemeteries, crypts, or other burial features.

(d) Nothing in this section shall be construed to prohibit a person from recovering reasonable expenses for the processing, preservation, quality control, storage, transportation, or final disposition of human remains for the legitimate purposes as described in this section.

Subd. 3. **Penalty.** A person who violates this section is guilty of a felony.

EFFECTIVE DATE. This section is effective the day following final enactment and applies to crimes committed on or after that date.

ARTICLE 7

PREDATORY OFFENDERS

Section 1. Minnesota Statutes 2022, section 243.166, subdivision 1a, is amended to read:

Subd. 1a. **Definitions.** (a) As used in this section, unless the context clearly indicates otherwise, the following terms have the meanings given them.

106.1 (b) "Bureau" means the Bureau of Criminal Apprehension.

106.2 (c) "Conservator" has the meaning given in chapter 524.

106.3 ~~(e)~~ (d) "Corrections agent" means a county or state probation agent or other corrections
106.4 employee. The term also includes United States Probation and Pretrial Services System
106.5 employees who work with a person subject to this section.

106.6 ~~(d)~~ (e) "Dwelling" means the building where the person lives under a formal or informal
106.7 agreement to do so. However, dwelling does not include a supervised publicly or privately
106.8 operated shelter or facility designed to provide temporary living accommodations for
106.9 homeless individuals as defined in section 116L.361, subdivision 5.

106.10 (f) "Guardian" has the meaning given in chapter 524.

106.11 ~~(e)~~ (g) "Incarceration" and "confinement" do not include electronic home monitoring.

106.12 ~~(f)~~ (h) "Law enforcement authority" or "authority" means the chief of police of a home
106.13 rule charter or statutory city and the county sheriff of an unincorporated area in that county.
106.14 An authority must be located in Minnesota.

106.15 ~~(g)~~ (i) "Motor vehicle" has the meaning given in section 169.011, subdivision 92.

106.16 (j) "Power of attorney" has the meaning given in chapter 523.

106.17 ~~(h)~~ (k) "Primary address" means the mailing address of the person's dwelling. If the
106.18 mailing address is different from the actual location of the dwelling, primary address also
106.19 includes the physical location of the dwelling described with as much specificity as possible.

106.20 ~~(i)~~ (l) "School" includes any public or private educational institution, including any
106.21 secondary school, trade, or professional institution, or institution of higher education, that
106.22 the person is enrolled in on a full-time or part-time basis.

106.23 ~~(j)~~ (m) "Secondary address" means the mailing address of any place where the person
106.24 regularly or occasionally stays overnight when not staying at the person's primary address.
106.25 If the mailing address is different from the actual location of the place, secondary address
106.26 also includes the physical location of the place described with as much specificity as possible.
106.27 However, the location of a supervised publicly or privately operated shelter or facility
106.28 designated to provide temporary living accommodations for homeless individuals as defined
106.29 in section 116L.361, subdivision 5, does not constitute a secondary address.

106.30 ~~(k)~~ (n) "Treatment facility" means a residential facility, as defined in section 244.052,
106.31 subdivision 1, and residential substance use disorder treatment programs and halfway houses

107.1 licensed under chapter 245A, including, but not limited to, those facilities directly or
107.2 indirectly assisted by any department or agency of the United States.

107.3 ~~(H)~~ (o) "Work" includes employment that is full time or part time for a period of time
107.4 exceeding 14 days or for an aggregate period of time exceeding 30 days during any calendar
107.5 year, whether financially compensated, volunteered, or for the purpose of government or
107.6 educational benefit.

107.7 Sec. 2. Minnesota Statutes 2023 Supplement, section 243.166, subdivision 1b, is amended
107.8 to read:

107.9 Subd. 1b. **Registration required.** (a) A person shall register under this section if:

107.10 (1) the person was charged with or petitioned for a felony violation of or attempt to
107.11 violate, or aiding, abetting, or conspiracy to commit, any of the following, and convicted
107.12 of or adjudicated delinquent for that offense or another offense arising out of the same set
107.13 of circumstances:

107.14 (i) murder under section 609.185, paragraph (a), clause (2);

107.15 (ii) kidnapping under section 609.25;

107.16 (iii) criminal sexual conduct under section 609.342; 609.343; 609.344; 609.345; 609.3451,
107.17 subdivision 3, paragraph (b); or 609.3453;

107.18 (iv) indecent exposure under section 617.23, subdivision 3; or

107.19 (v) surreptitious intrusion under the circumstances described in section 609.746,
107.20 subdivision 1, paragraph (h);

107.21 (2) the person was charged with or petitioned for a violation of, or attempt to violate, or
107.22 aiding, abetting, or conspiring to commit any of the following and convicted of or adjudicated
107.23 delinquent for that offense or another offense arising out of the same set of circumstances:

107.24 (i) criminal abuse in violation of Minnesota Statutes 2020, section 609.2325, subdivision
107.25 1, paragraph (b);

107.26 ~~(ii) false imprisonment in violation of section 609.255, subdivision 2;~~

107.27 ~~(iii)~~ (ii) solicitation, inducement, or promotion of the prostitution of a minor or engaging
107.28 in the sex trafficking of a minor in violation of section 609.322;

107.29 ~~(iv)~~ (iii) a prostitution offense in violation of section 609.324, subdivision 1, paragraph
107.30 (a);

108.1 ~~(v)~~ (iv) soliciting a minor to engage in sexual conduct in violation of section 609.352,
108.2 subdivision 2 or 2a, clause (1);

108.3 ~~(vi)~~ (v) using a minor in a sexual performance in violation of section 617.246; or

108.4 ~~(vii)~~ (vi) possessing or disseminating a pornographic work involving a minor in violation
108.5 of section 617.247;

108.6 (3) the person was sentenced as a patterned sex offender under section 609.3455,
108.7 subdivision 3a; or

108.8 (4) the person was charged with or petitioned for, including pursuant to a court martial,
108.9 violating a law of the United States, including the Uniform Code of Military Justice, similar
108.10 to an offense or involving similar circumstances to an offense described in clause (1), (2),
108.11 or (3), and convicted of or adjudicated delinquent for that offense or another offense arising
108.12 out of the same set of circumstances.

108.13 (b) A person also shall register under this section if:

108.14 (1) the person was charged with or petitioned for an offense in another state similar to
108.15 an offense or involving similar circumstances to an offense described in paragraph (a),
108.16 clause (1), (2), or (3), and convicted of or adjudicated delinquent for that offense or another
108.17 offense arising out of the same set of circumstances;

108.18 (2) the person enters this state to reside, work, or attend school, or enters this state and
108.19 remains for 14 days or longer or for an aggregate period of time exceeding 30 days during
108.20 any calendar year; and

108.21 (3) ten years have not elapsed since the person was released from confinement or, if the
108.22 person was not confined, since the person was convicted of or adjudicated delinquent for
108.23 the offense that triggers registration, unless the person is subject to a longer registration
108.24 period under the laws of another state in which the person has been convicted or adjudicated,
108.25 or is subject to lifetime registration.

108.26 If a person described in this paragraph is subject to a longer registration period in another
108.27 state or is subject to lifetime registration, the person shall register for that time period
108.28 regardless of when the person was released from confinement, convicted, or adjudicated
108.29 delinquent.

108.30 (c) A person also shall register under this section if the person was committed pursuant
108.31 to a court commitment order under Minnesota Statutes 2012, section 253B.185, chapter
108.32 253D, Minnesota Statutes 1992, section 526.10, or a similar law of another state or the
108.33 United States, regardless of whether the person was convicted of any offense.

(d) A person also shall register under this section if:

(1) the person was charged with or petitioned for a felony violation or attempt to violate any of the offenses listed in paragraph (a), clause (1), or a similar law of another state or the United States, or the person was charged with or petitioned for a violation of any of the offenses listed in paragraph (a), clause (2), or a similar law of another state or the United States;

(2) the person was found not guilty by reason of mental illness or mental deficiency after a trial for that offense, or found guilty but mentally ill after a trial for that offense, in states with a guilty but mentally ill verdict; and

(3) the person was committed pursuant to a court commitment order under section 253B.18 or a similar law of another state or the United States.

EFFECTIVE DATE. This section is effective July 1, 2024, and applies to:

(1) convictions and delinquency adjudications for a violation of Minnesota Statutes, section 609.255, subdivision 2, or another offense arising out of the same set of circumstances that occur on or after that date and to convictions and delinquency adjudications for such an offense that are not yet final on that date; and

(2) convictions and delinquency adjudications for disseminating a pornographic work involving a minor in violation of Minnesota Statutes, section 617.247, or another offense arising out of the same set of circumstances that occur on or after that date and to convictions and delinquency adjudications for such an offense that occurred before that date if the court told the person of the duty to register.

Sec. 3. Minnesota Statutes 2022, section 243.166, subdivision 3, is amended to read:

Subd. 3. **Registration procedure.** (a) Except as provided in subdivision 3a, a person required to register under this section shall register with the corrections agent as soon as the agent is assigned to the person. If the person does not have an assigned corrections agent or is unable to locate the assigned corrections agent, the person shall register with the law enforcement authority that has jurisdiction in the area of the person's primary address.

(b) Except as provided in subdivision 3a, at least five days before the person starts living at a new primary address, including living in another state, the person shall give written notice of the new primary address to the assigned corrections agent or to the law enforcement authority with which the person currently is registered. If the person will be living in a new state and that state has a registration requirement, the person shall also give written notice of the new address to the designated registration agency in the new state. A person required

to register under this section shall also give written notice to the assigned corrections agent or to the law enforcement authority that has jurisdiction in the area of the person's primary address that the person is no longer living or staying at an address, immediately after the person is no longer living or staying at that address. The written notice required by this paragraph must be provided in person. The corrections agent or law enforcement authority shall, within two business days after receipt of this information, forward it to the bureau. The bureau shall, if it has not already been done, notify the law enforcement authority having primary jurisdiction in the community where the person will live of the new address. If the person is leaving the state, the bureau shall notify the registration authority in the new state of the new address. The person's registration requirements under this section are suspended after the person begins living in the new state and the bureau has confirmed the address in the other state through the annual verification process on at least one occasion. The bureau may also attempt to confirm the person's address in the other state by the following methods:

(1) receipt of a verification letter from the law enforcement authority having primary jurisdiction in the community where the person is now living, acknowledging the person's address;

(2) receipt of a written communication or verification letter from a criminal justice agency confirming the person's location;

(3) confirmation of the individual's compliance with registration requirements or incarceration status in the new state via an online registry or website, if applicable; or

(4) confirmation of the individual's motor vehicle records under United States Code, title 18, section 2721, in the new state via the new state's documentation.

The bureau is the sole determinant as to whether the information provided by any of the methods in clauses (1) to (3) is sufficient for verification purposes and may use more than one of these methods to satisfy the verification requirement. For purposes of this subdivision, "criminal justice agency" means an agency of a state, a political subdivision, a federally recognized Tribe, a United States territory, or the federal government charged with detection, enforcement, prosecution, adjudication, or incarceration with respect to federal or state criminal laws. The person's registration requirements under this section are reactivated if the person resumes living in Minnesota and the registration time period described in subdivision 6 has not expired.

(c) A person required to register under subdivision 1b, paragraph (b), because the person is working or attending school in Minnesota shall register with the law enforcement authority that has jurisdiction in the area where the person works or attends school. In addition to

111.1 other information required by this section, the person shall provide the address of the school
111.2 or of the location where the person is employed. A person shall comply with this paragraph
111.3 within five days of beginning employment or school. A person's obligation to register under
111.4 this paragraph terminates when the person is no longer working or attending school in
111.5 Minnesota.

111.6 (d) A person required to register under this section who works or attends school outside
111.7 of Minnesota shall register as a predatory offender in the state where the person works or
111.8 attends school. The person's corrections agent, or if the person does not have an assigned
111.9 corrections agent, the law enforcement authority that has jurisdiction in the area of the
111.10 person's primary address shall notify the person of this requirement.

111.11 Sec. 4. Minnesota Statutes 2022, section 243.166, is amended by adding a subdivision to
111.12 read:

111.13 Subd. 4d. **Guardians, conservators, and power of attorney.** Guardians and conservators
111.14 of persons required to register shall have the authority to complete all verification and
111.15 registration paperwork under this section and section 243.167 on the person's behalf. A
111.16 validly executed power of attorney under chapter 523 grants the attorney in fact the authority
111.17 to complete all verification and registration paperwork under this section and section 243.167
111.18 on behalf of a person required to register.

111.19 Sec. 5. Minnesota Statutes 2022, section 243.166, subdivision 6, is amended to read:

111.20 Subd. 6. **Registration period.** (a) Notwithstanding the provisions of section 609.165,
111.21 subdivision 1, and except as provided in paragraphs (b), (c), and (d), a person required to
111.22 register under this section shall continue to comply with this section until ten years have
111.23 elapsed since the person initially registered in connection with the offense, or until the
111.24 probation, supervised release, or conditional release period expires, whichever occurs later.
111.25 For a person required to register under this section who is committed under section 253B.18,
111.26 Minnesota Statutes 2012, section 253B.185, or chapter 253D, the ten-year registration period
111.27 does not include the period of commitment.

111.28 (b) If a person required to register under this section fails to provide the person's primary
111.29 address as required by subdivision 3, paragraph (b), fails to comply with the requirements
111.30 of subdivision 3a, fails to provide information as required by subdivision 4a, or fails to
111.31 return the verification form referenced in subdivision 4 within ten days, the commissioner
111.32 of public safety shall require the person to continue to register for an additional period of
111.33 five years. This five-year period is added to the end of the offender's registration period.

112.1 (c) If a person required to register under this section is incarcerated due to a conviction
112.2 for a new offense that requires registration under this section or section 243.167 or following
112.3 a revocation of probation, supervised release, or conditional release for ~~any~~ an offense that
112.4 requires registration under this section or section 243.167, the person shall continue to
112.5 register until ten years have elapsed since the person was last released from incarceration
112.6 or until the person's probation, supervised release, or conditional release period expires,
112.7 whichever occurs later.

112.8 (d) A person shall continue to comply with this section for the life of that person:

112.9 (1) if the person is convicted of or adjudicated delinquent for any offense for which
112.10 registration is required under subdivision 1b, or any offense from another state or any federal
112.11 offense similar to the offenses described in subdivision 1b, and the person has a prior
112.12 conviction or adjudication for an offense for which registration was or would have been
112.13 required under subdivision 1b, or an offense from another state or a federal offense similar
112.14 to an offense described in subdivision 1b;

112.15 (2) if the person is required to register based upon a conviction or delinquency
112.16 adjudication for an offense under section 609.185, paragraph (a), clause (2), or a similar
112.17 statute from another state or the United States;

112.18 (3) if the person is required to register based upon a conviction for an offense under
112.19 section 609.342, subdivision 1, clause (a) to (c) or (e), or subdivision 1a, clause (a) to (e)
112.20 or (h); 609.343, subdivision 1, clause (a) to (c) or (e), or subdivision 1a, clause (a) to (e) or
112.21 (h); 609.344, subdivision 1, clause (a) or (c), or subdivision 1a, clause (a), (c), (g), or (h);
112.22 or 609.345, subdivision 1, clause (a) or (c), or subdivision 1a, clause (a), (c), (g), or (h); or
112.23 a statute from another state or the United States similar to the offenses described in this
112.24 clause; or

112.25 (4) if the person is required to register under subdivision 1b, paragraph (c), following
112.26 commitment pursuant to a court commitment under Minnesota Statutes 2012, section
112.27 253B.185, chapter 253D, Minnesota Statutes 1992, section 526.10, or a similar law of
112.28 another state or the United States.

112.29 (e) A person described in subdivision 1b, paragraph (b), who is required to register under
112.30 the laws of a state in which the person has been previously convicted or adjudicated
112.31 delinquent, shall register under this section for the time period required by the state of
112.32 conviction or adjudication unless a longer time period is required elsewhere in this section.

EFFECTIVE DATE. This section is effective July 1, 2024, and applies to convictions and revocations of probation, supervised release, or conditional release that occur on or after that date and to convictions that are not yet final on that date.

Sec. 6. Minnesota Statutes 2022, section 244.052, subdivision 4, is amended to read:

Subd. 4. Law enforcement agency; disclosure of information to public. (a) The law enforcement agency in the area where the predatory offender resides, expects to reside, is employed, or is regularly found, shall disclose to the public any information regarding the offender contained in the report forwarded to the agency under subdivision 3, paragraph (f), that is relevant and necessary to protect the public and to counteract the offender's dangerousness, consistent with the guidelines in paragraph (b). The extent of the information disclosed and the community to whom disclosure is made must relate to the level of danger posed by the offender, to the offender's pattern of offending behavior, and to the need of community members for information to enhance their individual and collective safety.

(b) The law enforcement agency shall employ the following guidelines in determining the scope of disclosure made under this subdivision:

(1) if the offender is assigned to risk level I, the agency may maintain information regarding the offender within the agency and may disclose it to other law enforcement agencies. Additionally, the agency may disclose the information to any victims of or witnesses to the offense committed by the offender. The agency shall disclose the information to victims of the offense committed by the offender who have requested disclosure and to adult members of the offender's immediate household;

(2) if the offender is assigned to risk level II, the agency also may disclose the information to agencies and groups that the offender is likely to encounter for the purpose of securing those institutions and protecting individuals in their care while they are on or near the premises of the institution. These agencies and groups include the staff members of public and private educational institutions, day care establishments, and establishments and organizations that primarily serve individuals likely to be victimized by the offender. The agency also may disclose the information to individuals the agency believes are likely to be victimized by the offender. The agency's belief shall be based on the offender's pattern of offending or victim preference as documented in the information provided by the department of corrections or human services. The agency may disclose the information to property assessors, property inspectors, code enforcement officials, and child protection officials who are likely to visit the offender's home in the course of their duties;

(3) if the offender is assigned to risk level III, the agency shall disclose the information to the persons and entities described in clauses (1) and (2) and to other members of the community whom the offender is likely to encounter, unless the law enforcement agency determines that public safety would be compromised by the disclosure or that a more limited disclosure is necessary to protect the identity of the victim.

Notwithstanding the assignment of a predatory offender to risk level II or III, a law enforcement agency may not make the disclosures permitted or required by clause (2) or (3), if: the offender is placed or resides in a residential facility. However, if an offender is placed or resides in a residential facility, the offender and the head of the facility shall designate the offender's likely residence upon release from the facility and the head of the facility shall notify the commissioner of corrections or the commissioner of human services of the offender's likely residence at least 14 days before the offender's scheduled release date. The commissioner shall give this information to the law enforcement agency having jurisdiction over the offender's likely residence. The head of the residential facility also shall notify the commissioner of corrections or human services within 48 hours after finalizing the offender's approved relocation plan to a permanent residence. Within five days after receiving this notification, the appropriate commissioner shall give to the appropriate law enforcement agency all relevant information the commissioner has concerning the offender, including information on the risk factors in the offender's history and the risk level to which the offender was assigned. After receiving this information, the law enforcement agency shall make the disclosures permitted or required by clause (2) or (3), as appropriate.

(c) As used in paragraph (b), clauses (2) and (3), "likely to encounter" means that:

(1) the organizations or community members are in a location or in close proximity to a location where the offender lives or is employed, or which the offender visits or is likely to visit on a regular basis, other than the location of the offender's outpatient treatment program; and

(2) the types of interaction which ordinarily occur at that location and other circumstances indicate that contact with the offender is reasonably certain.

(d) A law enforcement agency or official who discloses information under this subdivision shall make a good faith effort to make the notification within 14 days of receipt of a confirmed address from the Department of Corrections indicating that the offender will be, or has been, released from confinement, or accepted for supervision, or has moved to a new

115.1 address and will reside at the address indicated. If a change occurs in the release plan, this
115.2 notification provision does not require an extension of the release date.

115.3 (e) A law enforcement agency or official who discloses information under this subdivision
115.4 shall not disclose the identity or any identifying characteristics of the victims of or witnesses
115.5 to the offender's offenses.

115.6 (f) A law enforcement agency shall continue to disclose information on an offender as
115.7 required by this subdivision for as long as the offender is required to register under section
115.8 243.166. This requirement on a law enforcement agency to continue to disclose information
115.9 also applies to an offender who lacks a primary address and is registering under section
115.10 243.166, subdivision 3a.

115.11 (g) A law enforcement agency that is disclosing information on an offender assigned to
115.12 risk level III to the public under this subdivision shall inform the commissioner of corrections
115.13 what information is being disclosed and forward this information to the commissioner within
115.14 two days of the agency's determination. The commissioner shall post this information on
115.15 the Internet as required in subdivision 4b.

115.16 (h) A city council may adopt a policy that addresses when information disclosed under
115.17 this subdivision must be presented in languages in addition to English. The policy may
115.18 address when information must be presented orally, in writing, or both in additional languages
115.19 by the law enforcement agency disclosing the information. The policy may provide for
115.20 different approaches based on the prevalence of non-English languages in different
115.21 neighborhoods.

115.22 (i) An offender who is the subject of a community notification meeting held pursuant
115.23 to this section may not attend the meeting.

115.24 (j) When a school, day care facility, or other entity or program that primarily educates
115.25 or serves children receives notice under paragraph (b), clause (3), that a level III predatory
115.26 offender resides or works in the surrounding community, notice to parents must be made
115.27 as provided in this paragraph. If the predatory offender identified in the notice is participating
115.28 in programs offered by the facility that require or allow the person to interact with children
115.29 other than the person's children, the principal or head of the entity must notify parents with
115.30 children at the facility of the contents of the notice received pursuant to this section. The
115.31 immunity provisions of subdivision 7 apply to persons disclosing information under this
115.32 paragraph.

115.33 (k) When an offender for whom notification was made under this subdivision no longer
115.34 resides, is employed, or is regularly found in the area, and the law enforcement agency that

116.1 made the notification is aware of this, the agency shall inform the entities and individuals
116.2 initially notified of the change in the offender's status. If notification was made under
116.3 paragraph (b), clause (3), the agency shall provide the updated information required under
116.4 this paragraph in a manner designed to ensure a similar scope of dissemination. However,
116.5 the agency is not required to hold a public meeting to do so.

116.6 Sec. 7. Minnesota Statutes 2022, section 244.052, subdivision 4a, is amended to read:

116.7 Subd. 4a. **Level III offenders; location of residence.** (a) When an offender assigned
116.8 to risk level III is released from confinement or a residential facility to reside in the
116.9 community or changes residence while on supervised or conditional release, the agency
116.10 responsible for the offender's supervision shall:

116.11 (1) take into consideration the proximity of the offender's residence to that of other level
116.12 III offenders and if the proximity presents a risk of reoffending;

116.13 (2) take into consideration the proximity to of the offender's residence to the following
116.14 locations if the locations present a risk of reoffending:

116.15 (i) schools;

116.16 (ii) child care facilities or family or group family day care programs;

116.17 (iii) licensed residences for vulnerable adults;

116.18 (iv) attractions within public parks that are regularly used by minors, including but not
116.19 limited to playgrounds or athletic fields; and

116.20 (v) community centers and recreation centers that are regularly used in youth athletic
116.21 activities or offer regularly scheduled indoor playtimes or access to gymnasiums and other
116.22 facilities that are restricted to minors; and;

116.23 (3) to the greatest extent feasible, shall mitigate the concentration of level III offenders
116.24 and concentration of level III offenders near schools the locations listed in clause (2) when
116.25 the concentration presents a risk of reoffending.

116.26 (b) If the owner or property manager of a hotel, motel, lodging establishment, or
116.27 apartment building has an agreement with an agency that arranges or provides shelter for
116.28 victims of domestic abuse, the owner or property manager may not knowingly rent rooms
116.29 to both level III offenders and victims of domestic abuse at the same time. If the owner or
116.30 property manager has an agreement with an agency to provide housing to domestic abuse
116.31 victims and discovers or is informed that a tenant is a level III offender after signing a lease
116.32 or otherwise renting to the offender, the owner or property manager may evict the offender.

Sec. 8. Minnesota Statutes 2022, section 260B.198, subdivision 7, is amended to read:

Subd. 7. **Continuance.** (a) When it is in the best interests of the child to do so and not inimical to public safety and when the child has admitted the allegations contained in the petition before the judge or referee, or when a hearing has been held as provided for in section 260B.163 and the allegations contained in the petition have been duly proven but, in either case, before a finding of delinquency has been entered, the court may continue the case for a period not to exceed 180 days on any one order. Except as otherwise provided in paragraph (c), the continuance may be extended for one additional successive period not to exceed 180 days, but only with the consent of the prosecutor and only after the court has reviewed the case and entered its order for the additional continuance without a finding of delinquency. During a continuance the court may enter an order in accordance with the provisions of subdivision 1, except clause (4), or enter an order to hold the child in detention for a period not to exceed 15 days on any one order for the purpose of completing any consideration, or any investigation or examination ordered in accordance with the provisions of section 260B.157.

(b) A prosecutor may appeal a continuance ordered in contravention of this subdivision. This subdivision does not extend the court's jurisdiction under section 260B.193 and does not apply to an extended jurisdiction juvenile proceeding.

(c) A continuance granted under paragraph (a) for a violation of section 609.342; 609.343; 609.344; 609.345; 609.3451; 609.746, subdivision 1; 609.79; or 617.23 or another offense arising out of a delinquency petition based on one or more of those sections that would require the child to register as a predatory offender under section 243.166 may be extended for additional successive periods not to exceed a total of 24 months so the offender can receive sex offender treatment, but only with the consent of the prosecutor and only after the court has reviewed the case and entered its order for the additional continuance without a finding of delinquency.

ARTICLE 8

CORRECTIONS PROVISIONS

Section 1. Minnesota Statutes 2022, section 13.84, subdivision 6, is amended to read:

Subd. 6. **Public benefit data.** (a) The responsible authority or its designee of a parole or probation authority or correctional agency may release private or confidential court services data related to:

118.1 (1) criminal acts to any law enforcement agency, if necessary for law enforcement
118.2 purposes; and

118.3 (2) criminal acts or delinquent acts to the victims of criminal or delinquent acts to the
118.4 extent that the data are necessary for the victim to assert the victim's legal right to restitution.

118.5 (b) A parole or probation authority, a correctional agency, or agencies that provide
118.6 correctional services under contract to a correctional agency may release to a law enforcement
118.7 agency the following data on defendants, parolees, or probationers: current address, dates
118.8 of entrance to and departure from agency programs, and dates and times of any absences,
118.9 both authorized and unauthorized, from a correctional program.

118.10 (c) The responsible authority or its designee of a juvenile correctional agency may release
118.11 private or confidential court services data to a victim of a delinquent act to the extent the
118.12 data are necessary to enable the victim to assert the victim's right to request notice of release
118.13 under section 611A.06. The data that may be released include only the name, home address,
118.14 and placement site of a juvenile who has been placed in a juvenile correctional facility as
118.15 a result of a delinquent act.

118.16 (d) ~~Upon the victim's written or electronic request and, if the victim and offender have~~
118.17 ~~been household or family members as defined in section 518B.01, subdivision 2, paragraph~~
118.18 ~~(b);~~ The commissioner of corrections or the commissioner's designee may disclose to the
118.19 victim of an offender ~~convicted of a qualified domestic violence-related offense as defined~~
118.20 ~~in section 609.02, subdivision 16,~~ notification of the city and five-digit zip code of the
118.21 offender's residency upon or after release from a Department of Corrections facility, unless:

118.22 ~~(1) the offender is not under correctional supervision at the time of the victim's request;~~

118.23 ~~(2) the commissioner or the commissioner's designee does not have the city or zip code;~~

118.24 ~~or~~

118.25 ~~(3)~~ the commissioner or the commissioner's designee reasonably believes that disclosure
118.26 of the city or zip code of the offender's residency creates a risk to the victim, offender, or
118.27 public safety.

118.28 ~~(e) Paragraph (d) applies only where the offender is serving a prison term for a qualified~~
118.29 ~~domestic violence-related offense committed against the victim seeking notification.~~

119.1 Sec. 2. Minnesota Statutes 2023 Supplement, section 241.021, subdivision 1, is amended
119.2 to read:

119.3 Subdivision 1. **Correctional facilities; inspection; licensing.** (a) Except as provided
119.4 in paragraph (b), the commissioner of corrections shall inspect and license all correctional
119.5 facilities throughout the state, whether public or private, established and operated for the
119.6 detention and confinement of persons confined or incarcerated therein according to law
119.7 except to the extent that they are inspected or licensed by other state regulating agencies.
119.8 The commissioner shall promulgate pursuant to chapter 14, rules establishing minimum
119.9 standards for these facilities with respect to their management, operation, physical condition,
119.10 and the security, safety, health, treatment, and discipline of persons confined or incarcerated
119.11 therein. These minimum standards shall include but are not limited to specific guidance
119.12 pertaining to:

119.13 (1) screening, appraisal, assessment, and treatment for persons confined or incarcerated
119.14 in correctional facilities with mental illness or substance use disorders;

119.15 (2) a policy on the involuntary administration of medications;

119.16 (3) suicide prevention plans and training;

119.17 (4) verification of medications in a timely manner;

119.18 (5) well-being checks;

119.19 (6) discharge planning, including providing prescribed medications to persons confined
119.20 or incarcerated in correctional facilities upon release;

119.21 (7) a policy on referrals or transfers to medical or mental health care in a noncorrectional
119.22 institution;

119.23 (8) use of segregation and mental health checks;

119.24 (9) critical incident debriefings;

119.25 (10) clinical management of substance use disorders and opioid overdose emergency
119.26 procedures;

119.27 (11) a policy regarding identification of persons with special needs confined or
119.28 incarcerated in correctional facilities;

119.29 (12) a policy regarding the use of telehealth;

119.30 (13) self-auditing of compliance with minimum standards;

120.1 (14) information sharing with medical personnel and when medical assessment must be
120.2 facilitated;

120.3 (15) a code of conduct policy for facility staff and annual training;

120.4 (16) a policy on death review of all circumstances surrounding the death of an individual
120.5 committed to the custody of the facility; and

120.6 (17) dissemination of a rights statement made available to persons confined or
120.7 incarcerated in licensed correctional facilities.

120.8 No individual, corporation, partnership, voluntary association, or other private
120.9 organization legally responsible for the operation of a correctional facility may operate the
120.10 facility unless it possesses a current license from the commissioner of corrections. Private
120.11 adult correctional facilities shall have the authority of section 624.714, subdivision 13, if
120.12 the Department of Corrections licenses the facility with the authority and the facility meets
120.13 requirements of section 243.52.

120.14 The commissioner shall review the correctional facilities described in this subdivision
120.15 at least once every two years, except as otherwise provided, to determine compliance with
120.16 the minimum standards established according to this subdivision or other Minnesota statute
120.17 related to minimum standards and conditions of confinement.

120.18 The commissioner shall grant a license to any facility found to conform to minimum
120.19 standards or to any facility which, in the commissioner's judgment, is making satisfactory
120.20 progress toward substantial conformity and the standards not being met do not impact the
120.21 interests and well-being of the persons confined or incarcerated in the facility. A limited
120.22 license under subdivision 1a may be issued for purposes of effectuating a facility closure.
120.23 The commissioner may grant licensure up to two years. Unless otherwise specified by
120.24 statute, all licenses issued under this chapter expire at 12:01 a.m. on the day after the
120.25 expiration date stated on the license.

120.26 The commissioner shall have access to the buildings, grounds, books, records, staff, and
120.27 to persons confined or incarcerated in these facilities. The commissioner may require the
120.28 officers in charge of these facilities to furnish all information and statistics the commissioner
120.29 deems necessary, at a time and place designated by the commissioner. Notwithstanding
120.30 chapter 13 or any other state law classifying or restricting access to data, the officers in
120.31 charge of these facilities must furnish all data available to the facility that the commissioner
120.32 deems necessary to conduct a review of any emergency or unusual occurrence at the facility.
120.33 Failure to provide or grant access to relevant information or statistics necessary to fulfill
120.34 inspection or emergency or unusual occurrence reviews, as requested by the commissioner,

121.1 may be grounds for the commissioner to take action against a correctional facility's license
121.2 under subdivision 1a, 1b, or 1c.

121.3 All facility administrators of correctional facilities are required to report all deaths of
121.4 individuals who died while committed to the custody of the facility, regardless of whether
121.5 the death occurred at the facility or after removal from the facility for medical care stemming
121.6 from an incident or need for medical care at the correctional facility, as soon as practicable,
121.7 but no later than 24 hours of receiving knowledge of the death, including any demographic
121.8 information as required by the commissioner.

121.9 All facility administrators of correctional facilities are required to report all other
121.10 emergency or unusual occurrences as defined by rule, including uses of force by facility
121.11 staff that result in substantial bodily harm or suicide attempts, to the commissioner of
121.12 corrections within ten days from the occurrence, including any demographic information
121.13 as required by the commissioner. The commissioner of corrections shall consult with the
121.14 Minnesota Sheriffs' Association and a representative from the Minnesota Association of
121.15 Community Corrections Act Counties who is responsible for the operations of an adult
121.16 correctional facility to define "use of force" that results in substantial bodily harm for
121.17 reporting purposes.

121.18 The commissioner may require that any or all such information be provided through the
121.19 Department of Corrections detention information system. The commissioner shall post each
121.20 inspection report publicly and on the department's website within 30 days of completing
121.21 the inspection. The education program offered in a correctional facility for the confinement
121.22 or incarceration of juvenile offenders must be approved by the commissioner of education
121.23 before the commissioner of corrections may grant a license to the facility.

121.24 (b) For juvenile facilities licensed by the commissioner of human services, the
121.25 commissioner may inspect and certify programs based on certification standards set forth
121.26 in Minnesota Rules. For the purpose of this paragraph, "certification" has the meaning given
121.27 it in section 245A.02.

121.28 (c) Any state agency which regulates, inspects, or licenses certain aspects of correctional
121.29 facilities shall, insofar as is possible, ensure that the minimum standards it requires are
121.30 substantially the same as those required by other state agencies which regulate, inspect, or
121.31 license the same aspects of similar types of correctional facilities, although at different
121.32 correctional facilities.

121.33 (d) Nothing in this section shall be construed to limit the commissioner of corrections'
121.34 authority to promulgate rules establishing standards of eligibility for counties to receive

122.1 funds under chapter 401, or to require counties to comply with operating standards the
122.2 commissioner establishes as a condition precedent for counties to receive that funding.

122.3 (e) The department's inspection unit must report directly to a division head outside of
122.4 the correctional institutions division.

122.5 Sec. 3. Minnesota Statutes 2022, section 241.021, subdivision 1h, is amended to read:

122.6 Subd. 1h. **State correctional facilities security audit group.** (a) Beginning in fiscal
122.7 year 2022, the commissioner shall form a state correctional facilities security audit group.
122.8 The group must consist of the following members:

122.9 (1) a Department of Corrections employee who is not assigned to the correctional
122.10 institutions division, appointed by the commissioner;

122.11 (2) the ombudsperson for corrections or a designee;

122.12 (3) an elected sheriff or designee nominated by the Minnesota Sheriffs' Association and
122.13 appointed by the commissioner;

122.14 ~~(4) a physical plant safety consultant, appointed by the governor;~~

122.15 ~~(5) a private security consultant with expertise in correctional facility security, appointed~~
122.16 ~~by the governor;~~

122.17 (4) an individual with expertise in security related to infrastructure and operational
122.18 logistics of correctional facilities who is not required to reside in Minnesota, appointed by
122.19 the governor;

122.20 (5) the commissioner of health or a designee;

122.21 (6) the commissioner of administration or a designee;

122.22 ~~(6)~~ (7) two senators, one appointed by the senate majority leader and one appointed by
122.23 the minority leader; and

122.24 ~~(7)~~ (8) two representatives, one appointed by the speaker of the house and one appointed
122.25 by the minority leader of the house of representatives.

122.26 (b) ~~By January 1, 2022,~~ The ombudsperson or a designee shall chair the group. The
122.27 group shall establish security audit standards for state correctional facilities. In developing
122.28 the standards, the group, or individual members of the group, may gather information from
122.29 state correctional facilities and state correctional staff and inmates. The security audit group
122.30 must periodically review the standards and modify them as needed. The group must report
122.31 the standards to the chairs and ranking minority members of the house of representatives

123.1 and senate committees with jurisdiction over public safety policy and finance by February
123.2 15, 2022 whenever the standards are updated.

123.3 (c) The group shall meet twice a year to review facility audit reports submitted to the
123.4 group by the agency's inspection unit. Notwithstanding any law to the contrary, the group
123.5 is entitled to review the full audit reports including nonpublic security information and
123.6 corrections and detention confidential data. Within 60 days of ~~receiving an~~ meeting to review
123.7 ~~audit report~~ reports from the department's inspection unit, the group must make
123.8 recommendations to the commissioner. Within 45 days of receiving the group's
123.9 recommendations, the commissioner must reply in writing to the group's findings and
123.10 recommendations. The commissioner's response must explain whether the agency will
123.11 implement the group's recommendations, the timeline for implementation of the changes,
123.12 and, if not, why the commissioner will not or cannot implement the group's recommendations.

123.13 (d) Beginning in 2023, the commissioner must include a written aggregate of the group's
123.14 recommendations based on each security audit and assessment of a state correctional facility
123.15 and the commissioner's responses to the recommendations in the biennial report required
123.16 under section 241.016, subdivision 1. The commissioner shall not include corrections and
123.17 detention confidential data, as defined in section 13.85, subdivision 3, and nonpublic security
123.18 information, as defined in section 13.37, subdivision 1, in the commissioner's report to the
123.19 legislature.

123.20 (e) The commissioner shall provide staffing and administrative support to the group.

123.21 (f) The state correctional facilities security audit group is not subject to chapter 13D.

123.22 (g) Except as otherwise provided in this paragraph, the terms, compensation, and removal
123.23 of members of the group are governed by section 15.059. Members of the group serve
123.24 without compensation but shall receive expense reimbursement. Notwithstanding section
123.25 15.059, subdivision 6, the group does not expire.

123.26 Sec. 4. Minnesota Statutes 2022, section 241.021, subdivision 4b, is amended to read:

123.27 Subd. 4b. **Health care peer review committee.** The commissioner of corrections shall
123.28 establish a health care peer review committee. Sections 145.61 to 145.67 apply to the
123.29 committee. The committee shall gather, review, and evaluate information relating to the
123.30 on-site and off-site quality of care and treatment of offenders. The committee shall consist
123.31 of:

123.32 ~~(1) the director of health services;~~

123.33 ~~(2)~~ (1) the department medical director;

- 124.1 ~~(3)~~ (2) the regional medical director of the contracted health care vendor;
- 124.2 ~~(4)~~ (3) the department director of nursing or a designee;
- 124.3 ~~(5)~~ (4) a physician from the contracting hospital provider; ~~and~~
- 124.4 ~~(6)~~ (5) another physician who provides health care to offenders on site at a correctional
- 124.5 facility;
- 124.6 (6) one or more licensed physicians or nurse practitioners from the community, in person
- 124.7 or by telephone, with expertise in the most appropriate clinical area;
- 124.8 (7) the director of psychiatry of the contracted vendor;
- 124.9 (8) the pharmacist liaison of the contracted vendor's pharmacy vendor;
- 124.10 (9) the clinical pharmacist of the contracted vendor;
- 124.11 (10) in cases of suicide or unanticipated death, a representative from the Office of Special
- 124.12 Investigations; and
- 124.13 (11) other ad hoc members as indicated at the discretion of the Department of Corrections
- 124.14 medical director or chief medical officer.

124.15 Sec. 5. **[241.253] REPORTING ON INMATE COMMUNICATION SERVICES**

124.16 **REQUIRED.**

124.17 (a) By February 28 of each year, each county and regional correctional facility in the

124.18 state, including a jail, juvenile detention center, workhouse, or lockup, must report to the

124.19 commissioner of corrections on their communications contracts for incarcerated people.

124.20 The report must include the total number of phone calls, phone call minutes, video visits,

124.21 and e-messages initiated or received by incarcerated people in such facilities during the

124.22 preceding calendar year. The report must also include the total amount of revenue generated

124.23 by vendors at each facility in the preceding calendar year. The report must also include the

124.24 total amount of commissions earned by each county and regional correctional facility,

124.25 including a jail, juvenile detention center, workhouse, or lockup, during the preceding

124.26 calendar year. The report must also include how the commissions were spent.

124.27 (b) For the purposes of this section, "commission" means any form of monetary payment,

124.28 in-kind payment requirement, gift, exchange of services or goods, fee, or technology

124.29 allowance.

124.30 (c) By March 21 of each year, the commissioner must compile the county and regional

124.31 jail communications data collected under paragraph (a) into a single report and submit the

125.1 report to the chairs and ranking minority members of the legislative committees with
125.2 jurisdiction over criminal justice policy.

125.3 Sec. 6. **[241.267] PRISON EDUCATION PARTNERSHIPS.**

125.4 The commissioner may not enter into an agreement or establish a prison education
125.5 partnership with a higher education institution that:

125.6 (1) is organized as a private, for-profit postsecondary institution as described in section
125.7 136A.62, subdivision 3, clause (2), item (ii); or

125.8 (2) charges incarcerated students a higher per-credit rate than the rate for nonincarcerated
125.9 students.

125.10 Sec. 7. Minnesota Statutes 2022, section 241.75, subdivision 2, is amended to read:

125.11 Subd. 2. **Health care decisions.** The medical director of the Department of Corrections,₂
125.12 or the medical director's designee, who must be a physician licensed under chapter 147,
125.13 may make a health care decision for an inmate incarcerated in a state correctional facility
125.14 or placed in an outside facility on conditional medical release if the inmate's attending
125.15 physician determines that the inmate lacks decision-making capacity and:

125.16 (1) there is not a documented health care agent designated by the inmate or the health
125.17 care agent is not reasonably available to make the health care decision;

125.18 (2) if there is a documented health care directive, the decision is consistent with that
125.19 directive;

125.20 (3) the decision is consistent with reasonable medical practice and other applicable law;
125.21 and

125.22 (4) the medical director has made a good faith attempt to consult with the inmate's next
125.23 of kin or emergency contact person in making the decision, to the extent those persons are
125.24 reasonably available.

125.25 Sec. 8. Minnesota Statutes 2022, section 243.52, subdivision 2, is amended to read:

125.26 Subd. 2. **Use of force.** (a) Use of force must not be applied maliciously or sadistically
125.27 for the purpose of causing harm to a confined or incarcerated person.

125.28 (b) Unless the use of deadly force is justified in this section, a correctional officer working
125.29 in an adult correctional facility either under the control of the commissioner of corrections

126.1 or licensed by the commissioner under section 241.021 may not use any of the following
126.2 restraints:

126.3 (1) a choke hold;

126.4 (2) a prone restraint;

126.5 (3) tying all of a person's limbs together behind the person's back to render the person
126.6 immobile; or

126.7 (4) securing a person in any way that results in transporting the person face down in a
126.8 vehicle, except as directed by a medical professional.

126.9 (c) For the purposes of this subdivision, the following terms have the meanings given
126.10 them:

126.11 (1) "choke hold" means a method by which a person applies sufficient pressure to a
126.12 person to make breathing difficult or impossible, and includes but is not limited to any
126.13 pressure to the neck, throat, or windpipe that may prevent or hinder breathing or reduce
126.14 intake of air. Choke hold also means applying pressure to a person's neck on either side of
126.15 the windpipe, but not to the windpipe itself, to stop the flow of blood to the brain via the
126.16 carotid arteries;

126.17 (2) "prone restraint" means the use of manual restraint that places a person in a face-down
126.18 position; and

126.19 (3) "deadly force" has the meaning given in section 609.066, subdivision 1.

126.20 (d) Use of deadly force is justified only if an objectively reasonable correctional officer
126.21 would believe, based on the totality of the circumstances known to the officer at the time
126.22 and without the benefit of hindsight, that deadly force is necessary:

126.23 (1) to protect the correctional officer or another from death or great bodily harm, provided
126.24 that the threat:

126.25 (i) can be articulated with specificity ~~by the correctional officer~~;

126.26 (ii) is reasonably likely to occur absent action by the correctional officer; and

126.27 (iii) must be addressed through the use of deadly force without unreasonable delay; or

126.28 (2) to effect the capture or prevent the escape of a person when the officer reasonably
126.29 believes that the person will cause death or great bodily harm to another person under the
126.30 threat criteria in clause (1), unless immediately apprehended.

127.1 Sec. 9. Minnesota Statutes 2023 Supplement, section 244.05, subdivision 5, is amended
127.2 to read:

127.3 Subd. 5. **Supervised release, life and indeterminate sentences.** (a) The board may,
127.4 under rules adopted by the commissioner, grant supervised release or parole as follows:

127.5 (1) to an inmate serving a mandatory life sentence after the inmate has served the
127.6 minimum term of imprisonment specified in subdivision 4 or section 243.05, subdivision
127.7 1, paragraph (a);

127.8 (2) at any time for an inmate serving a nonlife indeterminate sentence for a crime
127.9 committed on or before April 30, 1980; or

127.10 (3) to an inmate eligible for early supervised release under subdivision 4a after the inmate
127.11 has served the minimum term of imprisonment.

127.12 (b) For cases involving multiple sentences, the board must grant or deny supervised
127.13 release as follows:

127.14 (1) if an inmate is serving multiple sentences that are concurrent to one another, the
127.15 board must grant or deny supervised release on all unexpired sentences; and.

127.16 (2) Notwithstanding any other law to the contrary, if an inmate who was under the age
127.17 of 18 at the time of the commission of the relevant offenses and has served the minimum
127.18 term of imprisonment specified in subdivision 4b is serving multiple sentences that are
127.19 consecutive to one another, the board may grant or deny supervised release on one or more
127.20 sentences.

127.21 (c) No less than three years before an inmate has served the applicable minimum term
127.22 of imprisonment, the board must assess the inmate's status and make programming
127.23 recommendations relevant to the inmate's release review. The commissioner must ensure
127.24 that any board programming recommendations are followed and implemented.

127.25 (d) The board must conduct a supervised release review hearing as soon as practicable
127.26 before an inmate has served the applicable minimum term of imprisonment.

127.27 (e) The board shall require the preparation of a community investigation report. The
127.28 report shall:

127.29 (1) reflect the sentiment of the various elements of the community toward the inmate,
127.30 both at the time of the offense and at the present time;

(2) include the views of the sentencing judge, the prosecutor, any law enforcement personnel who may have been involved in the case, and any successors to these individuals who may have information relevant to the supervised release decision; and

(3) include the views of the victim and the victim's family unless the victim or the victim's family chooses not to participate.

(f) The board shall require the preparation of a development report when making a supervised release decision regarding an inmate who was under 18 years of age at the time of the commission of the offense. The report must be prepared by a mental health professional qualified to provide services to a client under section 245I.04, subdivision 2, clause (1) to (4) or (6), and must address the inmate's cognitive, emotional, and social maturity. The board may use a previous report that was prepared within 12 months immediately preceding the hearing.

(g) The board shall make reasonable efforts to notify the victim, in advance, of the time and place of the inmate's release review hearing. The victim has a right to submit an oral or written statement at the review hearing. Notwithstanding chapter 13D, the board may meet in closed session to receive and review a victim's statement, at the request of the victim. The statement may summarize the harm suffered by the victim as a result of the crime and give the victim's recommendation on whether the inmate should be given supervised release at this time.

(h) The board shall permit a prosecutor from the office that prosecuted the case to submit a written statement in advance of the review hearing.

(i) When considering whether to grant supervised release or parole to an inmate serving a life sentence or indeterminate sentence, the board shall consider, at a minimum, the following:

(1) the report prepared pursuant to paragraph (e);

(2) the report prepared pursuant to paragraph (f), if applicable;

(3) a victim statement under paragraph (g), if submitted;

(4) the statement of a prosecutor under paragraph (h), if submitted;

(5) the risk the inmate poses to the community if released;

(6) the inmate's progress in treatment, if applicable;

(7) the inmate's behavior while incarcerated;

(8) psychological or other diagnostic evaluations of the inmate;

- 129.1 (9) information on the inmate's rehabilitation while incarcerated;
- 129.2 (10) the inmate's criminal history;
- 129.3 (11) if the inmate was under 18 years of age at the time of the commission of the offense,
- 129.4 relevant science on the neurological development of juveniles and information on the inmate's
- 129.5 maturity and development while incarcerated; and
- 129.6 (12) any other relevant conduct of the inmate while incarcerated or before incarceration.
- 129.7 (j) The board may not grant supervised release or parole to an inmate unless:
- 129.8 (1) while in prison:
- 129.9 (i) the inmate has successfully completed appropriate sex offender treatment, if applicable;
- 129.10 (ii) the inmate has been assessed for substance use disorder needs and, if appropriate,
- 129.11 has successfully completed substance use disorder treatment; and
- 129.12 (iii) the inmate has been assessed for mental health needs and, if appropriate, has
- 129.13 successfully completed mental health treatment; and
- 129.14 (2) a comprehensive individual release plan is in place for the inmate that:
- 129.15 (i) ensures that, after release, the inmate will have suitable housing and receive appropriate
- 129.16 aftercare and community-based treatment; and
- 129.17 (ii) includes a postprison employment or education plan for the inmate.
- 129.18 (k) Supervised release or parole must be granted with a majority vote of the quorum
- 129.19 required under section 244.049, subdivision 3. If there is a tie vote, supervised release or
- 129.20 parole is granted only if the commissioner votes in favor of granting supervised release or
- 129.21 parole.
- 129.22 (l) Within 30 days after a supervised release review hearing, the board must issue a
- 129.23 decision on granting release, including an explanation for the decision. If an inmate is serving
- 129.24 multiple sentences that are concurrent to one another, the board must grant or deny supervised
- 129.25 release on all sentences.
- 129.26 (m) If the board does not grant supervised release, upon request of the inmate, the board
- 129.27 shall conduct a subsequent supervised release hearing within three years of the initial hearing.
- 129.28 If release is denied at the subsequent hearing, upon request of the inmate, the board shall
- 129.29 continue to hold hearings at least once every three years. If the board denies an inmate's
- 129.30 release under this paragraph, the explanation of that decision must identify specific steps

130.1 that the inmate can take to increase the likelihood that release will be granted at a future
130.2 hearing.

130.3 (n) When granting supervised release under this subdivision, the board must set prerelease
130.4 conditions to be followed by the inmate, if time permits, before their actual release or before
130.5 constructive parole becomes effective. If the inmate violates any of the prerelease conditions,
130.6 the commissioner may rescind the grant of supervised release without a hearing at any time
130.7 before the inmate's release or before constructive parole becomes effective. A grant of
130.8 constructive parole becomes effective once the inmate begins serving the consecutive
130.9 sentence.

130.10 (o) If the commissioner rescinds a grant of supervised release or parole, the board:

130.11 (1) must set a release review date that occurs within 90 days of the commissioner's
130.12 rescission; and

130.13 (2) by majority vote, may set a new supervised release date or set another review date.

130.14 (p) If the commissioner revokes supervised release or parole for an inmate serving a life
130.15 sentence, the revocation is not subject to the limitations under section 244.30 and the board:

130.16 (1) must set a release review date that occurs within one year of the commissioner's final
130.17 revocation decision; and

130.18 (2) by majority vote, may set a new supervised release date or set another review date.

130.19 (q) The board may, by a majority vote, grant a person on supervised release or parole
130.20 for a life or indeterminate sentence a final discharge from their sentence in accordance with
130.21 section 243.05, subdivision 3. In no case, however, may a person subject to a mandatory
130.22 lifetime conditional release term under section 609.3455, subdivision 7, be discharged from
130.23 that term.

130.24 (r) For purposes of this subdivision:

130.25 (1) "board" means the ~~Indeterminate Sentence~~ Supervised Release Board under section
130.26 244.049;

130.27 (2) "constructive parole" means the status of an inmate who has been paroled from an
130.28 indeterminate sentence to begin serving a consecutive sentence in prison; and

130.29 (3) "victim" has the meaning given in section 611A.01, paragraph (b).

130.30 **EFFECTIVE DATE.** This section is effective July 1, 2024, and applies to supervised
130.31 release hearings conducted on or after that date.

131.1 Sec. 10. Minnesota Statutes 2023 Supplement, section 244.17, subdivision 3, is amended
131.2 to read:

131.3 Subd. 3. **Offenders not eligible.** ~~(a)~~ The following offenders are not eligible to be placed
131.4 in the challenge incarceration program:

131.5 (1) offenders who are committed to the commissioner's custody following a conviction
131.6 for murder, manslaughter, criminal sexual conduct, assault, kidnapping, robbery, carjacking,
131.7 arson, or any other offense involving death or intentional personal injury;

131.8 (2) offenders who were convicted within the preceding ten years of an offense described
131.9 in clause (1) and were committed to the custody of the commissioner;

131.10 (3) offenders who have been convicted or adjudicated delinquent within the past five
131.11 years for a violation of section 609.485;

131.12 (4) offenders who are committed to the commissioner's custody for an offense that
131.13 requires registration under section 243.166;

131.14 (5) offenders who are the subject of a current arrest warrant or detainer;

131.15 (6) offenders who have fewer than 180 days remaining until their supervised release
131.16 date;

131.17 (7) offenders who have had disciplinary confinement time added to their sentence or
131.18 who have been placed in segregation, unless 90 days have elapsed from the imposition of
131.19 the additional disciplinary confinement time or the last day of segregation;

131.20 (8) offenders who have received a suspended formal disciplinary sanction, unless the
131.21 suspension has expired; and

131.22 (9) offenders whose governing sentence is for an offense from another state or the United
131.23 States; and.

131.24 ~~(10) offenders who have a medical condition included on the list of ineligible conditions~~
131.25 ~~described in paragraph (b).~~

131.26 ~~(b) The commissioner of corrections shall develop a list of medical conditions that will~~
131.27 ~~disqualify an offender from participating in the challenge incarceration program. The~~
131.28 ~~commissioner shall submit the list and any changes to it to the chairs and ranking minority~~
131.29 ~~members of the senate and house committees having jurisdiction over criminal justice policy~~
131.30 ~~and funding.~~

132.1 Sec. 11. Minnesota Statutes 2023 Supplement, section 244.21, subdivision 2, is amended
132.2 to read:

132.3 Subd. 2. **Commissioner of corrections; report.** By ~~January 15~~ May 1 each year, the
132.4 commissioner must report to the chairs of the legislative committees with jurisdiction over
132.5 public safety policy and finance on ~~recommended methods of coordinating the exchange~~
132.6 ~~of~~ information collected on individuals on probation under subdivision 1:

132.7 ~~(1) between probation service providers; and~~

132.8 ~~(2) between probation service providers and the Department of Corrections.~~

132.9 Sec. 12. Minnesota Statutes 2023 Supplement, section 244.41, is amended by adding a
132.10 subdivision to read:

132.11 Subd. 3a. **Conditional release.** As used in sections 244.40 to 244.51, "conditional
132.12 release" has the meaning given in section 609.02, subdivision 18.

132.13 Sec. 13. Minnesota Statutes 2023 Supplement, section 244.41, subdivision 6, is amended
132.14 to read:

132.15 Subd. 6. **Earned compliance credit.** "Earned compliance credit" means a one-month
132.16 reduction from the period during active supervision of the supervised release term for every
132.17 two months that a supervised individual exhibits compliance with the conditions and goals
132.18 of the individual's supervision plan. Earned compliance credit also applies to a conditional
132.19 release term.

132.20 Sec. 14. Minnesota Statutes 2023 Supplement, section 244.41, subdivision 14, is amended
132.21 to read:

132.22 Subd. 14. **Supervision abatement status.** "Supervision abatement status" means an end
132.23 to active correctional supervision of a supervised individual without effect on the legal
132.24 expiration date of the individual's executed sentence less any earned incentive release credit
132.25 or the expiration date of a conditional release term.

132.26 Sec. 15. Minnesota Statutes 2023 Supplement, section 244.46, subdivision 1, is amended
132.27 to read:

132.28 Subdivision 1. **Adopting policy for earned compliance credit; supervision abatement**
132.29 **status.** (a) The commissioner must adopt a policy providing for earned compliance credit.

133.1 (b) Except as otherwise provided in the act, once the time served on active supervision
133.2 plus earned compliance credits equals the total length of the supervised release term, the
133.3 commissioner must place the individual on supervision abatement status for the remainder
133.4 of the supervised release term and, if applicable, the conditional release term.

133.5 Sec. 16. Minnesota Statutes 2023 Supplement, section 244.46, subdivision 2, is amended
133.6 to read:

133.7 Subd. 2. **Violating conditions of release; commissioner action.** If an individual violates
133.8 the conditions of release while on supervision abatement status, the commissioner may:

133.9 (1) return the individual to active supervision for the remainder of the supervised release
133.10 or conditional release term, with or without modifying the conditions of release; or

133.11 (2) revoke the individual's supervised release or conditional release in accordance with
133.12 section 244.05, subdivision 3.

133.13 Sec. 17. Minnesota Statutes 2023 Supplement, section 244.50, subdivision 4, is amended
133.14 to read:

133.15 Subd. 4. **Distributing reallocation funds.** The commissioner must distribute funds as
133.16 follows:

133.17 (1) ~~25~~ 50 percent must be transferred to the Office of Justice Programs in the Department
133.18 of Public Safety for crime victim services;

133.19 (2) 25 percent must be transferred to the Community Corrections Act subsidy
133.20 appropriation and to the Department of Corrections for supervised release and intensive
133.21 supervision services, based upon a three-year average of the release jurisdiction of supervised
133.22 releasees and intensive supervised releasees across the state; and

133.23 (3) 25 percent must be transferred to the Department of Corrections for:

133.24 (i) grants to develop and invest in community-based services that support the identified
133.25 needs of correctionally involved individuals or individuals at risk of becoming involved in
133.26 the criminal justice system; and

133.27 (ii) sustaining the operation of evidence-based programming in state and local correctional
133.28 facilities; ~~and.~~

133.29 ~~(4) 25 percent must be transferred to the general fund.~~

134.1 Sec. 18. **[244.60] SUPERVISED RELEASE EMPLOYMENT REQUIREMENT;**
134.2 **POSTSECONDARY EDUCATION.**

134.3 If the commissioner of corrections imposes a requirement on a person placed on
134.4 supervised release that the person work or be employed, the commissioner shall provide
134.5 that enrollment and participation in postsecondary education or a combination of work and
134.6 education satisfies this requirement.

134.7 Sec. 19. Minnesota Statutes 2023 Supplement, section 401.01, subdivision 2, is amended
134.8 to read:

134.9 Subd. 2. **Definitions.** (a) For purposes of this chapter, the terms defined in this subdivision
134.10 have the meanings given them.

134.11 (b) "CCA jurisdiction" means a county or Tribal Nation that participates in the
134.12 Community Corrections Act, the subsidy program under this chapter.

134.13 (c) "Commissioner" means the commissioner of corrections or a designee.

134.14 (d) "Conditional release" means:

134.15 (1) parole, supervised release, or conditional release as authorized by section 609.3455,
134.16 subdivision 6, 7, or 8; Minnesota Statutes 2004, section 609.108, subdivision 6; or Minnesota
134.17 Statutes 2004, section 609.109, subdivision 7;

134.18 (2) work release as authorized by sections 241.26, 244.065, and 631.425; and

134.19 (3) probation, furlough, and any other authorized temporary release from a correctional
134.20 facility.

134.21 (e) "Detain" means to take into actual custody, including custody within a local
134.22 correctional facility.

134.23 (f) "Joint board" means the board under section 471.59.

134.24 (g) "Local advisory board" means:

134.25 (1) for a CCA jurisdiction, a corrections advisory board as defined in section 401.08;

134.26 (2) for a non-CCA jurisdiction other than a Tribal Nation, a human services advisory
134.27 board as defined in section 402.02, or advisory committee or task force as defined in section
134.28 402.03; or

134.29 (3) for a Tribal Nation that is a non-CCA jurisdiction, a board with membership as
134.30 determined by the Tribal Nation.

135.1 ~~(g)~~ (h) "Non-CCA jurisdiction" means a county or Tribal Nation that is not participating
135.2 in the Community Corrections Act subsidy program and provides or receives probation
135.3 services according to section 244.19.

135.4 ~~(h)~~ (i) "Probation officer" means a county or Tribal probation officer under a CCA or
135.5 non-CCA jurisdiction appointed with the powers under section 244.19.

135.6 ~~(i)~~ (j) "Release" means to release from actual custody.

135.7 ~~(j)~~ (k) "Tribal Nation" means a federally recognized Tribal Nation within the boundaries
135.8 of the state of Minnesota.

135.9 Sec. 20. Minnesota Statutes 2023 Supplement, section 401.10, subdivision 1, is amended
135.10 to read:

135.11 Subdivision 1. **Community supervision funding formula.** (a) Beginning July 1, 2023,
135.12 the community supervision subsidy paid to each county, the commissioner for supervision
135.13 of non-CCA jurisdictions served by the Department of Corrections, and each applicable
135.14 Tribal Nation under paragraph (e) equals the sum of:

135.15 (1) a base funding amount equal to \$150,000; and

135.16 (2) a community supervision formula equal to the sum of:

135.17 (i) for each individual with a felony sentence, a felony per diem rate of \$5.62 multiplied
135.18 by the sum of the county's or Tribal Nation's adult felony population, adult supervised
135.19 release and parole populations, and juvenile supervised release and parole populations as
135.20 reported in the most recent probation survey published by the commissioner, multiplied by
135.21 365; and

135.22 (ii) for each individual sentenced for a gross misdemeanor or misdemeanor or under
135.23 juvenile probation, the felony per diem rate of \$5.62 multiplied by 0.5 and then multiplied
135.24 by the sum of the county's or Tribal Nation's gross misdemeanor, misdemeanor, and juvenile
135.25 populations as reported in the most recent probation survey published by the commissioner,
135.26 multiplied by 365.

135.27 (b) For a non-CCA jurisdiction under section 244.19, subdivision 1b, paragraph (b) or
135.28 (c), the base funding amount must be shared equally between the jurisdiction and the
135.29 commissioner for the provision of felony supervision under section 244.20.

135.30 (c) If in any year the total amount appropriated for the purpose of this section is more
135.31 than or less than the total of base funding plus community supervision formula funding for
135.32 all counties and applicable Tribal Nations, the sum of each county's and applicable Tribal

Nation's base funding plus community supervision formula funding is adjusted by the ratio of amounts appropriated for this purpose divided by the total of base funding plus community supervision formula funding for all counties and applicable Tribal Nations.

(d) If in any year the base funding plus the community supervision formula amount based on what was appropriated in fiscal year 2024 is less than the funding paid to the county in fiscal year 2023, the difference is added to the community supervision formula amount for that county. A county is not eligible for additional funding under this paragraph unless the base funding plus community supervision formula results in an increase in funding for the county based on what was appropriated in the previous fiscal year. This paragraph expires June 30, 2029.

(e) For each Tribal Nation, a funding amount of \$250,000 is allotted annually to purchase probation services or probation-related services, including contracted services, but a Tribal Nation that becomes a CCA jurisdiction or a non-CCA jurisdiction under section 244.19, subdivision 1b, paragraph (b) or (c), is an applicable Tribal Nation under paragraphs (a) to (c) and:

(1) has the Tribal Nation's funding amount of \$250,000 transferred to the total community supervision subsidy amount appropriated for the purposes of this section; and

(2) is allotted a base funding amount equal to \$150,000 plus an amount as determined according to the community supervision formula under paragraph (a), clause (2).

(f) Minnesota Rehabilitation and Reinvestment Act savings under section 244.50, subdivision 4, clause (2), are appropriated to each CCA jurisdiction and non-CCA jurisdiction served by the Department of Corrections by dividing the three-year average of the number of individuals on supervised release and intensive supervised release within the jurisdiction by the three-year average of the total number of individuals under supervised release and intensive supervised release statewide, using the numbers reported annually in the Probation Survey report.

Sec. 21. Minnesota Statutes 2022, section 609.02, is amended by adding a subdivision to read:

Subd. 18. **Conditional release.** "Conditional release" means a court-ordered mandatory term of community supervision as prescribed by sections 169A.276, subdivision 1, paragraph (d) (first-degree DWI); 243.166, subdivision 5a (violating predatory offender registration requirements); 609.2231, subdivision 3a, paragraph (d) (assault on secure treatment facility staff); 609.3455, subdivisions 6 and 7 (criminal sexual conduct); 617.246, subdivision 7

137.1 (use of minors in sexual performances); and 617.247, subdivision 9 (possession of child
137.2 pornography). Conditional release is in addition to any applicable supervised release term.

137.3 Sec. 22. Minnesota Statutes 2023 Supplement, section 609.133, subdivision 4, is amended
137.4 to read:

137.5 Subd. 4. **Petition; contents; fee.** (a) A prosecutor's petition for sentence adjustment
137.6 shall be filed in the district court where the individual was convicted and include the
137.7 following:

137.8 (1) the full name of the individual on whose behalf the petition is being brought and, to
137.9 the extent possible, all other legal names or aliases by which the individual has been known
137.10 at any time;

137.11 (2) the individual's date of birth;

137.12 (3) the individual's address;

137.13 (4) a brief statement of the reason the prosecutor is seeking a sentence adjustment for
137.14 the individual;

137.15 (5) the details of the offense for which an adjustment is sought, including:

137.16 (i) the date and jurisdiction of the occurrence;

137.17 (ii) either the names of any victims or that there were no identifiable victims;

137.18 (iii) whether there is a current order for protection, restraining order, or other no contact
137.19 order prohibiting the individual from contacting the victims or whether there has ever been
137.20 a prior order for protection or restraining order prohibiting the individual from contacting
137.21 the victims;

137.22 (iv) the court file number; and

137.23 (v) the date of conviction;

137.24 (6) what steps the individual has taken since the time of the offense toward personal
137.25 rehabilitation, including treatment, work, good conduct within correctional facilities, or
137.26 other personal history that demonstrates rehabilitation;

137.27 (7) the individual's criminal conviction record indicating all convictions for
137.28 misdemeanors, gross misdemeanors, or felonies in this state, and for all comparable
137.29 convictions in any other state, federal court, or foreign country, whether the convictions
137.30 occurred before or after the conviction for which an adjustment is sought;

(8) the individual's criminal charges record indicating all prior and pending criminal charges against the individual in this state or another jurisdiction, including all criminal charges that have been continued for dismissal, stayed for adjudication, or were the subject of pretrial diversion; and

(9) to the extent known, all prior requests by the individual, whether for the present offense or for any other offenses in this state or any other state or federal court, for pardon, return of arrest records, or expungement or sealing of a criminal record, whether granted or not, and all stays of adjudication or imposition of sentence involving the petitioner.

(b) The filing fee for a petition brought under this section shall be waived.

(c) Notwithstanding chapter 13 or any other statute related to the classification of government data, a supervising agent or the commissioner of corrections may provide private or confidential data to a prosecutor for purposes of a petition for sentence adjustment.

Sec. 23. Minnesota Statutes 2023 Supplement, section 609A.06, subdivision 2, is amended to read:

Subd. 2. **Executive director.** (a) The governor must appoint the initial executive director of the Cannabis Expungement Board. The executive director must be knowledgeable about expungement law and criminal justice. The executive director serves at the pleasure of the board in the unclassified service as an executive branch employee. Any vacancy shall be filled by the board.

~~(b) The executive director's salary is set in accordance with section 15A.0815, subdivision 3.~~

~~(e)~~ (b) The executive director may obtain office space and supplies and hire administrative staff necessary to carry out the board's official functions, including providing administrative support to the board and attending board meetings. Any additional staff serve in the classified service.

~~(d)~~ (c) At the direction of the board, the executive director may enter into interagency agreements with the Department of Corrections or any other agency to obtain material and personnel support necessary to carry out the board's mandates, policies, activities, and objectives.

Sec. 24. Minnesota Statutes 2022, section 611A.06, subdivision 3a, is amended to read:

Subd. 3a. **Offender location.** ~~(a) Upon the victim's written or electronic request and if the victim and offender have been household or family members as defined in section~~

139.1 ~~518B.01, subdivision 2, paragraph (b),~~ The commissioner of corrections or the
139.2 commissioner's designee ~~shall~~ may disclose to the victim of an offender ~~convicted of a~~
139.3 ~~qualified domestic violence-related offense as defined in section 609.02, subdivision 16,~~
139.4 notification of the city and five-digit zip code of the offender's residency upon release from
139.5 a Department of Corrections facility, unless:

139.6 ~~(1) the offender is not under correctional supervision at the time of the victim's request;~~

139.7 ~~(2) the commissioner or the commissioner's designee does not have the city or zip code;~~

139.8 ~~or~~

139.9 ~~(3) the commissioner or the commissioner's designee reasonably believes that disclosure~~
139.10 of the city or zip code of the offender's residency creates a risk to the victim, offender, or
139.11 public safety.

139.12 ~~(b) All identifying information regarding the victim including, but not limited to, the~~
139.13 ~~notification provided by the commissioner or the commissioner's designee is classified as~~
139.14 ~~private data on individuals as defined in section 13.02, subdivision 12, and is accessible~~
139.15 ~~only to the victim.~~

139.16 ~~(c) This subdivision applies only where the offender is serving a prison term for a~~
139.17 ~~qualified domestic violence-related offense committed against the victim seeking notification.~~

139.18 Sec. 25. Minnesota Statutes 2023 Supplement, section 626.8516, subdivision 6, is amended
139.19 to read:

139.20 Subd. 6. **Education providers; sites.** (a) No later than October 1, 2023, the Board of
139.21 Trustees of the Minnesota State Colleges and Universities shall designate at least two
139.22 regionally diverse system campuses to provide the required intensive comprehensive law
139.23 enforcement education and skills training to eligible peace officer candidates.

139.24 (b) In addition to the campuses designated under paragraph (a), the commissioner may
139.25 designate private, nonprofit postsecondary institutions to provide the required intensive
139.26 comprehensive law enforcement education and skills training to eligible peace officer
139.27 candidates.

139.28 (c) Effective July 1, 2025, the Board of Regents of the University of Minnesota may
139.29 request that the commissioner designate one or more campuses to provide intensive
139.30 comprehensive law enforcement education and skills training to eligible peace officer
139.31 candidates. Upon such a request, the commissioner may designate at least one of the requested
139.32 campuses.

140.1 Sec. 26. Minnesota Statutes 2023 Supplement, section 629.292, subdivision 2, is amended
140.2 to read:

140.3 Subd. 2. **Procedure on receipt of request.** The request shall be delivered to the
140.4 commissioner of corrections or other official designated by the commissioner having custody
140.5 of the prisoner, who shall forthwith:

140.6 (1) certify the term of commitment under which the prisoner is being held, the time
140.7 already served on the sentence, the time remaining to be served, the good time earned, the
140.8 time of parole eligibility of the prisoner, and any decisions of the commissioner of corrections
140.9 relating to the prisoner; and

140.10 (2) send by registered or certified mail, return receipt requested, one copy of the request
140.11 and certificate to the court and one copy to the prosecuting attorney to whom it is addressed;
140.12 and, or

140.13 ~~(3)~~ send by e-filing and e-serving the paperwork, one copy of the request to the court
140.14 and one copy to the prosecuting attorney to whom it is addressed.

140.15 Sec. 27. Minnesota Statutes 2023 Supplement, section 638.09, subdivision 5, is amended
140.16 to read:

140.17 Subd. 5. **Executive director.** (a) The board must appoint a commission executive director
140.18 knowledgeable about clemency and criminal justice. The executive director serves at the
140.19 pleasure of the board in the unclassified service as an executive branch employee.

140.20 ~~(b) The executive director's salary is set in accordance with section 15A.0815, subdivision~~
140.21 ~~3.~~

140.22 ~~(e)~~ (b) The executive director may obtain office space and supplies and hire administrative
140.23 staff necessary to carry out the commission's official functions, including providing
140.24 administrative support to the board and attending board meetings. Any additional staff serve
140.25 in the unclassified service at the pleasure of the executive director.

140.26 Sec. 28. Laws 2023, chapter 52, article 8, section 20, subdivision 3, is amended to read:

140.27 Subd. 3. **Department administrative assistance.** Beginning August 1, 2023, through
140.28 ~~February 29, 2024~~ June 30, 2024, the Department of Corrections must provide the Clemency
140.29 Review Commission with administrative assistance, technical assistance, office space, and
140.30 other assistance necessary for the commission to carry out its duties under sections 4 to 20.

140.31 **EFFECTIVE DATE.** This section is effective retroactively from February 28, 2024.

141.1 Sec. 29. Laws 2023, chapter 63, article 5, section 5, is amended to read:

141.2 Sec. 5. **TRANSITION PERIOD.**

141.3 Beginning August 1, 2023, through ~~March 1, 2024~~ August 1, 2024, the Department of
141.4 Corrections must provide the Cannabis Expungement Board with administrative assistance,
141.5 technical assistance, office space, and other assistance necessary for the board to carry out
141.6 its duties under Minnesota Statutes, section 609A.06. The Cannabis Expungement Board
141.7 shall reimburse the Department of Corrections for the services and space provided.

141.8 **EFFECTIVE DATE.** This section is effective retroactively from February 28, 2024.

141.9 Sec. 30. **INCARCERATED STUDENT AID BORROWERS.**

141.10 **Subdivision 1. Identification of borrowers.** The commissioner of corrections shall
141.11 enter into a data-sharing agreement with the commissioner of higher education to identify
141.12 incarcerated persons who are federal student aid borrowers as identified by the Free
141.13 Application for Federal Student Aid (FAFSA). For the purposes of this section, student loan
141.14 data of any incarcerated person who voluntarily provides their federal loan status is private
141.15 data as defined by Minnesota Statutes, section 13.02, subdivision 12.

141.16 **Subd. 2. Plan.** The commissioner of corrections, in consultation with the commissioner
141.17 of the Office of Higher Education, shall develop a plan by December 1, 2024, to assist
141.18 incarcerated persons in enrolling in a federal income-driven repayment plan in which there
141.19 are no monthly payments or accrual of interest for borrowers with earnings below the federal
141.20 poverty guidelines, to the extent such payment plans are available, and submit the plan to
141.21 the chairs and ranking minority members of the legislative committees with jurisdiction
141.22 over higher education and corrections.

141.23 **Subd. 3. Sunset.** This section expires June 30, 2027, or when the Department of
141.24 Corrections establishes a system for collecting this information upon intake, whichever
141.25 occurs first.

141.26 Sec. 31. **FRESH START PROGRAM.**

141.27 **(a)** The commissioner of corrections shall provide outreach in each correctional facility
141.28 in Minnesota to apprise incarcerated persons about the federal Fresh Start program and
141.29 encourage eligible persons to enroll in the program. The commissioner shall work with a
141.30 student loan debt counseling grantee under Minnesota Statutes, section 136A.1788, to assist
141.31 Fresh Start applicants to enroll in an income-driven repayment plan when the borrower is
141.32 in repayment status.

(b) The commissioner shall report by January 15, 2025, to the chairs and ranking minority members of the legislative committees with jurisdiction over corrections and higher education. The report must include a summary of the outreach efforts in each correctional facility in Minnesota to enroll eligible incarcerated persons in the federal Fresh Start program, the efforts to assist Fresh Start applicants in enrolling in income-driven repayment plans, the number of incarcerated persons served by the student loan debt counseling grantee referenced under paragraph (a), and the number of contacts by incarcerated persons to the United States Department of Education about enrolling in the federal Fresh Start program in the previous year.

(c) This section expires January 15, 2025.

Sec. 32. **REPEALER.**

Minnesota Statutes 2022, section 241.265, is repealed.

ARTICLE 9

RESTORATIVE PRACTICES RESTITUTION PROGRAM

Section 1. Minnesota Statutes 2023 Supplement, section 299A.95, subdivision 5, is amended to read:

Subd. 5. **Grants.** (a) Within available appropriations, the director shall award grants to establish and support restorative practices initiatives and for the restitution program described in section 299A.955. An approved applicant must receive a grant of up to \$500,000 each year.

(b) On an annual basis, the Office of Restorative Practices shall establish a minimum number of applications that must be received during the application process. If the minimum number of applications is not received, the office must reopen the application process.

(c) Grants may be awarded to private and public nonprofit agencies; local units of government, including cities, counties, and townships; local educational agencies; and Tribal governments. A restorative practices advisory committee may support multiple entities applying for grants based on community needs, the number of youth and families in the jurisdiction, and the number of restorative practices available to the community. Budgets supported by grant funds can include contracts with partner agencies.

(d) Applications must include the following:

(1) a list of willing restorative practices advisory committee members;

- 143.1 (2) letters of support from potential restorative practices advisory committee members;
- 143.2 (3) a description of the planning process that includes:
- 143.3 (i) a description of the origins of the initiative, including how the community provided
- 143.4 input; and
- 143.5 (ii) an estimated number of participants to be served; and
- 143.6 (4) a formal document containing a project description that outlines the proposed goals,
- 143.7 activities, and outcomes of the initiative including, at a minimum:
- 143.8 (i) a description of how the initiative meets the minimum eligibility requirements of the
- 143.9 grant;
- 143.10 (ii) the roles and responsibilities of key staff assigned to the initiative;
- 143.11 (iii) identification of any key partners, including a summary of the roles and
- 143.12 responsibilities of those partners;
- 143.13 (iv) a description of how volunteers and other community members are engaged in the
- 143.14 initiative; and
- 143.15 (v) a plan for evaluation and data collection.
- 143.16 (e) In determining the appropriate amount of each grant, the Office of Restorative
- 143.17 Practices shall consider the number of individuals likely to be served by the local restorative
- 143.18 practices initiative.

143.19 Sec. 2. **[299A.955] RESTORATIVE PRACTICES; RESTITUTION PROGRAM.**

143.20 **Subdivision 1. Definitions.** (a) As used in this section, the following terms have the

143.21 meanings given.

143.22 (b) "Juvenile" has the same meaning as given to the term "child" in section 260B.007,

143.23 subdivision 3.

143.24 (c) "Juvenile offense" means a violation of local, state, Tribal, or federal law, other than

143.25 a juvenile petty offense or a major traffic offense, committed by a juvenile within the

143.26 boundaries of the state of Minnesota.

143.27 (d) "Juvenile petty offense" has the meaning given in section 260B.007, subdivision 16.

143.28 (e) "Major traffic offense" has the meaning given in section 260B.225, subdivision 1,

143.29 paragraph (b).

143.30 (f) "Victim" has the meaning given in section 611A.01, paragraph (b).

144.1 Subd. 2. **Establishment; purpose.** The Office of Restorative Practices must establish
144.2 a restorative practices restitution grant program. Restorative practices restitution grants
144.3 must be used to reimburse victims for economic losses or other harm resulting from an act
144.4 that would constitute a juvenile offense, juvenile petty offense, or major traffic offense
144.5 committed by a juvenile if the juvenile participates in a restorative process to address the
144.6 harm.

144.7 Subd. 3. **Eligibility; application; amount.** (a) A restorative practices initiative is eligible
144.8 for a grant under this section in any fiscal year in which the Office of Restorative Practices
144.9 awards the restorative practices initiative a grant under section 299A.95, subdivision 5. A
144.10 restorative practices initiative may submit an application under this section before the Office
144.11 of Restorative Practices acts on an application submitted pursuant to section 299A.95,
144.12 subdivision 5.

144.13 (b) Applicants must submit an application in the form and manner established by the
144.14 Office of Restorative Practices. Applications must include a letter of support from the
144.15 restorative practices advisory committee in the jurisdiction where the applicant will operate
144.16 or, if the restorative practices advisory committee has not been established, at least two
144.17 letters of support from potential restorative practices advisory committee members, one of
144.18 whom must be a member described in section 299A.95, subdivision 6, paragraph (a), clause
144.19 (1), (2), or (5).

144.20 (c) A grant issued under this section may be in an amount of up to 15 percent of the
144.21 amount awarded to the restorative practices initiative under section 299A.95, subdivision
144.22 5.

144.23 Subd. 4. **Reimbursement procedures.** (a) A grant recipient must establish policies and
144.24 procedures to verify that a person is a victim of an act that would constitute a juvenile
144.25 offense, juvenile petty offense, or major traffic offense committed by a juvenile and the
144.26 amount of economic loss or other harm sustained by the victim.

144.27 (b) A grant recipient must establish policies and procedures for the payment of
144.28 reimbursement to victims and to record the amount paid. Payment may be made directly to
144.29 a victim or, if applicable, to a court administrator or probation officer.

144.30 (c) Policies and procedures established under this subdivision must be approved by the
144.31 restorative practices advisory committee in the jurisdiction where the restorative practices
144.32 initiative operates.

144.33 Subd. 5. **Data practices.** (a) Personal history information and other information collected,
144.34 used, and maintained by a restorative practices initiative operating a restorative practices

145.1 restitution program under this section are private data on individuals as defined in section
145.2 13.02, subdivision 12, and the grantee shall maintain the data in accordance with the
145.3 provisions of chapter 13, if:

145.4 (1) the identity and location of any crime victim may be determined from the data; or

145.5 (2) the identity and location of any juvenile who committed an act that would constitute
145.6 a juvenile offense, juvenile petty offense, or major traffic offense committed by a juvenile
145.7 may be determined from the data.

145.8 (b) Personal history data and other information collected, used, and maintained by the
145.9 Office of Restorative Practices are private data on individuals as defined in section 13.02,
145.10 subdivision 12, if:

145.11 (1) the identity and location of any crime victim may be determined from the data; or

145.12 (2) the identity and location of any juvenile who committed an act that would constitute
145.13 a juvenile offense, juvenile petty offense, or major traffic offense committed by a juvenile
145.14 may be determined from the data.

145.15 (c) The Office of Restorative Practices must establish written procedures to ensure that
145.16 only individuals authorized by law may enter, update, or access data classified as nonpublic
145.17 or private data on individuals. An authorized individual's ability to enter, update, or access
145.18 not public data must correspond to the official duties or training level of the individual and
145.19 to the statutory authorization granting access for that purpose. All queries and responses,
145.20 and all actions in which not public data are entered, updated, accessed, shared, or
145.21 disseminated, must be recorded in a data audit trail. Data contained in the audit trail have
145.22 the same classification as the underlying data tracked by the audit trail.

145.23 Sec. 3. Laws 2023, chapter 52, article 2, section 3, subdivision 8, as amended by Laws
145.24 2023, chapter 69, section 12, is amended to read:

145.25	Subd. 8. Office of Justice Programs	94,758,000	80,434,000
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145.26	Appropriations by Fund		
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145.27	General	94,662,000	80,338,000
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145.28	State Government		
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145.29	Special Revenue	96,000	96,000
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145.30 (a) **Domestic and Sexual Violence Housing**

145.31 \$1,500,000 each year is to establish a

145.32 Domestic Violence Housing First grant

146.1 program to provide resources for survivors of
146.2 violence to access safe and stable housing and
146.3 for staff to provide mobile advocacy and
146.4 expertise in housing resources in their
146.5 community and a Minnesota Domestic and
146.6 Sexual Violence Transitional Housing
146.7 program to develop and support medium to
146.8 long term transitional housing for survivors
146.9 of domestic and sexual violence with
146.10 supportive services. The base for this
146.11 appropriation is \$1,000,000 beginning in fiscal
146.12 year 2026.

146.13 **(b) Federal Victims of Crime Funding Gap**

146.14 \$11,000,000 each year is to fund services for
146.15 victims of domestic violence, sexual assault,
146.16 child abuse, and other crimes. This is a
146.17 onetime appropriation.

146.18 **(c) Office for Missing and Murdered Black**
146.19 **Women and Girls**

146.20 \$1,248,000 each year is to establish and
146.21 maintain the Minnesota Office for Missing
146.22 and Murdered Black Women and Girls.

146.23 **(d) Increased Staffing**

146.24 \$667,000 the first year and \$1,334,000 the
146.25 second year are to increase staffing in the
146.26 Office of Justice Programs for grant
146.27 monitoring and compliance; provide training
146.28 and technical assistance to grantees and
146.29 potential grantees; conduct community
146.30 outreach and engagement to improve the
146.31 experiences and outcomes of applicants, grant
146.32 recipients, and crime victims throughout
146.33 Minnesota; expand the Minnesota Statistical
146.34 Analysis Center; and increase staffing for the

147.1 crime victim reimbursement program and the
147.2 Crime Victim Justice Unit.

147.3 **(e) Office of Restorative Practices**

147.4 \$500,000 each year is to establish and
147.5 maintain the Office of Restorative Practices.

147.6 **(f) Crossover and Dual-Status Youth Model**
147.7 **Grants**

147.8 \$1,000,000 each year is to provide grants to
147.9 local units of government to initiate or expand
147.10 crossover youth practices model and
147.11 dual-status youth programs that provide
147.12 services for youth who are involved with or
147.13 at risk of becoming involved with both the
147.14 child welfare and juvenile justice systems, in
147.15 accordance with the Robert F. Kennedy
147.16 National Resource Center for Juvenile Justice
147.17 model. This is a onetime appropriation.

147.18 **(g) Restorative Practices Initiatives Grants**

147.19 \$4,000,000 each year is for grants to establish
147.20 and support restorative practices initiatives
147.21 pursuant to Minnesota Statutes, section
147.22 299A.95, subdivision 6, and for a restitution
147.23 grant program under Minnesota Statutes,
147.24 section 299A.955. This appropriation is
147.25 available until June 30, 2026. The base for this
147.26 appropriation is \$2,500,000 beginning in fiscal
147.27 year 2026.

147.28 **(h) Ramsey County Youth Treatment**

147.29 **Homes Acquisition and Betterment**

147.30 \$5,000,000 the first year is for a grant to
147.31 Ramsey County to establish, with input from
147.32 community stakeholders, including impacted
147.33 youth and families, up to seven intensive

148.1 trauma-informed therapeutic treatment homes
148.2 in Ramsey County that are licensed by the
148.3 Department of Human Services, that are
148.4 culturally specific, that are community-based,
148.5 and that can be secured. These residential
148.6 spaces must provide intensive treatment and
148.7 intentional healing for youth as ordered by the
148.8 court as part of the disposition of a case in
148.9 juvenile court.

148.10 **(i) Ramsey County Violence Prevention**

148.11 \$5,000,000 the first year is for a grant to
148.12 Ramsey County to award grants to develop
148.13 new and further enhance existing
148.14 community-based organizational support
148.15 through violence prevention and community
148.16 wellness grants. Grantees must use the money
148.17 to create family support groups and resources
148.18 to support families during the time a young
148.19 person is placed out of home following a
148.20 juvenile delinquency adjudication and support
148.21 the family through the period of postplacement
148.22 reentry; create community-based respite
148.23 options for conflict or crisis de-escalation to
148.24 prevent incarceration or further systems
148.25 involvement for families; or establish
148.26 additional meaningful employment
148.27 opportunities for systems-involved youth. This
148.28 appropriation is available through June 30,
148.29 2027.

148.30 **(j) Office for Missing and Murdered**
148.31 **Indigenous Relatives**

148.32 \$274,000 each year is for increased staff and
148.33 operating costs of the Office for Missing and
148.34 Murdered Indigenous Relatives, the Missing
148.35 and Murdered Indigenous Relatives Advisory

149.1 Board, and the Gaagige-Mikwendaagoziwag
149.2 reward advisory group.

149.3 **(k) Youth Intervention Programs**

149.4 \$3,525,000 the first year and \$3,526,000 the
149.5 second year are for youth intervention
149.6 programs under Minnesota Statutes, section
149.7 299A.73. The base for this appropriation is
149.8 \$3,526,000 in fiscal year 2026 and \$3,525,000
149.9 in fiscal year 2027.

149.10 **(l) Community Crime Intervention and**
149.11 **Prevention Grants**

149.12 \$750,000 each year is for community crime
149.13 intervention and prevention program grants,
149.14 authorized under Minnesota Statutes, section
149.15 299A.296. This is a onetime appropriation.

149.16 **(m) Resources for Victims of Crime**

149.17 \$1,000,000 each year is for general crime
149.18 victim grants to meet the needs of victims of
149.19 crime not covered by domestic violence,
149.20 sexual assault, or child abuse services. This is
149.21 a onetime appropriation.

149.22 **(n) Prosecutor Training**

149.23 \$100,000 each year is for a grant to the
149.24 Minnesota County Attorneys Association to
149.25 be used for prosecutorial and law enforcement
149.26 training, including trial school training and
149.27 train-the-trainer courses. All training funded
149.28 with grant proceeds must contain blocks of
149.29 instruction on racial disparities in the criminal
149.30 justice system, collateral consequences to
149.31 criminal convictions, and trauma-informed
149.32 responses to victims. This is a onetime
149.33 appropriation.

150.1 The Minnesota County Attorneys Association
150.2 must report to the chairs and ranking minority
150.3 members of the legislative committees with
150.4 jurisdiction over public safety policy and
150.5 finance on the training provided with grant
150.6 proceeds, including a description of each
150.7 training and the number of prosecutors and
150.8 law enforcement officers who received
150.9 training. The report is due by February 15,
150.10 2025. The report may include trainings
150.11 scheduled to be completed after the date of
150.12 submission with an estimate of expected
150.13 participants.

150.14 **(o) Minnesota Heals**

150.15 \$500,000 each year is for the Minnesota Heals
150.16 grant program. This is a onetime
150.17 appropriation.

150.18 **(p) Sexual Assault Exam Costs**

150.19 \$3,967,000 the first year and \$3,767,000 the
150.20 second year are to reimburse qualified health
150.21 care providers for the expenses associated with
150.22 medical examinations administered to victims
150.23 of criminal sexual conduct as required under
150.24 Minnesota Statutes, section 609.35, and for
150.25 costs to administer the program. The base for
150.26 this appropriation is \$3,771,000 in fiscal year
150.27 2026 and \$3,776,000 in fiscal year 2027.

150.28 **(q) First Responder Mental Health**

150.29 **Curriculum**

150.30 \$75,000 each year is for a grant to the Adler
150.31 graduate school. The grantee must use the
150.32 grant to develop a curriculum for a 24-week
150.33 certificate to train licensed therapists to
150.34 understand the nuances, culture, and stressors

151.1 of the work environments of first responders
151.2 to allow those therapists to provide effective
151.3 treatment to first responders in distress. The
151.4 grantee must collaborate with first responders
151.5 who are familiar with the psychological,
151.6 cultural, and professional issues of their field
151.7 to develop the curriculum and promote it upon
151.8 completion.

151.9 The grantee may provide the program online.

151.10 The grantee must seek to recruit additional
151.11 participants from outside the 11-county
151.12 metropolitan area.

151.13 The grantee must create a resource directory
151.14 to provide law enforcement agencies with
151.15 names of counselors who complete the
151.16 program and other resources to support law
151.17 enforcement professionals with overall
151.18 wellness. The grantee shall collaborate with
151.19 the Department of Public Safety and law
151.20 enforcement organizations to promote the
151.21 directory. This is a onetime appropriation.

151.22 **(r) Pathways to Policing**

151.23 \$400,000 each year is for reimbursement
151.24 grants to state and local law enforcement
151.25 agencies that operate pathway to policing
151.26 programs. Applicants for reimbursement
151.27 grants may receive up to 50 percent of the cost
151.28 of compensating and training program
151.29 participants. Reimbursement grants shall be
151.30 proportionally allocated based on the number
151.31 of grant applications approved by the
151.32 commissioner. This is a onetime appropriation.

151.33 **(s) Direct Assistance to Crime Victim**
151.34 **Survivors**

152.1 \$5,000,000 each year is to provide grants for
152.2 direct services and advocacy for victims of
152.3 sexual assault, general crime, domestic
152.4 violence, and child abuse. Funding must
152.5 support the direct needs of organizations
152.6 serving victims of crime by providing: direct
152.7 client assistance to crime victims; competitive
152.8 wages for direct service staff; hotel stays and
152.9 other housing-related supports and services;
152.10 culturally responsive programming; prevention
152.11 programming, including domestic abuse
152.12 transformation and restorative justice
152.13 programming; and for other needs of
152.14 organizations and crime victim survivors.
152.15 Services funded must include services for
152.16 victims of crime in underserved communities
152.17 most impacted by violence and reflect the
152.18 ethnic, racial, economic, cultural, and
152.19 geographic diversity of the state. The office
152.20 shall prioritize culturally specific programs,
152.21 or organizations led and staffed by persons of
152.22 color that primarily serve communities of
152.23 color, when allocating funds.

152.24 **(t) Racially Diverse Youth**

152.25 \$250,000 each year is for grants to
152.26 organizations to address racial disparity of
152.27 youth using shelter services in the Rochester
152.28 and St. Cloud regional areas. Of this amount,
152.29 \$125,000 each year is to address this issue in
152.30 the Rochester area and \$125,000 each year is
152.31 to address this issue in the St. Cloud area. A
152.32 grant recipient shall establish and operate a
152.33 pilot program connected to shelter services to
152.34 engage in community intervention outreach,
152.35 mobile case management, family reunification,

153.1 aftercare, and follow up when family members
153.2 are released from shelter services. A pilot
153.3 program must specifically address the high
153.4 number of racially diverse youth that enter
153.5 shelters in the regions. This is a onetime
153.6 appropriation.

153.7 **(u) Violence Prevention Project Research**
153.8 **Center**

153.9 \$500,000 each year is for a grant to the
153.10 Violence Prevention Project Research Center,
153.11 operating as a 501(c)(3) organization, for
153.12 research focused on reducing violence in
153.13 society that uses data and analysis to improve
153.14 criminal justice-related policy and practice in
153.15 Minnesota. Research must place an emphasis
153.16 on issues related to deaths and injuries
153.17 involving firearms. This is a onetime
153.18 appropriation.

153.19 Beginning January 15, 2025, the Violence
153.20 Prevention Project Research Center must
153.21 submit an annual report to the chairs and
153.22 ranking minority members of the legislative
153.23 committees with jurisdiction over public safety
153.24 policy and finance on its work and findings.
153.25 The report must include a description of the
153.26 data reviewed, an analysis of that data, and
153.27 recommendations to improve criminal
153.28 justice-related policy and practice in
153.29 Minnesota with specific recommendations to
153.30 address deaths and injuries involving firearms.

153.31 **(v) Report on Approaches to Address Illicit**
153.32 **Drug Use in Minnesota**

153.33 \$118,000 each year is to enter into an
153.34 agreement with Rise Research LLC for a study

154.1 and set of reports on illicit drug use in
154.2 Minnesota describing current responses to that
154.3 use, reviewing alternative approaches utilized
154.4 in other jurisdictions, and making policy and
154.5 funding recommendations for a holistic and
154.6 effective response to illicit drug use and the
154.7 illicit drug trade. The agreement must establish
154.8 a budget and schedule with clear deliverables.
154.9 This appropriation is onetime.

154.10 The study must include a review of current
154.11 policies, practices, and funding; identification
154.12 of alternative approaches utilized effectively
154.13 in other jurisdictions; and policy and funding
154.14 recommendations for a response to illicit drug
154.15 use and the illicit drug trade that reduces and,
154.16 where possible, prevents harm and expands
154.17 individual and community health, safety, and
154.18 autonomy. Recommendations must consider
154.19 impacts on public safety, racial equity,
154.20 accessibility of health and ancillary supportive
154.21 social services, and the intersections between
154.22 drug policy and mental health, housing and
154.23 homelessness, overdose and infectious disease,
154.24 child welfare, and employment.

154.25 Rise Research may subcontract and coordinate
154.26 with other organizations or individuals to
154.27 conduct research, provide analysis, and
154.28 prepare the reports required by this section.

154.29 Rise Research shall submit reports to the
154.30 chairs and ranking minority members of the
154.31 legislative committees with jurisdiction over
154.32 public safety finance and policy, human
154.33 services finance and policy, health finance and
154.34 policy, and judiciary finance and policy. Rise
154.35 Research shall submit an initial report by

155.1 February 15, 2024, and a final report by March
155.2 1, 2025.

155.3 **(w) Legal Representation for Children**

155.4 \$150,000 each year is for a grant to an
155.5 organization that provides legal representation
155.6 for children in need of protection or services
155.7 and children in out-of-home placement. The
155.8 grant is contingent upon a match in an equal
155.9 amount from nonstate funds. The match may
155.10 be in kind, including the value of volunteer
155.11 attorney time, in cash, or a combination of the
155.12 two. These appropriations are in addition to
155.13 any other appropriations for the legal
155.14 representation of children. This appropriation
155.15 is onetime.

155.16 **(x) Pretrial Release Study and Report**

155.17 \$250,000 each year are for a grant to the
155.18 Minnesota Justice Research Center to study
155.19 and report on pretrial release practices in
155.20 Minnesota and other jurisdictions, including
155.21 but not limited to the use of bail as a condition
155.22 of pretrial release. This appropriation is
155.23 onetime.

155.24 **(y) Intensive Comprehensive Peace Officer
155.25 Education and Training Program**

155.26 \$5,000,000 the first year is to implement the
155.27 intensive comprehensive peace officer
155.28 education and training program described in
155.29 Minnesota Statutes, section 626.8516. This
155.30 appropriation is available through June 30,
155.31 2027.

155.32 **(z) Youth Services Office**

156.1 \$250,000 each year is to operate the Youth
156.2 Services Office.

156.3 **EFFECTIVE DATE.** This section is effective the day following final enactment.

156.4 **ARTICLE 10**

156.5 **PROTECTIVE ORDERS**

156.6 Section 1. Minnesota Statutes 2022, section 518B.01, subdivision 2, is amended to read:

156.7 Subd. 2. **Definitions.** As used in this section, the following terms shall have the meanings
156.8 given them:

156.9 (a) "Domestic abuse" means the following, if committed against a family or household
156.10 member by a family or household member:

156.11 (1) physical harm, bodily injury, or assault;

156.12 (2) the infliction of fear of imminent physical harm, bodily injury, or assault; or

156.13 (3) terroristic threats, within the meaning of section 609.713, subdivision 1; criminal

156.14 sexual conduct, within the meaning of section 609.342, 609.343, 609.344, 609.345, or

156.15 609.3451; sexual extortion within the meaning of section 609.3458; or interference with an

156.16 emergency call within the meaning of section 609.78, subdivision 2.

156.17 (b) "Family or household members" means:

156.18 (1) spouses and former spouses;

156.19 (2) parents and children;

156.20 (3) persons related by blood;

156.21 (4) persons who are presently residing together or who have resided together in the past;

156.22 (5) persons who have a child in common regardless of whether they have been married

156.23 or have lived together at any time;

156.24 (6) a man and woman if the woman is pregnant and the man is alleged to be the father,

156.25 regardless of whether they have been married or have lived together at any time; and

156.26 (7) persons involved in a significant romantic or sexual relationship.

156.27 Issuance of an order for protection on the ground in clause (6) does not affect a

156.28 determination of paternity under sections 257.51 to 257.74. In determining whether persons

156.29 are or have been involved in a significant romantic or sexual relationship under clause (7),

156.30 the court shall consider the length of time of the relationship; type of relationship; frequency

157.1 of interaction between the parties; and, if the relationship has terminated, length of time
157.2 since the termination.

157.3 (c) "Qualified domestic violence-related offense" has the meaning given in section
157.4 609.02, subdivision 16.

157.5 (d) "Custodian" means any person other than the petitioner or respondent who is under
157.6 a legal obligation to provide care and support for a minor child of a petitioner or who is in
157.7 fact providing care and support for a minor child of a petitioner. Custodian does not include
157.8 any person caring for a minor child if the petitioner's parental rights have been terminated.

157.9 Sec. 2. Minnesota Statutes 2022, section 518B.01, subdivision 3a, is amended to read:

157.10 Subd. 3a. **Filing fee.** The filing fees for an order for protection under this section are
157.11 waived for the petitioner and respondent. ~~The court administrator, the sheriff of any county~~
157.12 ~~in this state, and other law enforcement and corrections officers shall perform their duties~~
157.13 ~~relating to service of process without charge to the petitioner. The court shall direct payment~~
157.14 ~~of the reasonable costs of service of process if served by a private process server when the~~
157.15 ~~sheriff or other law enforcement or corrections officer is unavailable or if service is made~~
157.16 ~~by publication, without requiring the petitioner to make application under section 563.01.~~

157.17 Sec. 3. Minnesota Statutes 2022, section 518B.01, subdivision 3b, is amended to read:

157.18 Subd. 3b. **Information on petitioner's location or residence.** (a) Upon the petitioner's
157.19 request, information maintained by the court regarding the petitioner's location or residence
157.20 is not accessible to the public and may be disclosed only to court personnel or law
157.21 enforcement for purposes of service of process, conducting an investigation, or enforcing
157.22 an order.

157.23 (b) Upon request of the petitioner or a custodian of the petitioner's minor children,
157.24 information maintained by the court regarding the location or residence of the petitioner's
157.25 minor children is not accessible to the public and may be disclosed only to court personnel
157.26 or law enforcement for purposes of service of process, conducting an investigation, or
157.27 enforcing an order. If any custodian is a program participant as defined in section 5B.02,
157.28 paragraph (g), the protections, limitations, and requirements in chapter 5B apply and
157.29 information maintained by the court regarding the location or residence of the petitioner's
157.30 minor children is not accessible to the public.

158.1 Sec. 4. Minnesota Statutes 2022, section 518B.01, subdivision 4, is amended to read:

158.2 Subd. 4. **Order for protection.** There shall exist an action known as a petition for an
158.3 order for protection in cases of domestic abuse.

158.4 (a) A petition for relief under this section may be made by any family or household
158.5 member personally or by a family or household member, a guardian as defined in section
158.6 524.1-201, clause (27), or, if the court finds that it is in the best interests of the minor, by
158.7 a reputable adult age 25 or older on behalf of minor family or household members. A minor
158.8 age 16 or older may make a petition on the minor's own behalf against a spouse or former
158.9 spouse, or a person with whom the minor has a child in common, if the court determines
158.10 that the minor has sufficient maturity and judgment and that it is in the best interests of the
158.11 minor.

158.12 (b) A petition for relief shall allege the existence of domestic abuse, and shall be
158.13 accompanied by an affidavit made under oath stating the specific facts and circumstances
158.14 from which relief is sought.

158.15 (c) A petition for relief must state whether the petitioner has ever had an order for
158.16 protection in effect against the respondent.

158.17 (d) A petition for relief must state whether there is an existing order for protection in
158.18 effect under this chapter governing both the parties and whether there is a pending lawsuit,
158.19 complaint, petition or other action between the parties under chapter 257, 518, 518A, 518B,
158.20 or 518C. The court administrator shall verify the terms of any existing order governing the
158.21 parties. The court may not delay granting relief because of the existence of a pending action
158.22 between the parties or the necessity of verifying the terms of an existing order. A subsequent
158.23 order in a separate action under this chapter may modify only the provision of an existing
158.24 order that grants relief authorized under subdivision 6, paragraph (a), clause (1). A petition
158.25 for relief may be granted, regardless of whether there is a pending action between the parties.

158.26 (e) A petition for relief must state whether the petitioner has any minor children and, if
158.27 so, must provide the name of any custodian of the minor children and must identify the
158.28 location or residence of the custodian. If any custodian is a program participant as defined
158.29 in section 5B.02, paragraph (g), the location or residence of the custodian is the address
158.30 designated by the secretary of state as the address of the program participant. A petition
158.31 must not be rejected or denied for failure to identify any custodian.

158.32 ~~(e)~~ (f) The court shall provide simplified forms and clerical assistance to help with the
158.33 writing and filing of a petition under this section.

159.1 ~~(f)~~ (g) The court shall advise a petitioner under paragraph ~~(e)~~ (f) of the right to file a
159.2 motion and affidavit and to sue in forma pauperis pursuant to section 563.01 and shall assist
159.3 with the writing and filing of the motion and affidavit.

159.4 ~~(g)~~ (h) The court shall advise a petitioner under paragraph ~~(e)~~ (f) of the right to serve
159.5 the respondent by published notice under subdivision 5, paragraph (b), if the respondent is
159.6 avoiding personal service by concealment or otherwise, and shall assist with the writing
159.7 and filing of the affidavit.

159.8 ~~(h)~~ (i) The court shall advise the petitioner of the right to seek restitution under the
159.9 petition for relief.

159.10 ~~(i)~~ (j) The court shall advise the petitioner of the right to request a hearing under
159.11 subdivision 7, paragraph (c). If the petitioner does not request a hearing, the court shall
159.12 advise the petitioner that the respondent may request a hearing and that notice of the hearing
159.13 date and time will be provided to the petitioner and the custodian of any of the petitioner's
159.14 minor children by mail at least five days before the hearing.

159.15 ~~(j)~~ (k) The court shall advise the petitioner of the right to request supervised parenting
159.16 time, as provided in section 518.175, subdivision 1a.

159.17 Sec. 5. Minnesota Statutes 2022, section 518B.01, subdivision 5, is amended to read:

159.18 Subd. 5. **Hearing on application; notice.** (a) Upon receipt of the petition, the court
159.19 shall order a hearing which shall be held not later than 14 days from the date of the order
159.20 for hearing unless an ex parte order is issued.

159.21 (b) If an ex parte order has been issued under subdivision 7 and the petitioner seeks only
159.22 the relief under subdivision 7, paragraph (a), a hearing is not required unless:

159.23 (1) the court declines to order the requested relief; or

159.24 (2) one of the parties requests a hearing.

159.25 (c) If an ex parte order has been issued under subdivision 7 and the petitioner seeks relief
159.26 beyond that specified in subdivision 7, paragraph (a), or if the court declines to order relief
159.27 requested by the petitioner, a hearing must be held within seven days. Personal service of
159.28 the ex parte order may be made upon the respondent and any custodian at any time up to
159.29 12 hours prior to the time set for the hearing, provided that the respondent at the hearing
159.30 may request a continuance of up to five days if served fewer than five days prior to the
159.31 hearing which continuance shall be granted unless there are compelling reasons not to.

(d) If an ex parte order has been issued only granting relief under subdivision 7, paragraph (a), and the respondent requests a hearing, the hearing shall be held within ten days of the court's receipt of the respondent's request. Service of the notice of hearing must be made upon the petitioner and any custodian not less than five days prior to the hearing. The court shall serve the notice of hearing upon the petitioner and any custodian by mail in the manner provided in the Rules of Civil Procedure for pleadings subsequent to a complaint and motions and shall also mail notice of the date and time of the hearing to the respondent. In the event that service cannot be completed in time to give the respondent ~~or~~ petitioner, or any custodian the minimum notice required under this subdivision, the court may set a new hearing date no more than five days later.

(e) If for good cause shown either party is unable to proceed at the initial hearing and requests a continuance and the court finds that a continuance is appropriate, the hearing may be continued. Unless otherwise agreed by the parties and approved by the court, the continuance shall be for no more than five days. If the court grants the requested continuance, the court shall also issue a written order continuing all provisions of the ex parte order pending the issuance of an order after the hearing.

(f) Notwithstanding the preceding provisions of this subdivision, service on the respondent may be made by one week published notice, as provided under section 645.11, provided the petitioner files with the court an affidavit stating that an attempt at personal service made by a sheriff or other law enforcement or corrections officer was unsuccessful because the respondent is avoiding service by concealment or otherwise, and that a copy of the petition and notice of hearing has been mailed to the respondent at the respondent's residence or that the residence is not known to the petitioner. Service under this paragraph is complete seven days after publication. The court shall set a new hearing date if necessary to allow the respondent the five-day minimum notice required under paragraph (d).

Sec. 6. Minnesota Statutes 2022, section 518B.01, subdivision 6a, is amended to read:

Subd. 6a. **Subsequent orders and extensions.** (a) Upon application, notice to all parties, notice to any custodian, and hearing, the court may extend the relief granted in an existing order for protection or, if a petitioner's order for protection is no longer in effect when an application for subsequent relief is made, grant a new order. If the petitioner seeks only the relief under subdivision 7, paragraph (a), a hearing is not required unless the court declines to order the requested relief or the respondent requests a hearing. If a hearing is required, subdivisions 5 and 7 apply to service of the application, notice to the parties and any custodian, and time for the hearing.

161.1 (b) The court may extend the terms of an existing order or, if an order is no longer in
161.2 effect, grant a new order upon a showing that:

161.3 (1) the respondent has violated a prior or existing order for protection;

161.4 (2) the petitioner is reasonably in fear of physical harm from the respondent;

161.5 (3) the respondent has engaged in the act of harassment within the meaning of section
161.6 609.749, subdivision 2; or

161.7 (4) the respondent is incarcerated and about to be released, or has recently been released
161.8 from incarceration.

161.9 A petitioner does not need to show that physical harm is imminent to obtain an extension
161.10 or a subsequent order under this subdivision.

161.11 (c) Relief granted by the order for protection may be for a period of up to 50 years, if
161.12 the court finds:

161.13 (1) the respondent has violated a prior or existing order for protection on two or more
161.14 occasions; or

161.15 (2) the petitioner has had two or more orders for protection in effect against the same
161.16 respondent.

161.17 An order issued under this paragraph may restrain the abusing party from committing
161.18 acts of domestic abuse; or prohibit the abusing party from having any contact with the
161.19 petitioner, whether in person, by telephone, mail or electronic mail or messaging, through
161.20 electronic devices, through a third party, or by any other means.

161.21 Sec. 7. Minnesota Statutes 2022, section 518B.01, subdivision 7, is amended to read:

161.22 Subd. 7. **Ex parte order.** (a) Where an application under this section alleges an immediate
161.23 and present danger of domestic abuse, the court may grant an ex parte order for protection
161.24 and granting relief as the court deems proper, including an order:

161.25 (1) restraining the abusing party from committing acts of domestic abuse;

161.26 (2) excluding any party from the dwelling they share or from the residence of the other,
161.27 including a reasonable area surrounding the dwelling or residence, which area shall be
161.28 described specifically in the order, except by further order of the court;

161.29 (3) excluding the abusing party from the place of employment of the petitioner or
161.30 otherwise limiting access to the petitioner by the abusing party at the petitioner's place of
161.31 employment;

162.1 (4) ordering the abusing party to have no contact with the petitioner whether in person,
162.2 by telephone, mail, email, through electronic devices, or through a third party;

162.3 (5) continuing all currently available insurance coverage without change in coverage or
162.4 beneficiary designation;

162.5 (6) directing the care, possession, or control of a pet or companion animal owned,
162.6 possessed, or kept by a party or a child of a party; and

162.7 (7) directing the respondent to refrain from physically abusing or injuring any pet or
162.8 companion animal, without legal justification, known to be owned, possessed, kept, or held
162.9 by either party or a minor child residing in the residence or household of either party as an
162.10 indirect means of intentionally threatening the safety of such person.

162.11 (b) A finding by the court that there is a basis for issuing an ex parte order for protection
162.12 constitutes a finding that sufficient reasons exist not to require notice under applicable court
162.13 rules governing applications for ex parte relief.

162.14 (c) Subject to paragraph (d), an ex parte order for protection shall be effective for a fixed
162.15 period set by the court, as provided in subdivision 6, paragraph (b), or until modified or
162.16 vacated by the court pursuant to a hearing. When signed by a referee, the ex parte order
162.17 becomes effective upon the referee's signature. Upon request, a hearing, as provided by this
162.18 section, shall be set. Except as provided in paragraph (d), the respondent shall be personally
162.19 served forthwith a copy of the ex parte order along with a copy of the petition and, if
162.20 requested by the petitioner, notice of the date set for the hearing. Any custodian must be
162.21 served with a copy of the ex parte order. Service on a custodian may be made by personal
162.22 service or by certified mail. If the petitioner does not request a hearing, an order served on
162.23 a respondent under this subdivision must include a notice advising the respondent of the
162.24 right to request a hearing, must be accompanied by a form that can be used by the respondent
162.25 to request a hearing and must include a conspicuous notice that a hearing will not be held
162.26 unless requested by the respondent within five days of service of the order.

162.27 (d) Service of the ex parte order on the respondent may be made by published notice,
162.28 as provided under subdivision 5, provided that the petitioner files the affidavit required
162.29 under that subdivision. If personal service is not made or the affidavit is not filed within 14
162.30 days of issuance of the ex parte order, the order expires. If the petitioner does not request
162.31 a hearing, the petition mailed to the respondent's residence, if known, must be accompanied
162.32 by the form for requesting a hearing and notice described in paragraph (c). Unless personal
162.33 service is completed, if service by published notice is not completed within 28 days of

163.1 issuance of the ex parte order, the order expires. Notice that an order has expired under this
163.2 paragraph must be sent to any custodian.

163.3 (e) If the petitioner seeks relief under subdivision 6 other than the relief described in
163.4 paragraph (a), the petitioner must request a hearing to obtain the additional relief.

163.5 (f) Nothing in this subdivision affects the right of a party to seek modification of an
163.6 order under subdivision 11.

163.7 Sec. 8. Minnesota Statutes 2022, section 518B.01, subdivision 8, is amended to read:

163.8 Subd. 8. **Service; alternate service; publication; notice.** (a) The petition and any order
163.9 issued under this section other than orders for dismissal shall be served on the respondent
163.10 personally, or if the respondent appears remotely for a hearing and is notified at the hearing
163.11 by the judicial officer that an order for protection will be issued, the order may be served
163.12 on the respondent electronically or by first class mail, as ordered by the court. Orders for
163.13 dismissal may be served on the respondent personally or by certified mail. In lieu of personal
163.14 service of an order for protection, a law enforcement officer may serve a ~~person~~ respondent
163.15 with a short-form notification as provided in subdivision 8a. The petition and any order
163.16 issued under this section may be served on any custodian personally or by certified mail.

163.17 (b) When service is made out of this state and in the United States, it may be proved by
163.18 the affidavit of the person making the service. When service is made outside the United
163.19 States, it may be proved by the affidavit of the person making the service, taken before and
163.20 certified by any United States minister, charge d'affaires, commissioner, consul, or
163.21 commercial agent, or other consular or diplomatic officer of the United States appointed to
163.22 reside in the other country, including all deputies or other representatives of the officer
163.23 authorized to perform their duties; or before an office authorized to administer an oath with
163.24 the certificate of an officer of a court of record of the country in which the affidavit is taken
163.25 as to the identity and authority of the officer taking the affidavit.

163.26 (c) If personal service cannot be made on a respondent, the court may order service of
163.27 the petition and any order issued under this section by alternate means, or by publication,
163.28 which publication must be made as in other actions. The application for alternate service
163.29 must include the last known location of the respondent; the petitioner's most recent contacts
163.30 with the respondent; the last known location of the respondent's employment; the names
163.31 and locations of the respondent's parents, siblings, children, and other close relatives; the
163.32 names and locations of other persons who are likely to know the respondent's whereabouts;
163.33 and a description of efforts to locate those persons.

The court shall consider the length of time the respondent's location has been unknown, the likelihood that the respondent's location will become known, the nature of the relief sought, and the nature of efforts made to locate the respondent. The court shall order service by first class mail, forwarding address requested, to any addresses where there is a reasonable possibility that mail or information will be forwarded or communicated to the respondent.

The court may also order publication, within or without the state, but only if it might reasonably succeed in notifying the respondent of the proceeding. Service shall be deemed complete 14 days after mailing or 14 days after court-ordered publication.

(d) A petition and any order issued under this section, including the short-form notification, must include a notice to the respondent that if an order for protection is issued to protect the petitioner or a child of the parties, upon request of the petitioner in any parenting time proceeding, the court shall consider the order for protection in making a decision regarding parenting time.

Sec. 9. Minnesota Statutes 2022, section 518B.01, subdivision 8a, is amended to read:

Subd. 8a. **Short-form notification.** (a) In lieu of personal service of an order for protection under subdivision 8, a law enforcement officer may serve a ~~person~~ respondent with a short-form notification. The short-form notification must include the following clauses: the respondent's name; the respondent's date of birth, if known; the petitioner's name; the names of other protected parties; the date and county in which the ex parte order for protection or order for protection was filed; the court file number; the hearing date and time, if known; the conditions that apply to the respondent, either in checklist form or handwritten; and the name of the judge who signed the order.

The short-form notification must be in bold print in the following form:

The order for protection is now enforceable. You must report to your nearest sheriff office or county court to obtain a copy of the order for protection. You are subject to arrest and may be charged with a misdemeanor, gross misdemeanor, or felony if you violate any of the terms of the order for protection or this short-form notification.

(b) Upon verification of the identity of the respondent and the existence of an unserved order for protection against the respondent, a law enforcement officer may detain the respondent for a reasonable time necessary to complete and serve the short-form notification.

(c) When service is made by short-form notification, it may be proved by the affidavit of the law enforcement officer making the service.

165.1 (d) For service under this section only, service upon an individual may occur at any
165.2 time, including Sundays, and legal holidays.

165.3 (e) The superintendent of the Bureau of Criminal Apprehension shall provide the short
165.4 form to law enforcement agencies.

165.5 (f) This section does not apply to service of an order for protection on any custodian.

165.6 Sec. 10. Minnesota Statutes 2022, section 518B.01, subdivision 9, is amended to read:

165.7 Subd. 9. **Assistance of sheriff in service or execution; possession of dwelling or**
165.8 **residence.** When an order is issued under this section upon request of the petitioner, the
165.9 court shall order the sheriff to accompany the petitioner and assist in placing the petitioner
165.10 in possession of the dwelling or residence, ~~or otherwise assist in execution or service of the~~
165.11 ~~order of protection. If the application for relief is brought in a county in which the respondent~~
165.12 ~~is not present, the sheriff shall forward the pleadings necessary for service upon the~~
165.13 ~~respondent to the sheriff of the county in which the respondent is present. This transmittal~~
165.14 ~~must be expedited to allow for timely service.~~

165.15 Sec. 11. Minnesota Statutes 2022, section 518B.01, subdivision 9a, is amended to read:

165.16 Subd. 9a. **Personal service by others; procedures; cost; reasonable efforts and**
165.17 **cooperation required.** (a) Where personal service is required under this section, service
165.18 must comply with subdivision 8 and rule 4.03 of the Rules of Civil Procedure.

165.19 (b) Upon request of the petitioner or order of the court, the sheriff of any county in this
165.20 state in which a respondent resides or is present must execute or serve any petition, ex parte
165.21 order, notice of hearing, order for protection, and any other order of a court on the respondent.
165.22 If the application for relief is brought in a county in which the respondent is not present,
165.23 the sheriff of the county where the application for relief was brought shall forward the
165.24 pleadings necessary for service upon the respondent to the sheriff of the county in which
165.25 the respondent is present. This transmittal must be expedited to allow for timely service.

165.26 (c) Peace officers licensed by the state of Minnesota and corrections officers, including,
165.27 but not limited to, probation officers, court services officers, parole officers, and employees
165.28 of jails or correctional facilities, may serve an order for protection on a respondent or any
165.29 custodian and must, to the extent possible, provide any sheriff, law enforcement officer, or
165.30 other peace officer attempting to effectuate service with relevant information regarding
165.31 where a respondent may be found, such as the respondent's residence, the respondent's place
165.32 of employment or schooling, or other locations frequented by the respondent.

(d) The court administrator, the sheriff of any county in this state, and any other law enforcement officer, peace officer, or corrections officer shall perform the duties relating to service of process without charge to the petitioner. The court shall direct payment of the reasonable costs of service of process if served by a private process server when the sheriff or other law enforcement officer, peace officer, or corrections officer is unavailable or if service is made by publication, without requiring the petitioner to make application under section 563.01.

(e) A sheriff, law enforcement officer, or any other peace officer must make reasonable efforts to locate a respondent to effectuate service. Reasonable efforts may include:

(1) a search of any information that is publicly available;

(2) a search of any government data in a database to which the sheriff, law enforcement officer, or other peace officer has access, provided the data is classified as public data on individuals as defined in section 13.02, subdivision 15, or is otherwise available to criminal justice agencies, as defined in section 13.02, subdivision 3a; and

(3) communication with any court administrator, the sheriff of any county in this state, and any other law enforcement officer, peace officer, or corrections officer.

(f) A sheriff, law enforcement officer, or any other peace officer who serves a respondent who the sheriff or officer knows is on supervised probation or supervised release with an ex parte order, order for protection, or short-form notification must provide a copy of the served order or notification to the respondent's probation officer, supervised release or conditional release agent, or parole officer.

Sec. 12. Minnesota Statutes 2022, section 518B.01, subdivision 11, is amended to read:

Subd. 11. **Modifying or vacating order.** (a) Upon application, notice to all parties, notice to any custodian, and hearing, the court may modify the terms of an existing order for protection.

(b) If the court orders relief under subdivision 6a, paragraph (c), the respondent named in the order for protection may request to have the order vacated or modified if the order has been in effect for at least five years and the respondent has not violated the order during that time. Application for relief under this subdivision must be made in the county in which the order for protection was issued. Upon receipt of the request, the court shall set a hearing date. Personal service must be made upon the petitioner named in the order for protection not less than 30 days before the date of the hearing. Notice of the request and hearing may be made on any custodian personally or by certified mail. At the hearing, the respondent

named in the order for protection has the burden of proving by a preponderance of the evidence that there has been a material change in circumstances and that the reasons upon which the court relied in granting or extending the order for protection no longer apply and are unlikely to occur. If the court finds that the respondent named in the order for protection has met the burden of proof, the court may vacate or modify the order. If the court finds that the respondent named in the order for protection has not met the burden of proof, the court shall deny the request and no request may be made to vacate or modify the order for protection until five years have elapsed from the date of denial. An order vacated or modified under this paragraph must be personally served on the petitioner named in the order for protection and may be served on any custodian personally or by certified mail.

Sec. 13. Minnesota Statutes 2022, section 518B.01, is amended by adding a subdivision to read:

Subd. 11a. **Notice to custodian; Safe at Home participants; failure not a bar to enforcement.** (a) A custodian who is a program participant as defined in section 5B.02, paragraph (g), may direct the court to use the address designated by the secretary of state as the address of the program participant. Section 5B.03, subdivision 1, clause (3), applies to service of any notice, order, or other document required to be served under this section. The protections, limitations, and requirements in chapter 5B apply to any information regarding a custodian who is a program participant.

(b) Failure to serve a custodian with a petition, order for protection, dismissal, or any other order must not prevent any order from taking effect or otherwise invalidate any order issued pursuant to this section. In the event that service of a notice of a hearing is not completed on any custodian at least 24 hours prior to the time set for the hearing, the court may set a new hearing date no more than five days later.

Sec. 14. Minnesota Statutes 2022, section 609.748, subdivision 3a, is amended to read:

~~Subd. 3a. **Filing fee; cost of service.** The filing fees for a restraining order under this section are waived for the petitioner and the respondent if the petition alleges acts that would constitute a violation of section 609.749, subdivision 2, 3, 4, or 5, or sections 609.342 to 609.3451. The court administrator and any peace officer in this state shall perform their duties relating to service of process without charge to the petitioner. The court shall direct payment of the reasonable costs of service of process if served by a private process server when a peace officer is unavailable or if service is made by publication.~~

168.1 Sec. 15. Minnesota Statutes 2022, section 609.748, subdivision 5, is amended to read:

168.2 Subd. 5. **Restraining order.** (a) The court may issue a restraining order that provides
168.3 any or all of the following:

168.4 (1) orders the respondent to cease or avoid the harassment of another person; or

168.5 (2) orders the respondent to have no contact with another person.

168.6 (b) The court may issue an order under paragraph (a) if all of the following occur:

168.7 (1) the petitioner has filed a petition under subdivision 3;

168.8 (2) a peace officer has served respondent with a copy of the temporary restraining order
168.9 obtained under subdivision 4, and with notice of the right to request a hearing, or service
168.10 has been made by publication under subdivision 3, paragraph (b); and

168.11 (3) the court finds at the hearing that there are reasonable grounds to believe that the
168.12 respondent has engaged in harassment.

168.13 A restraining order may be issued only against the respondent named in the petition; except
168.14 that if the respondent is an organization, the order may be issued against and apply to all of
168.15 the members of the organization. If the court finds that the petitioner has had two or more
168.16 previous restraining orders in effect against the same respondent or the respondent has
168.17 violated a prior or existing restraining order on two or more occasions, relief granted by the
168.18 restraining order may be for a period of up to 50 years. In all other cases, relief granted by
168.19 the restraining order must be for a fixed period of not more than two years. When a referee
168.20 presides at the hearing on the petition, the restraining order becomes effective upon the
168.21 referee's signature.

168.22 (c) An order issued under this subdivision must be personally served upon the respondent,
168.23 or if the respondent appears remotely for a hearing and is notified at the hearing by the
168.24 judicial officer that a restraining order will be issued, the order may be served on the
168.25 respondent electronically or by first class mail, as ordered by the court.

168.26 (d) If the court orders relief for a period of up to 50 years under paragraph (a), the
168.27 respondent named in the restraining order may request to have the restraining order vacated
168.28 or modified if the order has been in effect for at least five years and the respondent has not
168.29 violated the order. Application for relief under this paragraph must be made in the county
168.30 in which the restraining order was issued. Upon receipt of the request, the court shall set a
168.31 hearing date. Personal service must be made upon the petitioner named in the restraining
168.32 order not less than 30 days before the date of the hearing. At the hearing, the respondent
168.33 named in the restraining order has the burden of proving by a preponderance of the evidence

that there has been a material change in circumstances and that the reasons upon which the court relied in granting the restraining order no longer apply and are unlikely to occur. If the court finds that the respondent named in the restraining order has met the burden of proof, the court may vacate or modify the order. If the court finds that the respondent named in the restraining order has not met the burden of proof, the court shall deny the request and no request may be made to vacate or modify the restraining order until five years have elapsed from the date of denial. An order vacated or modified under this paragraph must be personally served on the petitioner named in the restraining order.

Sec. 16. Minnesota Statutes 2022, section 609.748, subdivision 5b, is amended to read:

Subd. 5b. **Personal service by others; procedures; cost; reasonable efforts and cooperation required.** (a) Where personal service is required under this section, service must comply with rule 4.03 of the Rules of Civil Procedure.

(b) In addition to peace officers, corrections officers, including but not limited to probation officers, court services officers, parole officers, and employees of jails or correctional facilities, may serve a temporary restraining order or restraining order and must, to the extent possible, provide any sheriff, law enforcement officer, or other peace officer attempting to effectuate service with relevant information regarding where a respondent may be found, such as the respondent's residence, the respondent's place of employment or schooling, or other locations frequented by the respondent.

(c) The court administrator and any peace officer in this state shall perform their duties relating to service of process without charge to the petitioner. The court shall direct payment of the reasonable costs of service of process if served by a private process server when a peace officer is unavailable or if service is made by publication.

(d) A sheriff, law enforcement officer, or any other peace officer must make reasonable efforts to locate a respondent to effectuate service. Reasonable efforts may include:

(1) a search of any information that is publicly available;

(2) a search of any government data in a database to which the sheriff, law enforcement officer, or other peace officer has access, provided the data is classified as public data on individuals as defined in section 13.02, subdivision 15, or is otherwise available to criminal justice agencies, as defined in section 13.02, subdivision 3a; and

(3) communication with any court administrator, the sheriff of any county in this state, and any other law enforcement officer, peace officer, or corrections officer.

(e) A sheriff, law enforcement officer, or any other peace officer who serves a respondent who the sheriff or officer knows is on supervised probation or supervised release with a temporary restraining order, restraining order, or short-form notification must provide a copy of the served order or notification to the respondent's probation officer, supervised release or conditional release agent, or parole officer.

Sec. 17. Minnesota Statutes 2022, section 609.748, is amended by adding a subdivision to read:

Subd. 5c. **Dismissals.** Orders for dismissal of a temporary restraining order or a restraining order may be served personally or by certified mail.

ARTICLE 11

STATE BOARD OF CIVIL LEGAL AID

Section 1. Minnesota Statutes 2022, section 480.24, subdivision 2, is amended to read:

Subd. 2. **Eligible client.** "Eligible client" means an individual that is financially unable to afford legal assistance, as determined by a recipient on the basis of eligibility guidelines established by the ~~supreme court~~ State Board of Civil Legal Aid pursuant to section 480.243, subdivision 1.

Sec. 2. Minnesota Statutes 2022, section 480.24, subdivision 4, is amended to read:

Subd. 4. **Recipient.** "Recipient" means a qualified legal services program that receives funds from the ~~supreme court~~ pursuant to section 480.242 to provide legal services to eligible clients.

Sec. 3. **[480.2415] STATE BOARD OF CIVIL LEGAL AID.**

Subdivision 1. **Structure; membership.** (a) The State Board of Civil Legal Aid is a part of but is not subject to the administrative control of the judicial branch of government.

(b) The board shall consist of 11 members as follows:

(1) six members appointed by the supreme court; and

(2) five members appointed by the governor.

(c) All candidates shall have demonstrated a commitment in maintaining high-quality civil legal services to people of low or moderate means. The appointing entities shall seek board members who reflect the diverse populations served by civil legal aid through attorney and nonattorney members.

171.1 (d) The appointing entities may not appoint an active judge to be a member of the board,
171.2 but may appoint a retired judge. The appointing entities may not appoint a person who is
171.3 closely affiliated with any entity awarded funding pursuant to section 480.242 or any entity
171.4 seeking funding pursuant to section 480.242. The board may set term limits for board
171.5 members. An appointing authority may not make an appointment that exceeds the term
171.6 limits established by the board.

171.7 (e) The terms, compensation, and removal of board members shall be as provided in
171.8 section 15.0575, except that the board may establish a per diem in excess of the amount
171.9 provided in law. The members shall elect the chair from among the membership for a term
171.10 of two years.

171.11 Subd. 2. **Duties and responsibilities.** (a) The State Board of Civil Legal Aid shall work
171.12 to ensure access to high-quality civil legal services in every Minnesota county.

171.13 (b) The board shall:

171.14 (1) approve and recommend to the legislature a budget for the board and the civil legal
171.15 services grants distributed subject to section 480.242;

171.16 (2) establish procedures for distribution of funding under section 480.242; and

171.17 (3) establish civil program standards, administrative policies, or procedures necessary
171.18 to ensure quality advocacy for persons unable to afford private counsel.

171.19 (c) The board may propose statutory changes to the legislature and rule changes to the
171.20 supreme court that are in the best interests of persons unable to afford private counsel.

171.21 (d) The board shall not interfere with the discretion or judgment of civil legal services
171.22 programs in their advocacy.

171.23 Subd. 3. **State civil legal aid program administrator.** The State Board of Civil Legal
171.24 Aid shall appoint a program administrator who serves at the pleasure of the board. The
171.25 program administrator is not required to be licensed to practice law. The program
171.26 administrator shall attend all meetings of the board, but may not vote, and shall:

171.27 (1) carry out all administrative functions necessary for the efficient and effective operation
171.28 of the board and the civil legal aid delivery system, including but not limited to hiring,
171.29 supervising, and disciplining program staff;

171.30 (2) implement, as necessary, resolutions, standards, rules, regulations, and policies of
171.31 the board;

(3) keep the board fully advised as to its financial condition, and prepare and submit to the board the annual program and State Board of Civil Legal Aid budget and other financial information as requested by the board;

(4) recommend to the board the adoption of rules and regulations necessary for the efficient operation of the board and the civil legal aid program; and

(5) perform other duties prescribed by the board.

Subd. 4. **Administration.** The board may contract for administrative support services.

Subd. 5. **Access to records.** Access to records of the State Board of Civil Legal Aid is subject to the Rules of Public Access for Records of the Judicial Branch, excluding the appeals process in rule 9. Pursuant to section 13.90, the board is not subject to chapter 13.

Sec. 4. Minnesota Statutes 2022, section 480.242, subdivision 2, is amended to read:

Subd. 2. **Review of applications; selection of recipients.** At times and in accordance with any procedures as ~~the supreme court adopts in the form of court rules~~ adopted by the State Board of Civil Legal Aid, applications for the expenditure of civil legal services funds shall be accepted from qualified legal services programs or from local government agencies and nonprofit organizations seeking to establish qualified alternative dispute resolution programs. The applications shall be reviewed by the ~~advisory committee, and the advisory committee, subject to review by the supreme court~~ State Board of Civil Legal Aid, which shall distribute the funds available for this expenditure to qualified legal services programs or to qualified alternative dispute resolution programs submitting applications. The funds shall be distributed in accordance with the following formula:

(a) Eighty-five percent of the funds distributed shall be distributed to qualified legal services programs that have demonstrated an ability as of July 1, 1982, to provide legal services to persons unable to afford private counsel with funds provided by the federal Legal Services Corporation. The allocation of funds among the programs selected shall be based upon the number of persons with incomes below the poverty level established by the United States Census Bureau who reside in the geographical area served by each program, as determined by the ~~supreme court~~ State Board of Civil Legal Aid on the basis of the most recent national census. All funds distributed pursuant to this clause shall be used for the provision of legal services in civil and farm legal assistance matters as prioritized by program boards of directors to eligible clients.

(b) Fifteen percent of the funds distributed may be distributed (1) to other qualified legal services programs for the provision of legal services in civil matters to eligible clients,

173.1 including programs which organize members of the private bar to perform services and
173.2 programs for qualified alternative dispute resolution, (2) to programs for training mediators
173.3 operated by nonprofit alternative dispute resolution corporations, or (3) to qualified legal
173.4 services programs to provide family farm legal assistance for financially distressed state
173.5 farmers. The family farm legal assistance must be directed at farm financial problems
173.6 including, but not limited to, liquidation of farm property including bankruptcy, farm
173.7 foreclosure, repossession of farm assets, restructuring or discharge of farm debt, farm credit
173.8 and general debtor-creditor relations, and tax considerations. If all the funds to be distributed
173.9 pursuant to this clause cannot be distributed because of insufficient acceptable applications,
173.10 the remaining funds shall be distributed pursuant to clause (a).

173.11 A person is eligible for legal assistance under this section if the person is an eligible
173.12 client as defined in section 480.24, subdivision 2, or:

173.13 (1) is a state resident;

173.14 (2) is or has been a farmer or a family shareholder of a family farm corporation within
173.15 the preceding 24 months;

173.16 (3) has a debt-to-asset ratio greater than 50 percent; and

173.17 (4) satisfies the income eligibility guidelines established under section 480.243,
173.18 subdivision 1.

173.19 Qualifying farmers and small business operators whose bank loans are held by the Federal
173.20 Deposit Insurance Corporation are eligible for legal assistance under this section.

173.21 Sec. 5. Minnesota Statutes 2022, section 480.242, subdivision 3, is amended to read:

173.22 Subd. 3. **Timing of distribution of funds.** The funds to be distributed to recipients
173.23 selected in accordance with the provisions of subdivision 2 shall be distributed by the
173.24 ~~supreme court~~ State Board of Civil Legal Aid no less than twice per calendar year.

173.25 Sec. 6. Minnesota Statutes 2022, section 480.243, subdivision 1, is amended to read:

173.26 Subdivision 1. **Committee eligibility guidelines.** The ~~supreme court, with the advice~~
173.27 ~~of the advisory committee,~~ State Board of Civil Legal Aid shall establish guidelines ~~in the~~
173.28 ~~form of court rules~~ to be used by recipients to determine the eligibility of individuals and
173.29 organizations for legal services provided with funds received pursuant to section 480.242.
173.30 The guidelines shall be designed solely to assist recipients in determining whether an
173.31 individual or organization is able to afford or secure legal assistance from private counsel
173.32 with respect to the particular matter for which assistance is requested.

174.1 Sec. 7. **STATE BOARD OF CIVIL LEGAL AID; STAFF.**

174.2 Staff currently employed to support the advisory committee created pursuant to Minnesota
174.3 Statutes, section 480.242, shall transfer to the State Board of Civil Legal Aid upon the
174.4 effective date consistent with Minnesota Statutes, section 15.039, subdivision 7.

174.5 Sec. 8. **REPEALER.**

174.6 Minnesota Statutes 2022, section 480.242, subdivision 1, is repealed.

174.7 Sec. 9. **EFFECTIVE DATE.**

174.8 Sections 1 to 8 are effective on July 1, 2025.

174.9 **ARTICLE 12**

174.10 **JUDICIAL DATA PRIVACY**

174.11 Section 1. **[13.991] JUDICIAL OFFICIAL DATA; PERSONAL INFORMATION.**

174.12 (a) Subject to paragraph (b), the personal information of all judicial officials collected,
174.13 created, or maintained by a government entity is private data on individuals. For purposes
174.14 of this section, the terms "personal information" and "judicial official" have the meanings
174.15 given in section 480.40, subdivision 1.

174.16 (b) If the responsible authority or government entity violates this chapter, the remedies
174.17 and penalties under this chapter are available only if the judicial official making a claim
174.18 previously provided written notification to the responsible authority confirming on a form
174.19 provided by the Minnesota judicial branch that they are entitled to protection under section
174.20 480.40. If the subject of the data is an adult child of a judicial official who does not reside
174.21 with the judicial official, the remedies and penalties under this chapter are available only
174.22 if the adult child previously provided written notification to the responsible authority
174.23 confirming their status as the child of a judicial official. In the case of county records, the
174.24 form shall be filed with the responsible authority that maintains the personal information
174.25 for which the judicial officer is seeking protection. A form submitted under this section is
174.26 private data on individuals. A notice filed under this paragraph expires five years following
174.27 the date of filing, unless it is renewed prior to the expiration date.

174.28 (c) This section shall not apply to personal information contained in:

174.29 (1) real property records as defined in section 13.045, subdivision 1, clause (5);

175.1 (2) Uniform Commercial Code filings and tax liens maintained by the secretary of state;
175.2 and

175.3 (3) any other records maintained by a government entity evidencing title to, or any lien,
175.4 judgment, or other encumbrance on, real or personal property.

175.5 **EFFECTIVE DATE.** This section is effective August 1, 2024.

175.6 Sec. 2. **[480.40] PERSONAL INFORMATION; DISSEMINATION.**

175.7 Subdivision 1. **Definitions.** (a) For purposes of this section and section 480.45, the
175.8 following terms have the meanings given.

175.9 (b) "Judicial official" means:

175.10 (1) every Minnesota district court judge, senior judge, retired judge, and every judge of
175.11 the Minnesota Court of Appeals and every active, senior, recalled, or retired federal judge
175.12 who resides in Minnesota;

175.13 (2) a justice of the Minnesota Supreme Court;

175.14 (3) employees of the Minnesota judicial branch;

175.15 (4) judicial referees and magistrate judges; and

175.16 (5) current and retired judges and current employees of the Office of Administrative
175.17 Hearings, Workers' Compensation Court of Appeals, and Tax Court.

175.18 (c) "Personal information" does not include publicly available information. Personal
175.19 information means:

175.20 (1) a residential address of a judicial official;

175.21 (2) a residential address of the spouse, domestic partner, or children of a judicial official;

175.22 (3) a nonjudicial branch issued telephone number or email address of a judicial official;

175.23 (4) the name of any child of a judicial official; and

175.24 (5) the name of any child care facility or school that is attended by a child of a judicial
175.25 official if combined with an assertion that the named facility or school is attended by the
175.26 child of a judicial official.

175.27 (d) "Publicly available information" means information that is lawfully made available
175.28 through federal, state, or local government records or information that a business has a
175.29 reasonable basis to believe is lawfully made available to the general public through widely
175.30 distributed media, by a judicial official, or by a person to whom the judicial official has

176.1 disclosed the information, unless the judicial official has restricted the information to a
176.2 specific audience.

176.3 (e) "Law enforcement support organizations" do not include charitable organizations.

176.4 Subd. 2. **Dissemination of personal information.** Subject to the exceptions in
176.5 subdivision 3 and the requirements of section 480.45, no person, business, association, or
176.6 government entity shall knowingly publicly post, display, publish, sell, or otherwise make
176.7 available on the Internet the personal information of any judicial official. Personal
176.8 information shall be kept in a secure manner to prevent unauthorized access. Personal
176.9 information may be disseminated pursuant to a specific authorization in law, rule, or with
176.10 the written consent of the judicial official.

176.11 Subd. 3. **Exceptions.** Subdivision 2 does not apply to:

176.12 (1) the dissemination of personal information if the information is relevant to and
176.13 displayed as part of a news story, commentary, editorial, or other speech on a matter of
176.14 public concern;

176.15 (2) personal information that the judicial official voluntarily disseminates publicly after
176.16 the date of enactment of this section;

176.17 (3) the dissemination of personal information made at the request of the judicial official
176.18 or which is necessary to effectuate the request of a judicial official;

176.19 (4) a commercial entity using personal information internally, providing access to
176.20 businesses under common ownership or affiliated by corporate control, or selling or providing
176.21 data for a transaction or service requested by or concerning the individual whose personal
176.22 information is being transferred;

176.23 (5) a commercial entity providing publicly available information through real-time or
176.24 near real-time alert services for health or safety purposes;

176.25 (6) a commercial entity engaged in the collection, maintenance, disclosure, sale,
176.26 communication, or use of any personal information bearing on a consumer's credit worthiness,
176.27 credit standing, credit capacity, character, general reputation, personal characteristics, or
176.28 mode of living by a consumer reporting agency, furnisher, or user that provides information
176.29 for use in a consumer report, and by a user of a consumer report, but only to the extent that
176.30 such activity is regulated by and authorized under the federal Fair Credit Reporting Act,
176.31 United States Code, title 15, section 1681, et seq.;

176.32 (7) a consumer reporting agency subject to the federal Fair Credit Reporting Act, United
176.33 States Code, title 15, section 1681, et seq.;

177.1 (8) a commercial entity using personal information collected, processed, sold, or disclosed
177.2 in compliance with the federal Driver's Privacy Protection Act of 1994, United States Code,
177.3 title 18, section 2721, et seq.;

177.4 (9) a commercial entity using personal information to do any of the following: prevent,
177.5 detect, protect against, or respond to security incidents, identity theft, fraud, harassment,
177.6 malicious or deceptive activities, or any illegal activity; preserve the integrity or security
177.7 of systems; or investigate, report, or prosecute any person responsible for any such action;

177.8 (10) a financial institution, affiliate of a financial institution, or data subject to title V
177.9 of the federal Gramm-Leach-Bliley Act, United States Code, title 15, section 6801, et seq.;

177.10 (11) a covered entity or business associate for purposes of the federal privacy regulations
177.11 promulgated under the federal Health Insurance Portability and Accountability Act of 1996,
177.12 specifically United States Code, title 42, section 1320d-2 note;

177.13 (12) insurance and insurance support organizations;

177.14 (13) law enforcement agencies or law enforcement support organizations and vendors
177.15 that provide data support services to law enforcement agencies;

177.16 (14) the collection and sale or licensing of covered information incidental to conducting
177.17 the activities described in clauses (4) to (13); and

177.18 (15) personal information contained in:

177.19 (i) real property records as defined in section 13.045, subdivision 1, clause (5);

177.20 (ii) uniform commercial code filings and tax liens maintained by the secretary of state;
177.21 and

177.22 (iii) any other records maintained by a government entity evidencing title to, or any lien,
177.23 judgment, or other encumbrance on, real or personal property.

177.24 **EFFECTIVE DATE.** This section is effective August 1, 2024.

177.25 Sec. 3. **[480.45] REMOVAL OF PERSONAL INFORMATION.**

177.26 Subdivision 1. **Internet dissemination.** If personal information about a judicial official
177.27 is publicly posted to the Internet by a person, business, association, or government entity,
177.28 the judicial official may submit a sworn affidavit to the person, business, association, or
177.29 government entity requesting that the publicly posted personal information be removed.
177.30 The affidavit shall:

178.1 (1) state that the individual whose information was disseminated is a judicial official as
178.2 defined in section 480.40;

178.3 (2) describe with specificity the personal information that the judicial official seeks to
178.4 remove; and

178.5 (3) state the name of the publication, website, or otherwise identify where the judicial
178.6 official's personal information is available to the public.

178.7 Subd. 2. **Removal of personal information; exception.** (a) Upon receipt of an affidavit
178.8 requesting removal of the personal information of a judicial official that meets the
178.9 requirements of subdivision 1, the person, business, association, or government entity shall
178.10 remove the publicly posted personal information within 30 days. If the person, business,
178.11 association, or government entity fails to remove the publicly posted personal information
178.12 within 30 days after an affidavit is submitted, the judicial official may file a civil action in
178.13 a court of competent jurisdiction seeking a court order compelling compliance, including
178.14 injunctive and declarative relief.

178.15 (b) Paragraph (a) shall not apply to personal information contained in:

178.16 (1) real property records as defined in section 13.045, subdivision 1, clause (5);

178.17 (2) uniform commercial code filings and tax liens maintained by the secretary of state;
178.18 and

178.19 (3) any other records maintained by a government entity evidencing title to, or any lien,
178.20 judgment, or other encumbrance on, real or personal property.

178.21 Subd. 3. **Penalties and damages.** If a person, business, association, or government entity
178.22 knowingly violates an order granting injunctive or declarative relief, the court issuing such
178.23 an order may award to the judicial official an amount equal to the actual damages sustained
178.24 by the judicial official, and court costs and reasonable attorney fees.

178.25 **EFFECTIVE DATE.** This section is effective August 1, 2024.

178.26 Sec. 4. **[609.476] PUBLISHING PERSONAL INFORMATION OF JUDICIAL**
178.27 **OFFICIAL.**

178.28 Subdivision 1. **Definitions.** For the purposes of this section, the terms "personal
178.29 information" and "judicial official" have the meanings given in section 480.40, subdivision
178.30 1.

178.31 Subd. 2. **Misdemeanor.** It is unlawful to knowingly publish the personal information
178.32 of any judicial official in any publicly available publication, website, or media with the

179.1 intent to threaten, intimidate, harass, or physically injure. A person convicted of violating
179.2 this subdivision is guilty of a misdemeanor.

179.3 Subd. 3. **Felony.** If a person's violation of subdivision 2 also causes bodily harm as
179.4 defined in section 609.02, subdivision 7, the person is guilty of a felony.

179.5 **EFFECTIVE DATE.** This section is effective August 1, 2024, and applies to crimes
179.6 committed on or after that date.

179.7 **ARTICLE 13**
179.8 **JUDICIAL BRANCH POLICY**

179.9 Section 1. Minnesota Statutes 2022, section 117.042, is amended to read:

179.10 **117.042 POSSESSION.**

179.11 Whenever the petitioner shall require title and possession of all or part of the owner's
179.12 property prior to the filing of an award by the court appointed commissioners, the petitioner
179.13 shall, at least 90 days prior to the date on which possession is to be taken, notify the owner
179.14 of the intent to possess by notice served by certified mail and before taking title and
179.15 possession shall pay to the owner or deposit with the court an amount equal to petitioner's
179.16 approved appraisal of value. Amounts deposited with the court shall be paid out under the
179.17 direction of the court. If it is deemed necessary to deposit the above amount with the court
179.18 the petitioner may apply to the court for an order transferring title and possession of the
179.19 property or properties involved from the owner to the petitioner. In all other cases, petitioner
179.20 has the right to the title and possession after the filing of the award by the court appointed
179.21 commissioners as follows:

179.22 (1) if appeal is waived by the parties upon payment of the award;

179.23 (2) if appeal is not waived by the parties upon payment or deposit of three-fourths of
179.24 the award to be deposited with the court administrator. The amount deposited If the amount
179.25 exceeds \$10,000, it shall be deposited by the court administrator in an interest bearing
179.26 account no later than the five business day days next following the day on which the amount
179.27 was deposited with the court. All interest credited to the amount deposited from the date of
179.28 deposit shall be paid to the ultimate recipient of the amount deposited.

179.29 Nothing in this section shall limit rights granted in section 117.155.

180.1 Sec. 2. Minnesota Statutes 2022, section 171.182, subdivision 2, is amended to read:

180.2 Subd. 2. **Copy of judgment to commissioner.** If a person fails within 30 days to satisfy
180.3 a judgment, the court administrator, upon affidavit of the judgment creditor that the judgment
180.4 has not been satisfied, shall immediately ~~forward to~~ notify the commissioner ~~a certified~~
180.5 ~~copy of the judgment and affidavit of identification~~ that the judgment has not been satisfied.

180.6 If the judgment debtor named in a ~~certified copy of a judgment~~ reported to the
180.7 commissioner is a nonresident, the commissioner shall ~~transmit a certified copy of the~~
180.8 ~~judgment to~~ notify the official in charge of the issuance of drivers' licenses of the state of
180.9 which the judgment debtor is a resident.

180.10 Sec. 3. Minnesota Statutes 2022, section 171.182, subdivision 3, is amended to read:

180.11 Subd. 3. **Conditions.** (a) The commissioner, upon ~~receipt of a certified copy~~ notification
180.12 of a judgment, shall suspend the license or the nonresident's operating privilege of the person
180.13 against whom judgment was rendered if:

180.14 (1) at the time of the accident the person did not maintain the reparation security required
180.15 by section 65B.48; and

180.16 (2) the judgment has not been satisfied.

180.17 (b) Suspensions under this section are subject to the notice requirements of section
180.18 171.18, subdivision 2.

180.19 Sec. 4. Minnesota Statutes 2022, section 253B.02, subdivision 4d, is amended to read:

180.20 Subd. 4d. **Court examiner.** "Court examiner" means a person appointed to serve the
180.21 court, and who is a physician or ~~licensed~~ psychologist who has a doctoral degree in
180.22 psychology, and is either licensed in Minnesota or who holds current authority to practice
180.23 in Minnesota under an approved interstate compact.

180.24 Sec. 5. Minnesota Statutes 2022, section 480.15, subdivision 10c, is amended to read:

180.25 Subd. 10c. **Uniform collections policies and procedures for courts.** (a) The state court
180.26 administrator under the direction of the Judicial Council may promulgate uniform collections
180.27 policies and procedures for the courts and may contract with credit bureaus, public and
180.28 private collection agencies, the Department of Revenue, and other public or private entities
180.29 providing collection services as necessary for the collection of court debts. The court
180.30 collection process and procedures are not subject to section 16A.1285. Court debts referred
180.31 to the Department of Revenue for collection are not subject to section 16D.07. Court debts

181.1 referred to the Department of Revenue for revenue recapture are not subject to section
181.2 270A.08 or 270A.09.

181.3 (b) Court debt means an amount owed to the state directly or through the judicial branch
181.4 on account of a fee, duty, rent, service, overpayment, fine, assessment, surcharge, court
181.5 cost, penalty, restitution, damages, interest, bail bond, forfeiture, reimbursement, liability
181.6 owed, an assignment to the judicial branch, recovery of costs incurred by the judicial branch,
181.7 or any other source of indebtedness to the judicial branch as well as amounts owed to other
181.8 public or private entities for which the judicial branch acts in providing collection services,
181.9 or any other amount owed to the judicial branch.

181.10 (c) The courts must pay for the collection services of public or private collection entities
181.11 as well as the cost of one or more court employees to provide collection interface services
181.12 between the Department of Revenue, the courts, and one or more collection entities from
181.13 the money collected. The portion of the money collected which must be paid to the collection
181.14 entity as collection fees and costs and the portion of the money collected which must be
181.15 paid to the courts or Department of Revenue for collection services are appropriated from
181.16 the fund to which the collected money is due.

181.17 (d) As determined by the state court administrator, collection costs shall be added to the
181.18 debts referred to a public or private collection entity for collection.

181.19 Collection costs shall include the fees of the collection entity, and may include, if
181.20 separately provided, skip tracing fees, credit bureau reporting charges, fees assessed by any
181.21 public entity for obtaining information necessary for debt collection, or other
181.22 collection-related costs. Collection costs shall also include the costs of one or more court
181.23 employees employed by the state court administrator to provide a collection interface
181.24 between the collection entity, the Department of Revenue, and the courts.

181.25 If the collection entity collects an amount less than the total due, the payment is applied
181.26 proportionally to collection costs and the underlying debt. Collection costs in excess of
181.27 collection agency fees and court employee collection interface costs must be deposited in
181.28 the general fund as nondedicated receipts.

181.29 Sec. 6. Minnesota Statutes 2022, section 593.50, subdivision 1, is amended to read:

181.30 Subdivision 1. **Juror protection.** An employer shall not deprive an employee of
181.31 employment, or threaten or otherwise coerce the employee with respect ~~thereto~~ to
181.32 employment status, because the employee receives a summons, responds thereto, serves as
181.33 a juror, or attends court for prospective jury service. An employer must release an employee

182.1 from the employee's regular work schedule, including any shift work, to permit the employee
182.2 to attend court for prospective jury service. An employer must not require an employee to
182.3 work an alternative shift on any day the juror is required to report to the courthouse for jury
182.4 service. Nothing in this section shall prevent an employee from voluntarily requesting to
182.5 work an alternative work schedule on any day the juror is required to report to the courthouse
182.6 for jury service, as long as the employer does not encourage, prompt, or ask for the employee
182.7 to make such a request.

182.8 Sec. 7. Minnesota Statutes 2023 Supplement, section 611.41, subdivision 7, is amended
182.9 to read:

182.10 Subd. 7. **Court examiner.** "Court examiner" means a person appointed to serve the
182.11 court ~~by examining a defendant whose competency is at issue~~ and who is a physician or
182.12 ~~licensed~~ psychologist who has a doctoral degree in psychology, and is either licensed in
182.13 Minnesota or who holds current authority to practice in Minnesota under an approved
182.14 interstate compact.

182.15 ARTICLE 14

182.16 PUBLIC DEFENSE AND OTHER CRIMINAL JUSTICE POLICY

182.17 Section 1. Minnesota Statutes 2023 Supplement, section 611.215, subdivision 1, is amended
182.18 to read:

182.19 Subdivision 1. **Structure; membership.** (a) The State Board of Public Defense is a part
182.20 of, but is not subject to the administrative control of, the judicial branch of government.
182.21 The State Board of Public Defense shall consist of nine members including:

182.22 (1) five attorneys admitted to the practice of law, well acquainted with the defense of
182.23 persons accused of crime, but not employed as prosecutors, appointed by the supreme court,
182.24 of which one must be a retired or former public defender within the past five years; and

182.25 (2) four public members appointed by the governor.

182.26 The appointing authorities may not appoint a person who is a judge to be a member of
182.27 the State Board of Public Defense, ~~other than as a member of the ad hoc Board of Public~~
182.28 ~~Defense.~~

182.29 (b) All members shall demonstrate an interest in maintaining a high quality, independent
182.30 defense system for those who are unable to obtain adequate representation. Appointments
182.31 to the board shall include qualified women and members of minority groups. At least three
182.32 members of the board shall be from judicial districts other than the First, Second, Fourth,

183.1 and Tenth Judicial Districts. The terms, compensation, and removal of members shall be
183.2 as provided in section 15.0575. The chair shall be elected by the members from among the
183.3 membership for a term of two years.

183.4 ~~(c) In addition, the State Board of Public Defense shall consist of a nine-member ad hoc~~
183.5 ~~board when considering the appointment of district public defenders under section 611.26,~~
183.6 ~~subdivision 2.~~ The terms of chief district public defenders currently serving shall terminate
183.7 in accordance with the staggered term schedule set forth in section 611.26, subdivision 2.

183.8 (d) Meetings of the board are subject to chapter 13D.

183.9 Sec. 2. Minnesota Statutes 2022, section 611.215, subdivision 2, is amended to read:

183.10 Subd. 2. **Duties and responsibilities.** (a) The board shall approve and recommend to
183.11 the legislature a budget for the board, the office of state public defender, the judicial district
183.12 public defenders, and the public defense corporations.

183.13 (b) The board shall establish procedures for distribution of state funding under this
183.14 chapter to the state and district public defenders and to the public defense corporations.

183.15 (c) The state public defender with the approval of the board shall establish standards for
183.16 the offices of the state and district public defenders ~~and for the conduct of all appointed~~
183.17 ~~counsel systems.~~ The standards must include, but are not limited to:

183.18 (1) standards needed to maintain and operate an office of public defender including
183.19 requirements regarding the qualifications, training, and size of the legal and supporting staff
183.20 ~~for a public defender or appointed counsel system;~~

183.21 (2) standards for public defender caseloads;

183.22 ~~(3) standards and procedures for the eligibility for appointment, assessment, and collection~~
183.23 ~~of the costs for legal representation provided by public defenders or appointed counsel;~~

183.24 ~~(4) standards for contracts between a board of county commissioners and a county public~~
183.25 ~~defender system for the legal representation of indigent persons;~~

183.26 ~~(5)~~ (3) standards prescribing minimum qualifications of counsel appointed under the
183.27 board's authority ~~or by the courts;~~ and

183.28 ~~(6)~~ (4) standards ensuring the independent, competent, and efficient representation of
183.29 clients whose cases present conflicts of interest, in both the trial and appellate courts.

183.30 (d) ~~The board may require the reporting of statistical data, budget information, and other~~
183.31 ~~cost factors by the state and district public defenders and appointed counsel systems.~~

184.1 Sec. 3. Minnesota Statutes 2023 Supplement, section 611.23, is amended to read:

184.2 **611.23 OFFICE OF STATE PUBLIC DEFENDER; APPOINTMENT; SALARY.**

184.3 The state public defender is responsible to the State Board of Public Defense. The state
184.4 public defender shall supervise the operation, activities, policies, and procedures of the
184.5 statewide public defender system. When requested by a district public defender ~~or appointed~~
184.6 ~~counsel~~, the state public defender may assist the district public defender, ~~appointed counsel~~,
184.7 or an organization designated in section 611.216 in the performance of duties, including
184.8 trial representation in matters involving legal conflicts of interest or other special
184.9 circumstances, and assistance with legal research and brief preparation. The state public
184.10 defender shall be appointed by the State Board of Public Defense for a term of four years,
184.11 except as otherwise provided in this section, and until a successor is appointed and qualified.
184.12 The state public defender shall be a full-time qualified attorney, licensed to practice law in
184.13 this state, serve in the unclassified service of the state, and may only be removed ~~only for~~
184.14 ~~cause before the end of a term by the appointing authority~~ a majority vote of the board
184.15 members present at a meeting of the board of public defense. Vacancies in the office shall
184.16 be filled by the appointing authority for the unexpired term. The salary of the state public
184.17 defender shall be fixed by the State Board of Public Defense. Terms of the state public
184.18 defender shall commence on July 1. The state public defender shall devote full time to the
184.19 performance of duties and shall not engage in the general practice of law.

184.20 Sec. 4. Minnesota Statutes 2022, section 611.24, is amended to read:

184.21 **611.24 CHIEF APPELLATE PUBLIC DEFENDER; ORGANIZATION OF**
184.22 **OFFICE; ASSISTANTS.**

184.23 (a) Beginning January 1, 2007, and for every four years after that date, the State Board
184.24 of Public Defense shall appoint a chief appellate public defender in charge of appellate
184.25 services, who shall employ or retain assistant state public defenders and other personnel as
184.26 may be necessary to discharge the functions of the office. The chief appellate public defender
184.27 shall serve a four-year term and may only be removed ~~only for cause upon the order of~~
184.28 before the end of a term by a majority vote of board members present at a meeting of the
184.29 State Board of Public Defense. The chief appellate public defender shall be a full-time
184.30 qualified attorney, licensed to practice law in this state, and serve in the unclassified service
184.31 of the state. Vacancies in the office shall be filled by the appointing authority for the
184.32 unexpired term.

184.33 (b) An assistant state public defender shall be a qualified attorney, licensed to practice
184.34 law in this state, ~~serve in the unclassified service of the state if employed, and serve at the~~

185.1 ~~pleasure of the appointing authority at a salary or retainer fee not to exceed reasonable~~
185.2 ~~compensation for comparable services performed for other governmental agencies or~~
185.3 ~~departments.~~ Retained or part-time employed assistant state public defenders may engage
185.4 in the general practice of law. The compensation of the chief appellate public defender ~~and~~
185.5 ~~the compensation of each assistant state public defender~~ shall be set by the State Board of
185.6 Public Defense. The chief appellate public defender shall devote full time to the performance
185.7 of duties and shall not engage in the general practice of law.

185.8 ~~(e) The incumbent deputy state public defender as of December 31, 2006, shall be~~
185.9 ~~appointed as the chief appellate public defender for the four-year term beginning on January~~
185.10 ~~1, 2007.~~

185.11 Sec. 5. Minnesota Statutes 2022, section 611.26, subdivision 2, is amended to read:

185.12 Subd. 2. **Appointment; terms.** The State Board of Public Defense shall appoint a chief
185.13 district public defender for each judicial district. ~~When appointing a chief district public~~
185.14 ~~defender, the state Board of Public Defense membership shall be increased to include two~~
185.15 ~~residents of the district appointed by the chief judge of the district to reflect the characteristics~~
185.16 ~~of the population served by the public defender in that district. The additional members~~
185.17 ~~shall serve only in the capacity of selecting the district public defender. The ad hoc state~~
185.18 ~~Board of Public Defense shall appoint a chief district public defender only after requesting~~
185.19 ~~and giving reasonable time to receive any recommendations from the public, the local bar~~
185.20 ~~association, and the judges of the district.~~ Each chief district public defender shall be a
185.21 qualified attorney licensed to practice law in this state. The chief district public defender
185.22 shall be appointed for a term of four years, beginning January 1, pursuant to the following
185.23 staggered term schedule: (1) in 2008, the second and eighth districts; (2) in 2009, the first,
185.24 third, fourth, and tenth districts; (3) in 2010, the fifth and ninth districts; and (4) in 2011,
185.25 the sixth and seventh districts. The chief district public defenders shall serve for four-year
185.26 terms and may only be removed ~~for cause upon the order of~~ before the end of a term by a
185.27 majority vote of the board members at a meeting of the state Board of Public Defense.
185.28 Vacancies in the office shall be filled by the appointing authority for the unexpired term.
185.29 The chief district public defenders shall devote full time to the performance of duties and
185.30 shall not engage in the general practice of law.

185.31 Sec. 6. Minnesota Statutes 2022, section 611.26, subdivision 3, is amended to read:

185.32 Subd. 3. **Compensation.** (a) The compensation of the chief district public defender ~~and~~
185.33 ~~the compensation of each assistant district public defender~~ shall be set by the Board of

Public Defense. ~~To assist the Board of Public Defense in determining compensation under this subdivision, counties shall provide to the board information on the compensation of county attorneys, including salaries and benefits, rent, secretarial staff, and other pertinent budget data. For purposes of this subdivision, compensation means salaries, cash payments, and employee benefits including paid time off and group insurance benefits, and other direct and indirect items of compensation including the value of office space provided by the employer.~~

(b) This subdivision does not limit the rights of public defenders to collectively bargain with their employers.

Sec. 7. Minnesota Statutes 2022, section 611.26, subdivision 3a, is amended to read:

Subd. 3a. **Budget; compensation.** (a) Notwithstanding subdivision 3 or any other law to the contrary, compensation and economic benefit increases for chief district public defenders and assistant district public defenders, who are full-time county employees, shall be paid out of the budget for that judicial district public defender's office.

(b) In the Second Judicial District, the district public defender's office shall be funded by the Board of Public Defense. The budget for the Second Judicial District Public Defender's Office shall not include Ramsey County property taxes.

(c) In the Fourth Judicial District, the district public defender's office shall be funded by the Board of Public Defense and by the Hennepin County Board. Personnel expenses of state employees hired on or after January 1, 1999, in the Fourth Judicial District Public Defender's Office shall be funded by the Board of Public Defense.

~~(d) Those budgets for district public defender services in the Second and Fourth Judicial Districts under the jurisdiction of the state Board of Public Defense shall be eligible for adjustments to their base budgets in the same manner as other state agencies. In making biennial budget base adjustments, the commissioner of management and budget shall consider the budgets for district public defender services in all judicial districts, as allocated by the state Board of Public Defense, in the same manner as other state agencies.~~

Sec. 8. Minnesota Statutes 2022, section 611.26, subdivision 4, is amended to read:

Subd. 4. **Assistant public defenders.** A chief district public defender shall appoint assistants who are qualified attorneys licensed to practice law in this state and other staff as the chief district public defender finds prudent and necessary subject to the standards adopted by the state public defender. ~~Assistant district public defenders must be appointed~~

187.1 ~~to ensure broad geographic representation and caseload distribution within the district. Each~~
187.2 ~~assistant district public defender serves at the pleasure of the chief district public defender.~~
187.3 A chief district public defender is authorized, subject to approval by the state Board of
187.4 ~~Public Defense~~ public defender or their designee, to hire an independent contractor to
187.5 perform the duties of an assistant public defender.

187.6 Sec. 9. Minnesota Statutes 2022, section 611.263, subdivision 1, is amended to read:

187.7 Subdivision 1. **Employees.** (a) Except as provided in subdivision 3, ~~the district public~~
187.8 ~~defender and~~ assistant public defenders of the Second Judicial District are employees of
187.9 Ramsey County in the unclassified service under section 383A.286.

187.10 (b) Except as provided in subdivision 3, ~~the district public defender and~~ assistant public
187.11 defenders of the Fourth Judicial District are employees of Hennepin County under section
187.12 383B.63, subdivision 6.

187.13 Sec. 10. Minnesota Statutes 2022, section 611.265, is amended to read:

187.14 **611.265 TRANSITION.**

187.15 (a) District public defenders and their employees, other than in the Second and Fourth
187.16 Judicial Districts, are state employees in the judicial branch, and are governed by the
187.17 personnel rules adopted by the State Board of Public Defense.

187.18 ~~(b) A district public defender or district public defender employee who becomes a state~~
187.19 ~~employee under this section, and who participated in a county insurance program on June~~
187.20 ~~30, 1993, may elect to continue to participate in the county program according to procedures~~
187.21 ~~established by the Board of Public Defense. An affected county shall bill the Board of Public~~
187.22 ~~Defense for employer contributions, in a manner prescribed by the board. The county shall~~
187.23 ~~not charge the board any administrative fee. Notwithstanding any law to the contrary, a~~
187.24 ~~person who is first employed as a district public defender after July 1, 1993, shall participate~~
187.25 ~~in the state employee insurance program, as determined by the state Board of Public Defense,~~
187.26 ~~in consultation with the commissioner of management and budget.~~

187.27 ~~(e)~~ (b) A district public defender or district public defender employee who becomes a
187.28 state employee under this section, and who participated in the Public Employee Retirement
187.29 Association on June 30, 1993, may elect to continue to participate in the Public Employees
187.30 Retirement Association according to procedures established by the Board of Public Defense
187.31 and the association. Notwithstanding any law to the contrary, a person who is first employed

188.1 as a state employee or by a district public defender after July 1, 1993, must participate in
188.2 the Minnesota State Retirement System.

188.3 ~~(d)~~ (c) A person performing district public defender work as an independent contractor
188.4 is not eligible to be covered under the state group insurance plan or the Public Employee
188.5 Retirement Association.

188.6 Sec. 11. Minnesota Statutes 2022, section 611.27, subdivision 1, is amended to read:

188.7 Subdivision 1. **Budget.** ~~(a) A chief district public defender shall annually submit a~~
188.8 ~~comprehensive budget to the state Board of Public Defense. The budget shall be in~~
188.9 ~~compliance with standards and forms required by the board. The chief district public defender~~
188.10 ~~shall, at times and in the form required by the board, submit reports to the board concerning~~
188.11 ~~its operations, including the number of cases handled and funds expended for these services.~~

188.12 ~~(b)~~ Money appropriated to the State Board of Public Defense for the board's
188.13 administration, for the state public defender, for the judicial district public defenders, and
188.14 for the public defense corporations shall be expended as determined by the board. In
188.15 distributing funds to district public defenders, the board shall consider ~~the geographic~~
188.16 ~~distribution of public defenders, the equity of compensation among the judicial districts,~~
188.17 public defender case loads; and the results of the weighted case load study.

188.18 Sec. 12. Minnesota Statutes 2022, section 611.27, subdivision 8, is amended to read:

188.19 Subd. 8. **Adequate representation; review.** In a case where the chief district public
188.20 defender does not believe that the office can provide adequate representation, the chief
188.21 public defender of the district shall immediately notify the state public defender. The chief
188.22 district public defender may request that the state public defender authorize appointment
188.23 of counsel other than the district public defender in the case.

188.24 Sec. 13. Minnesota Statutes 2022, section 611.27, subdivision 10, is amended to read:

188.25 Subd. 10. **Addition of permanent staff.** The chief public defender may not request nor
188.26 may the state public defender approve the addition of permanent staff under ~~subdivision 7~~
188.27 this section.

188.28 Sec. 14. Minnesota Statutes 2022, section 611.27, subdivision 11, is amended to read:

188.29 Subd. 11. **Appointment of counsel.** (a) If the state public defender finds that the provision
188.30 of adequate legal representation, including associated services, is beyond the ability of the
188.31 district public defender to provide, the state public defender may approve counsel to be

appointed, with compensation and expenses to be paid under ~~the provisions of this~~
subdivision ~~and subdivision 7~~. Counsel in ~~such~~ these cases shall be appointed by the chief
district public defender.

(b) All billings for services rendered and ordered under this subdivision shall require
the approval of the chief district public defender before being forwarded to the state public
defender for payment. Counsel appointed under this subdivision shall document the time
worked and expenses incurred in a manner prescribed by the chief district public defender.
In cases where adequate representation cannot be provided by the district public defender
and where counsel has been approved by the state public defender, the Board of Public
Defense shall pay all services from county program aid transferred by the commissioner of
revenue for that purpose under section 477A.03, subdivision 2b, paragraph (a).

Sec. 15. Minnesota Statutes 2022, section 611.27, subdivision 13, is amended to read:

Subd. 13. Correctional facility inmates. ~~All billings for services rendered and ordered~~
~~under subdivision 7 shall require the approval of the chief district public defender before~~
~~being forwarded to the state public defender. In cases where adequate representation cannot~~
~~be provided by the district public defender and where counsel has been approved by the~~
~~state public defender, the Board of Public Defense shall pay all services from county program~~
~~aid transferred by the commissioner of revenue for that purpose under section 477A.03,~~
~~subdivision 2b, paragraph (a).~~

The costs of appointed counsel and associated services in cases arising from new criminal
charges brought against indigent inmates who are incarcerated in a Minnesota state
correctional facility are the responsibility of the State Board of Public Defense. In ~~such~~
these cases the state public defender may follow the procedures outlined in this section for
obtaining court-ordered counsel.

Sec. 16. Minnesota Statutes 2022, section 611.27, subdivision 16, is amended to read:

Subd. 16. Appeal by prosecuting attorney; attorney fees. ~~(a) When a prosecuting~~
~~attorney appeals to the court of appeals, in any criminal case, from any pretrial order of the~~
~~district court, reasonable attorney fees and costs incurred shall be allowed to the defendant~~
~~on the appeal which shall be paid by the governmental unit responsible for the prosecution~~
~~involved in accordance with paragraph (b).~~

~~(b) By~~ On or before January 15, 2013, and every year thereafter of each year, the chief
judge of the judicial district, after consultation with city and county attorneys, the chief
public defender, and members of the private bar in the district, shall establish a reimbursement

190.1 rate for attorney fees and costs associated with representation ~~under paragraph (a) of a~~
190.2 defendant on appeal. The compensation to be paid to an attorney for such service rendered
190.3 to a defendant under this subdivision may not exceed ~~\$5,000~~ \$10,000, exclusive of
190.4 reimbursement for expenses reasonably incurred, unless payment in excess of that limit is
190.5 certified by the chief judge of the district as necessary to provide fair compensation for
190.6 services of an unusual character or duration.

190.7 Sec. 17. Minnesota Statutes 2023 Supplement, section 611.55, subdivision 1, is amended
190.8 to read:

190.9 Subdivision 1. **Definition.** As used in this section, "board" means the ~~State~~ Minnesota
190.10 Competency Attainment Board established in section 611.56.

190.11 Sec. 18. Minnesota Statutes 2023 Supplement, section 611.56, subdivision 1, is amended
190.12 to read:

190.13 Subdivision 1. **Establishment; membership.** (a) The ~~State~~ Minnesota Competency
190.14 Attainment Board is established in the judicial branch. The board is not subject to the
190.15 administrative control of the judiciary. The board shall consist of seven members, including:

190.16 (1) three members appointed by the supreme court, at least one of whom must be a
190.17 defense attorney, one a county attorney, and one public member; and

190.18 (2) four members appointed by the governor, at least one of whom must be a mental
190.19 health professional with experience in competency attainment.

190.20 (b) The appointing authorities may not appoint an active judge to be a member of the
190.21 board, but may appoint a retired judge.

190.22 (c) All members must demonstrate an interest in maintaining a high quality, independent
190.23 forensic navigator program and a thorough process for certification of competency attainment
190.24 programs. Members shall be familiar with the Minnesota Rules of Criminal Procedure,
190.25 particularly rule 20; chapter 253B; and sections 611.40 to 611.59. Following the initial
190.26 terms of appointment, at least one member appointed by the supreme court must have
190.27 previous experience working as a forensic navigator. At least three members of the board
190.28 shall live outside the First, Second, Fourth, and Tenth Judicial Districts. The terms,
190.29 compensation, and removal of members shall be as provided in section 15.0575. The members
190.30 shall elect the chair from among the membership for a term of two years.

191.1 Sec. 19. Minnesota Statutes 2023 Supplement, section 611.56, subdivision 6, is amended
191.2 to read:

191.3 Subd. 6. **Fees and costs; civil actions on contested case.** Sections 15.039 and 15.471
191.4 to 15.474 apply to the ~~State~~ Minnesota Competency Attainment Board.

191.5 Sec. 20. Minnesota Statutes 2023 Supplement, section 611.57, subdivision 1, is amended
191.6 to read:

191.7 Subdivision 1. **Establishment.** The Certification Advisory Committee is established to
191.8 provide the ~~State~~ Minnesota Competency Attainment Board with advice and expertise
191.9 related to the certification of competency attainment programs, including jail-based programs.

191.10 Sec. 21. Minnesota Statutes 2023 Supplement, section 611.57, subdivision 4, is amended
191.11 to read:

191.12 Subd. 4. **Duties.** The Certification Advisory Committee shall consult with the Department
191.13 of Human Services, the Department of Health, and the Department of Corrections; make
191.14 recommendations to the ~~State~~ Minnesota Competency Attainment Board regarding
191.15 competency attainment curriculum, certification requirements for competency attainment
191.16 programs including jail-based programs, and certification of individuals to provide
191.17 competency attainment services; and provide information and recommendations on other
191.18 issues relevant to competency attainment as requested by the board.

191.19 Sec. 22. **REVISOR INSTRUCTION.**

191.20 The revisor of statutes shall renumber each section of Minnesota Statutes listed in column
191.21 A with the number listed in column B. The revisor shall make necessary cross-reference
191.22 changes consistent with the renumbering. The revisor shall also make any technical and
191.23 other changes necessitated by the renumbering and cross-reference changes.

	<u>Column A</u>	<u>Column B</u>
191.24		
191.25	<u>611.27, subdivision 3</u>	<u>611.24, subdivision 2</u>
191.26	<u>611.27, subdivision 15</u>	<u>611.24, subdivision 3</u>
191.27	<u>611.27, subdivision 16</u>	<u>611.24, subdivision 4</u>

191.28 Sec. 23. **REPEALER.**

191.29 Minnesota Statutes 2022, sections 611.20, subdivisions 3, 4, and 7; 611.25, subdivision
191.30 3; and 611.27, subdivisions 6, 9, and 12, are repealed.

ARTICLE 15**CIVIL LAW PROVISIONS**

Section 1. Minnesota Statutes 2022, section 5B.02, is amended to read:

5B.02 DEFINITIONS.

(a) For purposes of this chapter and unless the context clearly requires otherwise, the definitions in this section have the meanings given them.

(b) "Address" means an individual's work address, school address, or residential street address, as specified on the individual's application to be a program participant under this chapter.

(c) "Applicant" means an adult, a parent or guardian acting on behalf of an eligible minor, or a guardian acting on behalf of an incapacitated person, as defined in section 524.5-102.

(d) "Domestic violence" means an act as defined in section 518B.01, subdivision 2, paragraph (a), and includes a threat of such acts committed against an individual in a domestic situation, regardless of whether these acts or threats have been reported to law enforcement officers.

(e) "Eligible person" means an adult, a minor, or an incapacitated person, as defined in section 524.5-102 for whom there is good reason to believe (1) that the eligible person is a victim of domestic violence, sexual assault, or harassment or stalking, or (2) that the eligible person fears for the person's safety, the safety of another person who resides in the same household, or the safety of persons on whose behalf the application is made. In order to be an eligible person, an individual must reside in Minnesota in order to be an eligible person or must certify that the individual intends to reside in Minnesota within 60 days. A person registered or required to register as a predatory offender under section 243.166 or 243.167, or the law of another jurisdiction, is not an eligible person.

(f) "Mail" means first class letters and flats delivered via the United States Postal Service, including priority, express, and certified mail, and excluding (1) periodicals and catalogues, and (2) packages and parcels unless they are clearly identifiable as nonrefrigerated pharmaceuticals or clearly indicate that they are sent by the federal government or a state or county government agency of the continental United States, Hawaii, District of Columbia, or United States territories.

(g) "Program participant" means an individual certified as a program participant under section 5B.03.

193.1 (h) "Harassment" or "stalking" means acts criminalized under section 609.749 and
193.2 includes a threat of such acts committed against an individual, regardless of whether these
193.3 acts or threats have been reported to law enforcement officers.

193.4 Sec. 2. Minnesota Statutes 2022, section 5B.03, subdivision 3, is amended to read:

193.5 Subd. 3. **Certification.** (a) Upon filing a completed application, the secretary of state
193.6 shall certify the eligible person as a program participant. Unless the program participant is
193.7 not a Minnesota resident, program participants shall must be certified for four years following
193.8 the date of filing unless the certification is canceled, withdrawn or invalidated before that
193.9 date. Applicants from outside of Minnesota must be certified for 60 days. Upon receiving
193.10 notice that the participant has moved to Minnesota, the participant must be certified for four
193.11 years following the date of filing unless the certification is canceled, withdrawn, or
193.12 invalidated before that date. The secretary of state shall by rule establish a renewal procedure.

193.13 (b) Certification under this subdivision is for the purpose of participation in the
193.14 confidentiality program established under this chapter only. Certification must not be used
193.15 as evidence or be considered for any purpose in any civil, criminal, or administrative
193.16 proceeding related to the behavior or actions giving rise to the application under subdivision
193.17 1.

193.18 Sec. 3. Minnesota Statutes 2022, section 5B.04, is amended to read:

193.19 **5B.04 CERTIFICATION CANCELLATION.**

193.20 (a) If the program participant obtains a legal change of identity, the participant loses
193.21 certification as a program participant.

193.22 (b) The secretary of state may cancel a program participant's certification if there is a
193.23 change in the program participant's legal name or contact information, unless the program
193.24 participant or the person who signed as the applicant on behalf of an eligible person provides
193.25 the secretary of state with prior notice in writing of the change.

193.26 (c) The secretary of state may cancel certification of a program participant if mail
193.27 forwarded by the secretary to the program participant's address is returned as nondeliverable.

193.28 (d) The secretary of state may cancel a program participant's certification if the program
193.29 participant is no longer an eligible person.

193.30 (e) The secretary of state shall cancel certification of a program participant who applies
193.31 using false information.

194.1 (f) The secretary of state shall cancel certification of a program participant who does
194.2 not reside in Minnesota within 60 days of Safe at Home certification.

194.3 Sec. 4. Minnesota Statutes 2022, section 5B.05, is amended to read:

194.4 **5B.05 USE OF DESIGNATED ADDRESS.**

194.5 (a) When a program participant presents the address designated by the secretary of state
194.6 to any person or entity, that address must be accepted as the address of the program
194.7 participant. The person ~~may~~ or entity must not require the program participant to submit
194.8 any address that could be used to physically locate the participant either as a substitute or
194.9 in addition to the designated address, or as a condition of receiving a service or benefit,
194.10 unless the service or benefit would be impossible to provide without knowledge of the
194.11 program participant's physical location. Notwithstanding a person's or entity's knowledge
194.12 of a program participant's physical location, the person or entity must use the program
194.13 participant's designated address for all mail correspondence with the program participant,
194.14 unless the participant owns real property through a limited liability company or trust. A
194.15 person or entity may only mail to an alternative address if the participant owns real property
194.16 through a trust or a limited liability company and the participant has requested that the
194.17 person or entity mail correspondence regarding that ownership to an alternate address.

194.18 (b) A program participant may use the address designated by the secretary of state as
194.19 the program participant's work address.

194.20 (c) The Office of the Secretary of State shall forward all mail sent to the designated
194.21 address to the proper program participants.

194.22 (d) If a program participant has notified a person or entity in writing, on a form prescribed
194.23 by the program, that the individual is a program participant and of the requirements of this
194.24 section, the person or entity must not knowingly disclose the participant's name or address
194.25 identified by the participant on the notice. If identified on the notice, the ~~individual~~ person
194.26 or entity receiving the notice must not knowingly disclose the program participant's name,
194.27 home address, work address, or school address, unless the person to whom the address is
194.28 disclosed also lives, works, or goes to school at the address disclosed, or the participant has
194.29 provided written consent to disclosure of the participant's name, home address, work address,
194.30 or school address for the purpose for which the disclosure will be made. This paragraph
194.31 applies to the actions and reports of guardians ad litem, except that guardians ad litem may
194.32 disclose the program participant's name. This paragraph does not apply to records of the
194.33 judicial branch governed by rules adopted by the supreme court or government entities
194.34 governed by section 13.045.

195.1 Sec. 5. Minnesota Statutes 2022, section 13.045, subdivision 3, is amended to read:

195.2 Subd. 3. **Classification of identity and location data; amendment of records; sharing**
195.3 **and dissemination.** (a) Identity and location data for which a program participant seeks
195.4 protection under subdivision 2, paragraph (a), that are not otherwise classified by law as
195.5 not public are private data on individuals.

195.6 (b) Notwithstanding any provision of law to the contrary, private or confidential location
195.7 data on a program participant who submits a notice under subdivision 3, paragraph (a), may
195.8 not be shared with any other government entity or nongovernmental entity unless:

195.9 (1) the program participant has expressly consented in writing to sharing or dissemination
195.10 of the data for the purpose for which the sharing or dissemination will occur;

195.11 (2) the data are subject to sharing or dissemination pursuant to court order under section
195.12 13.03, subdivision 6;

195.13 (3) the data are subject to sharing pursuant to section 5B.07, subdivision 2;

195.14 (4) the location data related to county of residence are needed to provide public assistance
195.15 or other government services, or to allocate financial responsibility for the assistance or
195.16 services;

195.17 (5) the data are necessary to perform a government entity's health, safety, or welfare
195.18 functions, including the provision of emergency 911 services, the assessment and
195.19 investigation of child or vulnerable adult abuse or neglect, or the assessment or inspection
195.20 of services or locations for compliance with health, safety, or professional standards; or

195.21 (6) the data are necessary to aid an active law enforcement investigation of the program
195.22 participant.

195.23 (c) Data disclosed under paragraph (b), clauses (4) to (6), may be used only for the
195.24 purposes authorized in this subdivision and may not be further disclosed to any other person
195.25 or government entity. Government entities receiving or sharing private or confidential data
195.26 under this subdivision shall establish procedures to protect the data from further disclosure.

195.27 (d) Real property record data are governed by subdivision 4a.

195.28 (e) Notwithstanding sections 15.17 and 138.17, a government entity may amend records
195.29 to replace a participant's location data with the participant's designated address.

196.1 Sec. 6. Minnesota Statutes 2022, section 491A.01, subdivision 3a, is amended to read:

196.2 Subd. 3a. **Jurisdiction; general.** (a) Except as provided in subdivisions 4 and 5, the
196.3 conciliation court has jurisdiction to hear, conciliate, try, and determine civil claims if the
196.4 amount of money or property that is the subject matter of the claim does not exceed: (1)
196.5 ~~\$15,000~~ \$20,000; or (2) \$4,000, if the claim involves a consumer credit transaction.

196.6 (b) "Consumer credit transaction" means a sale of personal property, or a loan arranged
196.7 to facilitate the purchase of personal property, in which:

196.8 (1) credit is granted by a seller or a lender who regularly engages as a seller or lender
196.9 in credit transactions of the same kind;

196.10 (2) the buyer is a natural person;

196.11 (3) the claimant is the seller or lender in the transaction; and

196.12 (4) the personal property is purchased primarily for a personal, family, or household
196.13 purpose and not for a commercial, agricultural, or business purpose.

196.14 (c) Except as otherwise provided in this subdivision and subdivisions 5 to 11, the
196.15 territorial jurisdiction of conciliation court is coextensive with the county in which the court
196.16 is established. The summons in a conciliation court action under subdivisions 6 to 10 may
196.17 be served anywhere in the state, and the summons in a conciliation court action under
196.18 subdivision 7, paragraph (b), may be served outside the state in the manner provided by
196.19 law. The court administrator shall serve the summons in a conciliation court action by first
196.20 class mail, except that if the amount of money or property that is the subject of the claim
196.21 exceeds \$2,500, the summons must be served by the plaintiff by certified mail, and service
196.22 on nonresident defendants must be made in accordance with applicable law or rule.

196.23 Subpoenas to secure the attendance of nonparty witnesses and the production of documents
196.24 at trial may be served anywhere within the state in the manner provided by law.

196.25 When a court administrator is required to summon the defendant by certified mail under
196.26 this paragraph, the summons may be made by personal service in the manner provided in
196.27 the Rules of Civil Procedure for personal service of a summons of the district court as an
196.28 alternative to service by certified mail.

196.29 Sec. 7. **[500.217] RESTRICTIONS ON CHILD CARE PROHIBITIONS.**

196.30 (a) Except as otherwise provided in this section and notwithstanding any covenant,
196.31 restriction, or condition contained in a deed, security instrument, homeowners association
196.32 document, or any other instrument affecting the transfer, sale of, or an interest in real

197.1 property, a private entity must not prohibit, unreasonably restrict, or refuse to permit the
197.2 owner of a dwelling from providing child care under a family and group family child care
197.3 provider license under chapter 245A, and Minnesota Rules, chapter 9502. A private entity
197.4 must not impose a fee, assessment, or other cost upon the owner of a dwelling in connection
197.5 with providing child care.

197.6 (b) A private entity may require an owner or occupant who is seeking licensure or who
197.7 is a license holder to indemnify, hold harmless, or defend the private entity against all claims,
197.8 including costs and attorney fees, related to the operation of a family or group family child
197.9 care program. The private entity may require each parent, guardian, or caretaker of the child
197.10 being cared for in the program to sign a waiver of claims for liability, provided that the
197.11 waiver is reasonable, consistent with industry standards, and does not require notarization.

197.12 (c) The homeowners association is not required to amend the homeowners association
197.13 documents to meet a licensing requirement, except when the homeowners association
197.14 documents are inconsistent with the requirements of this section. Nothing in this section
197.15 prevents an owner or occupant from using provided or legal remedies to amend the
197.16 homeowners association documents or from requesting a variance from those requirements.

197.17 (d) A license holder who is an owner occupant and all invitees are subject to the rules
197.18 and regulations contained in the homeowners association documents of the private entity
197.19 except where those rules and regulations conflict with this section.

197.20 (e) For the purposes of this section, the following terms have the meanings given:

197.21 (1) "private entity" means a homeowners association, community association, or other
197.22 association that is subject to a homeowners association document; and

197.23 (2) "homeowners association document" means a document containing the declaration,
197.24 articles of incorporation, bylaws, or rules and regulations of a common interest community,
197.25 as defined in section 515B.1-103, regardless of whether the common interest community
197.26 is subject to chapter 515B, or a residential community that is not a common interest
197.27 community.

197.28 (f) This section only applies to:

197.29 (1) a single-family detached dwelling whose owner is the sole owner of the entire building
197.30 in which the dwelling is located and who is solely responsible for the maintenance, repair,
197.31 replacement, and insurance of the entire building; or

198.1 (2) a multifamily attached dwelling whose owner is the sole owner of the entire building
198.2 in which the dwelling is located and who is solely responsible for the maintenance, repair,
198.3 replacement, and insurance of the entire building.

198.4 Sec. 8. Minnesota Statutes 2023 Supplement, section 515B.2-103, is amended to read:

198.5 **515B.2-103 CONSTRUCTION AND VALIDITY OF DECLARATION AND**
198.6 **BYLAWS.**

198.7 (a) All provisions of the declaration and bylaws are severable.

198.8 (b) The rule against perpetuities may not be applied to defeat any provision of the
198.9 declaration or this chapter, or any instrument executed pursuant to the declaration or this
198.10 chapter.

198.11 (c) In the event of a conflict between the provisions of the declaration and the bylaws,
198.12 the declaration prevails except to the extent that the declaration is inconsistent with this
198.13 chapter.

198.14 (d) The declaration and bylaws must comply with sections 500.215 ~~and~~, 500.216, and
198.15 500.217.

198.16 Sec. 9. Minnesota Statutes 2023 Supplement, section 515B.3-102, is amended to read:

198.17 **515B.3-102 POWERS OF UNIT OWNERS' ASSOCIATION.**

198.18 (a) Except as provided in subsections (b), (c), (d), (e), and (f) and subject to the provisions
198.19 of the declaration or bylaws, the association shall have the power to:

198.20 (1) adopt, amend and revoke rules and regulations not inconsistent with the articles of
198.21 incorporation, bylaws and declaration, as follows: (i) regulating the use of the common
198.22 elements; (ii) regulating the use of the units, and conduct of unit occupants, which may
198.23 jeopardize the health, safety or welfare of other occupants, which involves noise or other
198.24 disturbing activity, or which may damage the common elements or other units; (iii) regulating
198.25 or prohibiting animals; (iv) regulating changes in the appearance of the common elements
198.26 and conduct which may damage the common interest community; (v) regulating the exterior
198.27 appearance of the common interest community, including, for example, balconies and patios,
198.28 window treatments, and signs and other displays, regardless of whether inside a unit; (vi)
198.29 implementing the articles of incorporation, declaration and bylaws, and exercising the
198.30 powers granted by this section; and (vii) otherwise facilitating the operation of the common
198.31 interest community;

199.1 (2) adopt and amend budgets for revenues, expenditures and reserves, and levy and
199.2 collect assessments for common expenses from unit owners;

199.3 (3) hire and discharge managing agents and other employees, agents, and independent
199.4 contractors;

199.5 (4) institute, defend, or intervene in litigation or administrative proceedings (i) in its
199.6 own name on behalf of itself or two or more unit owners on matters affecting the common
199.7 elements or other matters affecting the common interest community or, (ii) with the consent
199.8 of the owners of the affected units on matters affecting only those units;

199.9 (5) make contracts and incur liabilities;

199.10 (6) regulate the use, maintenance, repair, replacement, and modification of the common
199.11 elements and the units;

199.12 (7) cause improvements to be made as a part of the common elements, and, in the case
199.13 of a cooperative, the units;

199.14 (8) acquire, hold, encumber, and convey in its own name any right, title, or interest to
199.15 real estate or personal property, but (i) common elements in a condominium or planned
199.16 community may be conveyed or subjected to a security interest only pursuant to section
199.17 515B.3-112, or (ii) part of a cooperative may be conveyed, or all or part of a cooperative
199.18 may be subjected to a security interest, only pursuant to section 515B.3-112;

199.19 (9) grant or amend easements for public utilities, public rights-of-way or other public
199.20 purposes, and cable television or other communications, through, over or under the common
199.21 elements; grant or amend easements, leases, or licenses to unit owners for purposes authorized
199.22 by the declaration; and, subject to approval by a vote of unit owners other than declarant
199.23 or its affiliates, grant or amend other easements, leases, and licenses through, over or under
199.24 the common elements;

199.25 (10) impose and receive any payments, fees, or charges for the use, rental, or operation
199.26 of the common elements, other than limited common elements, and for services provided
199.27 to unit owners;

199.28 (11) impose interest and late charges for late payment of assessments and, after notice
199.29 and an opportunity to be heard before the board or a committee appointed by it, levy
199.30 reasonable fines for violations of the declaration, bylaws, and rules and regulations of the
199.31 association, provided that attorney fees and costs must not be charged or collected from a
199.32 unit owner who disputes a fine or assessment and, if after the homeowner requests a hearing
199.33 and a hearing is held by the board or a committee of the board, the board does not adopt a

200.1 resolution levying the fine or upholding the assessment against the unit owner or owner's
200.2 unit;

200.3 (12) impose reasonable charges for the review, preparation and recordation of
200.4 amendments to the declaration, resale certificates required by section 515B.4-107, statements
200.5 of unpaid assessments, or furnishing copies of association records;

200.6 (13) provide for the indemnification of its officers and directors, and maintain directors'
200.7 and officers' liability insurance;

200.8 (14) provide for reasonable procedures governing the conduct of meetings and election
200.9 of directors;

200.10 (15) exercise any other powers conferred by law, or by the declaration, articles of
200.11 incorporation or bylaws; and

200.12 (16) exercise any other powers necessary and proper for the governance and operation
200.13 of the association.

200.14 (b) Notwithstanding subsection (a) the declaration or bylaws may not impose limitations
200.15 on the power of the association to deal with the declarant which are more restrictive than
200.16 the limitations imposed on the power of the association to deal with other persons.

200.17 (c) An association that levies a fine pursuant to subsection (a)(11), or an assessment
200.18 pursuant to section 515B.3-115(g), or 515B.3-1151(g), must provide a dated, written notice
200.19 to a unit owner that:

200.20 (1) states the amount and reason for the fine or assessment;

200.21 (2) for fines levied under section 515B.3-102(a)(11), specifies: (i) the violation for which
200.22 a fine is being levied and the date of the levy; and (ii) the specific section of the declaration,
200.23 bylaws, rules, or regulations allegedly violated;

200.24 (3) for assessments levied under section 515B.3-115(g) or 515B.3-1151(g), identifies:
200.25 (i) the damage caused; and (ii) the act or omission alleged to have caused the damage;

200.26 (4) states that all unpaid fines and assessments are liens which, if not satisfied, could
200.27 lead to foreclosure of the lien against the owner's unit;

200.28 (5) describes the unit owner's right to be heard by the board or a committee appointed
200.29 by the board;

200.30 (6) states that if the assessment, fine, late fees, and other allowable charges are not paid,
200.31 the amount may increase as a result of the imposition of attorney fees and other collection
200.32 costs; and

201.1 (7) informs the unit owner that homeownership assistance is available from the Minnesota
201.2 Homeownership Center.

201.3 (d) Notwithstanding subsection (a), powers exercised under this section must comply
201.4 with sections 500.215 ~~and~~, 500.216, and 500.217.

201.5 (e) Notwithstanding subsection (a)(4) or any other provision of this chapter, the
201.6 association, before instituting litigation or arbitration involving construction defect claims
201.7 against a development party, shall:

201.8 (1) mail or deliver written notice of the anticipated commencement of the action to each
201.9 unit owner at the addresses, if any, established for notices to owners in the declaration and,
201.10 if the declaration does not state how notices are to be given to owners, to the owner's last
201.11 known address. The notice shall specify the nature of the construction defect claims to be
201.12 alleged, the relief sought, and the manner in which the association proposes to fund the cost
201.13 of pursuing the construction defect claims; and

201.14 (2) obtain the approval of owners of units to which a majority of the total votes in the
201.15 association are allocated. Votes allocated to units owned by the declarant, an affiliate of the
201.16 declarant, or a mortgagee who obtained ownership of the unit through a foreclosure sale
201.17 are excluded. The association may obtain the required approval by a vote at an annual or
201.18 special meeting of the members or, if authorized by the statute under which the association
201.19 is created and taken in compliance with that statute, by a vote of the members taken by
201.20 electronic means or mailed ballots. If the association holds a meeting and voting by electronic
201.21 means or mailed ballots is authorized by that statute, the association shall also provide for
201.22 voting by those methods. Section 515B.3-110(c) applies to votes taken by electronic means
201.23 or mailed ballots, except that the votes must be used in combination with the vote taken at
201.24 a meeting and are not in lieu of holding a meeting, if a meeting is held, and are considered
201.25 for purposes of determining whether a quorum was present. Proxies may not be used for a
201.26 vote taken under this paragraph unless the unit owner executes the proxy after receipt of
201.27 the notice required under subsection (e)(1) and the proxy expressly references this notice.

201.28 (f) The association may intervene in a litigation or arbitration involving a construction
201.29 defect claim or assert a construction defect claim as a counterclaim, crossclaim, or third-party
201.30 claim before complying with subsections (e)(1) and (e)(2) but the association's complaint
201.31 in an intervention, counterclaim, crossclaim, or third-party claim shall be dismissed without
201.32 prejudice unless the association has complied with the requirements of subsection (e) within
201.33 90 days of the association's commencement of the complaint in an intervention or the
201.34 assertion of the counterclaim, crossclaim, or third-party claim.

202.1 Sec. 10. Minnesota Statutes 2023 Supplement, section 524.5-313, is amended to read:

202.2 **524.5-313 POWERS AND DUTIES OF GUARDIAN.**

202.3 (a) A guardian shall be subject to the control and direction of the court at all times and
202.4 in all things.

202.5 (b) The court shall grant to a guardian only those powers necessary to provide for the
202.6 demonstrated needs of the person subject to guardianship.

202.7 (c) The court may appoint a guardian if it determines that all the powers and duties listed
202.8 in this section are needed to provide for the needs of the incapacitated person. The court
202.9 may also appoint a guardian if it determines that a guardian is needed to provide for the
202.10 needs of the incapacitated person through the exercise of some, but not all, of the powers
202.11 and duties listed in this section. The duties and powers of a guardian or those which the
202.12 court may grant to a guardian include, but are not limited to:

202.13 (1) the power to have custody of the person subject to guardianship and the power to
202.14 establish a place of abode within or outside the state, except as otherwise provided in this
202.15 clause. The person subject to guardianship or any interested person may petition the court
202.16 to prevent or to initiate a change in abode. A person subject to guardianship may not be
202.17 admitted to a regional treatment center by the guardian except:

202.18 (i) after a hearing under chapter 253B;

202.19 (ii) for outpatient services; or

202.20 (iii) for the purpose of receiving temporary care for a specific period of time not to
202.21 exceed 90 days in any calendar year;

202.22 (2) the duty to provide for the care, comfort, and maintenance needs of the person subject
202.23 to guardianship, including food, clothing, shelter, health care, social and recreational
202.24 requirements, and, whenever appropriate, training, education, and habilitation or
202.25 rehabilitation. The guardian has no duty to pay for these requirements out of personal funds.
202.26 Whenever possible and appropriate, the guardian should meet these requirements through
202.27 governmental benefits or services to which the person subject to guardianship is entitled,
202.28 rather than from the estate of the person subject to guardianship. ~~Failure to satisfy the needs~~
202.29 ~~and requirements of this clause shall be grounds for removal of a private guardian, but the~~
202.30 ~~guardian shall have no personal or monetary liability;~~

202.31 (3) the duty to take reasonable care of the clothing, furniture, vehicles, and other personal
202.32 effects of the person subject to guardianship, and, if other property requires protection, the
202.33 power to seek appointment of a conservator of the estate. The guardian must give notice by

203.1 mail to interested persons prior to the disposition of the clothing, furniture, vehicles, or
203.2 other personal effects of the person subject to guardianship. The notice must inform the
203.3 person of the right to object to the disposition of the property within ten days of the date of
203.4 mailing and to petition the court for a review of the guardian's proposed actions. Notice of
203.5 the objection must be served by mail or personal service on the guardian and the person
203.6 subject to guardianship unless the person subject to guardianship is the objector. The guardian
203.7 served with notice of an objection to the disposition of the property may not dispose of the
203.8 property unless the court approves the disposition after a hearing;

203.9 (4)(i) the power to give any necessary consent to enable the person subject to guardianship
203.10 to receive necessary medical or other professional care, counsel, treatment, or service, except
203.11 that no guardian may give consent for psychosurgery, electroshock, sterilization, or
203.12 experimental treatment of any kind unless the procedure is first approved by order of the
203.13 court as provided in this clause. The guardian shall not consent to any medical care for the
203.14 person subject to guardianship which violates the known conscientious, religious, or moral
203.15 belief of the person subject to guardianship;

203.16 (ii) a guardian who believes a procedure described in item (i) requiring prior court
203.17 approval to be necessary for the proper care of the person subject to guardianship, shall
203.18 petition the court for an order and, in the case of a public guardianship under chapter 252A,
203.19 obtain the written recommendation of the commissioner of human services. The court shall
203.20 fix the time and place for the hearing and shall give notice to the person subject to
203.21 guardianship in such manner as specified in section 524.5-308 and to interested persons.
203.22 The court shall appoint an attorney to represent the person subject to guardianship who is
203.23 not represented by counsel, provided that such appointment shall expire upon the expiration
203.24 of the appeal time for the order issued by the court under this section or the order dismissing
203.25 a petition, or upon such other time or event as the court may direct. In every case the court
203.26 shall determine if the procedure is in the best interest of the person subject to guardianship.
203.27 In making its determination, the court shall consider a written medical report which
203.28 specifically considers the medical risks of the procedure, whether alternative, less restrictive
203.29 methods of treatment could be used to protect the best interest of the person subject to
203.30 guardianship, and any recommendation of the commissioner of human services for a public
203.31 person subject to guardianship. The standard of proof is that of clear and convincing evidence;

203.32 (iii) in the case of a petition for sterilization of a person with developmental disabilities
203.33 subject to guardianship, the court shall appoint a licensed physician, a psychologist who is
203.34 qualified in the diagnosis and treatment of developmental disability, and a social worker
203.35 who is familiar with the social history and adjustment of the person subject to guardianship

204.1 or the case manager for the person subject to guardianship to examine or evaluate the person
204.2 subject to guardianship and to provide written reports to the court. The reports shall indicate
204.3 why sterilization is being proposed, whether sterilization is necessary and is the least intrusive
204.4 method for alleviating the problem presented, and whether it is in the best interest of the
204.5 person subject to guardianship. The medical report shall specifically consider the medical
204.6 risks of sterilization, the consequences of not performing the sterilization, and whether
204.7 alternative methods of contraception could be used to protect the best interest of the person
204.8 subject to guardianship;

204.9 (iv) any person subject to guardianship whose right to consent to a sterilization has not
204.10 been restricted under this section or section 252A.101 may be sterilized only if the person
204.11 subject to guardianship consents in writing or there is a sworn acknowledgment by an
204.12 interested person of a nonwritten consent by the person subject to guardianship. The consent
204.13 must certify that the person subject to guardianship has received a full explanation from a
204.14 physician or registered nurse of the nature and irreversible consequences of the sterilization;

204.15 (v) a guardian or the public guardian's designee who acts within the scope of authority
204.16 conferred by letters of guardianship under section 252A.101, subdivision 7, and according
204.17 to the standards established in this chapter or in chapter 252A shall not be civilly or criminally
204.18 liable for the provision of any necessary medical care, including, but not limited to, the
204.19 administration of psychotropic medication or the implementation of aversive and deprivation
204.20 procedures to which the guardian or the public guardian's designee has consented;

204.21 (5) in the event there is no duly appointed conservator of the estate of the person subject
204.22 to guardianship, the guardian shall have the power to approve or withhold approval of any
204.23 contract, except for necessities, which the person subject to guardianship may make or wish
204.24 to make;

204.25 (6) the duty and power to exercise supervisory authority over the person subject to
204.26 guardianship in a manner which limits civil rights and restricts personal freedom only to
204.27 the extent necessary to provide needed care and services. A guardian may not restrict the
204.28 ability of the person subject to guardianship to communicate, visit, or interact with others,
204.29 including receiving visitors or making or receiving telephone calls, personal mail, or
204.30 electronic communications including through social media, or participating in social activities,
204.31 unless the guardian has good cause to believe restriction is necessary because interaction
204.32 with the person poses a risk of significant physical, psychological, or financial harm to the
204.33 person subject to guardianship, and there is no other means to avoid such significant harm.
204.34 In all cases, the guardian shall provide written notice of the restrictions imposed to the court,
204.35 to the person subject to guardianship, and to the person subject to restrictions. The person

205.1 subject to guardianship or the person subject to restrictions may petition the court to remove
205.2 or modify the restrictions;

205.3 (7) if there is no acting conservator of the estate for the person subject to guardianship,
205.4 the guardian has the power to apply on behalf of the person subject to guardianship for any
205.5 assistance, services, or benefits available to the person subject to guardianship through any
205.6 unit of government;

205.7 (8) unless otherwise ordered by the court, the person subject to guardianship retains the
205.8 right to vote;

205.9 (9) the power to establish an ABLE account for a person subject to guardianship or
205.10 conservatorship. By this provision a guardian only has the authority to establish an ABLE
205.11 account, but may not administer the ABLE account in the guardian's capacity as guardian.
205.12 The guardian may appoint or name a person to exercise signature authority over an ABLE
205.13 account, including the individual selected by the eligible individual or the eligible individual's
205.14 agent under a power of attorney; conservator; spouse; parent; sibling; grandparent; or
205.15 representative payee, whether an individual or organization, appointed by the SSA, in that
205.16 order; and

205.17 (10) if there is no conservator appointed for the person subject to guardianship, the
205.18 guardian has the duty and power to institute suit on behalf of the person subject to
205.19 guardianship and represent the person subject to guardianship in expungement proceedings,
205.20 harassment proceedings, and all civil court proceedings, including but not limited to
205.21 restraining orders, orders for protection, name changes, conciliation court, housing court,
205.22 family court, probate court, and juvenile court, provided that a guardian may not settle or
205.23 compromise any claim or debt owed to the estate without court approval.

205.24 Sec. 11. Minnesota Statutes 2022, section 524.5-315, is amended to read:

205.25 **524.5-315 RIGHTS AND IMMUNITIES OF GUARDIAN; LIMITATIONS.**

205.26 (a) A guardian is entitled to reasonable compensation for services as guardian and to
205.27 reimbursement for expenditures made on behalf of the person subject to guardianship, in a
205.28 manner consistent with section 524.5-502.

205.29 (b) a guardian is not liable to a third person for acts of the person subject to guardianship
205.30 solely by reason of the relationship. A guardian who exercises reasonable care in choosing
205.31 a third person providing medical or other care, treatment, or service for the person subject
205.32 to guardianship is not liable for injury to the person subject to guardianship resulting from
205.33 the wrongful conduct of the third person.

206.1 (c) A guardian may not revoke the health care directive of a person subject to guardianship
206.2 or conservatorship absent a court order.

206.3 (d) A guardian may not initiate the commitment of a person subject to guardianship to
206.4 an institution except in accordance with section 524.5-313.

206.5 (e) Failure to satisfy the duties of a guardian under section 524.5-313, paragraph (c),
206.6 shall be grounds for removal of a private guardian, but the guardian shall not be held liable
206.7 for acts or omissions made in the discharge of the guardian's duties except for acts or
206.8 omissions that result in harm to the person subject to guardianship and that constitute reckless
206.9 or willful misconduct, or gross negligence.

206.10 **EFFECTIVE DATE.** This section is effective August 1, 2024, and applies to causes
206.11 of action accruing on or after that date.

206.12 Sec. 12. Minnesota Statutes 2022, section 524.5-317, is amended to read:

206.13 **524.5-317 TERMINATION OR MODIFICATION OF GUARDIANSHIP; COURT**
206.14 **ORDERS.**

206.15 (a) A guardianship terminates upon the death of the person subject to guardianship, upon
206.16 the expiration of the duration of guardianship established in the order appointing the guardian,
206.17 or upon order of the court.

206.18 (b) On petition of any person interested in the welfare of the person subject to
206.19 guardianship the court may terminate a guardianship if the person subject to guardianship
206.20 no longer needs the assistance or protection of a guardian. The court may modify the type
206.21 of appointment or powers granted to the guardian if the extent of protection or assistance
206.22 previously granted is currently excessive or insufficient or the capacity of the person subject
206.23 to guardianship to provide for support, care, education, health, and welfare has so changed
206.24 as to warrant that action. The court may make any other order that is in the best interests of
206.25 the person subject to guardianship or may grant other appropriate relief.

206.26 (c) Except as otherwise ordered by the court for good cause, the court, before terminating
206.27 a guardianship, shall follow the same procedures to safeguard the rights of the person subject
206.28 to guardianship as apply to a petition for guardianship. Upon presentation by the petitioner
206.29 of evidence establishing a prima facie case for termination, the court shall order the
206.30 termination and discharge the guardian unless it is proven that continuation of the
206.31 guardianship is in the best interest of the person subject to guardianship.

207.1 (d) Any documents or information disclosing or pertaining to health or financial
207.2 information shall be filed as confidential documents, consistent with the bill of particulars
207.3 under section 524.5-121.

207.4 (e) A guardian has the right to petition the court for discharge from the guardianship.

207.5 (f) If, after a good faith effort, the guardian is unable to find a successor guardian, the
207.6 guardian may petition the court for resignation. The court may allow the guardian to resign
207.7 if the resignation would not result in imminent substantial harm to the person subject to
207.8 guardianship based on clear and convincing evidence.

207.9 Sec. 13. Minnesota Statutes 2022, section 548.251, subdivision 2, is amended to read:

207.10 Subd. 2. **Motion.** In a civil action, whether based on contract or tort, when liability is
207.11 admitted or is determined by the trier of fact, and when damages include an award to
207.12 compensate the plaintiff for losses available to the date of the verdict by collateral sources,
207.13 a party may file a motion within ten days of the date of entry of the verdict requesting
207.14 determination of collateral sources. If the motion is filed, the parties shall submit written
207.15 evidence of, and the court shall determine:

207.16 (1) amounts of collateral sources that have been paid for the benefit of the plaintiff or
207.17 are otherwise available to the plaintiff as a result of losses except those for which a
207.18 subrogation right has been asserted; and

207.19 (2) amounts that have been paid, contributed, or forfeited by, or on behalf of, the plaintiff
207.20 or members of the plaintiff's immediate family for the two-year period immediately before
207.21 the accrual of the action and until judgment is entered to secure the right to a collateral
207.22 source benefit that the plaintiff is receiving as a result of losses.

207.23 **EFFECTIVE DATE.** This section is effective August 1, 2024, and applies to causes
207.24 of action commenced on or after that date.

207.25 Sec. 14. Minnesota Statutes 2022, section 563.01, is amended to read:

207.26 **563.01 IN FORMA PAUPERIS PROCEEDINGS COURT FEE WAIVER;**
207.27 **AUTHORIZATION.**

207.28 Subd. 2. **Expenses.** Whenever pursuant to this section the court directs expenses to be
207.29 paid, the expenses shall be paid by the state.

207.30 Subd. 3. **Court fee waiver; authorization of in forma pauperis.** (a) Any court of the
207.31 state of Minnesota or any political subdivision thereof may authorize the commencement

208.1 or defense of any civil action, or appeal therein, without ~~prepayment~~ payment of fees, costs,
208.2 and security for costs by a natural person who makes affidavit stating ~~(a)~~ (1) the nature of
208.3 the action, defense or appeal, ~~(b)~~ (2) a belief that affiant is entitled to redress, and ~~(c)~~ (3)
208.4 that affiant is financially unable to pay the fees, costs and security for costs.

208.5 (b) Upon a finding by the court that the action, defense, or appeal is not of a frivolous
208.6 nature, the court shall allow the person to proceed ~~in forma pauperis~~ without payment of
208.7 fees, costs, and security for costs if the affidavit is substantially in the language required by
208.8 this subdivision and is not found by the court to be untrue. Persons ~~meeting~~ presumed to
208.9 meet the requirements of this subdivision include, but are not limited to, a person who is
208.10 receiving public assistance described in section 550.37, subdivision 14, who is represented
208.11 by an attorney on behalf of a civil legal services program or a volunteer attorney program
208.12 based on indigency, or who has an annual income not greater than 125 percent of the poverty
208.13 line established under United States Code, title 42, section 9902(2), except as otherwise
208.14 provided by section 563.02.

208.15 (c) If, at commencement of the action, the court finds that a party does not meet the
208.16 eligibility criteria under paragraph (b), but the court also finds that the party is not able to
208.17 pay all of the fees, costs, and security for costs, the court may order payment of a fee of \$75
208.18 or partial payment of the fees, costs, and security for costs, to be paid as directed by the
208.19 court.

208.20 The court administrator shall transmit any fees or payments to the commissioner of
208.21 management and budget for deposit in the state treasury and credit to the general fund.

208.22 (d) Notwithstanding paragraph (a), a person who is represented by a civil legal services
208.23 program or a volunteer attorney program based on indigency may be allowed to proceed
208.24 without payment of fees, costs, and security for costs without additional findings if the
208.25 attorney representing the person submits an affidavit or makes an oral attestation during a
208.26 court proceeding stating that civil legal services or a volunteer attorney program services
208.27 are being provided to the client.

208.28 Subd. 4. **Payment of expenses.** Upon order of the court, the court administrator and the
208.29 sheriff of any Minnesota county shall perform their duties without charge to the person
208.30 proceeding ~~in forma pauperis~~ with a court fee waiver. The court shall direct payment of the
208.31 reasonable expense of service of process pursuant to subdivision 2 if served by a private
208.32 process server, if the sheriff is unavailable, or by publication.

208.33 Subd. 5. **Witness fees.** If the court finds that a witness, including an expert witness, has
208.34 evidence material and necessary to the case and is within the state of Minnesota, the court

209.1 shall direct payment of the reasonable expenses incurred in subpoenaing the witness, if
209.2 necessary, and in paying the fees and costs of the witness.

209.3 Subd. 6. **Deposition expenses.** If the court finds that a deposition and transcript thereof
209.4 are necessary to adequately prepare, present or decide an issue presented by the action, the
209.5 court shall direct payment of the reasonable expenses incurred in taking the deposition and
209.6 in obtaining the transcript thereof.

209.7 Subd. 7. **Transcript expenses.** If the court finds that a transcript of any part or all of
209.8 the action is necessary to adequately prepare, present or decide an issue presented by the
209.9 action, the court shall direct the payment of the reasonable expenses incurred in obtaining
209.10 the transcript.

209.11 Subd. 7a. **Copy costs.** The court administrator shall provide a person who is proceeding
209.12 ~~in forma pauperis~~ with a court fee waiver under subdivision 3 with a copy of the person's
209.13 court file without charge.

209.14 Subd. 8. **Appellate briefs.** In any case on appeal the appellate court shall, upon granting
209.15 permission to proceed ~~in forma pauperis following application in the manner~~ with a court
209.16 fee waiver as provided in subdivision 3, direct payment of the reasonable expenses incurred
209.17 in obtaining the record and reproducing the appellate briefs.

209.18 Subd. 8a. **Reimbursement.** Following commencement of the action, the court may order
209.19 reimbursement of all or a portion of any fees, costs, and security for costs if the party either
209.20 (1) no longer meets the eligibility criteria under subdivision 3, paragraph (b); or (2) the
209.21 amount ordered under subdivision 3, paragraph (c), is no longer appropriate because the
209.22 party is able to pay a higher amount. The reimbursement must be paid as directed by the
209.23 court.

209.24 Subd. 9. **Rescinding ~~in forma pauperis status~~ court fee waiver authorization.** Upon
209.25 motion, the court may rescind its permission to proceed ~~in forma pauperis~~ with a court fee
209.26 waiver under subdivision 3 if it finds the allegations of poverty contained in the affidavit
209.27 are untrue, or if, following commencement of the action, the party becomes able to pay the
209.28 fees, costs and security for the costs. In such cases, the court may direct the party to pay to
209.29 the court administrator any costs allowing the action to proceed. The court administrator
209.30 shall transmit the costs to the commissioner of management and budget for deposit in the
209.31 state treasury and credit them to the general fund.

209.32 Subd. 10. **Judgment.** Judgment may be rendered for costs at the conclusion of the action
209.33 as in other cases. In the event any person recovers moneys by either settlement or judgment
209.34 as a result of commencing or defending an action ~~in forma pauperis~~ with a court fee waiver

210.1 under subdivision 3, the costs deferred and the expenses directed by the court to be paid
210.2 under this section shall be included in such moneys and shall be paid directly to the court
210.3 administrator by the opposing party. The court administrator shall transmit the costs to the
210.4 commissioner of management and budget for deposit in the state treasury and credit them
210.5 to the general fund.

210.6 Subd. 11. **Fraud; perjury.** A person who fraudulently invokes the privilege of this
210.7 section shall be guilty of perjury and shall, upon conviction thereof, be punished as provided
210.8 in section 609.48.

210.9 Subd. 12. **Not supersede other remedies.** The provisions of this section do not replace
210.10 or supersede remedies otherwise provided by law.

210.11 **ARTICLE 16**
210.12 **CONTRACTS FOR DEED**

210.13 Section 1. Minnesota Statutes 2022, section 272.12, is amended to read:

210.14 **272.12 CONVEYANCES, TAXES PAID BEFORE RECORDING.**

210.15 When:

210.16 (a) a deed or other instrument conveying land,

210.17 (b) a plat of any townsite or addition thereto,

210.18 (c) a survey required pursuant to section 508.47,

210.19 (d) a condominium plat subject to chapter 515 or 515A or a declaration that contains
210.20 such a plat, or

210.21 (e) a common interest community plat subject to chapter 515B or a declaration that
210.22 contains such a plat,

210.23 is presented to the county auditor for transfer, the auditor shall ascertain from the records
210.24 if there be taxes delinquent upon the land described therein within four months of the
210.25 execution of the contract for deed, or if it has been sold for taxes. An assignment of a sheriff's
210.26 or referee's certificate of sale, when the certificate of sale describes real estate, and certificates
210.27 of redemption from mortgage or lien foreclosure sales, when the certificate of redemption
210.28 encompasses real estate and is issued to a junior creditor, are considered instruments
210.29 conveying land for the purposes of this section and section 272.121. If there are taxes
210.30 delinquent, the auditor shall certify to the same; and upon payment of such taxes, or in case
210.31 no taxes are delinquent, shall transfer the land upon the books of the auditor's office, and
210.32 note upon the instrument, over official signature, the words, "no delinquent taxes and transfer

211.1 entered," or, if the land described has been sold or assigned to an actual purchaser for taxes,
211.2 the words "paid by sale of land described within;" and, unless such statement is made upon
211.3 such instrument, the county recorder or the registrar of titles shall refuse to receive or record
211.4 the same; provided, that sheriff's or referees' certificates of sale on execution or foreclosure
211.5 of a lien or mortgage, certificates of redemption from mortgage or lien foreclosure sales
211.6 issued to the redeeming mortgagor or lienee, documents evidencing the termination of a
211.7 contract for deed as described in section 559.213, deeds of distribution made by a personal
211.8 representative in probate proceedings, transfer on death deeds under section 507.071, decrees
211.9 and judgments, receivers receipts, patents, and copies of town or statutory city plats, in case
211.10 the original plat filed in the office of the county recorder has been lost or destroyed, and
211.11 the instruments releasing, removing and discharging reversionary and forfeiture provisions
211.12 affecting title to land and instruments releasing, removing or discharging easement rights
211.13 in land or building or other restrictions, may be recorded without such certificate; and,
211.14 provided that instruments conveying land and, as appurtenant thereto an easement over
211.15 adjacent tract or tracts of land, may be recorded without such certificate as to the land
211.16 covered by such easement; and provided further, that any instrument granting an easement
211.17 made in favor of any public utility or pipe line for conveying gas, liquids or solids in
211.18 suspension, in the nature of a right-of-way over, along, across or under a tract of land may
211.19 be recorded without such certificate as to the land covered by such easement. Documents
211.20 governing homeowners associations of condominiums, townhouses, common interest
211.21 ownership communities, and other planned unit developments may be recorded without the
211.22 auditor's certificate to the extent provided in section 515B.1-116(e).

211.23 A deed of distribution made by a personal representative in a probate proceeding, a
211.24 decree, or a judgment that conveys land shall be presented to the county auditor, who shall
211.25 transfer the land upon the books of the auditor's office and note upon the instrument, over
211.26 official signature, the words, "transfer entered", and the instrument may then be recorded.
211.27 A decree or judgment that affects title to land but does not convey land may be recorded
211.28 without presentation to the auditor.

211.29 A violation of this section by the county recorder or the registrar of titles shall be a gross
211.30 misdemeanor, and, in addition to the punishment therefor, the recorder or registrar shall be
211.31 liable to the grantee of any instrument so recorded for the amount of any damages sustained.

211.32 When, as a condition to permitting the recording of deed or other instrument affecting
211.33 the title to real estate previously forfeited to the state under the provisions of sections 281.16
211.34 to 281.25, county officials, after such real estate has been purchased or repurchased, have
211.35 required the payment of taxes erroneously assumed to have accrued against such real estate

212.1 after forfeiture and before the date of purchase or repurchase, the sum required to be so paid
212.2 shall be refunded to the persons entitled thereto out of moneys in the funds in which the
212.3 sum so paid was placed. Delinquent taxes are those taxes deemed delinquent under section
212.4 279.02.

212.5 **EFFECTIVE DATE.** This section is effective the day following final enactment.

212.6 Sec. 2. Minnesota Statutes 2022, section 507.235, subdivision 1a, is amended to read:

212.7 Subd. 1a. **Requirements of vendor.** (a) A vendor entering into a contract for deed
212.8 involving residential real property must, contemporaneously with the execution of the
212.9 contract for deed:

212.10 ~~(1)~~ deliver to the vendee a copy of the contract for deed containing original signatures
212.11 in recordable form; ~~and.~~

212.12 ~~(2)~~ (b) Within four months of the execution of the contract for deed, the vendor must:

212.13 (1) pay, or reimburse the vendee for payment of, any delinquent taxes necessary for
212.14 recordation of the contract for deed, unless the contract for deed provides for the vendee to
212.15 pay the delinquent taxes; and

212.16 (2) record the contract for deed in the office of the county recorder or registrar of titles
212.17 in the county in which the land is located.

212.18 (c) The following statement included in a contract for deed for other than residential
212.19 real property shall constitute prima facie evidence that this subdivision does not apply: "The
212.20 property is not residential real property."

212.21 (d) If the contract for deed is not in recordable form, within four months of the execution
212.22 of the contract for deed, the vendor must make a good faith effort to correct the defects that
212.23 rendered the contract unrecordable. A good faith effort includes but is not limited to
212.24 determining the reason or reasons why the contract was not in recordable form, and revising
212.25 and, if necessary, having all parties re-execute, the contract to render it in recordable form.
212.26 The vendee must, in good faith, cooperate with the vendor to the extent that cooperation is
212.27 necessary to correct the defects.

212.28 ~~(b)~~ (e) For purposes of this subdivision:

212.29 (1) "contract for deed" means an executory contract for the conveyance of residential
212.30 real property under which the seller provides financing for the purchase of the residential
212.31 real property and under which the purchaser does or has a right to go into possession.
212.32 Contract for deed does not include:

- 213.1 (i) a purchase agreement;
- 213.2 (ii) an earnest money contract;
- 213.3 (iii) an exercised option or a lease, including a lease with an option to purchase; or
- 213.4 (iv) a mortgage, as defined in section 287.01; and

213.5 (2) "residential real property" means real property ~~occupied, or intended to be occupied,~~
213.6 ~~by one to four families, if the purchaser intends to occupy the real property~~ consisting of
213.7 one to four family dwelling units, one of which is intended to be occupied as the principal
213.8 place of residence by:

- 213.9 (i) the purchaser;
- 213.10 (ii) if the purchaser is an entity, the natural person who is the majority or controlling
213.11 owner of the entity; or
- 213.12 (iii) if the purchaser is a trust, the settlor of the trust.

213.13 Residential real property does not include ~~property subject to a family farm security loan~~
213.14 ~~or~~ a transaction subject to sections 583.20 to 583.32.

213.15 (f) The performance of the obligations by the vendor required under this subdivision
213.16 satisfies any of the obligations of the original vendee, as required under subdivision 1.

213.17 (g) The requirements of this subdivision may not be waived or altered by any provision
213.18 in a contract for deed. A provision in a contract for deed to the contrary is void and
213.19 unenforceable.

213.20 **EFFECTIVE DATE.** This section is effective August 1, 2024, and applies to all contracts
213.21 for deed executed by all parties on or after that date.

213.22 Sec. 3. Minnesota Statutes 2022, section 507.235, subdivision 5, is amended to read:

213.23 Subd. 5. **Civil enforcement.** (a) A city in which the land is located or, if the land is not
213.24 located within a city, the county in which the land is located, may enforce the provisions
213.25 of this section. The city or county may bring an action to compel the recording of a contract
213.26 for deed or any assignments of a contract for deed, an action to impose the civil penalty, or
213.27 an action to compel disclosure of information.

213.28 (b) Prior to bringing an action under this subdivision to compel recording or to impose
213.29 the penalty, ~~or an action under subdivision 4,~~ the city or county must provide written notice
213.30 to the person, subject to subdivision 1, of the person's duty to record the contract for deed

214.1 or the assignment. If the person so notified fails to record the contract for deed or assignment
214.2 documents within 14 days of receipt of the notice, an action may be brought.

214.3 (c) It is an affirmative defense in an enforcement action under this section that the contract
214.4 for deed or assignment document is not recordable, or that section 272.121 prohibits the
214.5 recording of the contract for deed or assignment, and that the defendant has provided to the
214.6 city or county attorney true and correct copies of the documents within 14 days after receipt
214.7 of the notice.

214.8 (d) In an action brought under this subdivision, the city or county attorney may recover
214.9 costs and disbursements, including reasonable attorney fees.

214.10 **EFFECTIVE DATE.** This section is effective the day following final enactment.

214.11 Sec. 4. Minnesota Statutes 2022, section 513.73, subdivision 3, is amended to read:

214.12 Subd. 3. **Private transfer fee.** "Private transfer fee" means a fee or charge required by
214.13 a private transfer fee obligation and payable upon the transfer of an interest in real property,
214.14 or payable for the right to make or accept the transfer, regardless of whether the fee or
214.15 charge is a fixed amount or is determined as a percentage of the value of the property, the
214.16 purchase price, or other consideration given for the transfer. The following are not private
214.17 transfer fees for purposes of this section:

214.18 (1) consideration payable by the grantee to the grantor for the interest in real property
214.19 being transferred, including any subsequent additional consideration for the property payable
214.20 by the grantee based upon any subsequent appreciation, development, or sale of the property,
214.21 provided that the additional consideration is payable on a onetime basis only, and the
214.22 obligation to make the payment does not bind successors in title to the property. For the
214.23 purposes of this clause, an interest in real property may include a separate mineral estate
214.24 and its appurtenant surface access rights;

214.25 (2) commission payable to a licensed real estate broker for the transfer of real property
214.26 pursuant to an agreement between the broker and the grantor or the grantee, including any
214.27 subsequent additional commission for that transfer payable by the grantor or the grantee
214.28 based upon any subsequent appreciation, development, or sale of the property;

214.29 (3) interest, charges, fees, or other amounts payable by a borrower to a lender pursuant
214.30 to a loan secured by a mortgage against real property, including but not limited to a fee
214.31 payable to the lender for consenting to an assumption of the loan or a transfer of the real
214.32 property subject to the mortgage, fees, or charges payable to the lender for estoppel letters

215.1 or certificates, and shared appreciation interest or profit participation or other consideration
215.2 and payable to the lender in connection with the loan;

215.3 (4) rent, reimbursement, charge, fee, or other amount payable by a lessee to a lessor
215.4 under a lease, including but not limited to a fee payable to the lessor for consenting to an
215.5 assignment, subletting, encumbrance, or transfer of the lease;

215.6 (5) consideration payable to the holder of an option to purchase an interest in real property
215.7 or the holder of a right of first refusal or first offer to purchase an interest in real property
215.8 for waiving, releasing, or not exercising the option or right upon the transfer of the property
215.9 to another person;

215.10 ~~(6) consideration payable by a contract for deed vendee to the vendor pursuant to the~~
215.11 ~~terms of a recorded contract for deed, including any subsequent additional consideration~~
215.12 ~~for the property payable by the vendee based upon any subsequent appreciation, development,~~
215.13 ~~or sale of the property;~~

215.14 ~~(7)~~ (6) a tax, fee, charge, assessment, fine, or other amount payable to or imposed by a
215.15 governmental authority;

215.16 ~~(8)~~ (7) a fee, charge, assessment, fine, or other amount payable to a homeowner's
215.17 condominium, cooperative, mobile home, or property owner's association pursuant to a
215.18 declaration or covenant or law applicable to the association, including but not limited to
215.19 fees or charges payable for estoppel letters or certificates issued by the association or its
215.20 authorized agent;

215.21 ~~(9)~~ (8) a fee, a charge, an assessment, dues, a contribution, or other amount pertaining
215.22 to the purchase or transfer of a club membership relating to real property owned by the
215.23 member, including but not limited to any amount determined by reference to the value,
215.24 purchase price, or other consideration given for the transfer of the real property; and

215.25 ~~(10)~~ (9) a mortgage from the purchaser of real property granted to the seller or to a
215.26 licensed real estate broker.

215.27 **EFFECTIVE DATE.** This section is effective the day following final enactment.

215.28 Sec. 5. Minnesota Statutes 2022, section 559.21, subdivision 2a, is amended to read:

215.29 Subd. 2a. **For post 7/31/1985 contract.** If a default occurs in the conditions of a contract
215.30 for the conveyance of real estate or an interest in real estate executed on or after August 1,
215.31 1985, that gives the seller a right to terminate it, the seller may terminate the contract by
215.32 serving upon the purchaser or the purchaser's personal representatives or assigns, within or

216.1 outside of the state, a notice specifying the conditions in which default has been made. The
216.2 notice must state that the contract will terminate 60 days, or a shorter period allowed or a
216.3 longer period required in subdivision 4, after the service of the notice, unless prior to the
216.4 termination date the purchaser:

216.5 (1) complies with the conditions in default;

216.6 (2) makes all payments due and owing to the seller under the contract through the date
216.7 that payment is made;

216.8 (3) pays the costs of service of the notice, including the reasonable costs of service by
216.9 sheriff, public officer, or private process server; except payment of costs of service is not
216.10 required unless the seller notifies the purchaser of the actual costs of service by certified
216.11 mail to the purchaser's last known address at least ten days prior to the date of termination;

216.12 (4) except for earnest money contracts, purchase agreements, and exercised options,
216.13 pays two percent of any amount in default at the time of service, not including the final
216.14 balloon payment, any taxes, assessments, mortgages, or prior contracts that are assumed by
216.15 the purchaser; and

216.16 (5) if the contract for deed is executed on or after August 1, 2024, pays an amount to
216.17 apply on attorneys' fees actually expended or incurred of \$1,000; if the contract is executed
216.18 on or after August 1, 1999, and before August 1, 2024, pays an amount to apply on attorneys'
216.19 fees actually expended or incurred, of \$250 if the amount in default is less than \$1,000, and
216.20 of \$500 if the amount in default is \$1,000 or more; or if the contract is executed before
216.21 August 1, 1999, pays an amount to apply on attorneys' fees actually expended or incurred,
216.22 of \$125 if the amount in default is less than \$750, and of \$250 if the amount in default is
216.23 \$750 or more; except that no amount for attorneys' fees is required to be paid unless some
216.24 part of the conditions of default has existed for at least 30 days prior to the date of service
216.25 of the notice.

216.26 **EFFECTIVE DATE.** This section is effective August 1, 2024.

216.27 Sec. 6. Minnesota Statutes 2022, section 559.21, subdivision 4, is amended to read:

216.28 Subd. 4. **Law prevails over contract; procedure; conditions.** (a) The notice required
216.29 by this section must be given notwithstanding any provisions in the contract to the contrary,
216.30 except that (1) earnest money contracts, purchase agreements, and exercised options that
216.31 are subject to this section may, unless by their terms they provide for a longer termination
216.32 period, be terminated on 30 days' notice, or may be canceled under section 559.217 and (2)
216.33 contracts for deed executed by an investor seller shall be terminated on 90 days' notice. The

217.1 notice must be served within the state in the same manner as a summons in the district court,
217.2 and outside of the state, in the same manner, and without securing any sheriff's return of
217.3 not found, making any preliminary affidavit, mailing a copy of the notice or doing any other
217.4 preliminary act or thing whatsoever. Service of the notice outside of the state may be proved
217.5 by the affidavit of the person making the same, made before an authorized officer having
217.6 a seal, and within the state by such an affidavit or by the return of the sheriff of any county
217.7 therein.

217.8 (b) If a person to be served is a resident individual who has departed from the state, or
217.9 cannot be found in the state; or is a nonresident individual or a foreign corporation,
217.10 partnership, or association, service may be made by publication as provided in this paragraph.
217.11 Three weeks' published notice has the same effect as personal service of the notice. The
217.12 published notice must comply with subdivision 3 and state (1) that the person to be served
217.13 is allowed 90 days after the first date of publication of the notice to comply with the
217.14 conditions of the contract, and (2) that the contract will terminate 90 days after the first date
217.15 of publication of the notice, unless before the termination date the purchaser complies with
217.16 the notice. If the real estate described in the contract is actually occupied, then, in addition
217.17 to publication, a person in possession must be personally served, in like manner as the
217.18 service of a summons in a civil action in state district court, within 30 days after the first
217.19 date of publication of the notice. If an address of a person to be served is known, then within
217.20 30 days after the first date of publication of the notice a copy of the notice must be mailed
217.21 to the person's last known address by first class mail, postage prepaid.

217.22 (c) The contract is reinstated if, within the time mentioned, the person served:

217.23 (1) complies with the conditions in default;

217.24 (2) if subdivision 1d or 2a applies, makes all payments due and owing to the seller under
217.25 the contract through the date that payment is made;

217.26 (3) pays the costs of service as provided in subdivision 1b, 1c, 1d, or 2a;

217.27 (4) if subdivision 2a applies, pays two percent of the amount in default, not including
217.28 the final balloon payment, any taxes, assessments, mortgages, or prior contracts that are
217.29 assumed by the purchaser; and

217.30 (5) pays attorneys' fees as provided in subdivision 1b, 1c, 1d, or 2a.

217.31 (d) The contract is terminated if the provisions of paragraph (c) are not met.

217.32 (e) In the event that the notice was not signed by an attorney for the seller and the seller
217.33 is not present in the state, or cannot be found in the state, then compliance with the conditions

218.1 specified in the notice may be made by paying to the court administrator of the district court
218.2 in the county wherein the real estate or any part thereof is situated any money due and filing
218.3 proof of compliance with other defaults specified, and the court administrator of the district
218.4 court shall be deemed the agent of the seller for such purposes. A copy of the notice with
218.5 proof of service thereof, and the affidavit of the seller, the seller's agent or attorney, showing
218.6 that the purchaser has not complied with the terms of the notice, may be recorded with the
218.7 county recorder or registrar of titles, and is prima facie evidence of the facts stated in it; but
218.8 this section in no case applies to contracts for the sale or conveyance of lands situated in
218.9 another state or in a foreign country. If the notice is served by publication, the affidavit must
218.10 state that the affiant believes that the party to be served is not a resident of the state, or
218.11 cannot be found in the state, and either that the affiant has mailed a copy of the notice by
218.12 first class mail, postage prepaid, to the party's last known address, or that such address is
218.13 not known to the affiant.

218.14 (f) No notice under this section may be given for a contract for deed executed by an
218.15 investor seller unless, at least 30 days prior to the service of the notice, some part of the
218.16 conditions of default has existed and the investor seller has notified the purchaser of such
218.17 conditions of default by certified mail to the purchaser's last known address.

218.18 (g) For purposes of this subdivision, "investor seller" has the meaning given in section
218.19 559A.01, subdivision 6.

218.20 **EFFECTIVE DATE.** This section is effective August 1, 2024.

218.21 Sec. 7. Minnesota Statutes 2022, section 559.21, is amended by adding a subdivision to
218.22 read:

218.23 **Subd. 4a. Termination prohibited for certain transfers regarding residential real**
218.24 **property.** (a) Notwithstanding any provisions in a contract for deed to the contrary, the
218.25 notice under this section may not be given and no other remedies may be exercised for any
218.26 contract for deed based on any of the following transfers:

218.27 (1) a transfer on death deed conveying or assigning the deceased purchaser's interest in
218.28 the property to a grantee beneficiary;

218.29 (2) a transfer by devise, descent, or operation of law on the death of a joint tenant occurs;

218.30 (3) a transfer by which the spouse or children of the purchaser become an owner of the
218.31 property;

219.1 (4) a transfer resulting from a decree of a dissolution of marriage, legal separation
219.2 agreement, or from an incidental property settlement agreement, by which the spouse of
219.3 the purchaser becomes an owner of the property; or

219.4 (5) a transfer into an inter vivos trust by which the purchaser is and remains a beneficiary
219.5 and which does not relate to a transfer of rights of occupancy in the property.

219.6 (b) For the purposes of this subdivision, "contract for deed" has the meaning given in
219.7 section 507.235, subdivision 1a, paragraph (e).

219.8 **EFFECTIVE DATE.** This section is effective August 1, 2024, and applies to all contracts
219.9 for deed executed by all parties on or after that date.

219.10 Sec. 8. Minnesota Statutes 2022, section 559.21, is amended by adding a subdivision to
219.11 read:

219.12 Subd. 4b. **Termination prohibited if vendor fails to record contracts for deed**
219.13 **involving residential real property.** (a) Notwithstanding subdivision 2a or any provision
219.14 to the contrary in a contract for deed, a vendor may not terminate a contract for deed under
219.15 this section if the contract has not been recorded as required under section 507.235,
219.16 subdivision 1a, paragraph (b), and the vendor has failed to make a good faith effort to record
219.17 the contract as provided under section 507.235, subdivision 1a, paragraph (d).

219.18 (b) Nothing contained in this subdivision bars judicial termination of a contract for deed.

219.19 (c) For the purposes of this subdivision, "contract for deed" has the meaning given in
219.20 section 507.235, subdivision 1a, paragraph (e).

219.21 **EFFECTIVE DATE.** This section is effective August 1, 2024, and applies to all contracts
219.22 for deed executed by all parties on or after that date.

219.23 Sec. 9. Minnesota Statutes 2022, section 559.21, is amended by adding a subdivision to
219.24 read:

219.25 Subd. 9. **Affidavit of seller constituting prima facie evidence.** In any instance where
219.26 the copy of the notice of default, proof of service of the notice, and an affidavit showing
219.27 that the purchaser has not complied with the terms of the notice have been or may be
219.28 recorded, an affidavit of the seller, the seller's agent, or attorney verified by a person having
219.29 knowledge of the facts and attesting that the property is not residential real property, the
219.30 seller is not an investor seller or the seller has complied with the requirements of subdivision
219.31 4, paragraph (f), may be recorded with the county recorder or registrar of titles and is prima
219.32 facie evidence of the facts stated in the affidavit.

220.1 **EFFECTIVE DATE.** This section is effective August 1, 2024, and applies to contracts
220.2 for deed executed by all parties on or after that date.

220.3 Sec. 10. Minnesota Statutes 2022, section 559.211, subdivision 1, is amended to read:

220.4 Subdivision 1. **Order; proceedings; security.** (a) In an action arising under or in relation
220.5 to a contract for the conveyance of real estate or any interest therein, the district court,
220.6 notwithstanding the service or publication pursuant to the provisions of section 559.21 of
220.7 a notice of termination of the contract, has the authority at any time prior to the effective
220.8 date of termination of the contract and subject to the requirements of rule 65 of the Rules
220.9 of Civil Procedure for the District Courts to enter an order temporarily restraining or enjoining
220.10 further proceedings to effectuate the termination of the contract, including recording of the
220.11 notice of termination with proof of service, recording of an affidavit showing noncompliance
220.12 with the terms of the notice, taking any action to recover possession of the real estate, or
220.13 otherwise interfering with the purchaser's lawful use of the real estate. In the action, the
220.14 purchaser may plead affirmatively any matter that would constitute a defense to an action
220.15 to terminate the contract.

220.16 (b) Upon a motion for a temporary restraining order the court has the discretion,
220.17 notwithstanding any rule of court to the contrary, to grant the order without requiring the
220.18 giving of any security or undertaking, and in exercising that discretion, the court shall
220.19 consider, as one factor, the moving party's ability to afford monetary security. Upon a motion
220.20 for a temporary injunction, the court shall condition the granting of the order either upon
220.21 the tender to the court or vendor of installments as they become due under the contract or
220.22 upon the giving of other security in a sum as the court deems proper. Upon written
220.23 application, the court may disburse from payments tendered to the court an amount the court
220.24 determines necessary to insure the timely payment of property taxes, property insurance,
220.25 installments of special assessments, mortgage installments, prior contract for deed
220.26 installments or other similar expenses directly affecting the real estate, or for any other
220.27 purpose the court deems just.

220.28 (c) If a temporary restraining order or injunction is granted pursuant to this subdivision,
220.29 the contract shall not terminate until the expiration of 15 days after the entry of the order
220.30 or decision dissolving or modifying the temporary restraining order or injunction. If the
220.31 vendor has made an appearance and the restraining order or injunction is granted, the court
220.32 may award court filing fees, reasonable attorneys' fees, and costs of service to the purchaser.

220.33 (d) If the court subsequently grants permanent relief to the purchaser or determines by
220.34 final order or judgment that the notice of termination was invalid or the purchaser asserted

221.1 a valid defense, the purchaser is entitled to an order granting court filing fees, reasonable
221.2 attorneys' fees, and costs of service.

221.3 **EFFECTIVE DATE.** This section is effective August 1, 2024.

221.4 Sec. 11. Minnesota Statutes 2022, section 559.213, is amended to read:

221.5 **559.213 PRIMA FACIE EVIDENCE OF TERMINATION.**

221.6 The recording, heretofore or hereafter, of the copy of notice of default, proof of service
221.7 thereof, and the affidavit showing that the purchaser has not complied with the terms of the
221.8 notice, provided for by ~~Minnesota Statutes 1941~~, section 559.21, shall be prima facie evidence
221.9 that the contract referred to in such notice has been terminated. It shall not be necessary to
221.10 pay current or delinquent real estate taxes owed on the real property which is the subject of
221.11 the contract to record the documents required by this section, provided that the documents
221.12 must be first presented to the county auditor for entry upon the transfer record and must
221.13 have "Transfer Entered" noted in them over the county auditor's official signature.

221.14 **EFFECTIVE DATE.** This section is effective the day following final enactment.

221.15 Sec. 12. **[559A.01] CONTRACTS FOR DEED INVOLVING INVESTOR SELLERS**
221.16 **AND RESIDENTIAL REAL PROPERTY; DEFINITIONS.**

221.17 Subdivision 1. **Application.** The definitions in this section apply to sections 559A.01
221.18 to 559A.05.

221.19 Subd. 2. **Balloon payment.** "Balloon payment" means a scheduled payment of principal,
221.20 interest, or both under a contract for deed that is significantly larger than the regular
221.21 installment payments and that may be due prior to the end of the contract term or may be
221.22 the final payment that satisfies the contract.

221.23 Subd. 3. **Churning.** "Churning" means the act of an investor seller executing a contract
221.24 for deed on or after August 1, 2024, if previously the investor had frequently or repeatedly
221.25 executed contracts for deed and subsequently terminated those contracts under section
221.26 559.21.

221.27 Subd. 4. **Contract for deed.** "Contract for deed" has the meaning given in section
221.28 507.235, subdivision 1a.

221.29 Subd. 5. **Investor seller.** (a) "Investor seller" means a person entering into a contract
221.30 for deed to sell residential real property, or, in the event of a transfer or assignment of the
221.31 seller's interest, the holder of the interest.

222.1 (b) An investor seller does not include a person entering into a contract for deed who
222.2 is:

222.3 (1) a natural person who has owned and occupied the residential real property as the
222.4 natural person's primary residence for a continuous 12-month period at any time prior to
222.5 the execution of the contract for deed;

222.6 (2) any spouse, parent, child, sibling, grandparent, grandchild, uncle, aunt, niece, nephew,
222.7 or cousin of the natural person;

222.8 (3) a personal representative of the natural person;

222.9 (4) a devisee of the natural person;

222.10 (5) a grantee under a transfer on death deed made by the natural person; or

222.11 (6) a trust whose settlor is the natural person;

222.12 (7) a trust whose beneficiary is a natural person where the trust or the natural person, or
222.13 a combination of the two, has owned, and the natural person has occupied, the residential
222.14 real property as the natural person's primary residence for a continuous 12-month period at
222.15 any time prior to the execution of the contract for deed, or any spouse, parent, child, sibling,
222.16 grandparent, grandchild, uncle, aunt, niece, nephew, or cousin of the natural person;

222.17 (8) a natural person selling on contract for deed to any spouse, parent, child, sibling,
222.18 grandparent, grandchild, uncle, aunt, niece, nephew, or cousin;

222.19 (9) a bank, credit union, or residential mortgage originator that is under the supervision
222.20 of or regulated by the Office of the Comptroller of the Currency, the Federal Deposit
222.21 Insurance Corporation, the National Credit Union Administration, or the Minnesota
222.22 Department of Commerce;

222.23 (10) a natural person who has owned and leased the residential real property to the
222.24 purchaser for at least the prior two years; or

222.25 (11) the person who built the dwelling on the residential real estate and the dwelling has
222.26 not previously been occupied.

222.27 (c) If, substantially contemporaneous with the execution of the contract for deed, the
222.28 seller's interest is assigned or transferred to a person who does not meet any of the
222.29 qualifications of paragraph (b), the assignee or transferee shall be deemed to be an investor
222.30 seller who has executed the contract for deed.

222.31 Subd. 6. **Person.** "Person" means a natural person, partnership, corporation, limited
222.32 liability company, association, trust, or other legal entity, however organized.

223.1 Subd. 7. **Purchase agreement.** "Purchase agreement" means a purchase agreement for
223.2 a contract for deed, an earnest money contract, or an executed option contemplating that,
223.3 at closing, the investor seller and the purchaser will enter into a contract for deed.

223.4 Subd. 8. **Purchaser.** "Purchaser" means a person who executes a contract for deed to
223.5 purchase residential real property. Purchaser includes all purchasers who execute the same
223.6 contract for deed to purchase residential real property.

223.7 Subd. 9. **Residential real property.** "Residential real property" means real property
223.8 consisting of one to four family dwelling units, one of which is intended to be occupied as
223.9 the principal place of residence by:

223.10 (1) the purchaser;

223.11 (2) if the purchaser is an entity, the natural person who is the majority or controlling
223.12 owner of the entity; or

223.13 (3) if the purchaser is a trust, the settlor or beneficiary of the trust.

223.14 Residential real property does not include a transaction subject to sections 583.20 to 583.32.

223.15 **EFFECTIVE DATE.** This section is effective August 1, 2024, and applies to contracts
223.16 for deed executed by all parties on or after that date.

223.17 Sec. 13. **[559A.02] APPLICABILITY.**

223.18 This chapter applies only to residential real property where a purchaser is entering into
223.19 a contract for deed with an investor seller. Either of the following statements included in a
223.20 contract for deed in which the property is not residential real property or the seller is not an
223.21 investor seller shall constitute prima facie evidence that this chapter does not apply to the
223.22 contract for deed: "The property is not residential real property" or "The seller is not an
223.23 investor seller." A person examining title to the property may rely on either statement.

223.24 **EFFECTIVE DATE.** This section is effective August 1, 2024, and applies to contracts
223.25 for deed executed by all parties on or after that date.

223.26 Sec. 14. **[559A.03] CONTRACTS FOR DEED INVOLVING INVESTOR SELLERS**
223.27 **AND RESIDENTIAL REAL PROPERTY; DISCLOSURES.**

223.28 Subdivision 1. **Disclosures required.** (a) In addition to the disclosures required under
223.29 sections 513.52 to 513.61, an investor seller must deliver to a prospective purchaser the
223.30 disclosures specified under this section and instructions for cancellation as provided under
223.31 section 559A.04, subdivision 2, paragraph (b).

(b) The disclosures must be affixed to the front of any purchase agreement executed between an investor seller and a prospective purchaser. The investor seller may not enter into a contract for deed with a prospective purchaser earlier than ten calendar days after the execution of the purchase agreement by all parties and provision by the investor seller of the disclosures required under this section and instructions for cancellation as required under section 559A.04, subdivision 2, paragraph (b).

(c) If there is no purchase agreement, an investor seller must provide the disclosures required under this section to the prospective purchaser no less than ten calendar days before the prospective purchaser executes the contract for deed. The disclosures must be provided in a document separate from the contract for deed. The investor seller may not enter into a contract for deed with a prospective purchaser earlier than ten calendar days after providing the disclosures to the prospective purchaser.

(d) The first page of the disclosures must contain the disclosures required in subdivisions 2, 3, and 4 of this section, in that order. The title must be centered, be in bold, capitalized, and underlined 20-point type, and read "IMPORTANT INFORMATION YOU NEED TO KNOW." The disclosures required under subdivisions 5 and 6 must follow in subsequent pages in that order.

(e) The investor seller must acknowledge delivery, and the purchaser must acknowledge receipt, of the disclosures by signing and dating the disclosures. The acknowledged disclosures shall constitute prima facie evidence that the disclosures have been provided as required by this section.

Subd. 2. **Disclosure of balloon payment.** (a) The investor seller must disclose the amount and due date of, if any, all balloon payments. For purposes of disclosure of a balloon payment, the investor seller may assume that all prior scheduled payments were timely made and no prepayments were made. If there is more than one balloon payment due, each one must be listed separately.

(b) The disclosure must be in the following form, with the title in 14-point type and the text in 12-point type:

"BALLOON PAYMENT"

This contract contains a lump-sum balloon payment or several balloon payments. When the final balloon payment comes due, you may need to get mortgage or other financing to pay it off (or you will have to sell the property). Even if you are able to sell the property, you may not get back all the money you paid for it.

225.1 If you can't come up with this large amount - even if you have made all your monthly
225.2 payments - the seller can cancel the contract.

225.3 **Amount of Balloon Payment** **When Balloon Payment is Due**

225.4 **\$ (amount)** **(month, year)"**

225.5 **Subd. 3. Disclosure of price paid by investor seller to acquire property.** (a) The
225.6 investor seller must disclose to the purchaser the purchase price and the date of earliest
225.7 acquisition of the property by the investor seller, unless the acquisition occurs more than
225.8 two years prior to the execution of the contract for deed.

225.9 (b) The disclosure must be in the following form, with the title in 14-point type and the
225.10 text in 12-point type:

225.11 **"INVESTOR SELLER'S PRICE TO BUY HOUSE BEING SOLD TO BUYER**

225.12 **Date Investor Seller Acquired Property:**

225.13 (date seller acquired ownership)

225.14 **Price Paid by Investor Seller to Acquire the Property:**

225.15 \$ (total purchase price paid by seller to acquire ownership)

225.16 **Contract for Deed Purchase Price:**

225.17 \$ (total sale price to the purchaser under the contract)"

225.18 (c) For the purposes of this subdivision, unless the acquisition occurred more than one
225.19 year prior to the execution of the contract for deed, the person who first acquires the property
225.20 is deemed to be the same person as the investor seller where the person who first acquires
225.21 the property:

225.22 (1) is owned or controlled, in whole or in part, by the investor seller;

225.23 (2) owns or controls, in whole or in part, the investor seller;

225.24 (3) is under common ownership or control, in whole or in part, with the investor seller;

225.25 (4) is a spouse, parent, child, sibling, grandparent, grandchild, uncle, aunt, niece, nephew,
225.26 or cousin of the investor seller, or of the natural person who owns or controls, in whole or
225.27 in part, the investor seller; or

225.28 (5) is an entity owned or controlled, in whole or in part, by a person who is a spouse,
225.29 parent, child, sibling, grandparent, grandchild, uncle, aunt, niece, nephew, or cousin of the

226.1 investor seller, or of the natural person who owns or controls, in whole or in part, the investor
226.2 seller.

226.3 Subd. 4. **Disclosure of other essential terms.** (a) An investor seller must disclose to
226.4 the prospective purchaser the purchase price, the annual interest rate, the amount of any
226.5 down payment, and whether the purchaser is responsible for any or all of the following:
226.6 paying property taxes, acquiring homeowner's insurance, making repairs, and maintaining
226.7 the property.

226.8 (b) The disclosure must be in the following form, with the title in 14-point type and the
226.9 text in 12-point type:

226.10 **"COSTS AND ESSENTIAL TERMS"**

226.11	<u>1. Purchase Price:</u>	<u>\$ (price)</u>
226.12	<u>2. Annual Interest Rate:</u>	<u>(interest rate) %</u>
226.13	<u>3. Down payment:</u>	<u>\$ (down payment)</u>
226.14	<u>4. Monthly/Period Installments:</u>	<u>\$ (amount of installment payment)</u>

226.15 5. Taxes, Homeowner's Insurance, Repairs and Maintenance:

226.16 You (seller must circle one):

226.17	<u>(a) DO</u>	<u>DO NOT</u>	<u>have to pay property taxes</u>
226.18			<u>have to pay homeowner's</u>
226.19	<u>(b) DO</u>	<u>DO NOT</u>	<u>insurance</u>
226.20			<u>responsible for repairs and</u>
226.21	<u>(c) ARE</u>	<u>ARE NOT</u>	<u>maintenance."</u>

226.22 Subd. 5. **General disclosure.** (a) An investor seller must provide the prospective
226.23 purchaser with a general disclosure about contracts for deeds as provided in this subdivision.

226.24 (b) The disclosure must be in the following form, with the title in 18-point type, the titles
226.25 of the sections in 14-point type and underlined, and the text of each section in 12-point type,
226.26 with a double space between each section:

226.27 **"KNOW WHAT YOU ARE GETTING INTO BEFORE YOU SIGN"**

226.28 **1. How Contracts for Deed Work**

226.29 A contract for deed is a complicated legal arrangement. Be sure you know exactly what
226.30 you are getting into before you sign a contract for deed. A contract for deed is **NOT** a
226.31 mortgage. Minnesota's foreclosure protections do **NOT** apply.

227.1 **You should get advice from a lawyer or the Minnesota Homeownership Center**
227.2 **before you sign the contract.** You can contact the Homeownership Center at
227.3 1-(866)-462-6466 or go to www.hocmn.org.

227.4 **2. What If I Can't Make My Payments?**

227.5 If you don't make your monthly installment payment or the balloon payment, the seller
227.6 can cancel the contract in only 120 days from the date you missed the payment. If the
227.7 contract is canceled, **you lose your home and all the money you have paid, including**
227.8 **any down payment, all the monthly payments, and any improvements to the property**
227.9 **you have made.**

227.10 If the contract contains a final lump-sum "balloon payment," you will need to get a
227.11 mortgage or other financing to pay it off (**or you will have to sell the property**). If you
227.12 can't come up with this large amount - even if you have made all your monthly payments
227.13 - the seller can cancel the contract. **Even if you are able to sell the property, you may not**
227.14 **get back all the money you have paid for it.**

227.15 **3. BEFORE YOU SIGN, YOU SHOULD:**

227.16 **A. Get an Independent, Professional Appraisal** of the property to learn what it's worth
227.17 and make sure you are not overpaying for the house.

227.18 **B. Get an Independent, Professional Inspection** of the property because you will
227.19 probably be responsible for maintaining and making repairs on the house.

227.20 **C. Buy Title Insurance** from a title insurance company or ask a lawyer for a "title
227.21 opinion" to address or minimize potential title problems.

227.22 **4. YOUR RIGHTS BEFORE YOU SIGN**

227.23 **A. Waiting Period After Getting Disclosures** There is a 10 calendar day waiting period
227.24 after you get these disclosures. The contract for deed cannot be signed by you or the seller
227.25 during that 10 calendar day period.

227.26 **B. Canceling a Purchase Agreement** You have 10 calendar days after you get these
227.27 disclosures to cancel your purchase agreement and get back any money you paid."

227.28 Subd. 6. **Amortization schedule.** In a document separate from all others, an investor
227.29 seller must provide to the prospective purchaser an amortization schedule consistent with
227.30 the contract for deed, including the portion of each installment payment that will be applied
227.31 to interest and to principal and the amount and due date of any balloon payments.

228.1 Subd. 7. **Disclosures in other languages.** If the contract was advertised or primarily
228.2 negotiated with the purchaser in a language other than English, the investor seller must
228.3 provide the disclosures required in this section in the language in which the contract was
228.4 advertised or primarily negotiated.

228.5 Subd. 8. **No waiver.** The provisions of this section may not be waived.

228.6 Subd. 9. **Effects of violation.** Except as provided in section 559A.05, subdivision 2, a
228.7 violation of this section has no effect on the validity of the contract for deed.

228.8 **EFFECTIVE DATE.** This section is effective August 1, 2024, and applies to contracts
228.9 for deed executed by all parties on or after that date.

228.10 Sec. 15. **[559A.04] CONTRACTS FOR DEED INVOLVING INVESTOR SELLERS**
228.11 **AND RESIDENTIAL REAL PROPERTY; RIGHTS AND REQUIREMENTS.**

228.12 Subdivision 1. **Requirement of investor seller if property subject to mortgage.** An
228.13 investor may not execute a contract for deed that is subject to a mortgage with a due-on-sale
228.14 clause and not expressly assumed by the contract for deed purchaser unless the investor
228.15 seller has:

228.16 (1) procured a binding agreement with the mortgage holder whereby the holder either
228.17 consents to the sale of the property to the purchaser by contract for deed or agrees not to
228.18 exercise the holder's rights under a due-on-sale clause in the mortgage based on the contract
228.19 for deed; and

228.20 (2) in the contract:

228.21 (i) disclosed the existence of the investor seller's mortgage;

228.22 (ii) covenants that the investor seller will perform all obligations under the mortgage;
228.23 and

228.24 (iii) expressly represents to the purchaser that the seller has procured the binding
228.25 agreement required under clause (1).

228.26 Subd. 2. **Right to cancel purchase agreement.** (a) A prospective purchaser may cancel
228.27 a purchase agreement prior to the execution by all parties of the contract for deed or within
228.28 ten calendar days of receiving the disclosures required under section 559A.03, whichever
228.29 is earlier. A purchaser's execution of the contract for deed earlier than ten calendar days of
228.30 receiving the disclosures shall not excuse, constitute a waiver of, or constitute a defense
228.31 regarding an investor seller's violation of section 559A.03, subdivision 1, paragraph (b) or
228.32 (c).

229.1 (b) In addition to the disclosures required under section 559A.03, an investor seller must
229.2 provide the prospective purchaser with notice of the person to whom, and the mailing address
229.3 to where, cancellation of the purchase agreement must be delivered or sent. Cancellation
229.4 of the purchase agreement is effective upon personal delivery or upon mailing.

229.5 (c) In the event of cancellation or if no purchase agreement has been signed and the
229.6 prospective purchaser elects not to execute the contract for deed, the investor seller may
229.7 not impose a penalty or fee and must promptly refund all payments made by the prospective
229.8 purchaser.

229.9 Subd. 3. **Duty of investor seller to account.** The investor seller must inform the purchaser
229.10 in a separate writing of the right to request an annual accounting. Upon reasonable written
229.11 request by the purchaser and no more than once every calendar year, an investor seller must
229.12 provide an accounting of:

229.13 (1) all payments made pursuant to the contract for deed during the prior calendar year
229.14 with payments allocated between interest and principal;

229.15 (2) any delinquent payments;

229.16 (3) the total principal amount remaining to satisfy the contract for deed; and

229.17 (4) the anticipated amounts and due dates of all balloon payments.

229.18 Subd. 4. **Churning prohibited.** (a) An investor seller is prohibited from churning. There
229.19 is a rebuttable presumption that the investor seller has violated this subdivision if, on or
229.20 after August 1, 2024, the investor seller executes a contract for deed and, within the previous
229.21 48 months, the investor seller either:

229.22 (1) had completed two or more termination proceedings under section 559.21 on the
229.23 same residential real property being sold by the contract for deed; or

229.24 (2) had completed four or more termination proceedings under section 559.21 on contracts
229.25 for deed for any residential real property, where terminated contracts comprise 20 percent
229.26 or more of all contracts executed by the investor seller during that period.

229.27 (b) Nothing contained in this subdivision or in section 559A.01, subdivision 3, shall
229.28 invalidate, impair, affect, or give rise to any cause of action with respect to any contract for
229.29 deed or termination proceeding under section 559.21 used as a predicate to establish the
229.30 presumption under paragraph (a).

230.1 (c) For the purposes of this subdivision, a person who sold residential real property on
230.2 a contract for deed is deemed to be the same person as the investor seller where the person
230.3 who sold on a contract for deed:

230.4 (1) is owned or controlled, in whole or in part, by the investor seller;

230.5 (2) owns or controls, in whole or in part, the investor seller;

230.6 (3) is under common ownership or control, in whole or in part, with the investor seller;

230.7 (4) is a spouse, parent, child, sibling, grandparent, grandchild, uncle, aunt, niece, nephew,
230.8 or cousin of the investor seller, or of the natural person who owns or controls, in whole or
230.9 in part, the investor seller; or

230.10 (5) is an entity owned or controlled, in whole or in part, by a person who is a spouse,
230.11 parent, child, sibling, grandparent, grandchild, uncle, aunt, niece, nephew, or cousin of the
230.12 investor seller, or of the natural person who owns or controls, in whole or in part, the investor
230.13 seller.

230.14 Subd. 5. Duty of investor seller to refund down payments. (a) If an investor seller
230.15 terminates a contract for deed under section 559.21 within 48 months of executing the
230.16 contract, any portion of the down payment that exceeded ten percent of the purchase price
230.17 shall be refunded to the purchaser within 180 days of the termination of the contract.

230.18 (b) Upon delivery to the purchaser by the investor seller of reasonable documentation
230.19 that any of the following expenses were incurred or taxes and contract payments were
230.20 unpaid, an investor seller may offset against the refund for, as applicable:

230.21 (1) any unpaid real estate taxes for the period prior to termination of the contract;

230.22 (2) any unpaid insurance premiums for the period prior to termination of the contract
230.23 incurred by the investor seller;

230.24 (3) the reasonable cost of necessary repairs for damage to the residential real property
230.25 caused by the purchaser, beyond ordinary wear and tear, incurred by the investor seller;

230.26 (4) attorney fees, not to exceed \$1,000, and costs of service incurred in connection with
230.27 the termination of the contract;

230.28 (5) any unpaid utility arrears for the period prior to termination of the contract incurred
230.29 by the investor seller; and

230.30 (6) one-half of the unpaid monthly contract installment payments, exclusive of balloon
230.31 payments, that accrued prior to termination of the contract.

231.1 (c) If the purchaser disputes any amount that an investor seller claims as the refund or
231.2 an offset, the purchaser may commence an action in district court or conciliation court to
231.3 determine the amount of the refund or the offsets and recover any money owed by the
231.4 investor seller to the purchaser. The purchaser is entitled to recover from the investor seller
231.5 any portion of the down payment that the court finds is owed by the investor seller to the
231.6 purchaser not previously paid to the purchaser. Any attorney expressly authorized by the
231.7 investor seller to receive payments in the notice of termination is designated as the attorney
231.8 who may receive service as agent for the investor seller in such action in the same manner
231.9 as provided in section 559.21, subdivision 8.

231.10 **EFFECTIVE DATE.** This section is effective August 1, 2024, and applies to contracts
231.11 for deed executed by all parties on or after that date.

231.12 Sec. 16. **[559A.05] CONTRACTS FOR DEED INVOLVING INVESTOR SELLERS**
231.13 **AND RESIDENTIAL REAL PROPERTY; REMEDIES FOR VIOLATION.**

231.14 Subdivision 1. **Definition.** For the purposes of this section, "material violation of section
231.15 559A.03" means:

231.16 (1) if applicable, failure to disclose any balloon payment as required under section
231.17 559A.03, subdivision 2;

231.18 (2) failure to disclose the price paid by the investor seller under the contract for deed to
231.19 acquire property as required under section 559A.03, subdivision 3;

231.20 (3) failure to disclose the other essential terms of the contract as required under section
231.21 559A.03, subdivision 4;

231.22 (4) failure to provide the general disclosure in substantially the form required under
231.23 section 559A.03, subdivision 5;

231.24 (5) failure to disclose the amortization schedule as required under section 559A.03,
231.25 subdivision 6;

231.26 (6) a violation of section 559A.03, subdivision 1, paragraph (b) or (c);

231.27 (7) a violation of section 559A.03, subdivision 7; or

231.28 (8) a material omission or misstatement of any of the information required to be disclosed
231.29 under section 559A.03.

231.30 Subd. 2. **Remedy for violation of disclosure requirements or churning.** (a)
231.31 Notwithstanding any provision in the purchase agreement or contract for deed to the contrary,
231.32 a purchaser may, within two years of the execution of the contract for deed, bring an action

232.1 for relief for a material violation of section 559A.03 or a violation of 559A.04, subdivision
232.2 4. A prevailing purchaser may rescind a contract and, in conjunction with the rescission,
232.3 may recover against the investor seller a sum equal to:

232.4 (1) all amounts paid by the purchaser under the contract for deed, including payments
232.5 to third parties, less the fair rental value of the residential real property for the period of
232.6 time the purchaser was in possession of the property;

232.7 (2) the reasonable value of any improvements to the residential real property made by
232.8 the purchaser;

232.9 (3) actual, consequential, and incidental damages; and

232.10 (4) reasonable attorneys' fees and costs.

232.11 (b) A claim for rescission and a money judgment awarded under this subdivision shall
232.12 not affect any rights or responsibilities of a successor in interest to the investor seller prior
232.13 to the filing of a lis pendens in the action in which such relief is sought, unless it is established
232.14 by clear and convincing evidence that the successor in interest had prior knowledge that
232.15 the contract for deed was executed in violation of the requirements of section 559A.03 or
232.16 559A.04, subdivision 4.

232.17 (c) A purchaser barred under paragraph (b) from making a claim against a successor in
232.18 interest to the investor seller may, within two years of the execution of the contract for deed,
232.19 bring a claim for violation of the requirements of section 559A.03 or 559A.04, subdivision
232.20 4, against the original investor seller who entered into the contract for deed and may recover
232.21 the greater of actual damages or statutory damages of \$5,000, plus reasonable attorneys'
232.22 fees and costs. The original investor seller shall have no claim for indemnification or
232.23 contribution against the successor in interest.

232.24 **Subd. 3. Remedy for failure of investor seller to procure agreement with mortgage**
232.25 **holder. (a) If a mortgage holder commences foreclosure of its mortgage based on the sale**
232.26 **to a purchaser under the contract for deed and notwithstanding any provision in the purchase**
232.27 **agreement or contract for deed to the contrary, a purchaser may bring an action for the**
232.28 **failure of the investor seller to procure the agreement with the mortgage holder as required**
232.29 **under section 559A.04, subdivision 2. A prevailing purchaser may rescind a contract and**
232.30 **may recover against the investor seller a sum equal to:**

232.31 (1) all amounts paid by the purchaser under the contract for deed, including payments
232.32 to third parties, less the fair rental value of the residential real property for the period of
232.33 time the purchaser was in possession of the property;

233.1 (2) the reasonable value of any improvements to the residential real property made by
233.2 the purchaser;

233.3 (3) actual, consequential, and incidental damages; and

233.4 (4) reasonable attorneys' fees and costs.

233.5 (b) An action under this subdivision may be brought at any time and is not subject to
233.6 the statute of limitations in subdivision 2, provided that, at least 30 days prior to bringing
233.7 the action, a purchaser must deliver a notice of violation to the investor seller under the
233.8 contract for deed personally or by United States mail.

233.9 (c) An investor seller may cure the violation at any time prior to entry of a final judgment
233.10 by delivering to the purchaser either evidence of the agreement with the mortgage holder
233.11 as required under section 559A.04, subdivision 2, or evidence that the mortgage holder has
233.12 abandoned foreclosure of the mortgage. If the violation is cured, the purchaser's action must
233.13 be dismissed. An investor seller is liable to the purchaser for reasonable attorneys' fees and
233.14 court costs if the seller delivers evidence of the mortgage holder's agreement or abandonment
233.15 of the foreclosure after the purchaser has commenced the action.

233.16 (d) Nothing in this subdivision shall be construed to bar or limit any other claim by a
233.17 purchaser arising from the investor seller's breach of a senior mortgage.

233.18 Subd. 4. **Defense to termination.** A purchaser's right to the remedy under subdivision
233.19 2 or 3 shall constitute grounds for injunctive relief under section 559.211.

233.20 Subd. 5. **Effect of action on title.** An action under subdivision 2 or 3 is personal to the
233.21 purchaser only, does not constitute an interest separate from the purchaser's interest in the
233.22 contract for deed, and may not be assigned except to a successor in interest.

233.23 Subd. 6. **Rights cumulative.** The rights and remedies provided in this section are
233.24 cumulative to, and not a limitation of, any other rights and remedies provided under law
233.25 and at equity. Nothing in this chapter shall preclude a court from construing a contract for
233.26 deed as an equitable mortgage.

233.27 Subd. 7. **Public enforcement.** The attorney general has authority under section 8.31 to
233.28 investigate and prosecute violations of sections 559A.03 and 559A.04, subdivision 4.

233.29 **EFFECTIVE DATE.** This section is effective August 1, 2024, and applies to all contracts
233.30 for deed executed by all parties on or after that date.

233.31 Sec. 17. **REPEALER.**

233.32 Minnesota Statutes 2022, sections 559.201; and 559.202, are repealed.

234.1 **EFFECTIVE DATE.** This section is effective August 1, 2024.

234.2 **ARTICLE 17**

234.3 **STATE GOVERNMENT DATA AND POLICY**

234.4 Section 1. **[13.95] ADMINISTRATIVE COURTS.**

234.5 Subdivision 1. **Definitions.** (a) For purposes of this section, the terms have the meanings
234.6 given.

234.7 (b) "Administrative courts" means the Office of Administrative Hearings, Tax Court,
234.8 and Workers' Compensation Court of Appeals.

234.9 (c) "Court services" include hearings, settlement conferences, mediation, and the writing
234.10 of decisions and orders.

234.11 (d) "Health-related documents and data" means records, reports, or affidavits created
234.12 by medical, health care, or scientific professionals that relate to the past, present, or future
234.13 physical or mental health or condition of an individual, including but not limited to medical
234.14 history, examinations, diagnoses and treatment, prepetition screening reports, or
234.15 court-appointed examiner reports.

234.16 Subd. 2. **Judicial work product.** All notes and memoranda or drafts thereof prepared
234.17 by a judge or employee of an administrative court and used in providing a court service are
234.18 confidential or protected nonpublic data.

234.19 Subd. 3. **Health-related documents and data.** Health-related documents and data
234.20 included in a court file are private data on individuals.

234.21 Sec. 2. Minnesota Statutes 2022, section 14.05, subdivision 7, is amended to read:

234.22 Subd. 7. **Electronic documents permitted.** An agency ~~may~~ must file rule-related
234.23 documents with the Office of Administrative Hearings by electronic transmission in the
234.24 manner approved by that office ~~and~~ An agency may file rule-related documents with the
234.25 Office of the Revisor of Statutes by electronic transmission in the manner approved by that
234.26 office.

234.27 Sec. 3. Minnesota Statutes 2022, section 14.08, is amended to read:

234.28 **14.08 APPROVAL OF RULE AND RULE FORM; COSTS.**

234.29 (a) One copy of a rule adopted under section 14.26 must be submitted by the agency to
234.30 the chief administrative law judge. The chief administrative law judge shall request from

235.1 the revisor certified copies of the rule when it is submitted by the agency under section
235.2 14.26. Within five working days after the request for certification of the rule is received by
235.3 the revisor, ~~excluding weekends and holidays~~, the revisor shall either return the rule with
235.4 a certificate of approval of the form of the rule to the chief administrative law judge or
235.5 notify the chief administrative law judge and the agency that the form of the rule will not
235.6 be approved.

235.7 If the chief administrative law judge disapproves a rule, the agency may modify it and
235.8 the agency shall submit one copy of the modified rule, approved as to form by the revisor,
235.9 to the chief administrative law judge.

235.10 (b) One copy of a rule adopted after a public hearing must be submitted by the agency
235.11 to the chief administrative law judge. The chief administrative law judge shall request from
235.12 the revisor certified copies of the rule when it is submitted by the agency. Within five
235.13 working days after receipt of the request, the revisor shall either return the rule with a
235.14 certificate of approval to the chief administrative law judge or notify the chief administrative
235.15 law judge and the agency that the form of the rule will not be approved.

235.16 (c) If the revisor refuses to approve the form of the rule, the revisor's notice must revise
235.17 the rule so it is in the correct form.

235.18 (d) After the agency has notified the chief administrative law judge that it has adopted
235.19 the rule, the chief administrative law judge shall promptly file ~~four paper copies or~~ an
235.20 electronic copy of the adopted rule in the Office of the Secretary of State. The secretary of
235.21 state shall forward one copy of each rule filed to the agency, to the revisor of statutes, and
235.22 to the governor.

235.23 (e) The chief administrative law judge shall assess an agency for the actual cost of
235.24 processing rules under this section. Each agency shall include in its budget money to pay
235.25 the assessments. Receipts from the assessment must be deposited in the administrative
235.26 hearings account established in section 14.54.

235.27 Sec. 4. Minnesota Statutes 2022, section 14.16, subdivision 3, is amended to read:

235.28 Subd. 3. **Filing.** After the agency has provided the chief administrative law judge with
235.29 a signed order adopting the rule, the chief administrative law judge shall promptly file ~~four~~
235.30 ~~paper copies or~~ an electronic copy of the adopted rule in the Office of the Secretary of State.
235.31 The secretary of state shall forward one copy of each rule filed to the agency, to the revisor
235.32 of statutes, and to the governor.

236.1 Sec. 5. Minnesota Statutes 2022, section 14.26, subdivision 3a, is amended to read:

236.2 Subd. 3a. **Filing.** If the rule is approved, the administrative law judge shall promptly
236.3 file ~~four paper copies or~~ an electronic copy of the adopted rule in the Office of the Secretary
236.4 of State. The secretary of state shall forward one copy of each rule to the revisor of statutes,
236.5 to the agency, and to the governor.

236.6 Sec. 6. Minnesota Statutes 2022, section 14.386, as amended by Laws 2024, chapter 90,
236.7 article 1, section 1, is amended to read:

236.8 **14.386 PROCEDURE FOR ADOPTING EXEMPT RULES; DURATION.**

236.9 (a) A rule adopted, amended, or repealed by an agency, under a statute enacted after
236.10 January 1, 1997, authorizing or requiring rules to be adopted but excluded from the
236.11 rulemaking provisions of chapter 14 or from the definition of a rule, has the force and effect
236.12 of law only if:

236.13 (1) the revisor of statutes approves the form of the rule by certificate;

236.14 (2) the person authorized to adopt the rule on behalf of the agency signs an order adopting
236.15 the rule;

236.16 (3) the Office of Administrative Hearings approves the rule as to its legality within 14
236.17 days after the agency submits it for approval and files ~~four paper copies or~~ an electronic
236.18 copy of the adopted rule with the revisor's certificate in the Office of the Secretary of State;
236.19 and

236.20 (4) a copy is published by the agency in the State Register.

236.21 The secretary of state shall forward one copy of the rule to the governor.

236.22 A statute enacted after January 1, 1997, authorizing or requiring rules to be adopted but
236.23 excluded from the rulemaking provisions of chapter 14 or from the definition of a rule does
236.24 not excuse compliance with this section unless it makes specific reference to this section.

236.25 (b) A rule adopted under this section is effective for a period of two years from the date
236.26 of publication of the rule in the State Register. The authority for the rule expires at the end
236.27 of this two-year period.

236.28 (c) The chief administrative law judge shall adopt rules relating to the rule approval
236.29 duties imposed by this section and section 14.388, including rules establishing standards
236.30 for review.

236.31 (d) This section does not apply to:

237.1 (1) any group or rule listed in section 14.03, subdivisions 1 and 3, except as otherwise
237.2 provided by law;

237.3 (2) game and fish rules of the commissioner of natural resources adopted under section
237.4 84.027, subdivision 13, or sections 97A.0451 to 97A.0459;

237.5 (3) experimental and special management waters designated by the commissioner of
237.6 natural resources under sections 97C.001 and 97C.005;

237.7 (4) game refuges designated by the commissioner of natural resources under section
237.8 97A.085; or

237.9 (5) transaction fees established by the commissioner of natural resources for electronic
237.10 or telephone sales of licenses, stamps, permits, registrations, or transfers under section
237.11 84.027, subdivision 15, paragraph (a), clause (2).

237.12 (e) If a statute provides that a rule is exempt from chapter 14, and section 14.386 does
237.13 not apply to the rule, the rule has the force of law unless the context of the statute delegating
237.14 the rulemaking authority makes clear that the rule does not have force of law.

237.15 Sec. 7. Minnesota Statutes 2022, section 14.388, subdivision 2, is amended to read:

237.16 Subd. 2. **Notice.** An agency proposing to adopt, amend, or repeal a rule under this section
237.17 must give electronic notice of its intent in accordance with section 16E.07, subdivision 3,
237.18 and notice by United States mail or electronic mail to persons who have registered their
237.19 names with the agency under section 14.14, subdivision 1a. The notice must be given no
237.20 later than the date the agency submits the proposed rule to the Office of Administrative
237.21 Hearings for review of its legality and must include:

237.22 (1) the proposed rule, amendment, or repeal;

237.23 (2) an explanation of why the rule meets the requirements of the good cause exemption
237.24 under subdivision 1; and

237.25 (3) a statement that interested parties have five ~~business~~ working days after the date of
237.26 the notice to submit comments to the Office of Administrative Hearings.

237.27 Sec. 8. Minnesota Statutes 2022, section 14.3895, subdivision 2, is amended to read:

237.28 Subd. 2. **Notice plan; prior approval.** The agency shall draft a notice plan under which
237.29 the agency will make reasonable efforts to notify persons or classes of persons who may
237.30 be significantly affected by the rule repeal by giving notice of its intention in newsletters,
237.31 newspapers, or other publications, or through other means of communication. Before

238.1 publishing the notice in the State Register and implementing the notice plan, the agency
238.2 shall obtain prior approval of the notice plan by ~~the chief administrative law judge~~ an
238.3 administrative law judge in the Office of Administrative Hearings.

238.4 Sec. 9. Minnesota Statutes 2022, section 14.3895, subdivision 6, is amended to read:

238.5 Subd. 6. **Legal review.** Before publication of the final rule in the State Register, the
238.6 agency shall submit the rule to the ~~chief~~ administrative law judge in the Office of
238.7 Administrative Hearings. The ~~chief~~ administrative law judge shall within 14 days approve
238.8 or disapprove the rule as to its legality and its form to the extent the form relates to legality.

238.9 Sec. 10. Minnesota Statutes 2022, section 14.48, subdivision 2, is amended to read:

238.10 Subd. 2. **Chief administrative law judge.** (a) The office shall be under the direction of
238.11 a chief administrative law judge who shall be learned in the law and appointed by the
238.12 governor, with the advice and consent of the senate, for a term ending on June 30 of the
238.13 sixth calendar year after appointment. Senate confirmation of the chief administrative law
238.14 judge shall be as provided by section 15.066.

238.15 (b) The chief administrative law judge may hear cases and, in accordance with chapter
238.16 43A, shall appoint a deputy chief judge and additional administrative law judges and
238.17 compensation judges to serve in the office as necessary to fulfill the duties of the Office of
238.18 Administrative Hearings.

238.19 (c) The chief administrative law judge may delegate to a subordinate employee the
238.20 exercise of a specified statutory power or duty as deemed advisable, subject to the control
238.21 of the chief administrative law judge. Every delegation must be by written order filed with
238.22 the secretary of state. The chief administrative law judge is subject to the provisions of the
238.23 Minnesota Constitution, article VI, section 6, the jurisdiction of the Board on Judicial
238.24 Standards, and the provisions of the Code of Judicial Conduct.

238.25 (d) If a vacancy in the position of chief administrative law judge occurs, an acting or
238.26 temporary chief administrative law judge must be named as follows:

238.27 (1) at the end of the term of a chief administrative law judge, the incumbent chief
238.28 administrative law judge may, at the discretion of the appointing authority, serve as acting
238.29 chief administrative law judge until a successor is appointed; and

238.30 (2) if at the end of a term of a chief administrative law judge the incumbent chief
238.31 administrative law judge is not designated as acting chief administrative law judge, or if a
238.32 vacancy occurs in the position of chief administrative law judge, the deputy chief judge

239.1 shall immediately become temporary chief administrative law judge without further official
239.2 action.

239.3 (e) The appointing authority of the chief administrative law judge may appoint a person
239.4 other than the deputy chief judge to serve as temporary chief administrative law judge and
239.5 may replace any other acting or temporary chief administrative law judge designated pursuant
239.6 to paragraph (d), clause (1) or (2).

239.7 Sec. 11. **[14.525] INTERPRETERS.**

239.8 The chief administrative law judge may enter contracts with interpreters identified by
239.9 the Supreme Court through the Court Interpreter Program. Interpreters may be utilized as
239.10 the chief administrative law judge directs. These contracts are not subject to the requirements
239.11 of chapters 16B and 16C.

239.12 Sec. 12. Minnesota Statutes 2022, section 14.62, subdivision 2a, is amended to read:

239.13 Subd. 2a. **Administrative law judge decision final; exception.** Unless otherwise
239.14 provided by law, the report or order of the administrative law judge constitutes the final
239.15 decision in the case unless the agency modifies or rejects it under subdivision 1 within 90
239.16 days after the record of the proceeding closes under section 14.61. When the agency fails
239.17 to act within 90 days on a licensing case, the agency must return the record of the proceeding
239.18 to the administrative law judge for consideration of disciplinary action. In all contested
239.19 cases where the report or order of the administrative law judge constitutes the final decision
239.20 in the case, the administrative law judge shall issue findings of fact, conclusions, and an
239.21 order within 90 days after the hearing record closes under section 14.61. Upon a showing
239.22 of good cause by a party or the agency, the chief administrative law judge may order a
239.23 reasonable extension of either of the two 90-day deadlines specified in this subdivision.
239.24 The 90-day deadline will be tolled while the chief administrative law judge considers a
239.25 request for reasonable extension so long as the request was filed and served within the
239.26 applicable 90-day period.

239.27 Sec. 13. Minnesota Statutes 2022, section 15A.083, subdivision 6a, is amended to read:

239.28 Subd. 6a. **Administrative law judge; salaries.** The salary of the chief administrative
239.29 law judge is 98.52 percent of the salary of a chief district court judge. The salaries of the
239.30 ~~assistant chief administrative law judge and administrative law judge supervisors~~ deputy
239.31 chief judge and judge supervisors employed by the Office of Administrative Hearings are
239.32 100 percent of the salary of a district court judge. The salary of an administrative law judge

240.1 employed by the Office of Administrative Hearings is 98.52 percent of the salary of a district
240.2 court judge as set under section 15A.082, subdivision 3.

240.3 Sec. 14. Minnesota Statutes 2022, section 16E.01, subdivision 2, is amended to read:

240.4 Subd. 2. **Discretionary powers.** The department may:

240.5 (1) enter into contracts for goods or services with public or private organizations and
240.6 charge fees for services it provides;

240.7 (2) apply for, receive, and expend money from public agencies;

240.8 (3) apply for, accept, and disburse grants and other aids from the federal government
240.9 and other public or private sources;

240.10 (4) enter into contracts with agencies of the federal government, local governmental
240.11 units, the University of Minnesota and other educational institutions, and private persons
240.12 and other nongovernmental organizations as necessary to perform its statutory duties;

240.13 (5) sponsor and conduct conferences and studies, collect and disseminate information,
240.14 and issue reports relating to information and communications technology issues;

240.15 (6) review the technology infrastructure of regions of the state and cooperate with and
240.16 make recommendations to the governor, legislature, state agencies, local governments, local
240.17 technology development agencies, the federal government, private businesses, and individuals
240.18 for the realization of information and communications technology infrastructure development
240.19 potential;

240.20 (7) sponsor, support, and facilitate innovative and collaborative economic and community
240.21 development and government services projects or initiatives, including technology initiatives
240.22 related to culture and the arts, with public and private organizations; and

240.23 (8) review and recommend alternative sourcing strategies for state information and
240.24 communications systems.

240.25 Sec. 15. Minnesota Statutes 2023 Supplement, section 16E.01, subdivision 3, is amended
240.26 to read:

240.27 Subd. 3. **Duties.** (a) The department shall:

240.28 (1) manage the efficient and effective use of available federal, state, local, and
240.29 public-private resources to develop statewide information and telecommunications technology
240.30 systems and services and its infrastructure;

241.1 (2) approve state agency and intergovernmental information and telecommunications
241.2 technology systems and services development efforts involving state or intergovernmental
241.3 funding, including federal funding, provide information to the legislature regarding projects
241.4 and initiatives reviewed, and recommend projects and initiatives for inclusion in the
241.5 governor's budget under section 16A.11;

241.6 (3) promote cooperation and collaboration among state and local governments in
241.7 developing intergovernmental information and telecommunications technology systems
241.8 and services;

241.9 (4) cooperate and collaborate with the legislative and judicial branches in the development
241.10 of information and communications systems in those branches, as requested;

241.11 (5) ~~promote and coordinate public information access and network initiatives, consistent~~
241.12 ~~with chapter 13, to connect Minnesota's citizens and communities to each other, to their~~
241.13 ~~governments, and to the world~~ continue to collaborate on the development of MN.gov, the
241.14 state's official comprehensive online service and information initiative;

241.15 (6) manage and promote the regular and periodic reinvestment in the information and
241.16 telecommunications technology systems and services infrastructure so that state and local
241.17 government agencies can effectively and efficiently serve their customers;

241.18 (7) facilitate the cooperative development of and ensure compliance with standards and
241.19 policies for information and telecommunications technology systems and services and
241.20 electronic data practices and privacy security within the executive branch;

241.21 (8) eliminate unnecessary duplication of existing information and telecommunications
241.22 technology systems and services provided by state agencies;

241.23 (9) identify, sponsor, develop, and execute shared information and telecommunications
241.24 technology projects and initiatives, and ongoing operations;

241.25 (10) ensure overall security of the state's information and technology systems and
241.26 services; and

241.27 (11) manage and direct compliance with accessibility standards for informational
241.28 technology, including hardware, software, websites, online forms, and online surveys.

241.29 (b) The chief information officer, in consultation with the commissioner of management
241.30 and budget, must determine when it is cost-effective for agencies to develop and use shared
241.31 information technology systems, platforms, and services for the delivery of digital
241.32 government services. The chief information officer may require agencies to use shared
241.33 information and telecommunications technology systems and services. The chief information

242.1 officer shall establish reimbursement rates in cooperation with the commissioner of
242.2 management and budget to be billed to agencies and other governmental entities sufficient
242.3 to cover the actual development, operating, maintenance, and administrative costs of the
242.4 shared systems. The methodology for billing may include the use of interagency agreements,
242.5 or other means as allowed by law.

242.6 (c) A state agency that has an information and telecommunications technology project
242.7 or initiative, whether funded as part of the biennial budget or by any other means, shall
242.8 register with the department by submitting basic project or initiative startup documentation
242.9 as specified by the chief information officer in both format and content. State agency business
242.10 and technology project leaders, in accordance with policies and standards set forth by the
242.11 chief information officer, must demonstrate that the project or initiative will be properly
242.12 managed, ensure alignment with enterprise technology strategic direction, provide updates
242.13 to the project or initiative documentation as changes are proposed, and regularly report on
242.14 the current status of the project or initiative on a schedule agreed to with the chief information
242.15 officer. The chief information officer has the authority to define a project or initiative for
242.16 the purposes of this chapter.

242.17 (d) The chief information officer shall monitor progress on ~~any~~ active information and
242.18 telecommunications technology ~~project with a total expected project cost of more than~~
242.19 ~~\$5,000,000~~ projects and initiatives and report on the performance of the ~~project~~ projects or
242.20 initiatives in comparison with ~~the plans for the project~~ in terms of time, scope, and budget.
242.21 The chief information officer may conduct an independent ~~project~~ audit of the project or
242.22 initiative. If an independent audit is conducted, the audit analysis and evaluation of the
242.23 ~~projects subject to paragraph (c)~~ project or initiative must be presented to agency executive
242.24 sponsors, the project governance bodies, and the chief information officer. All reports and
242.25 responses must become part of the project or initiative record.

242.26 (e) For any active information and telecommunications technology project or initiative,
242.27 with a total expected ~~project~~ cost of more than \$10,000,000, ~~the state agency must perform~~
242.28 an annual independent audit that conforms to published ~~project~~ audit principles adopted by
242.29 the department must be conducted.

242.30 (f) The chief information officer shall report by January 15 of each year to the chairs
242.31 and ranking minority members of the legislative committees and divisions with jurisdiction
242.32 over the department ~~regarding projects the department has reviewed under paragraph (a),~~
242.33 ~~clause (10)~~ on the status of the state's comprehensive project and initiatives portfolio. The
242.34 report must include: descriptions of each project and its current status, information technology

243.1 costs associated with the project, and estimated date on when the information technology
243.2 project is expected to be completed.

243.3 ~~(1) each project in the IT portfolio whose status is either active or on hold;~~

243.4 ~~(2) each project presented to the office for consultation in the time since the last report;~~

243.5 ~~(3) the information technology cost associated with the project;~~

243.6 ~~(4) the current status of the information technology project;~~

243.7 ~~(5) the date the information technology project is expected to be completed; and~~

243.8 ~~(6) the projected costs for ongoing support and maintenance after the project is complete.~~

243.9 Sec. 16. Minnesota Statutes 2023 Supplement, section 16E.03, subdivision 2, is amended
243.10 to read:

243.11 Subd. 2. **Chief information officer's responsibility.** The chief information officer shall:

243.12 (1) design a strategic plan for information and telecommunications technology systems
243.13 and services in the state and shall report on the plan to the governor and legislature at the
243.14 beginning of each regular session;

243.15 ~~(2) coordinate, review, and approve all information and telecommunications technology~~
243.16 ~~projects develop and implement processes for review, approval, and monitoring and oversee~~
243.17 the state's information and telecommunications technology systems and services;

243.18 (3) establish and enforce compliance with standards for information and
243.19 telecommunications technology systems and services that are cost-effective and support
243.20 open systems environments and that are compatible with state, national, and international
243.21 standards, including accessibility standards;

243.22 (4) maintain a library of systems and programs developed by the state for use by agencies
243.23 of government;

243.24 (5) direct and manage the shared operations of the state's information and
243.25 telecommunications technology systems and services; and

243.26 (6) establish and enforce standards and ensure acquisition of hardware, software, and
243.27 services necessary to protect data and systems in state agency networks connected to the
243.28 Internet.

244.1 Sec. 17. Minnesota Statutes 2022, section 16E.03, subdivision 3, is amended to read:

244.2 Subd. 3. **Evaluation and approval.** A state agency may not undertake an information
244.3 and telecommunications technology project or initiative until it has been evaluated according
244.4 to the procedures developed under subdivision 4. The chief information officer or delegate
244.5 shall ~~give written approval of the proposed project~~ record project approval as a part of the
244.6 project.

244.7 Sec. 18. Minnesota Statutes 2022, section 16E.03, subdivision 4, is amended to read:

244.8 Subd. 4. **Evaluation procedure.** The chief information officer shall establish and, as
244.9 necessary, update and modify procedures to evaluate information and communications
244.10 projects or initiatives proposed by state agencies. The evaluation procedure must assess the
244.11 necessity, design and plan for development, ability to meet user requirements, accessibility,
244.12 feasibility, ~~and flexibility of the proposed data processing device or system, its relationship~~
244.13 ~~to other state data processing devices or systems, and its costs and benefits when considered~~
244.14 ~~by itself and when compared with other options~~ cost, and benefits of the project or initiative.

244.15 Sec. 19. Minnesota Statutes 2022, section 16E.03, subdivision 5, is amended to read:

244.16 Subd. 5. **Report to legislature.** The chief information officer shall submit to the
244.17 legislature, at the same time as the governor's budget required by section 16A.11, a concise
244.18 narrative explanation of any information and communication technology project or initiative
244.19 being proposed as part of the governor's budget that involves collaboration between state
244.20 agencies and an explanation of how the budget requests of the several agencies collaborating
244.21 on the project or initiative relate to each other.

244.22 Sec. 20. Minnesota Statutes 2022, section 16E.03, subdivision 7, is amended to read:

244.23 Subd. 7. **Cyber security systems.** (a) In consultation with the attorney general and
244.24 appropriate agency heads, the chief information officer shall develop cyber security policies,
244.25 guidelines, and standards, and shall ~~install~~ advise, implement, and administer state data
244.26 security ~~systems~~ solutions and practices on the state's ~~computer facilities~~ information
244.27 technology services, systems, and applications consistent with these policies, guidelines,
244.28 standards, and state law to ensure the integrity, confidentiality, and availability of
244.29 ~~computer-based and other~~ information technology systems and services, and data and to
244.30 ensure applicable limitations on access to data, consistent with the public's right to know
244.31 as defined in chapter 13. The chief information officer is responsible for overall security of
244.32 state agency networks connected to the Internet. Each department or agency head is

245.1 responsible for the security of the department's or agency's data within the guidelines of
245.2 established enterprise policy.

245.3 (b) The state chief information officer, or state chief information security officer, may
245.4 advise and consult on security strategy and programs for state entities and political
245.5 subdivisions not subject to section 16E.016.

245.6 Sec. 21. Minnesota Statutes 2022, section 16E.04, subdivision 2, is amended to read:

245.7 Subd. 2. **Responsibilities.** (a) The office ~~shall~~ may develop and establish a state
245.8 information architecture to ensure:

245.9 (1) that state agency information and communications systems, equipment, and services
245.10 do not needlessly duplicate or conflict with the systems of other agencies; and

245.11 (2) enhanced public access to data can be provided consistent with standards developed
245.12 under section 16E.05, subdivision 4.

245.13 When state agencies have need for the same or similar public data, the chief information
245.14 officer, in coordination with the affected agencies, shall manage the most efficient and
245.15 cost-effective method of producing and storing data for or sharing data between those
245.16 agencies. The development of this information architecture must include the establishment
245.17 of standards and guidelines to be followed by state agencies. The office shall ensure
245.18 compliance with the architecture.

245.19 (b) The office shall review and approve agency requests for funding for the development
245.20 or purchase of information systems equipment or software before the requests may be
245.21 included in the governor's budget.

245.22 (c) The office ~~shall~~ may review and approve agency requests for grant funding that have
245.23 an information and technology component.

245.24 (d) The office shall review major purchases of information systems equipment to:

245.25 (1) ensure that the equipment follows the standards and guidelines of the state information
245.26 architecture;

245.27 (2) ensure the agency's proposed purchase reflects a cost-effective policy regarding
245.28 volume purchasing; and

245.29 (3) ensure that the equipment is consistent with other systems in other state agencies so
245.30 that data can be shared among agencies, unless the office determines that the agency
245.31 purchasing the equipment has special needs justifying the inconsistency.

(e) The office shall review the operation of information systems by state agencies and ensure that these systems are operated efficiently and securely and continually meet the standards and guidelines established by the office. The standards and guidelines must emphasize uniformity that is cost-effective for the enterprise, that encourages information interchange, open systems environments, and portability of information whenever practicable and consistent with an agency's authority and chapter 13.

Sec. 22. Minnesota Statutes 2022, section 16E.04, subdivision 3, is amended to read:

Subd. 3. **Risk assessment and mitigation.** (a) A risk assessment and risk mitigation plan are required for all information systems development projects or initiatives undertaken by a state agency in the executive or judicial branch or by a constitutional officer. The chief information officer must contract with an entity outside of state government to conduct the initial assessment and prepare the mitigation plan for a project or initiative estimated to cost more than ~~\$5,000,000~~ \$10,000,000. The outside entity conducting the risk assessment and preparing the mitigation plan must not have any other direct or indirect financial interest in the project or initiative. The risk assessment and risk mitigation plan must provide for periodic monitoring by the commissioner until the project or initiative is completed.

(b) The risk assessment and risk mitigation plan must be paid for with money appropriated for the information and telecommunications technology project or initiative.

Sec. 23. Minnesota Statutes 2022, section 16E.07, is amended to read:

16E.07 NORTH STAR ONLINE GOVERNMENT INFORMATION SERVICES.

Subdivision 1. ~~Definitions~~ **Definition.** (a) The ~~definitions~~ definition in this subdivision ~~apply~~ applies to this section.

~~(b) "Core services" means accessible information system applications required to provide secure information services and online applications and content to the public from government units. Online applications may include, but are not limited to:~~

~~(1) standardized public directory services and standardized content services;~~

~~(2) online search systems;~~

~~(3) general technical services to support government unit online services;~~

~~(4) electronic conferencing and communication services;~~

~~(5) secure electronic transaction services;~~

~~(6) digital audio, video, and multimedia services; and~~

247.1 ~~(7) government intranet content and service development.~~

247.2 ~~(e)~~ (b) "Government unit" means a state department, agency, commission, council, board,
247.3 task force, or committee; a constitutional office; a court entity; the Minnesota State Colleges
247.4 and Universities; a county, statutory or home rule charter city, or town; a school district; a
247.5 special district; or any other board, commission, district, or authority created under law,
247.6 local ordinance, or charter provision.

247.7 Subd. 2. **Established.** ~~The office department shall establish "North Star" as the state's~~
247.8 ~~comprehensive government online information service. North Star is the state's governmental~~
247.9 ~~framework for coordinating and collaborating in providing online government information~~
247.10 ~~and services. Government agencies that provide electronic access to government information~~
247.11 ~~are requested to make available to North Star their most frequently requested public data~~
247.12 collaborate with state agencies to maintain MN.gov and associated websites that provide
247.13 online government information services.

247.14 Subd. 3. **Access to data.** The legislature determines that the greatest possible access to
247.15 certain government information and data is essential to allow citizens to participate fully in
247.16 a democratic system of government. Certain information and data, including, but not limited
247.17 to the following, must be provided free of charge or for a nominal cost associated with
247.18 reproducing the information or data:

247.19 (1) directories of government services and institutions, ~~including an electronic version~~
247.20 ~~of the guidebook to state agency services published by the commissioner of administration;~~

247.21 (2) legislative and rulemaking information, including an electronic version of the State
247.22 Register, public information newsletters, bill text and summaries, bill status information,
247.23 rule status information, meeting schedules, and the text of statutes and rules;

247.24 (3) supreme court and court of appeals opinions and general judicial information;

247.25 (4) opinions of the attorney general;

247.26 (5) Campaign Finance and Public Disclosure Board and election information;

247.27 (6) public budget information;

247.28 (7) local government documents, such as codes, ordinances, minutes, meeting schedules,
247.29 and other notices in the public interest;

247.30 (8) official documents, releases, speeches, and other public information issued by
247.31 government agencies; and

248.1 (9) the text of other government documents and publications that government agencies
248.2 determine are important to public understanding of government activities.

248.3 ~~Subd. 4. Staff. The chief information officer shall appoint the manager of the North Star~~
248.4 ~~online information service and hire staff to carry out the responsibilities of the service.~~

248.5 ~~Subd. 5. Participation; consultation; guidelines. The North Star staff shall consult~~
248.6 ~~with governmental and nongovernmental organizations to establish rules for participation~~
248.7 ~~in the North Star service. Government units planning, developing, or providing publicly~~
248.8 ~~accessible online services shall provide access through and collaborate with North Star and~~
248.9 ~~formally register with the office. The University of Minnesota is requested to establish~~
248.10 ~~online connections and collaborate with North Star. Units of the legislature shall make their~~
248.11 ~~services available through North Star. Government units may be required to submit~~
248.12 ~~standardized directory and general content for core services but are not required to purchase~~
248.13 ~~core services from North Star. North Star shall promote broad public access to the sources~~
248.14 ~~of online information or services through multiple technologies.~~

248.15 Subd. 6. Fees. The office shall may establish fees for technical and transaction services
248.16 for government units ~~through North Star. Fees must be credited to the North Star account.~~
248.17 The office may not charge a fee for viewing or inspecting data made available through North
248.18 ~~Star~~ MN.gov or linked facilities, unless specifically authorized by law.

248.19 Subd. 7. ~~North Star~~ Online government information service account. The ~~North Star~~
248.20 online government information service account is created in the special revenue fund. The
248.21 account consists of:

- 248.22 (1) grants received from nonstate entities;
- 248.23 (2) fees and charges collected by the office;
- 248.24 (3) gifts, donations, and bequests made to the office; and
- 248.25 (4) other money credited to the account by law.

248.26 Money in the account is appropriated to the office to be used to continue the development
248.27 of ~~the North Star project~~ online government information services.

248.28 Subd. 8. Secure transaction system. The office shall plan and develop a secure
248.29 transaction ~~system~~ systems to support delivery of government services electronically. A
248.30 state agency that implements electronic government services for fees, licenses, sales, or
248.31 other purposes ~~must use the~~ may be required to use secure transaction ~~system~~ systems
248.32 developed in accordance with this section.

Subd. 9. **Aggregation of service demand.** The office ~~shall~~ may identify opportunities to aggregate demand for technical services required by government units for online activities and may contract with governmental or nongovernmental entities to provide services. These contracts are not subject to the requirements of chapters 16B and 16C, except sections 16C.04, 16C.08, and 16C.09.

Subd. 10. **Outreach.** The office may promote the availability of government online information and services through public outreach and education. ~~Public network expansion in communities through libraries, schools, colleges, local government, and other community access points must include access to North Star. North Star may make materials available to those public sites to promote awareness of the service.~~

~~Subd. 11. **Advanced development collaboration.** The office shall identify information technology services with broad public impact and advanced development requirements. Those services shall assist in the development of and utilization of core services to the greatest extent possible where appropriate, cost-effective, and technically feasible. This includes, but is not limited to, higher education, statewide online library, economic and community development, and K-12 educational technology services. North Star shall participate in electronic commerce research and development initiatives with the University of Minnesota and other partners. The statewide online library service shall consult, collaborate, and work with North Star to ensure development of proposals for advanced government information locator and electronic depository and archive systems.~~

Subd. 12. **Private entity services; fee authority.** (a) The department may enter into a contract with a private entity to manage, maintain, support, and expand ~~North Star and~~ online government information services to citizens and businesses.

(b) A contract established under paragraph (a) may provide for compensation of the private entity through a fee established under paragraph (c).

(c) The department, subject to the approval of the agency or department responsible for the data or services involved in the transaction, may charge and may authorize a private entity that enters into a contract under paragraph (a) to charge a convenience fee for users of ~~North Star and~~ online government information services up to a total of \$2 per transaction, provided that no fee shall be charged for viewing or inspecting data. A fee established under this paragraph is in addition to any fees or surcharges authorized under other law.

(d) Receipts from the convenience fee shall be deposited in the ~~North Star~~ online government information service account established in subdivision 7. Notwithstanding section 16A.1285, subdivision 2, receipts credited to the account are appropriated to the

250.1 department for payment to the contracted private entity under paragraph (a). In lieu of
250.2 depositing the receipts in the ~~North Star~~ online government information service account,
250.3 the department can directly transfer the receipts to the private entity or allow the private
250.4 entity to retain the receipts pursuant to a contract established under this subdivision.

250.5 ~~(e) The department shall report~~ Information regarding any convenience fee receipts
250.6 collected under paragraph (d) must be reported to the chairs and ranking minority members
250.7 of the house of representatives and senate committees with jurisdiction over state government
250.8 finance by January 15 of each odd-numbered year ~~regarding the convenience fee receipts~~
250.9 ~~and the status of North Star projects and online government information services developed~~
250.10 ~~and supported by convenience fee receipts.~~

250.11 Sec. 24. **[16E.36] CYBERSECURITY INCIDENTS.**

250.12 Subdivision 1. Definitions. (a) For purposes of this section, the following terms have
250.13 the meanings given.

250.14 (b) "Bureau" means the Bureau of Criminal Apprehension.

250.15 (c) "Cybersecurity incident" means an action taken through the use of an information
250.16 system or network that results in an actual or potentially adverse effect on an information
250.17 system, network, or the information residing therein.

250.18 (d) "Cyber threat indicator" means information that is necessary to describe or identify:

250.19 (1) malicious reconnaissance, including but not limited to anomalous patterns of
250.20 communication that appear to be transmitted for the purpose of gathering technical
250.21 information related to a cybersecurity threat or vulnerability;

250.22 (2) a method of defeating a security control or exploitation of a security vulnerability;

250.23 (3) a security vulnerability, including but not limited to anomalous activity that appears
250.24 to indicate the existence of a security vulnerability;

250.25 (4) a method of causing a user with legitimate access to an information system or
250.26 information that is stored on, processed by, or transiting an information system to unwittingly
250.27 enable the defeat of a security control or exploitation of a security vulnerability;

250.28 (5) malicious cyber command and control;

250.29 (6) the actual or potential harm caused by an incident, including but not limited to a
250.30 description of the data exfiltrated as a result of a particular cyber threat; and

251.1 (7) any other attribute of a cyber threat, if disclosure of such attribute is not otherwise
251.2 prohibited by law.

251.3 (e) "Defensive measure" means an action, device, procedure, signature, technique, or
251.4 other measure applied to an information system or information that is stored on, processed
251.5 by, or transiting an information system that detects, prevents, or mitigates a known or
251.6 suspected cyber threat or security vulnerability, but does not include a measure that destroys,
251.7 renders unusable, provides unauthorized access to, or substantially harms an information
251.8 system or information stored on, processed by, or transiting an information system not
251.9 owned by the entity operating the measure, or another entity that is authorized to provide
251.10 consent and has provided consent to that private entity for operation of the measure.

251.11 (f) "Government contractor" means an individual or entity that performs work for or on
251.12 behalf of a public agency on a contract basis with access to or hosting of the public agency's
251.13 network, systems, applications, or information.

251.14 (g) "Information resource" means information and related resources, such as personnel,
251.15 equipment, funds, and information technology.

251.16 (h) "Information system" means a discrete set of information resources organized for
251.17 collecting, processing, maintaining, using, sharing, disseminating, or disposing of
251.18 information.

251.19 (i) "Information technology" means any equipment or interconnected system or subsystem
251.20 of equipment that is used in automatic acquisition, storage, manipulation, management,
251.21 movement, control, display, switching, interchange, transmission, or reception of data or
251.22 information used by a public agency or a government contractor under contract with a public
251.23 agency which requires the use of the equipment or requires the use, to a significant extent,
251.24 of the equipment in the performance of a service or the furnishing of a product. The term
251.25 information technology also has the meaning given to information and telecommunications
251.26 technology systems and services in section 16E.03, subdivision 1, paragraph (b).

251.27 (j) "Private entity" means any individual, corporation, company, partnership, firm,
251.28 association, or other entity, but does not include a public agency, or a foreign government,
251.29 or any component thereof.

251.30 (k) "Public agency" means any public agency of the state or any political subdivision;
251.31 school districts; charter schools; intermediate districts; cooperative units under section
251.32 123A.24, subdivision 2; and public postsecondary education institutions.

251.33 (l) "Superintendent" means the superintendent of the Bureau of Criminal Apprehension.

252.1 Subd. 2. **Report on cybersecurity incidents.** (a) Beginning December 1, 2024, the head
252.2 of or the decision-making body for a public agency must report a cybersecurity incident
252.3 that impacts the public agency to the commissioner. A government contractor or vendor
252.4 that provides goods or services to a public agency must report a cybersecurity incident to
252.5 the public agency if the incident impacts the public agency.

252.6 (b) The report must be made within 72 hours of when the public agency or government
252.7 contractor reasonably identifies or believes that a cybersecurity incident has occurred.

252.8 (c) The commissioner must coordinate with the superintendent to promptly share reported
252.9 cybersecurity incidents.

252.10 (d) By September 30, 2024, the commissioner, in coordination with the superintendent,
252.11 must establish a cyber incident reporting system having capabilities to facilitate submission
252.12 of timely, secure, and confidential cybersecurity incident notifications from public agencies,
252.13 government contractors, and private entities to the office.

252.14 (e) By September 30, 2024, the commissioner must develop, in coordination with the
252.15 superintendent, and prominently post instructions for submitting cybersecurity incident
252.16 reports on the department and bureau websites. The instructions must include, at a minimum,
252.17 the types of cybersecurity incidents to be reported and a list of other information to be
252.18 included in a report made through the cyber incident reporting system.

252.19 (f) The cyber incident reporting system must permit the commissioner, in coordination
252.20 with the superintendent, to:

252.21 (1) securely accept a cybersecurity incident notification from any individual or private
252.22 entity, regardless of whether the entity is a public agency or government contractor;

252.23 (2) track and identify trends in cybersecurity incidents reported through the cyber incident
252.24 reporting system; and

252.25 (3) produce reports on the types of incidents, cyber threat, indicators, defensive measures,
252.26 and entities reported through the cyber incident reporting system.

252.27 (g) Any cybersecurity incident report submitted to the commissioner is security
252.28 information pursuant to section 13.37, is not discoverable in a civil or criminal action absent
252.29 a court order or a search warrant, and is not subject to subpoena.

252.30 (h) Notwithstanding the provisions of paragraph (g), the commissioner may anonymize
252.31 and share cyber threat indicators and relevant defensive measures to help prevent attacks
252.32 and share cybersecurity incident notifications with potentially impacted parties through
252.33 cybersecurity threat bulletins or relevant law enforcement authorities.

253.1 (i) Information submitted to the commissioner through the cyber incident reporting
253.2 system is subject to privacy and protection procedures developed and implemented by the
253.3 office, which shall be based on the comparable privacy protection procedures developed
253.4 for information received and shared pursuant to the federal Cybersecurity Information
253.5 Sharing Act of 2015, United States Code, title 6, section 1501, et seq.

253.6 Subd. 3. **Annual report to the governor and legislature.** Beginning January 31, 2026,
253.7 and annually thereafter, the commissioner, in coordination with the superintendent, must
253.8 submit a report on its cyber security incident report collection and resolution activities to
253.9 the governor and to the legislative commission on cybersecurity. The report must include,
253.10 at a minimum:

253.11 (1) information on the number of notifications received and a description of the
253.12 cybersecurity incident types during the one-year period preceding the publication of the
253.13 report;

253.14 (2) the categories of reporting entities that submitted cybersecurity reports; and

253.15 (3) any other information required in the submission of a cybersecurity incident report,
253.16 noting any changes from the report published in the previous year.

253.17 Sec. 25. Minnesota Statutes 2022, section 211B.33, subdivision 2, is amended to read:

253.18 Subd. 2. **Recommendation.** (a) If the administrative law judge determines that the
253.19 complaint does not set forth a prima facie violation of chapter 211A or 211B, the
253.20 administrative law judge must dismiss the complaint.

253.21 ~~(b) If the administrative law judge determines that the complaint sets forth a prima facie~~
253.22 ~~violation of section 211B.06 and was filed within 60 days before the primary or special~~
253.23 ~~election or within 90 days before the general election to which the complaint relates, the~~
253.24 ~~administrative law judge must conduct an expedited probable cause hearing under section~~
253.25 ~~211B.34.~~

253.26 ~~(c)~~ (b) If the administrative law judge determines that the complaint sets forth a prima
253.27 facie violation of a provision of chapter 211A or 211B, ~~other than section 211B.06,~~ and that
253.28 the complaint was filed within 60 days before the primary or special election or within 90
253.29 days before the general election to which the complaint relates, the administrative law judge,
253.30 on request of any party, must conduct an expedited probable cause hearing under section
253.31 211B.34.

253.32 ~~(d)~~ (c) If the administrative law judge determines that the complaint sets forth a prima
253.33 facie violation of chapter 211A or 211B, and was ~~filed more than~~ not filed within 60 days

254.1 before the primary or special election or ~~more than~~ 90 days before the general election to
254.2 which the complaint relates, the administrative law judge must schedule an evidentiary
254.3 hearing under section 211B.35.

254.4 Sec. 26. Minnesota Statutes 2022, section 211B.34, subdivision 1, is amended to read:

254.5 Subdivision 1. **Time for review.** The assigned administrative law judge must hold a
254.6 probable cause hearing on the complaint no later than three business days after ~~receiving~~
254.7 ~~the assignment if~~ determining the complaint sets forth a prima facie violation of chapter
254.8 211A or 211B, an expedited hearing is required by section 211B.33, except that for good
254.9 cause the administrative law judge may hold the hearing no later than seven days after
254.10 ~~receiving the assignment~~ the prima facie determination. If an expedited hearing is not
254.11 required by section 211B.33, because no party requested one under section 211B.33,
254.12 subdivision 2, paragraph (b), the administrative law judge must hold the hearing not later
254.13 than 30 days after ~~receiving the assignment~~ determining the complaint sets forth a prima
254.14 facie violation of chapter 211A or 211B.

254.15 Sec. 27. Minnesota Statutes 2022, section 211B.34, subdivision 2, is amended to read:

254.16 Subd. 2. **Disposition.** ~~At~~ After the probable cause hearing, the administrative law judge
254.17 must make one of the following determinations within three business days after the hearing
254.18 record closes:

254.19 (a) The complaint is frivolous, or there is no probable cause to believe that the violation
254.20 of law alleged in the complaint has occurred. If the administrative law judge makes either
254.21 determination, the administrative law judge must dismiss the complaint.

254.22 (b) There is probable cause to believe that the violation of law alleged in the complaint
254.23 has occurred. If the administrative law judge so determines, the chief administrative law
254.24 judge must schedule the complaint for an evidentiary hearing under section 211B.35.

254.25 Sec. 28. Minnesota Statutes 2022, section 211B.35, subdivision 1, is amended to read:

254.26 Subdivision 1. **Deadline for hearing.** When required by section 211B.33, subdivision
254.27 2, paragraph (c), or by section 211B.34, subdivision 2 or 3, the chief administrative law
254.28 judge must assign the complaint to a panel of three administrative law judges for an
254.29 evidentiary hearing. The hearing must be held within the following times:

254.30 (1) ten days after the complaint was assigned to the panel, if an expedited probable cause
254.31 hearing was requested or required under section 211B.33;

255.1 (2) 30 days after the complaint was filed, if it was filed within 60 days before the primary
255.2 or special election or within 90 days before the general election to which the complaint
255.3 relates; or

255.4 (3) 90 days after the complaint was filed, if it was filed at any other time.

255.5 For good cause shown, the panel may extend the deadline set forth in clause (2) or (3)
255.6 by 60 days.

255.7 Sec. 29. Minnesota Statutes 2022, section 211B.35, subdivision 3, is amended to read:

255.8 Subd. 3. **Time for disposition.** The panel must dispose of the complaint:

255.9 (1) within three business days after the hearing record closes, if an expedited probable
255.10 cause hearing was required by section 211B.33; and

255.11 (2) within 14 days after the hearing record closes, if an expedited probable cause hearing
255.12 was not required by section 211B.33.

255.13 Sec. 30. Minnesota Statutes 2023 Supplement, section 307.08, subdivision 3a, is amended
255.14 to read:

255.15 Subd. 3a. **Cemeteries; records and condition assessments.** (a) Cemeteries shall be
255.16 assessed according to this subdivision.

255.17 (b) The state archaeologist shall implement and maintain a system of records identifying
255.18 the location of known, recorded, or suspected cemeteries. The state archaeologist shall
255.19 provide access to the records as provided in subdivision 11.

255.20 (c) The cemetery condition assessment of non-American Indian cemeteries is at the
255.21 discretion of the state archaeologist based on the needs identified in this section or upon
255.22 request by an agency, a landowner, or other appropriate authority.

255.23 (d) The cemetery condition assessment of American Indian cemeteries is at the discretion
255.24 of the Indian Affairs Council based on the needs identified in this section or upon request
255.25 by an agency, a landowner, or other appropriate authority. If the Indian Affairs Council has
255.26 possession or takes custody of remains they may follow United States Code, title 25, sections
255.27 3001 to 3013.

255.28 (e) The cemetery condition assessment of cemeteries that include American Indian and
255.29 non-American Indian remains or include remains whose ancestry cannot be determined
255.30 shall be assessed at the discretion of the state archaeologist in collaboration with the Indian

256.1 Affairs Council based on the needs identified in this section or upon request by an agency,
256.2 a landowner, or other appropriate authority.

256.3 (f) The state archaeologist and the Indian Affairs Council shall have 90 days from the
256.4 date a request is received to begin a cemetery condition assessment or provide notice to the
256.5 requester whether or not a condition assessment of a cemetery is needed.

256.6 (g) The state archaeologist and the Indian Affairs Council may retain the services of a
256.7 qualified professional archaeologist, a qualified forensic anthropologist, or other appropriate
256.8 experts for the purpose of gathering information that the state archaeologist or the Indian
256.9 Affairs Council can use to assess or identify cemeteries. If probable American Indian
256.10 cemeteries are to be disturbed or probable American Indian remains analyzed, the Indian
256.11 Affairs Council must approve the professional archaeologist, qualified anthropologist, or
256.12 other appropriate expert.

256.13 Sec. 31. **REPEALER; DEPARTMENT OF INFORMATION TECHNOLOGY**
256.14 **SERVICES PROVISIONS.**

256.15 Minnesota Statutes 2022, sections 16E.035; 16E.0465, subdivisions 1 and 2; 16E.055;
256.16 and 16E.20, are repealed.

256.17 **ARTICLE 18**
256.18 **UNIFORM PUBLIC EXPRESSION PROTECTION ACT**

256.19 Section 1. **[554.07] SHORT TITLE.**

256.20 Sections 554.07 to 554.19 may be cited as the "Uniform Public Expression Protection
256.21 Act."

256.22 Sec. 2. **[554.08] SCOPE.**

256.23 (a) For the purposes of sections 554.07 to 554.19, the terms in this section have the
256.24 meanings given them.

256.25 (1) "Goods or services" does not include the creation, dissemination, exhibition, or
256.26 advertisement or similar promotion of a dramatic, literary, musical, political, journalistic,
256.27 or artistic work.

256.28 (2) "Governmental unit" means a public corporation or government or governmental
256.29 subdivision, agency, or instrumentality.

257.1 (3) "Person" means an individual, estate, trust, partnership, business or nonprofit entity,
257.2 governmental unit, or other legal entity.

257.3 (b) Except as otherwise provided in paragraph (c), sections 554.07 to 554.19 apply to a
257.4 cause of action asserted in a civil action against a person based on the person's:

257.5 (1) communication in a legislative, executive, judicial, administrative, or other
257.6 governmental proceeding;

257.7 (2) communication on an issue under consideration or review in a legislative, executive,
257.8 judicial, administrative, or other governmental proceeding; or

257.9 (3) exercise of the right of freedom of speech or of the press, the right to assemble or
257.10 petition, or the right of association, guaranteed by the United States Constitution or the
257.11 Minnesota Constitution on a matter of public concern.

257.12 (c) Sections 554.07 to 554.19 do not apply to a cause of action:

257.13 (1) against a governmental unit or an employee or agent of a governmental unit acting
257.14 or purporting to act in an official capacity;

257.15 (2) by a governmental unit or an employee or agent of a governmental unit acting in an
257.16 official capacity to enforce a law to protect against an imminent threat to public health or
257.17 safety;

257.18 (3) against a person primarily engaged in the business of selling or leasing goods or
257.19 services if the cause of action arises out of a communication related to the person's sale or
257.20 lease of the goods or services;

257.21 (4) against a person named in a civil suit brought by a victim of a crime against a
257.22 perpetrator;

257.23 (5) against a person named in a civil suit brought to establish or declare real property
257.24 possessory rights, use of real property, recovery of real property, quiet title to real property,
257.25 or related claims relating to real property;

257.26 (6) seeking recovery for bodily injury, wrongful death, or survival or to statements made
257.27 regarding that legal action, unless the claims involve damage to reputation;

257.28 (7) brought under the insurance code or arising out of an insurance contract;

257.29 (8) based on a common law fraud claim;

257.30 (9) brought under chapters 517 to 519A; or counterclaims based on a criminal no-contact
257.31 order pursuant to section 629.72 or 629.75; for or based on an antiharassment order or a

258.1 sexual assault protection order under section 518B.01; or for or based on a vulnerable adult
258.2 protection order for crimes against the vulnerable adult under sections 609.232, 609.2325,
258.3 609.233, 609.2335, and 609.234;

258.4 (10) brought under chapters 175, 177, 178, 179, and 179A; negligent supervision,
258.5 retention, or infliction of emotional distress unless the claims involve damage to reputation;
258.6 wrongful discharge in violation of public policy; whistleblowing; or enforcement of employee
258.7 rights under civil service, collective bargaining, or handbooks and policies;

258.8 (11) brought under consumer protection, chapter 325F or 325G; or

258.9 (12) for any claim brought under federal law.

258.10 (d) Sections 554.07 to 554.19 apply to a cause of action asserted under paragraph (c),
258.11 clause (3), (8), or (11), when the cause of action is:

258.12 (1) a legal action against a person arising from any act of that person, whether public or
258.13 private, related to the gathering, receiving, posting, or processing of information for
258.14 communication to the public, whether or not the information is actually communicated to
258.15 the public, for the creation, dissemination, exhibition, or advertisement or other similar
258.16 promotion of a dramatic, literary, musical, political, journalistic, or otherwise artistic work,
258.17 including audiovisual work regardless of the means of distribution, a motion picture, a
258.18 television or radio program, or an article published in a newspaper, website, magazine, or
258.19 other platform, no matter the method or extent of distribution; or

258.20 (2) a legal action against a person related to the communication, gathering, receiving,
258.21 posting, or processing of consumer opinions or commentary, evaluations of consumer
258.22 complaints, or reviews or ratings of businesses.

258.23 Sec. 3. **[554.09] SPECIAL MOTION FOR EXPEDITED RELIEF.**

258.24 Not later than 60 days after a party is served with a complaint, crossclaim, counterclaim,
258.25 third-party claim, or other pleading that asserts a cause of action to which sections 554.07
258.26 to 554.19 apply, or at a later time on a showing of good cause, the party may file a special
258.27 motion for expedited relief to dismiss the cause of action or part of the cause of action.

258.28 Sec. 4. **[554.10] STAY.**

258.29 (a) Except as otherwise provided in paragraphs (d) to (g), on the filing of a motion under
258.30 section 554.09:

259.1 (1) all other proceedings between the moving party and responding party, including
259.2 discovery and a pending hearing or motion, are stayed; and

259.3 (2) on motion by the moving party, the court may stay a hearing or motion involving
259.4 another party, or discovery by another party, if the hearing or ruling on the motion would
259.5 adjudicate, or the discovery would relate to, an issue material to the motion under section
259.6 554.09.

259.7 (b) A stay under paragraph (a) remains in effect until entry of an order ruling on the
259.8 motion under section 554.09 and expiration of the time under section 554.15 for the moving
259.9 party to appeal the order.

259.10 (c) Except as otherwise provided in paragraphs (e), (f), and (g), if a party appeals from
259.11 an order ruling on a motion under section 554.09, all proceedings between all parties in the
259.12 action are stayed. The stay remains in effect until the conclusion of the appeal.

259.13 (d) During a stay under paragraph (a), the court may allow limited discovery if a party
259.14 shows that specific information is necessary to establish whether a party has satisfied or
259.15 failed to satisfy a burden under section 554.13, paragraph (a), and the information is not
259.16 reasonably available unless discovery is allowed.

259.17 (e) A motion under section 554.16 for costs, attorney fees, and expenses is not subject
259.18 to a stay under this section.

259.19 (f) A stay under this section does not affect a party's ability voluntarily to dismiss a cause
259.20 of action or part of a cause of action or move to sever a cause of action.

259.21 (g) During a stay under this section, the court for good cause may hear and rule on:

259.22 (1) a motion unrelated to the motion under section 554.09; and

259.23 (2) a motion seeking a special or preliminary injunction to protect against an imminent
259.24 threat to public health or safety.

259.25 Sec. 5. **[554.11] HEARING.**

259.26 (a) The court shall hear a motion under section 554.09 not later than 60 days after filing
259.27 of the motion, unless the court orders a later hearing:

259.28 (1) to allow discovery under section 554.10, paragraph (d); or

259.29 (2) for other good cause.

260.1 (b) If the court orders a later hearing under paragraph (a), clause (1), the court shall hear
260.2 the motion under section 554.09 not later than 60 days after the court order allowing the
260.3 discovery, unless the court orders a later hearing under paragraph (a), clause (2).

260.4 Sec. 6. **[554.12] PROOF.**

260.5 In ruling on a motion under section 554.09, the court shall consider the pleadings, the
260.6 motion, any reply or response to the motion, and any evidence that could be considered in
260.7 ruling on a motion for summary judgment under Minnesota Rules of Civil Procedure 56.03.

260.8 Sec. 7. **[554.13] DISMISSAL OF CAUSE OF ACTION IN WHOLE OR PART.**

260.9 (a) In ruling on a motion under section 554.09, the court shall dismiss with prejudice a
260.10 cause of action, or part of a cause of action, if:

260.11 (1) the moving party establishes under section 554.08, paragraph (b), that sections 554.07
260.12 to 554.19 apply;

260.13 (2) the responding party fails to establish under section 554.08, paragraph (c), that
260.14 sections 554.07 to 554.19 do not apply; and

260.15 (3) either:

260.16 (i) the responding party fails to establish a prima facie case as to each essential element
260.17 of the cause of action; or

260.18 (ii) the moving party establishes that:

260.19 (A) the responding party failed to state a cause of action upon which relief can be granted;
260.20 or

260.21 (B) there is no genuine issue as to any material fact and the moving party is entitled to
260.22 judgment as a matter of law on the cause of action or part of the cause of action.

260.23 (b) A voluntary dismissal without prejudice of a responding party's cause of action, or
260.24 part of a cause of action, that is the subject of a motion under section 554.09 does not affect
260.25 a moving party's right to obtain a ruling on the motion and seek costs, attorney fees, and
260.26 expenses under section 554.16.

260.27 (c) A voluntary dismissal with prejudice of a responding party's cause of action, or part
260.28 of a cause of action, that is the subject of a motion under section 554.09 establishes for the
260.29 purpose of section 554.16 that the moving party prevailed on the motion.

261.1 Sec. 8. **[554.14] RULING.**

261.2 The court shall rule on a motion under section 554.09 not later than 60 days after a
261.3 hearing under section 554.11.

261.4 Sec. 9. **[554.15] APPEAL.**

261.5 A moving party may appeal as a matter of right from an order denying, in whole or in
261.6 part, a motion under section 554.09. The appeal must be filed not later than 30 days after
261.7 entry of the order.

261.8 Sec. 10. **[554.16] COSTS, ATTORNEY FEES, AND EXPENSES.**

261.9 On a motion under section 554.09, the court shall award court costs, reasonable attorney
261.10 fees, and reasonable litigation expenses related to the motion:

261.11 (1) to the moving party if the moving party prevails on the motion; or

261.12 (2) to the responding party if the responding party prevails on the motion and the court
261.13 finds that the motion was frivolous or filed solely with intent to delay the proceeding.

261.14 Sec. 11. **[554.17] CONSTRUCTION.**

261.15 Sections 554.07 to 554.19 must be broadly construed and applied to protect the exercise
261.16 of the right of freedom of speech and of the press, the right to assemble and petition, and
261.17 the right of association, guaranteed by the United States Constitution or Minnesota
261.18 Constitution.

261.19 Sec. 12. **[554.18] UNIFORMITY OF APPLICATION AND CONSTRUCTION.**

261.20 In applying and construing this uniform act, consideration must be given to the need to
261.21 promote uniformity of the law with respect to its subject matter among states that enact it.

261.22 Sec. 13. **[554.19] SAVINGS CLAUSE.**

261.23 Sections 554.07 to 554.19 do not affect a cause of action asserted before the effective
261.24 date of sections 554.07 to 554.19 in a civil action or a motion under Minnesota Statutes
261.25 2022, sections 554.01 to 554.06, regarding the cause of action.

262.1 Sec. 14. **[554.20] NO WAIVER OF OTHER PLEADINGS OR DEFENSES.**

262.2 A special motion for expedited relief under sections 554.07 to 554.19 is not meant to
262.3 waive a defense or preclude the filing of another pleading or motion regarding the cause of
262.4 action.

262.5 Sec. 15. **REVISOR INSTRUCTION.**

262.6 The revisor of statutes shall prepare legislation for the 2025 legislative session making
262.7 any additional conforming changes arising out of this article.

262.8 Sec. 16. **REPEALER.**

262.9 Minnesota Statutes 2022, sections 554.01; 554.02; 554.03; 554.04; 554.045; 554.05;
262.10 and 554.06, are repealed.

262.11 Sec. 17. **EFFECTIVE DATE.**

262.12 This article is effective the day following final enactment and applies to a civil action
262.13 pending on or commenced on or after that date.

16E.035 TECHNOLOGY INVENTORY.

The chief information officer must prepare a financial inventory of technology owned or leased by the Department of Information Technology Services. The inventory must include: (1) information on how the technology fits into the state's information technology architecture; and (2) a projected replacement schedule. The chief information officer must report the inventory to the legislative committees with primary jurisdiction over state technology issues by July 1 of each even-numbered year.

16E.0465 TECHNOLOGY APPROVAL.

Subdivision 1. **Application.** This section applies to an appropriation of more than \$1,000,000 of state or federal funds to a state agency for any information and telecommunications technology project or for any phase of such a project, device, or system. For purposes of this section, an appropriation of state or federal funds to a state agency includes an appropriation:

- (1) to a constitutional officer;
- (2) for a project that includes both a state agency and units of local government; and
- (3) to a state agency for grants to be made to other entities.

Subd. 2. **Required review and approval.** (a) A state agency receiving an appropriation for an information and telecommunications technology project subject to this section must divide the project into phases.

(b) An encumbrance or expenditure may not be made for any phase of a state agency information and telecommunications technology project subject to this section unless the Department of Information Technology Services has reviewed each phase of the project and based on this review, the chief information officer has determined for each phase that:

- (1) the project is compatible with the state information architecture and other policies and standards established by the chief information officer;
- (2) the agency is able to accomplish the goals of the phase of the project with the funds appropriated; and
- (3) the project supports the enterprise information technology strategy.

16E.055 ELECTRONIC GOVERNMENT SERVICES.

A state agency that implements electronic government services for fees, licenses, sales, or other purposes must use the single entry site created by the chief information officer for all agencies to use for electronic government services.

16E.20 ELECTRONIC CONDUCT OF STATE BUSINESS.

The chief information officer shall develop and implement a system under which:

- (1) state business can be conducted and permits or licenses obtained through electronic communication with the appropriate state agencies; and
- (2) applications for grants can be made electronically to state agencies when feasible.

241.265 HIGHER EDUCATION; CERTAIN PAYMENTS PROHIBITED.

The commissioner may not pay for a college education program beyond the associate of arts degree level for an inmate convicted of first- or second-degree murder. The commissioner of corrections may only pay for an associate of arts college education program for an inmate convicted of first or second degree murder if the inmate's participation in the program does not increase the cost of the program to the institution.

480.242 DISTRIBUTION OF CIVIL LEGAL SERVICES FUNDS TO QUALIFIED LEGAL SERVICES PROGRAMS.

Subdivision 1. **Advisory committee.** The supreme court shall establish an advisory committee to assist it in performing its responsibilities under sections 480.24 to 480.244. The advisory committee shall consist of 11 members appointed by the supreme court including seven attorneys-at-law who are well acquainted with the provision of legal services in civil matters, two public members who are not attorneys and two persons who would qualify as eligible clients. Four of the attorney-at-law members shall be nominated by the State Bar Association in the manner determined by it, and three of the attorney-at-law members shall be nominated by the programs in Minnesota providing legal

services in civil matters on July 1, 1982, with funds provided by the federal Legal Services Corporation in the manner determined by them. In making the appointments of the attorney-at-law members, the supreme court shall not be bound by the nominations prescribed by this section. In making appointments to the advisory committee, the supreme court shall ensure that urban and rural areas of the state are represented. The supreme court shall adopt by rule policies and procedures for the operation of the advisory committee including, but not limited to, policies and procedures governing membership terms, removal of members, and the filling of membership vacancies.

554.01 DEFINITIONS.

Subdivision 1. **Scope.** The definitions in this section apply to this chapter.

Subd. 2. **Government.** "Government" includes a branch, department, agency, official, employee, agent, or other person with authority to act on behalf of the federal government, this state, or any political subdivision of this state, including municipalities and their boards, commissions, and departments, or other public authority.

Subd. 3. **Judicial claim; claim.** "Judicial claim" or "claim" includes any civil lawsuit, cause of action, claim, cross-claim, counterclaim, or other judicial pleading or filing seeking damages for an alleged injury. "Judicial claim" does not include a claim solely for injunctive relief.

Subd. 4. **Motion.** "Motion" includes any motion to dismiss, motion for summary judgment, or any other judicial pleading filed to dispose of a judicial claim.

Subd. 5. **Moving party.** "Moving party" means any person on whose behalf the motion described in section 554.02, subdivision 1, is filed seeking dismissal of an action under this chapter.

Subd. 6. **Public participation.** "Public participation" means speech or lawful conduct that is genuinely aimed in whole or in part at procuring favorable government action, including but not limited to:

- (1) seeking assistance from, or reporting suspected unlawful conduct to, law enforcement;
- (2) speaking before a zoning board regarding a real estate development project;
- (3) communicating with an elected official concerning a change in law;
- (4) demonstrating peacefully for or against a government action; and
- (5) filing a complaint with a government entity regarding safety, sexual harassment, civil rights, or equal employment rights.

Subd. 7. **Responding party.** "Responding party" means any person against whom a motion described in section 554.02, subdivision 1, is filed.

554.02 PROTECTION OF CITIZENS TO PARTICIPATE IN GOVERNMENT.

Subdivision 1. **Applicability.** This section applies to any motion in a judicial proceeding to dispose of a judicial claim on the grounds that the claim materially relates to an act of the moving party that involves public participation.

Subd. 2. **Procedure.** On the filing of any motion described in subdivision 1:

- (1) discovery must be suspended pending the final disposition of the motion, including any appeal; provided that the court may, on motion and after a hearing and for good cause shown, order that specified and limited discovery be conducted;
- (2) the responding party has the burden of proof, of going forward with the evidence, and of persuasion on the motion;
- (3) the court shall grant the motion and dismiss the judicial claim unless the court finds that the responding party has produced clear and convincing evidence that the acts of the moving party are not immunized from liability under section 554.03; and
- (4) any governmental body to which the moving party's acts were directed or the attorney general's office may intervene in, defend, or otherwise support the moving party.

554.03 IMMUNITY.

Lawful conduct or speech that is genuinely aimed in whole or in part at procuring favorable government action is immune from liability, unless the conduct or speech constitutes a tort or a violation of a person's constitutional rights.

554.04 FEES AND DAMAGES.

Subdivision 1. **Attorney fees and costs.** The court shall award a moving party who prevails in a motion under this chapter reasonable attorney fees and costs associated with the bringing of the motion.

Subd. 2. **Damages.** (a) A moving party may petition the court for damages under this section in conjunction with a motion under this chapter.

(b) If a motion under this chapter is granted and the moving party demonstrates that the respondent brought the cause of action in the underlying lawsuit for the purpose of harassment, to inhibit the moving party's public participation, to interfere with the moving party's exercise of protected constitutional rights, or otherwise wrongfully injure the moving party, the court shall award the moving party actual damages. The court may award the moving party punitive damages under section 549.20. A motion to amend the pleadings under section 549.191 is not required under this section, but the claim for punitive damages must meet all other requirements of section 549.191.

554.045 ACTION IN DISTRICT COURT.

A person may bring an action under this section in state district court against a respondent who has brought a claim in federal court that materially relates to public participation by the person. If the person demonstrates that the respondent's action in federal court was brought for the purpose of harassment, to inhibit the person's public participation, to interfere with the person's exercise of protected constitutional rights, or otherwise wrongfully injure the person, the court shall award the person actual damages and reasonable attorney fees and costs. The court may award the person punitive damages under section 549.20.

554.05 RELATIONSHIPS TO OTHER LAW.

Nothing in this chapter limits or precludes any rights the moving party or responding party may have under any other constitutional, statutory, case, or common law, or rule. Nothing in this chapter exempts individuals from their professional obligations of confidentiality.

554.06 RULE OF CONSTRUCTION.

This chapter shall be construed liberally to effectuate its purposes and intent.

559.201 DEFINITIONS.

Subdivision 1. **Application.** The definitions in this section apply to section 559.202.

Subd. 2. **Business day.** "Business day" means any day other than a Saturday, Sunday, or holiday as defined in section 645.44, subdivision 5.

Subd. 3. **Family farm security loan.** "Family farm security loan" has the meaning given in Minnesota Statutes 2008, section 41.52, subdivision 5.

Subd. 4. **Multiple seller.** "Multiple seller" means a person that has acted as a seller in four or more contracts for deed involving residential real property during the 12-month period that precedes either: (1) the date on which the purchaser executes a purchase agreement under section 559.202; or (2) if there is no purchase agreement, the date on which the purchaser executes a contract for deed under section 559.202. A contract for deed transaction that is exempt under section 559.202, subdivision 2, is a contract for deed for the purposes of determining whether a seller is a multiple seller.

Subd. 5. **Person.** "Person" means a natural person, partnership, corporation, limited liability company, association, trust, or other legal entity, however organized.

Subd. 6. **Purchase agreement.** "Purchase agreement" means a purchase agreement for a contract for deed, an earnest money contract, or an executed option contemplating that, at closing, the seller and the purchaser will enter into a contract for deed.

Subd. 7. **Purchaser.** "Purchaser" means a natural person who enters into a contract for deed to purchase residential real property. Purchaser includes all purchasers who enter into the same contract for deed to purchase residential real property.

Subd. 8. **Residential real property.** "Residential real property" means real property consisting of one to four family dwelling units, one of which the purchaser intends to occupy as the purchaser's principal place of residence. Residential real property does not include property subject to a family farm security loan or a transaction subject to sections 583.20 to 583.32.

559.202 CONTRACTS FOR DEED INVOLVING RESIDENTIAL PROPERTY.

Subdivision 1. **Notice required.** (a) In addition to the disclosures required under sections 513.52 to 513.60, a multiple seller must deliver the notice specified under subdivision 3 to a prospective purchaser as provided under this subdivision.

(b) If there is a purchase agreement, the notice must be affixed to the front of the purchase agreement. A contract for deed for which notice is required under this subdivision may not be executed for five business days following the execution of the purchase agreement and delivery of the notice and instructions for cancellation.

(c) If there is no purchase agreement, a multiple seller must deliver the notice in a document separate from any other document or writing to a prospective purchaser no less than five business days before the prospective purchaser executes the contract for deed.

(d) The notice must be:

- (1) written in at least 12-point type; and
- (2) signed and dated by the purchaser.

(e) If a dispute arises concerning whether or when the notice required by this subdivision was provided to the purchaser, there is a rebuttable presumption that the notice was not provided unless the original executed contract for deed contains the following statement, initialed by the purchaser: "By initialing here purchaser acknowledges receipt at least five business days before signing this contract for deed of the disclosure statement entitled "Important Information About Contracts for Deed" required by Minnesota Statutes, section 559.202, subdivision 3."

Subd. 2. **Exception.** This section does not apply to sales made under chapter 282 or if the purchaser is represented throughout the transaction by either:

- (1) a person licensed to practice law in this state; or
- (2) a person licensed as a real estate broker or salesperson under chapter 82, provided that the representation does not create a dual agency, as that term is defined in section 82.55, subdivision 6.

Subd. 3. **Content of the notice.** The notice must contain the following verbatim language:

"IMPORTANT INFORMATION ABOUT CONTRACTS FOR DEED

Know What You Are Getting Into

(1) A contract for deed is a complex legal agreement. You are NOT a tenant. Mortgage foreclosure laws don't apply.

(2) You should know ALL of your obligations and rights before you sign a purchase agreement or contract for deed.

(3) You (seller must circle one):

- (a) DO DO NOT have to pay homeowner's insurance.
- (b) DO DO NOT have to pay property taxes.
- (c) DO DO NOT have to make and pay for some or all of the repairs or maintenance, as described in the contract for deed.

(4) After some time, you may need to make a large lump sum payment (called a "balloon payment"). Know when it is due and how much it will be. You'll probably need to get a new mortgage, another financial arrangement, or pay for the balance in cash at that time.

(5) If you miss just a single payment or can't make the balloon payment, the seller can cancel your contract. You will likely lose all the money you have already paid. You will likely lose your ability to purchase the home. The seller can begin an eviction action against you in just a few months.

(6) Within four months of signing the contract for deed, you must "record" it in the office of the county recorder or registrar of titles in the county in which the property is located. If you do not do so, you could face a fine.

Key Things Highly Recommended Before You Sign

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- (1) Get advice from a lawyer or the Minnesota Home Ownership Center at 1-866-462-6466 or go to www.hocmn.org. To find a lawyer through the Minnesota State Bar Association, go to www.mnfindalawyer.com.
- (2) Get an independent, professional appraisal of the property to learn what it is worth.
- (3) Get an independent, professional inspection of the property.
- (4) Buy title insurance or ask a real estate lawyer for a "title opinion."
- (5) Check with the city or county to find out if there are inspection reports or unpaid utility bills.
- (6) Check with a title agent or the county where the property is located to find out if there is a mortgage or other lien on the property and if the property taxes have been paid.
- (7) Ensure that your interest rate does not exceed the maximum allowed by law by calling the Department of Commerce to get a recorded message for the current month's maximum rate.

If You Are Entering into a Purchase Agreement

- (1) If you haven't already signed the contract for deed, you can cancel the purchase agreement (and get all your money back) if you do so within five business days after getting this notice.
- (2) To cancel the purchase agreement, you must follow the provisions of Minnesota Statutes, section 559.217, subdivision 4. Ask a lawyer for help."

Subd. 4. **Right to cancel purchase agreement.** (a) A prospective purchaser may cancel a purchase agreement within five business days after actually receiving the notice required under subdivision 1 if a multiple seller fails to timely deliver the notice, provided that the contract for deed has not been executed by all parties.

(b) A prospective purchaser may cancel the purchase agreement in accordance with the provisions of section 559.217, subdivision 4.

(c) In the event of cancellation, the multiple seller may not impose a penalty and must promptly refund all payments made by the prospective purchaser prior to cancellation.

Subd. 5. **Remedies for failure to timely deliver notices.** (a) Notwithstanding any contrary provision in the purchase agreement or contract for deed, a purchaser has a private right of action against a multiple seller who fails to timely deliver the notice required under subdivision 1. The multiple seller is liable to the purchaser for:

- (1) the greater of actual damages or statutory damages of \$2,500; and
- (2) reasonable attorney fees and court costs.

(b) A multiple seller who knowingly fails to timely deliver the notice required under subdivision 1 is liable to the purchaser for triple the actual or statutory damages available under paragraph (a), whichever is greater, provided that the purchaser must elect the remedy provided under either paragraph (a) or this paragraph and may not recover damages under both paragraphs.

(c) The rights and remedies provided in this subdivision are cumulative to, and not a limitation of, any other rights and remedies provided under law. An action brought pursuant to this subdivision must be commenced within four years from the date of the alleged violation.

Subd. 6. **Effects of violation.** A violation of this section has no effect on the validity of the contract.

Subd. 7. **Duty of multiple seller to account.** Upon reasonable request by the purchaser and no more than once every 12-month period, a multiple seller must provide an accounting of all payments made pursuant to the contract for deed, the amount of interest paid, and the amount remaining to satisfy the principal balance under the contract.

Subd. 8. **No waiver.** The provisions of this section may not be waived.

609B.050 DEFINITIONS; PURPOSE; CROSS-REFERENCES.

Subdivision 1. **Definitions.** For purposes of this chapter:

- (1) "automatically" means either by operation of law or by the mandated action of a designated official or agency; and

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(2) "collateral sanction" means a legal penalty, disability, or disadvantage, however denominated, that is imposed on a person automatically when that person is convicted of or found to have committed a crime, even if the sanction is not included in the sentence. Collateral sanction does not include:

- (i) a direct consequence of the crime such as a criminal fine, restitution, or incarceration; or
- (ii) a requirement imposed by the sentencing court or other designated official or agency that the convicted person provide a biological specimen for DNA analysis, provide fingerprints, or submit to any form of assessment or testing.

Subd. 2. **Statement of purpose.** This chapter contains cross-references to Minnesota Statutes imposing collateral sanctions. This chapter provides quick access to the cross-referenced collateral sanctions by using the following categories:

- (1) collateral sanctions relating to employment and licensing;
- (2) collateral sanctions relating to teaching;
- (3) collateral sanctions relating to nursing and other health care licenses;
- (4) collateral sanctions relating to transportation;
- (5) collateral sanctions relating to elections;
- (6) collateral sanctions relating to carriers;
- (7) collateral sanctions relating to miscellaneous licensing provisions;
- (8) collateral sanctions relating to liquor;
- (9) collateral sanctions relating to gambling;
- (10) collateral sanctions relating to fiduciary service and public office vacancies;
- (11) collateral sanctions relating to local government;
- (12) collateral sanctions relating to metropolitan area officers and peace officers;
- (13) collateral sanctions relating to driving and motor vehicles;
- (14) collateral sanctions relating to prison program eligibility;
- (15) collateral sanctions relating to offender registration;
- (16) collateral sanctions relating to crimes against a person; crimes of violence;
- (17) collateral sanctions relating to possession of firearms, explosives, and similar devices;
- (18) collateral sanctions relating to services and benefits;
- (19) collateral sanctions relating to property rights;
- (20) collateral sanctions relating to civil rights and remedies;
- (21) collateral sanctions relating to recreational activities; and
- (22) collateral sanctions relating to game and fish laws.

Subd. 3. **Cautionary language.** The following cautionary language should be noted:

(1) the list of collateral sanctions laws contained in this chapter is intended to be comprehensive but is not necessarily complete;

(2) the inclusion or exclusion of a collateral sanction in this chapter is not intended to have any substantive legal effect;

(3) the cross-references used in this chapter are intended solely to indicate the contents of the cross-referenced section or subdivision and are not part of the cross-referenced statute;

(4) the cross-references are not substantive and may not be used to construe or limit the meaning of any statutory language; and

(5) users must consult the language of each cross-referenced law to fully understand the scope and effect of the collateral sanction it imposes.

609B.100 EMPLOYMENT AND OCCUPATIONAL LICENSING; GENERALLY.

Sections 609B.101 to 609B.113 provide references to collateral sanctions related to employment and licensing.

609B.101 FALSE OR FRAUDULENT CLAIM TO LEGISLATURE; FORFEITURE OF OFFICE.

A state officer convicted of violating section 3.756 forfeits the state office.

609B.102 SUBVERSIVE ACT; EMERGENCY MANAGEMENT EMPLOYMENT PROHIBITED.

Section 12.43 prohibits a person from employment with an emergency management organization who has been convicted of a subversive act against the United States.

609B.103 VIOLATION OF AQUATIC FARMS REGULATIONS; AQUATIC FARM OCCUPATIONAL LICENSE VOID.

A conviction for a violation of an aquatic farm law or rule will result in an aquatic farm license of the violator being voided under certain circumstances provided in section 17.4998.

609B.104 VIOLATION OF CERTIFIED SEED POTATO LAW; RIGHT TO HANDLE CERTIFIED SEED POTATOES REVOKED.

Section 21.122 requires the commissioner of agriculture to refuse the privilege of handling certified seed potatoes in any way during the season in which a person is convicted for a second offense under sections 21.111 to 21.122.

609B.106 UNLICENSED OR IMPROPER EXHIBIT; REMOVAL FROM STATE FAIRGROUNDS.

(a) If a person is convicted under section 37.18, the person's license shall be suspended, and all money paid in connection with a performance or exhibit shall be forfeited to the Minnesota State Agricultural Society.

(b) A person engaging in a play, game, concert, or theatrical or other performance, or exhibiting a show of any kind on the State Fairgrounds without a license from the society must be removed from the State Fairgrounds.

609B.107 NONCOMPLIANCE; STATE CIVIL SERVICE EMPLOYMENT PROHIBITED.

Under section 43A.39, a person convicted of a crime based on violations of chapter 43A shall be ineligible for appointment in the civil service for three years following conviction.

609B.108 CRIMINAL CONDUCT; MUNICIPAL SERVICE EMPLOYMENT PROHIBITED.

Section 44.11 requires the municipal personnel board to reject candidates or eligible persons who have been found guilty of criminal conduct.

609B.109 INSURANCE POLICY VIOLATIONS; INSURANCE BUSINESS DISQUALIFICATION.

Section 72A.02 disqualifies a company, which has more than one conviction for making, issuing, delivering, or tendering any policy of insurance of any kind in violation of any provision of law, from conducting any insurance business until payment of all fines and for one year thereafter.

609B.110 INSURANCE CONTRACTS; AGENT AND INSURANCE BUSINESS DISQUALIFICATION.

Upon conviction for a violation under sections 60K.30 to 60K.56, the commissioner of commerce shall suspend the authority of a convicted agent to transact any insurance business within the state for a period of not less than three months under section 72A.07.

609B.111 LIFE INSURANCE POLICY MISREPRESENTATION; LICENSE REVOCATION.

The license of any company that authorizes or permits a violation of section 72A.12, subdivision 2, shall be revoked. Upon a conviction under section 72A.12, subdivision 3, the commissioner of

commerce shall revoke the license of a company and its agents, and grant no new license within one year after the conviction.

609B.112 VIOLATION OF AQUATIC VEGETATION IN PUBLIC WATERS LICENSE; LICENSE VOID.

If a person is convicted of violating section 84.42 for the second time within three years, that person's license issued under section 84.091 shall become null and void, and no license of the same kind shall be issued for one year after the date of the conviction.

609B.113 MISREPRESENTATION OF FISH SPECIES CONVICTION; FISH VENDOR LICENSE REVOCATION.

If a licensed fish vendor or an employee of the fish vendor is convicted of misrepresenting a species of fish that is sold, the license shall be revoked and the licensee is not eligible to obtain a fish vendor's license for one year after revocation under section 97C.861.

609B.120 TEACHING; COLLATERAL SANCTIONS.

Sections 609B.121 to 609B.123 provide references to teaching related collateral sanctions.

609B.121 CHILD ABUSE, SEXUAL ABUSE, OR SIMILAR CONVICTION; REVOCATION OR DENIAL OF TEACHER'S LICENSE.

Under section 122A.20 or any similar law of another state or the United States, a person convicted of child abuse or sexual abuse, using minors in a sexual performance, or possessing pornographic works involving a minor shall have the person's teaching license revoked.

609B.122 CHILD ABUSE, SEXUAL ABUSE, OR SIMILAR CONVICTION; CERTAIN TEACHERS DISCHARGED.

Upon receipt of notice that the teacher's license has been revoked due to a conviction for child abuse or sexual abuse under section 122A.20, a teacher under contract either as a probationary teacher or a continuing-contract teacher under section 122A.40 or 122A.41 must be discharged.

609B.123 SEX OFFENDER; INDEPENDENT DISTRICT SCHOOL BOARD INELIGIBILITY.

Under section 123B.09, a sex offender who has been convicted of an offense for which registration is required under section 243.166 is ineligible to become a candidate for the office of school board member.

609B.124 NURSING AND OTHER HEALTH CARE LICENSING; COLLATERAL SANCTIONS.

Sections 609B.125 to 609B.130 provide references to nursing and other health care licensing-related collateral sanctions.

609B.125 NURSING HOME EMPLOYMENT; DISQUALIFICATION.

A person who was a controlling person of another nursing home during any period of time in the previous two-year period, as defined by law, and was convicted of a felony or gross misdemeanor that relates to operation of the nursing home or directly affects resident safety or care during that period is disqualified from becoming a controlling person of a nursing home under section 144A.04.

609B.126 NURSING HOME LICENSE; REVOCATION.

Under section 144A.11, subdivision 3a, a nursing home license shall be revoked if a controlling person is convicted of a felony or gross misdemeanor that relates to operation of the nursing home or directly affects resident safety or care.

609B.127 HOME CARE EMPLOYMENT; DISQUALIFICATION.

Under section 144A.476:

(1) no person may be involved in the management, operation, or control of a home care provider if the person has been disqualified under the provisions of chapter 245C; and

(2) employees, contractors, and volunteers of a home care provider or hospice with prior criminal convictions shall be disqualified under the provisions of chapter 245C.

609B.128 HOSPICE CARE EMPLOYMENT; DISQUALIFICATION.

Under section 144A.754:

(1) no person may be involved in the management, operation, or control of a hospice provider if the person has been disqualified under the provisions of chapter 245C; and

(2) employees, contractors, and volunteers of a hospice provider with prior criminal convictions shall be disqualified under the provisions of chapter 245C.

609B.129 FELONY-LEVEL CRIMINAL SEXUAL CONDUCT CONVICTION; MEDICAL LICENSE DENIAL OR REVOCATION.

Under section 147.091, subdivision 1a, the Board of Medical Practice may not grant a license to practice medicine to a person convicted of a felony-level criminal sexual conduct offense, and a license to practice medicine is automatically revoked if the licensee is convicted of a felony-level criminal sexual conduct offense.

609B.130 PHARMACY LICENSE AND REGISTRATION; ELIGIBILITY.

Under section 151.06, the Board of Pharmacy shall deny, suspend, revoke, or refuse to renew any registration or license required under chapter 151 to any applicant, registrant, or licensee upon any of the following grounds:

(1) in the case of a pharmacist, conviction in any court of a felony;

(2) in the case of a pharmacist, conviction in any court of an offense involving moral turpitude;

(3) conviction of theft of drugs, or the unauthorized use, possession, or sale thereof; or

(4) in the case of a pharmacist, aiding suicide or aiding attempted suicide, as established by a copy of the record of criminal conviction or plea of guilty for a felony in violation of section 609.215, subdivision 1 or 2.

609B.132 TRANSPORTATION; COLLATERAL SANCTIONS.

Sections 609B.133 to 609B.136 provide references to collateral sanctions related to transportation.

609B.133 PUBLIC CONTRACTS; ELIGIBILITY FOR PUBLIC TRANSPORTATION CONTRACTS.

Under section 161.315, a contractor and the contractor's affiliates convicted of a contract crime are disqualified from receiving the award of a state contract or from serving as a subcontractor or material supplier under a state contract.

609B.134 MOTOR VEHICLE DEALER VIOLATION; SUSPENSION OR REVOCATION OF DEALER LICENSE.

Under section 168.276, the registrar of motor vehicles shall suspend for a period of 30 days a person's license for the sale of new or used motor vehicles upon the receipt of a second record of conviction for a violation of section 168.27, and upon receipt of a third record of conviction, the person's license shall be permanently revoked.

609B.135 FRAUD, MISREPRESENTATION, AND DELAY; REVOCATION OF INSURER'S LICENSE.

Under section 176.195, the commissioner of commerce shall revoke the license of an insurer to write workers' compensation insurance, if the insurer, or an agent of the insurer, has been found guilty of fraud, misrepresentation, or culpable, persistent, and unreasonable delay in making payments or settlements under chapter 176.

609B.136 VIOLATIONS BY BOILER INSPECTORS; REMOVAL FROM OFFICE.

An inspector found guilty of a misdemeanor under section 326B.992 shall be removed from office.

609B.139 ELECTIONS; COLLATERAL SANCTIONS.

Sections 609B.140 to 609B.146 provide references to collateral sanctions related to elections.

609B.140 CONVICTION FOR FAILURE TO PROSECUTE; FORFEITURE OF OFFICE.

A county attorney convicted of a misdemeanor under section 201.275 shall forfeit office.

609B.141 CONVICTION FOR TREASON OR FELONY; INELIGIBILITY FOR BALLOT CERTIFICATION.

If a person is convicted of a felony or treason and has not had the person's civil rights restored, under section 204B.10 the person's name shall not be certified to be placed on a ballot.

609B.142 CONVICTED SEX OFFENDER; SCHOOL BOARD MEMBER INELIGIBILITY.

Under section 205A.06, subdivision 1b, a person convicted of an offense for which registration is required under section 243.166 is ineligible to become a candidate for the office of school board member and may not file an affidavit of candidacy for that office. Ineligibility is determined by registration requirements in effect at the time the offender files for office.

609B.143 VIOLATION OF CAMPAIGN FINANCIAL REPORTS; FORFEITURE OF NOMINATION OR OFFICE.

If a candidate is convicted of a campaign violation under section 211A.09, the court shall declare that the candidate has forfeited nomination or office.

609B.144 CONVICTION FOR VIOLATION OF CAMPAIGN FINANCIAL REPORTS; DISQUALIFICATION.

A person convicted of violating chapter 211A or a person whose election to office has been set aside for violating chapter 211A may not be appointed to fill a vacancy in the office under section 211A.10.

609B.146 CONVICTION FOR VIOLATION OF FAIR CAMPAIGN PRACTICES; DISQUALIFICATION.

A person convicted of violating chapter 211B or a person whose election to office has been set aside for violating chapter 211B may not be appointed to fill a vacancy in the office under section 211B.18.

609B.147 CARRIERS; COLLATERAL SANCTIONS.

Sections 609B.148 and 609B.149 provide references to collateral sanctions related to carriers.

609B.148 DRIVER'S LICENSE SUSPENSION OR CANCELLATION; DENIAL OF APPLICATION; INTERSTATE MOTOR CARRIER.

Under section 221.0314, subdivision 3a, paragraph (e), the commissioner of transportation shall deny an application if, during the three years preceding the application, the applicant's driver's license has been suspended, canceled, or revoked or the applicant has been convicted of a disqualifying offense as defined in Code of Federal Regulations, title 49, section 383.51, paragraph (b)(2).

609B.149 CONVICTION OF BACKGROUND CHECK CRIME; PASSENGER CARRIER DISQUALIFICATION.

If the background check response required under section 221.178 shows that the driver has been convicted of a background check crime defined in section 299C.67, subdivision 2, paragraph (a) or (b), the driver may not be employed by a motor carrier of passengers to operate a vehicle providing passenger transportation.

609B.1495 MISCELLANEOUS LICENSING PROVISIONS; COLLATERAL SANCTIONS.

Sections 609B.150 to 609B.164 provide references related to miscellaneous licensing provisions.

609B.150 RACETRACK OCCUPATIONAL LICENSES; INELIGIBILITY.

A person convicted of a felony; fraud or misrepresentation in connection with racing or breeding; or a violation of law or rule relating to horse racing, pari-mutuel betting, or any other form of gambling that is a serious violation as defined by the Minnesota Racing Commission's rules, is ineligible for a class C occupational license under section 240.08.

609B.151 HUMAN SERVICES LICENSE; DISQUALIFICATION FOR CONVICTION.

Under section 245A.04, the commissioner of human services shall not issue a license if the applicant, license holder, or controlling individual has been disqualified and the disqualification was not set aside. Disqualifications under section 245A.04 are governed according to sections

245C.14 and 245C.15. Convictions resulting in human services license disqualification are enumerated under section 245C.15.

609B.152 CONVICTION FOR FAILURE TO COMPLY; TAX LEVY FOR SOCIAL SERVICES; REMOVAL FROM OFFICE.

Any county commissioner convicted under section 261.063 shall be immediately removed from office by the governor.

609B.153 CIGARETTE AND TOBACCO DISTRIBUTOR OR SUBJOBBER LICENSE; SUSPENSION OR REVOCATION.

Under section 297F.04, the commissioner of revenue must not issue or renew a license issued under chapter 297F, and may revoke a license issued under chapter 297F, if the applicant has been convicted of a crime involving cigarettes or tobacco products.

609B.155 RESIDENTIAL BUILDING MANAGER; BACKGROUND CHECK.

Under section 299C.69, an owner of a residential building may not hire a person as a residential building manager or, if the person was hired pending completion of the background check, shall terminate the person's employment if a residential building manager or a person applying for a position as a residential building manager is convicted of a background check crime defined in section 299C.67, subdivision 2, paragraph (a). Except as provided under section 299C.69, paragraph (c), if the owner knows that a residential building manager has been convicted of a background check crime defined in section 299C.67, subdivision 2, paragraph (a), the owner shall terminate the manager's employment. For background check crimes defined in section 299C.67, subdivision 2, paragraph (a), the owner may not employ a manager unless more than ten years have elapsed since the date of discharge of the sentence, except as provided under section 299C.69, paragraph (c).

609B.157 GAMBLING DEVICES LICENSE; INELIGIBILITY.

Under section 299L.07, the commissioner of public safety may not issue or renew a license under chapter 299L, and shall revoke a license under chapter 299L, if the applicant or licensee, or a director, officer, partner, governor, person in a supervisory or management position of the applicant or licensee, an employee eligible to make sales on behalf of the applicant or licensee, or a direct or indirect holder of more than a five percent financial interest in the applicant or licensee has been convicted of:

- (1) a felony;
- (2) a crime involving gambling;
- (3) assault;
- (4) a criminal violation involving the use of a firearm; or
- (5) making terroristic threats.

609B.158 PETROLEUM DISCRIMINATION; REVOCATION OF PERMIT.

Under section 325D.67, if a person or firm is convicted of a petroleum discrimination violation, the attorney general shall see to it that the corporation's permit to do business is revoked.

609B.159 PAWNBROKER LICENSE; INELIGIBILITY.

A person convicted of a crime directly related to a pawnbroker licensed as prescribed by section 364.03, subdivision 2, is not eligible to maintain or receive a pawnbroker license under section 325J.03 unless the person has shown competent evidence of sufficient rehabilitation and present fitness to perform the duties of a licensee under chapter 325J as prescribed by section 364.03, subdivision 3.

609B.160 PRIVATE DETECTIVE OR PROTECTIVE AGENT EMPLOYMENT; DISQUALIFICATION.

Under section 326.336, a private detective or protective agent license holder shall immediately dismiss an employee who has been convicted of a felony or any offense listed in section 326.3381, subdivision 3, other than a misdemeanor or gross misdemeanor assault.

609B.161 PRIVATE DETECTIVE OR PROTECTIVE AGENT BUSINESS LICENSE; DISQUALIFICATION.

Under section 326.3381, a person is disqualified from holding a private detective or protective agent business license if that person has been convicted of:

- (1) a felony by the courts of this or any other state or of the United States;
- (2) acts which, if committed in Minnesota, would be criminal sexual conduct; assault; theft; larceny; burglary; robbery; carjacking; unlawful entry; extortion; defamation; buying or receiving stolen property; using, possessing, manufacturing, or carrying weapons unlawfully; using, possessing, or carrying burglary tools unlawfully; escape; or possession, production, sale, or distribution of narcotics unlawfully; or
- (3) acts in any other country which, if committed in Minnesota, would be a felony or considered as any of the other offenses listed in clause (2) and for which a full pardon or similar relief has not been granted.

609B.162 ACTS PROHIBITED DURING LABOR DISPUTES, STRIKES, AND LOCKOUTS; SUSPENSION.

The license of a person convicted of violating section 326.3384 shall be suspended for the periods described under section 326.3384, subdivision 2, paragraph (c).

609B.164 INDIVIDUAL COLLECTOR REGISTRATION; PRIOR CONVICTIONS AS DISQUALIFICATION.

Under section 332.35, a license shall not be issued to, and registration shall not be accepted for, any person, firm, corporation, or association, or any officers, which, within the past five years, have been convicted in any court of fraud or any felony.

609B.1641 BULLION COIN DEALER AND REPRESENTATIVE REGISTRATION; CONVICTIONS.

Under section 80G.04, the commissioner of commerce shall deny a registration or renewal of registration or revoke a registration of a bullion coin dealer or coin dealer representative, if the bullion coin dealer or coin dealer representative has within the last ten years been convicted of a financial crime or other crime involving fraud or theft.

609B.1645 LIQUOR, GAMBLING, FIDUCIARY SERVICE AND PUBLIC OFFICE VACANCIES; COLLATERAL SANCTIONS.

Sections 609B.165 to 609B.177 provide references to liquor, gambling, and fiduciary service and public office vacancies collateral sanctions.

609B.165 CONVICTION; RETAIL LIQUOR LICENSE INELIGIBILITY.

Under section 340A.402, no new retail license may be issued to a person who, within five years of the license application, has been convicted of a felony or a willful violation of a federal or state law or local ordinance governing the manufacture, sale, distribution, or possession for sale or distribution of an alcoholic beverage.

609B.168 FELONY CONVICTION AND VIOLATIONS OF CHAPTER 340A; CONSUMPTION AND DISPLAY PERMIT INELIGIBILITY.

Under section 340A.414, the commissioner of public safety may not issue a permit to an applicant who has, within five years prior to the application, been convicted of a felony or of violating any provision of chapter 340A or rules adopted under chapter 340A.

609B.170 LAWFUL GAMBLING AND GAMBLING DEVICES LICENSES; DISQUALIFICATIONS.

(a) Under section 349.155, in the case of licenses for manufacturers, distributors, distributor salespersons, linked bingo game providers, and gambling managers, the Gambling Control Board may not issue or renew a license under chapter 349, and shall revoke a license under chapter 349, if the applicant or licensee, or a director, officer, partner, governor, or person in a supervisory or management position of the applicant or licensee has been convicted of:

- (1) a felony or a crime involving gambling;
- (2) assault;

(3) a criminal violation involving the use of a firearm; or

(4) making terroristic threats.

(b) Under section 349.155, in the case of licenses for organizations, the Gambling Control Board may not issue or renew a license under chapter 349, and shall revoke a license under chapter 349, if the organization or an officer or member of the governing body of the organization has been convicted of:

(1) a felony or gross misdemeanor involving theft or fraud; or

(2) a crime involving gambling.

609B.171 GAMBLING MANAGER'S LICENSE; DISQUALIFICATION.

Under section 349.167, the Gambling Control Board may not issue a gambling manager's license to a person applying for the license who has been convicted of a criminal violation involving fraud, theft, tax evasion, misrepresentation, or gambling.

609B.172 STATE LOTTERY EMPLOYMENT; INELIGIBILITY.

Under section 349A.02, no person may be employed by the State Lottery who has been convicted of a felony or a crime involving fraud or misrepresentation within five years of starting employment with the State Lottery, or has been convicted of a gambling-related offense.

609B.173 STATE LOTTERY RETAILERS; DISQUALIFICATION.

Under section 349A.06, subdivision 2, the director of the State Lottery may not contract with a retailer who has been convicted within the previous five years of a felony or gross misdemeanor, any crime involving fraud or misrepresentation, or a gambling-related offense.

609B.174 STATE LOTTERY RETAILERS; LICENSE CANCELLATION, SUSPENSION, AND REFUSAL TO RENEW CONTRACTS OR LOCATIONS.

Under section 349A.06, subdivision 11, the director of the State Lottery shall cancel the contract of any lottery retailer who has been convicted of a felony or gross misdemeanor or prohibit a lottery retailer who has been convicted of a felony or gross misdemeanor from selling lottery tickets at a business location.

609B.175 STATE LOTTERY VENDOR CONTRACTS; INELIGIBILITY.

Under section 349A.07, the director of the State Lottery may not enter into a lottery procurement contract with an applicant who has been convicted of a felony within the last ten years, has been convicted of a gross misdemeanor or gambling-related misdemeanor within the last five years, or has been found guilty of any crime involving fraud or misrepresentation within the last five years.

609B.176 INCUMBENT'S CONVICTION; VACATE OFFICE.

Under section 351.02, a public office shall become vacant following the incumbent's conviction of a crime or an offense involving a violation of the official oath.

609B.177 FELONY CONVICTION; VIOLATION OF FEDERAL LAW; PROHIBITION FROM FIDUCIARY STATUS.

Under section 356A.03, a person, other than a constitutional officer of the state, who has been convicted of a violation under section 356A.03, subdivision 3, may not serve in a fiduciary capacity identified in section 356A.02.

609B.179 LOCAL GOVERNMENT; COLLATERAL SANCTIONS.

Sections 609B.180 to 609B.189 provide references to collateral sanctions related to local government.

609B.180 REMOVAL FROM OFFICE.

A person convicted of violating section 365.37, a provision regulating bid requirements of towns, must leave office.

609B.181 TOWN TREASURER NEGLECT OF DUTY; FORFEITURE OF OFFICE.

A town treasurer convicted under section 367.17 for refusing or neglecting to comply with section 367.16 shall forfeit office as treasurer.

609B.183 CONVICTION; ST. LOUIS COUNTY CIVIL SERVICE INELIGIBILITY.

A conviction under section 383C.055 shall render the public office or position held by the convicted person vacant.

609B.184 COUNTY AUDITOR'S MALFEASANCE; VACATE OFFICE.

Under section 384.03, if the county auditor is convicted on any neglect of duty or offense charge related to office, the office shall be deemed vacant.

609B.185 SHERIFF'S DEPARTMENT EMPLOYMENT; DISQUALIFICATION.

A person who has been found guilty of criminal conduct is ineligible for employment as a sheriff under section 387.36.

609B.187 CONVICTION; POLICE DEPARTMENT SERVICE INELIGIBILITY.

Under section 419.06, a candidate or eligible person who, after the entry of the eligible person's name, has been found guilty of criminal conduct shall be rejected from police department employment.

609B.188 CONVICTION; FIRE DEPARTMENT SERVICE INELIGIBILITY.

Under section 420.07, a candidate or eligible person who, after the entry of the eligible person's name, has been found guilty of criminal conduct shall be rejected from fire department employment.

609B.189 CONVICTION FOR CONFLICT OF INTEREST; DISQUALIFICATION FROM LOCAL TRANSIT COMMISSION.

A person convicted of violating section 458A.02 shall be automatically removed from a position with the St. Cloud Metropolitan Transit Commission and shall be disqualified from holding the position.

609B.191 METROPOLITAN AREA OFFICERS AND PEACE OFFICERS.

Sections 609B.192 to 609B.195 provide references to metropolitan area officers and peace officers related to collateral sanctions.

609B.192 CONVICTION FOR ADVERSE INTEREST OF COMMISSIONER OF METROPOLITAN MOSQUITO CONTROL COMMISSION; DISQUALIFICATION FROM COMMISSION.

A commissioner of the Metropolitan Mosquito Control Commission convicted of violating section 473.706 shall be automatically disqualified from further service on the commission.

609B.193 BRIBERY CONVICTION; FORFEITURE OF OFFICE AND DISQUALIFICATION.

Under section 609.42, subdivision 2, a public officer convicted of violating or attempting to violate section 609.42, subdivision 1, shall forfeit the office and be disqualified from holding public office.

609B.194 FELONY CONVICTION; AUTOMATIC PEACE OFFICER LICENSE REVOCATION.

Under section 626.8431, the license of a peace officer convicted of a felony is automatically revoked.

609B.195 CONVICTION FOR LOCKUP VIOLATIONS; DISQUALIFICATION FROM POSITION.

A person convicted of violating section 642.13 is disqualified from holding the office of sheriff, jailer, police officer, marshal, or keeper of any jail or lockup for a period of six years.

609B.200 DRIVING AND MOTOR VEHICLES; GENERALLY.

Sections 609B.201 to 609B.277 provide references to collateral sanctions related to driving and motor vehicles.

609B.201 CONTROLLED SUBSTANCE OFFENSE; REVOCATION.

(a) If a court determines under section 152.0271 that a person convicted of a controlled substance offense under sections 152.021 to 152.027 committed the crime while driving a motor vehicle, the

court must notify the commissioner of public safety and order the commissioner to revoke the license for 30 days.

(b) A person's driver's license is revoked under section 171.172 if that person is convicted or adjudicated for a controlled substance offense under chapter 152.

609B.203 FAILURE TO PRODUCE PROOF OF INSURANCE; REVOCATION.

(a) A person's driver's license is revoked under section 169.792, subdivision 7, if that person, whether a driver or motor vehicle owner, fails to provide proof of insurance under the requirements of section 169.792.

(b) If a person whose driver's license has been revoked under the circumstances specified in paragraph (a) is also the owner of the motor vehicle, the motor vehicle registration is also revoked under section 169.792, subdivision 12.

(c) A person, an owner, or, in certain circumstances, a driver, who operates a motor vehicle upon a public highway, road, or street, fails to have vehicle insurance, and contributes to a vehicle accident resulting in death or substantial bodily harm, is subject to revocation under section 169.797, subdivision 4, paragraph (c), for not more than 12 months.

609B.205 FLEEING PEACE OFFICER; REVOCATION.

A person's driver's license is revoked under section 171.174 if that person is convicted of fleeing a peace officer under section 609.487, subdivision 3 or 4. The periods of revocation vary depending upon the offense of conviction and whether the offense of conviction is a second or subsequent offense.

609B.206 DWI CONVICTIONS; LICENSE REVOCATIONS.

Subdivision 1. **Scope.** The collateral sanctions discussed in this section are codified in section 169A.54.

Subd. 2. **Driving while impaired; revocation.** (a) A person's driver's license must be revoked for the following time periods if the person is convicted under section 169A.20:

(1) for an offense under section 169A.20, subdivision 1: not less than 30 days;

(2) for an offense under section 169A.20, subdivision 2: not less than 90 days;

(3) for an offense occurring within ten years of a qualified prior impaired driving incident:

(i) if the current conviction is for a violation of section 169A.20, subdivision 1, not less than 180 days; or

(ii) if the current conviction is for a violation of section 169A.20, subdivision 2, not less than one year;

(4) for an offense occurring within ten years of two qualified prior impaired driving incidents: not less than one year, together with denial; and

(5) for an offense occurring within ten years of the first of three or more qualified prior impaired driving incidents: not less than two years, together with denial.

(b) If a person is convicted of violating section 169A.20 while under the age of 21, the commissioner of public safety shall revoke the offender's driver's license for a period of six months, or for the appropriate period of time under paragraph (a), clauses (1) to (5), for the offense committed, whichever is the greatest period.

609B.216 REVOCATION OF DRIVER'S LICENSES; OFFENSES.

Under section 171.17, the Department of Public Safety is required to revoke a person's driver's license upon receiving a record of the driver's conviction of any offense specified in subdivision 1, paragraph (a), clauses (1) to (10).

609B.231 COMMERCIAL VEHICLE VIOLATIONS; REVOCATION.

Subdivision 1. **Scope.** The collateral sanctions discussed in this section are codified in section 168.013.

Subd. 2. **Revocation.** (a) In addition to criminal penalties, a person driving commercial vehicles with an excess of gross weight is subject under section 168.013, subdivision 3, paragraph (d), under

certain circumstances, to cancellation of the certificate of registration and impoundment of registration plates.

(b) A person operating a commercial motor vehicle who commits a specified first or second driving offense, a defined serious traffic violation, a violation of an out-of-service order, or a railroad grade crossing violation is disqualified under section 171.17 from operating a commercial motor vehicle for varying periods depending upon the offense committed as set forth in section 171.17, subdivision 1.

609B.235 DRIVING AND LICENSE VIOLATIONS; PLATE IMPOUNDMENT.

Subdivision 1. **Scope.** The collateral sanctions found in this section are codified in section 169A.60.

Subd. 2. **Plate impoundment.** When a person is arrested for or charged with a plate impoundment violation, the commissioner of public safety may issue an impoundment order. Under section 169A.60, subdivision 1, paragraph (d), "plate impoundment violation" includes:

(1) a violation of section 169A.20, 169A.52, or 171.177 resulting in revocation of a person's driver's license within ten years of a qualified prior impaired driving incident;

(2) a license disqualification under section 171.165 resulting from violation of section 169A.52 or 171.177 within ten years of a qualified prior impaired driving incident;

(3) a violation of section 169A.20, 169A.52, or 171.177 while having an alcohol concentration of 0.20 percent or more measured at the time or within two hours of the time of offense;

(4) a violation of section 169A.20, 169A.52, or 171.177 while having a child under the age of 16 in the vehicle if the child is more than 36 months younger than the offender; or

(5) a violation of section 171.241 by a person whose driver's license has been canceled under section 171.04, subdivision 1, clause (10), inimical to public safety.

609B.237 IMPOUNDING REGISTRATION PLATES.

Subdivision 1. **Scope.** The collateral sanctions discussed in this section are codified in section 168.041.

Subd. 2. **Driving after suspension, revocation, or cancellation.** A person convicted of driving a self-propelled motor vehicle after suspension, revocation, or cancellation of the person's driver's license shall have the registration plates impounded under section 168.041, subdivision 1.

Subd. 3. **Moving violations; previous convictions.** If a person is convicted of a moving violation and has a previous conviction, the court may order the commissioner of public safety to suspend the person's driver's license for a period not exceeding one year under section 168.041, subdivision 2.

609B.241 FAILURE TO PRODUCE PROOF OF INSURANCE; REVOCATION; REINSTATEMENT.

Subdivision 1. **Scope.** The collateral sanctions discussed in this section are codified in section 171.29.

Subd. 2. **Examination required.** A person whose license has been revoked under sections 169.791, 169.792, 169.797, 169A.52, 171.17, and 171.177 must successfully pass an examination required by the commissioner of safety to be issued another license.

Subd. 3. **Reinstatement fees.** A person whose license has been revoked under sections 169A.52, 169A.54, 171.177, and 609.2112 to 609.2114 must pay varying fees and surcharges for driver's license reinstatement.

Subd. 4. **Compliance with impoundment laws.** A person whose license was revoked under section 169A.52, 169A.54, or 171.177 may not be issued another license at the end of the revocation period unless all applicable registration plate impoundment provisions have been complied with.

609B.245 LIMITED LICENSE.

Subdivision 1. **Scope.** The collateral sanctions discussed in this section are codified in section 171.30.

Subd. 2. **Conditions of issuance.** A person whose license has been suspended under section 171.173, 171.18, or 171.186, or revoked under section 169.792, 169.797, 169A.52, 169A.54, 171.17,

171.172, or 171.177, must satisfy certain conditions set forth in section 171.30, subdivision 1, to acquire a limited license.

Subd. 3. **Waiting periods.** Section 171.30, subdivisions 2, 2a, 2b, and 2c, set forth varying waiting periods for revocations under specified statutes.

609B.255 SCHOOL BUS ENDORSEMENT OR PRIVILEGE TO OPERATE; CANCELLATION.

Subdivision 1. **Disqualifying offense; permanent cancellation.** If a school bus driver is convicted of a disqualifying offense, as defined under section 171.3215, subdivision 1, the commissioner of public safety shall permanently cancel the offender's endorsement to drive a school bus.

Subd. 2. **Certain other convictions; cancellation for five years.** (a) A school bus driver's endorsement shall be canceled for five years under section 171.3215, subdivision 2, for a conviction under section 169A.20 or for a revocation of a school bus driver's license under section 169A.52 or 171.177.

(b) If a school bus driver has certain multiple convictions, under varying circumstances, that driver's endorsement shall be canceled for five years as set forth in section 171.3215, subdivision 2.

Subd. 3. **Crimes against minor; permanent cancellation.** If a Head Start bus driver is convicted of certain crimes against a minor, that driver's passenger endorsement shall be permanently canceled under section 171.3215, subdivision 3. "Crimes against a minor" is defined in section 171.3215, subdivision 3. "Head Start bus driver" is defined in section 171.3215, subdivision 1.

Subd. 4. **Conviction for certain offenses; additional conditions for endorsements.** Applicants having been convicted of certain offenses are required to satisfy additional conditions in seeking renewal or issuance of a bus driver's endorsements under section 171.3215, subdivision 3.

Subd. 5. **Waiver of permanent cancellation.** Under section 171.3215, subdivision 4, the commissioner of public safety may waive the permanent cancellation requirement for specified crimes.

609B.262 INSTRUCTIONAL PERMIT ELIGIBILITY.

Subdivision 1. **Scope.** The collateral sanctions in this section are codified in section 171.05.

Subd. 2. **No instruction permit issuance.** A person who is under 18 years of age shall not be issued a permit under section 171.05, subdivision 1a, if the person has been convicted of a violation of section 169A.20, 169A.33, 169A.35, sections 169A.50 to 169A.53, or section 171.177, or a crash-related moving violation.

Subd. 3. **Permit use.** A permit holder must maintain a driving record free of convictions for moving violations, as defined in section 171.04, subdivision 1, and free of convictions of the offenses specified in section 171.05, subdivision 2b.

609B.263 PERSONS NOT ELIGIBLE FOR DRIVER'S LICENSES.

A person applying for a license must, under section 171.04, subdivision 1, for 12 months consecutive preceding application, while holding a provisional license, have incurred no convictions for a violation of section 169A.20, 169A.33, 169A.35, sections 169A.50 to 169A.53, or section 171.177, no convictions for a crash-related moving violation, or not more than one conviction for a moving violation that is not crash related. "Moving violation" means a violation of a traffic violation but does not include a parking violation or warning citation.

Section 171.04, subdivision 1, clauses (2) to (14), set forth further eligibility criteria, including categories of ineligible persons.

609B.265 PROVISIONAL LICENSE ELIGIBILITY.

Subdivision 1. **Scope.** The collateral sanctions in this section are codified in section 171.055.

Subd. 2. **Eligibility.** A person applying for a provisional license must, under section 171.055, subdivision 1, paragraph (a), clause (2), for six months immediately preceding application for the provisional license, have possessed an instruction permit and have incurred no convictions for a violation of section 169A.20, 169A.33, 169A.35, sections 169A.50 to 169A.53, or section 171.177, no convictions for a crash-related moving violation, and no convictions for a moving violation that is not crash related.

Subd. 3. **No issuance.** Under section 171.055, subdivision 2, paragraph (b), if a holder of a provisional license during the period of provisional licensing incurs a conviction of an offense specified in that paragraph, then that person may not be issued a driver's license until 12 consecutive months have expired since the date of the conviction or until the person reaches the age of 18 years, whichever occurs first.

609B.271 UNDERAGE DRINKING OFFENSE; REVOCATION.

(a) A person's driver's license is revoked for 30 days if the person is under the age of 21 and convicted of driving, operating, or controlling a motor vehicle while consuming alcoholic beverages in violation of section 169A.33.

(b) A person's driver's license is revoked for 180 days if the person has previously been convicted of driving, operating, or controlling a motor vehicle while under the age of 21 while consuming alcoholic beverages as described in paragraph (a) and is convicted again.

609B.273 UNDERAGE DRINKING OFFENSE; SUSPENSION.

Under section 171.173, a person convicted of or a juvenile adjudicated for an underage drinking offense under section 340A.503, subdivision 1, paragraph (a), shall have the person's license suspended if the commissioner of public safety has been notified by the court of a 30-day or 180-day suspension under section 169A.33, subdivision 4.

609B.275 COMMERCIAL DRIVER'S LICENSE; DISQUALIFICATION.

Subdivision 1. **Disqualification.** A person is disqualified from operating a commercial motor vehicle in accordance with the driver disqualifications and penalties in Code of Federal Regulations, title 49, part 383, subpart D, and Code of Federal Regulations, title 49, section 384.219.

Subd. 2. **Implied consent revocation.** A person is disqualified from operating a commercial motor vehicle in accordance with the driver disqualifications and penalties in Code of Federal Regulations, title 49, part 383, subpart D.

609B.277 ILLEGAL PURCHASE OF ALCOHOL OR TOBACCO; SUSPENSION.

A person's driver's license is suspended for 90 days for various selling and purchasing alcohol or tobacco offenses as set forth in section 171.171.

609B.301 DEFINITION.

For purposes of sections 609B.310 to 609B.312, with respect to persons convicted of a crime, "committed" means committed to the custody of the commissioner of corrections.

609B.310 PRISON PROGRAM ELIGIBILITY; COLLATERAL SANCTIONS.

Sections 609B.311 and 609B.312 provide references to collateral sanctions related to prison program eligibility.

609B.311 MURDER CONVICTION; HIGHER EDUCATION PAYMENTS FOR PRISON INMATES LIMITED.

Section 241.265 prohibits the commissioner of corrections from paying for certain higher education programs for an inmate convicted of first- or second-degree murder.

609B.312 CHALLENGE INCARCERATION PROGRAM; ELIGIBILITY.

Under section 244.17, offenders committed for a conviction listed in section 244.17, subdivision 3, clause (1), or persons convicted within the preceding ten years of an offense listed in that section and committed for some other offense, are not eligible to be placed in the challenge incarceration program.

609B.320 OFFENDER REGISTRATION; COLLATERAL SANCTIONS.

Section 609B.321 provides references to collateral sanctions related to offender registration.

609B.321 CRIMINAL CONVICTION; PREDATORY OFFENDERS REGISTRATION REQUIRED.

A person must register as a predatory offender under section 243.166 for convictions of crimes listed under section 243.166, subdivision 1b.

609B.330 CRIMES AGAINST A PERSON; CRIMES OF VIOLENCE; COLLATERAL SANCTIONS.

Sections 609B.331 to 609B.333 provide references to collateral sanctions related to crimes against persons and crimes of violence.

609B.331 CRIME AGAINST THE PERSON CONVICTION; PREDATORY OFFENDER REGISTRATION REQUIRED.

A person convicted of a crime against the person as defined in section 243.167, subdivision 1, and meeting the conditions listed under section 243.167, subdivision 2, is required to register as a predatory offender under section 243.166.

609B.332 CRIME OF VIOLENCE CONVICTION; USE OF POLICE COMMUNICATION EQUIPMENT PROHIBITED.

A person convicted of a crime of violence, as defined in section 624.712, subdivision 5, is not entitled to exercise the privilege granted under section 299C.37, subdivision 1, unless ten years have elapsed since the person has been restored to civil rights or the sentence has expired, whichever occurs first, and during that time the person has not been convicted of any other crime of violence, as defined under section 299C.37, subdivision 1.

609B.333 CRIME OF VIOLENCE CONVICTION; POSSESSION OF FIREARMS PROHIBITED.

Under section 609.165, subdivision 1a, a person convicted of a crime of violence is not entitled to ship, transport, possess, or receive a firearm for the remainder of the person's lifetime, even after the person's civil rights have been restored.

609B.340 POSSESSION OF FIREARMS, EXPLOSIVES, SIMILAR DEVICES.

Sections 609B.341 to 609B.345 provide references to collateral sanctions related to possession of firearms, explosives, and similar devices.

609B.341 DOMESTIC ABUSE ACT; PISTOL POSSESSION PROHIBITION FOR REPEAT OFFENDERS.

If convicted under section 518B.01, subdivision 14, paragraph (b) or (c), a person meeting the conditions set forth in section 518B.01, subdivision 14, paragraph (l), is not entitled to possess a pistol. Property rights may not be abated but access may be restricted by the courts.

609B.342 CRIMINAL CONVICTION; POSSESSION OF FIREARMS; PROHIBITION.

Section 624.713 determines the conditions and circumstances under which a person convicted of a crime is prohibited from the possession of a pistol or semiautomatic military-style weapon.

609B.343 CRIME OF VIOLENCE OR CONTROLLED SUBSTANCE CONVICTION; EXPLOSIVES LICENSE OR PERMIT PROHIBITED.

Under section 299F.77, the following are not entitled to receive an explosives license or permit:

(1) a person convicted of a crime of violence, as defined in section 299F.72, unless ten years have elapsed since the person's civil rights have been restored or the sentence has expired, whichever occurs first, and during that time the person has not been convicted of any other crime of violence; and

(2) a person convicted of use, possession, or sale of a controlled substance other than conviction for possession of a small amount of marijuana, as defined in sections 152.01 and 152.02.

609B.344 RESTORATION OF CIVIL RIGHTS; POSSESSION OF EXPLOSIVE OR INCENDIARY DEVICES PROHIBITED.

Section 609.668 prohibits a person from having possession of explosive or incendiary devices if the person was convicted of:

(1) a crime of violence and ten years have not elapsed since civil rights have been restored; and

(2) unlawful use, possession, or sale of a controlled substance, other than conviction for possession of a small amount of marijuana.

609B.345 POSSESSION OF TEAR GAS, TEAR GAS COMPOUNDS, ELECTRONIC INCAPACITATION DEVICES; PROHIBITION.

Section 624.731, subdivision 3, prohibits a person who is prohibited from possessing a pistol pursuant to section 624.713, subdivision 1, clauses (2) to (5), from possession of tear gas, tear gas compounds, and electronic incapacitation devices.

609B.400 SERVICES AND BENEFITS; GENERALLY.

Sections 609B.405 to 609B.465 provide references to collateral sanctions related to services and benefits.

609B.405 CONVICTED CURRENTLY SERVING SENTENCE, ON PROBATION, OR ON PAROLE; INTERSTATE COMPACT FOR MENTAL HEALTH SERVICES CONTRACTS PROHIBITED.

Under section 245.50, a county board or the commissioner of human services may not contract under the Interstate Compact for Mental Health Services with a bordering state for mental health services for persons on probation or parole, or who are serving a sentence after conviction for a criminal offense.

609B.410 WRONGFULLY OBTAINED ASSISTANCE.

The amount of assistance determined to be obtained in violation of section 256.98, paragraph (a), clauses (1) to (3), is recoverable from specified persons who wrongfully obtained assistance.

609B.415 PERSONAL CARE PROVIDER ORGANIZATIONS; BACKGROUND STUDIES; DISQUALIFICATION.

A person who is an owner or a managerial official of a personal care provider organization is subject to a human services background study under chapter 245C and may be disqualified from providing home care services if that person is found to have been convicted of felonies specified in chapter 245C.

609B.425 DRUG OFFENSE; FLEEING FELONS; GENERAL ASSISTANCE BENEFITS; ELIGIBILITY.

Subdivision 1. **Scope.** The collateral sanctions discussed in this section are codified in section 256D.024.

Subd. 2. **Benefit eligibility.** (a) For general assistance benefits and Minnesota supplemental aid under chapter 256D, a person convicted of a felony-level drug offense during the previous ten years from the date of application or recertification may be subject to random drug testing. The county must provide information about substance use disorder treatment programs to a person who tests positive for an illegal controlled substance.

(b) Parole violators and fleeing felons are ineligible for benefits and persons fraudulently misrepresenting eligibility are also ineligible to receive benefits for ten years.

(c) This subdivision does not apply for convictions or positive test results related to cannabis, marijuana, or tetrahydrocannabinols.

609B.430 MEDICAL ASSISTANCE; INCARCERATION; ELIGIBILITY.

A person who is enrolled in medical assistance and incarcerated for less than 12 months is suspended from the program under section 256B.055, subdivision 14, paragraph (b), from the time of incarceration until release.

609B.435 DRUG AND OTHER OFFENDERS; MINNESOTA FAMILY INVESTMENT PROGRAM; SANCTIONS.

Subdivision 1. **Scope.** The collateral sanctions discussed in this section are codified in section 256J.26.

Subd. 2. **Drug offenders; random testing; sanctions.** A person who is an applicant for benefits from the Minnesota family investment program or MFIP, the vehicle for temporary assistance for needy families or TANF, and who has been convicted of a felony-level drug offense may be subject to random drug testing. Following any positive test for a controlled substance, the county must provide information about substance use disorder treatment programs to the applicant or participant. This subdivision does not apply for convictions or positive test results related to cannabis, marijuana, or tetrahydrocannabinols.

Subd. 3. **Parole violators; fleeing felons; sanctions.** (a) An individual violating a condition of probation, parole, or supervised release is disqualified from receiving MFIP.

(b) An individual who is fleeing to avoid prosecution, custody, or confinement after conviction of a felony crime is disqualified from receiving MFIP.

(c) An individual who fraudulently misrepresents the individual's place of residence in order to receive assistance simultaneously from two or more states is disqualified from receiving MFIP for ten years.

609B.445 CERTAIN CONVICTIONS; PROSPECTIVE ADOPTIVE PARENTS; DISQUALIFICATION.

Under section 259A.10, subdivision 4, a disqualifying condition for adoption exists if a criminal background check reveals a felony conviction for child or spousal abuse; for a crime against children; for a crime involving violence, including rape, sexual assault, or homicide; or for a felony conviction within the past five years for physical assault, battery, or a drug-related offense.

609B.450 GASOLINE AND SPECIAL FUEL TAX REFUND SANCTIONS.

Under sections 296A.16 and 296A.23, a person who makes a false claim for a fuel tax refund is guilty of a felony and, if convicted, shall be prohibited from filing for a refund upon gasoline purchased within six months after the conviction.

609B.455 PUBLIC PENSION; HOMICIDE; BENEFIT LOSS.

Subdivision 1. **Scope.** The collateral sanctions discussed in this section are codified in section 356.406.

Subd. 2. **Homicide; loss of death benefits.** A person charged with a felony causing the death of a public pension plan member has the entitlement to the pension suspended.

Subd. 3. **Forfeiture of survivor benefits upon felony conviction.** A person who is a survivor and convicted of a felony that caused the death of a public pension member forfeits the survivor pension benefit.

Subd. 4. **Benefit recovery.** If pension benefits have already been paid, the chief administrative officer of the pension plan must attempt to recover amounts paid.

609B.460 FORMER MINNEAPOLIS POLICE RELIEF ASSOCIATION SERVICE PENSIONER; FELONS NOT ENTITLED TO PENSION DURING INCARCERATION.

A person who is a member of the public employees police and fire retirement plan, who was a member of the former Minneapolis Police Relief Association, and who was convicted of a felony, is not entitled to a pension or an annuity from the public employee police and fire retirement plan during the person's period of incarceration in a penal institution.

609B.465 EFFECT OF HOMICIDE ON INTESTATE SUCCESSION, WILLS, JOINT TENANTS, LIFE INSURANCE.

Subdivision 1. **Scope.** The collateral sanctions discussed in this section are codified in section 524.2-803.

Subd. 2. **Surviving spouse, heir, or devisee.** A surviving spouse, heir, or devisee who feloniously and intentionally kills the decedent is treated as if that person predeceased the decedent.

Subd. 3. **Joint tenant.** A joint tenant who feloniously and intentionally kills another joint tenant, thereby effects a severance of the interest so the property passes as the decedent's and the killer has no rights of survivorship.

Subd. 4. **Bond.** A named beneficiary of a bond who feloniously and intentionally kills the principal obligee is not entitled to any benefit.

Subd. 5. **Life insurance.** A named beneficiary of a life insurance policy who feloniously and intentionally kills the person upon whose life the policy is issued is not entitled to any benefit under the policy.

Subd. 6. **Other interests.** Any other acquisition of property or interest by the killer shall be treated as provided in section 524.2-803.

609B.500 PROPERTY RIGHTS; GENERALLY.

Sections 609B.505 to 609B.545 provide references to collateral sanctions related to property rights.

609B.505 BURGLARY; CONFISCATION OF SNOWMOBILE.

Under section 84.89, if a person is convicted of burglary, as defined in section 609.582, and uses a snowmobile for committing the crime, the snowmobile shall be seized. The snowmobile's seizure and use of the proceeds from a sale are governed by section 97A.225.

609B.510 SEIZURE OF FIREARMS AND OTHER PROPERTY.

Under section 97A.223, a Department of Natural Resources enforcement officer must seize firearms possessed in violation of state or federal law and property described in section 97A.221, subdivision 1.

609B.515 DWI; VEHICLE FORFEITURE.

Under section 169A.63, a motor vehicle is subject to forfeiture if a driver is convicted of a "designated offense," as defined in section 169A.63, subdivision 1.

Section 169A.63, subdivision 7, specifies limitations on vehicle forfeiture. Section 169A.63, subdivisions 8 and 9, provide for administrative forfeiture procedure and judicial forfeiture procedure. Section 169A.63, subdivisions 10 and 11, provide for disposition of a forfeited vehicle.

609B.518 GAME AND FISH VIOLATIONS; SEIZURE OF MOTOR VEHICLES AND BOATS.

Subdivision 1. **Scope.** The collateral sanctions discussed in this section are codified in section 97A.225.

Subd. 2. **Vehicle forfeiture.** A motor vehicle is subject to forfeiture if it is used to:

- (1) shine wild animals (using artificial lights to hunt animals);
- (2) transport big game animals illegally taken or fur-bearing animals illegally purchased; or
- (3) transport minnows in violation of law.

Subd. 3. **Boat or motor forfeiture.** Boats and motors are subject to forfeiture when they are used to:

- (1) net fish on specified lakes;
- (2) violate certain licensing or operating requirements; and
- (3) take, possess, or transport wild animals.

609B.520 GAMBLING VIOLATIONS; ACTIVITIES RESTRICTED.

Under section 299L.05, a person convicted of violating section 609.76, subdivision 1, clause (7), or 609.76, subdivision 2, is prohibited from having lawful gambling under chapter 349 conducted on the person's premises, or selling any lottery tickets under chapter 349A.

609B.525 CRUELTY TO ANIMALS; FORFEITURE OF ANIMALS.

Under section 343.21, a person convicted of overworking or mistreating an animal is required to turn over other animals in control of the person unless the court determines the person is able and fit to provide adequately for the animals.

609B.530 CRUELTY TO ANIMALS; JUDGMENT FOR EXPENSES OF INVESTIGATIONS.

Under section 343.23, if a person is found guilty of cruelty to animals under chapter 343, the costs of investigation, disposing of animals, and any other expenses shall result in a judgment against the guilty person for all expenses.

609B.535 DANGEROUS ANIMALS VIOLATION; ANIMALS SEIZED AND DESTROYED.

Under section 609.227, if a person is convicted of a dangerous animal violation under section 609.205, clause (4); or 609.226, subdivision 1, 2, or 3, the animal shall be seized and killed, and the convicted owner shall pay the cost of confining and killing the animal.

609B.540 POSSESSION OR CONTROL OF OBSCENE MATERIAL; DESTRUCTION OF PROPERTY.

A person convicted of possessing obscene books or other matter under sections 617.241 to 617.26 shall have the material seized and destroyed by court order under section 617.27.

609B.545 OWNERSHIP RESTRICTION ON ADULT BUSINESS ESTABLISHMENTS.

Under section 617.242, a person convicted of a specified sex or other related crime may not operate or manage an adult entertainment establishment for three years after discharge of the sentence for the offense.

609B.600 CIVIL RIGHTS AND REMEDIES; GENERALLY.

Sections 609B.610 to 609B.615 provide references to collateral sanctions related to civil rights and remedies.

609B.610 FELONY OR TREASON; INELIGIBLE TO VOTE.

An individual convicted of treason or any felony whose civil rights have not been restored is not eligible to vote under section 201.014.

609B.611 CRIME OF VIOLENCE; INELIGIBILITY TO POSSESS FIREARMS; RESTORATION OF CIVIL RIGHTS.

(a) Under section 242.31, a person convicted of a crime of violence is not entitled to ship, transport, possess, or receive a firearm for the remainder of the person's lifetime, even after the person's civil rights have been restored, unless the exception under United States Code, title 18, section 925, or section 609.165, subdivision 1d, applies.

(b) Under section 609.165, subdivision 1a, a person convicted of a crime of violence is not entitled to ship, transport, possess, or receive a firearm for the remainder of the person's lifetime, even after the person's civil rights have been restored.

609B.612 FELONY CONVICTION; NAME CHANGES.

Under section 259.13, a person with a felony conviction is required to serve notice of application for a name change to the prosecuting authority that obtained the conviction, or if the conviction was from another state or federal jurisdiction, notice of application must also be served on the attorney general.

609B.613 FELONY CONVICTION; APPLICATION FOR MARRIAGE LICENSE; CHANGE OF NAME UPON MARRIAGE.

Section 517.08 states that: (1) a person with a felony conviction applying for a marriage license must provide to the county proof of service upon the prosecuting authority and, if applicable, the attorney general, as required by section 259.13; and (2) that a person with a felony conviction may not use a different surname after marriage except as authorized by section 259.13.

609B.614 CIVIL REMEDY FORFEITED; CONVICTED PROHIBITED FROM RECOVERING FOR INJURIES SUSTAINED DURING CRIMINAL ACT.

Under section 611A.08, a person convicted of a crime is barred from recovering for injuries sustained during the course of criminal conduct, as defined under section 611A.08, subdivision 1.

609B.615 COMMERCIAL PROFITING FROM CRIME PROHIBITED.

Section 611A.68 prohibits the commercial profiting from crime for ten years following conviction of a felony. If an offender is imprisoned following the conviction, the ten-year period begins on the date of the offender's release from prison.

609B.700 RECREATIONAL ACTIVITIES; GENERALLY.

Section 609B.710 provides references to collateral sanctions related to recreational activities.

609B.710 YOUTH OPERATOR VIOLATIONS; WATERCRAFT OPERATOR'S PERMIT REVOCATION.

Subdivision 1. **Operator's permit revocation.** An operator age 13 years of age or older but younger than 18 years of age adjudicated by a juvenile court as having violated section 86B.311, subdivision 1, 86B.341, or 169A.20, shall have the operator's permit revoked by the commissioner of natural resources.

Subd. 2. **Surrender of permit.** A juvenile adjudicated of the offense listed in subdivision 1 shall be required to surrender the watercraft operator's permit, which shall be forwarded by the court to the commissioner of natural resources with a record of the adjudication.

609B.720 GAME AND FISH LAW; COLLATERAL SANCTIONS.

Sections 609B.721 to 609B.725 provide references to collateral sanctions related to game and fish laws.

609B.721 CRIMINAL CONVICTIONS; VALIDITY AND ISSUANCE OF LICENSES UPON CONVICTION.

Subdivision 1. **Scope.** The collateral sanctions discussed in this section are codified in section 97A.421. That section governs the validity and issuance of game and fish licenses after a conviction.

Subd. 2. **Annual license void.** (a) The annual license of a person convicted of a violation of the game and fish laws relating to the license or wild animals covered by the license is void under conditions set forth in section 97A.421, subdivision 1.

(b) Except for big game licenses and as otherwise provided for in section 97A.421, for one year after a conviction, the person may not obtain the kind of license or take wild animals under a lifetime license issued under section 97A.473 or 97A.474, relating to the game and fish law violation.

Subd. 3. **Issuance of license after buying and selling wild animals.** After being convicted of buying or selling game fish, big game, or small game and the total amount of the sale is \$300 or more, a person may not obtain a license to take any wild animal or take wild animals under a lifetime license issued under section 97A.473 or 97A.474, for a period of three years.

Subd. 4. **License revocation after conviction.** (a) A person may not obtain a license to take a wild animal and is prohibited from taking wild animals for a period of five years after the date of conviction of a violation when:

(1) the restitution value of the wild animals is \$5,000 or more; or

(2) the restitution value of the wild animals exceeds \$500 and the violation occurs within ten years of one or more previous license revocations under section 97A.421, subdivision 2a. Multiple revocations shall be consecutive and no wild animals of any kind may be taken during the entire period.

(b) A person may not obtain a license to take the type of wild animals involved in a violation where the restitution value of the wild animals exceeds \$500 and is prohibited from taking the type of wild animals involved in the violation for a period of three years after the date of conviction of a violation.

Subd. 5. **Issuance of big game license after conviction.** A person may not obtain any big game license or take big game under a lifetime license for three years after the person is convicted of:

(1) a gross misdemeanor violation under the game and fish laws relating to big game;

(2) doing an act without a required big game license; or

(3) the second violation within three years under the game and fish laws relating to big game.

Subd. 6. **Issuance after intoxication or narcotics conviction.** A person convicted of a violation under section 97B.065, relating to hunting while intoxicated or using narcotics, may not obtain a license to hunt with a firearm or by archery, or hunt with a firearm or by archery under a lifetime license, for five years after a conviction.

Subd. 7. **Suspension for failure to appear in court or pay fine or surcharge.** If a person:

(1) fails to appear for court under a summons issued for a violation of the game and fish laws;
or

(2) has been convicted of violating a provision of the game and fish laws, has been sentenced to the payment of a fine or had a surcharge levied against them, and refused or failed to comply with that sentence the person's game and fish license and permit privileges shall be suspended until the person complies.

609B.722 LICENSE AGENT VIOLATIONS; FORFEITURE OF RIGHT TO SELL AND HANDLE LICENSES.

License agents that violate Department of Natural Resources laws or rules relating to license sales, handling, or accounting forfeit the right to sell and handle licenses under section 97A.311.

609B.723 HUNTING WHILE UNDER THE INFLUENCE OF ALCOHOL OR CONTROLLED SUBSTANCE; HUNTING LIMITATIONS.

Upon conviction for hunting while under the influence of alcohol or a controlled substance under section 97B.065, a person is subject to the limitations on hunting privileges provided in section 97A.421.

609B.724 TRESPASSING; LICENSE AND REGISTRATION RESTRICTIONS.

(a) Under section 97A.315, if a person is convicted of trespassing while exercising or attempting to exercise an activity licensed under game and fish laws, or requiring snowmobile registration under section 84.82, the applicable license and registration are null and void.

(b) A person convicted of a gross misdemeanor under section 97A.315 may not be issued a license to take game for two years after the conviction.

609B.725 UNLAWFULLY BUYING OR SELLING WILD ANIMALS; LICENSE VOID.

Licenses possessed by a person convicted under section 97A.325, subdivision 1, are null and void and the person may not take wild animals for three years after the conviction.

611.20 SUBSEQUENT ABILITY TO PAY COUNSEL.

Subd. 3. **Reimbursement.** In each fiscal year, the commissioner of management and budget shall deposit the payments in the special revenue fund and credit them to a separate account with the Board of Public Defense. The amount credited to this account is appropriated to the Board of Public Defense.

The balance of this account does not cancel but is available until expended. Expenditures by the board from this account for each judicial district public defense office must be based on the amount of the payments received by the state from the courts in each judicial district. A district public defender's office that receives money under this subdivision shall use the money to supplement office overhead payments to part-time attorneys providing public defense services in the district. By January 15 of each year, the Board of Public Defense shall report to the chairs and ranking minority members of the senate and house of representatives divisions having jurisdiction over criminal justice funding on the amount appropriated under this subdivision, the number of cases handled by each district public defender's office, the number of cases in which reimbursements were ordered, the average amount of reimbursement ordered, and the average amount of money received by part-time attorneys under this subdivision.

Subd. 4. **Employed defendants; ability to pay.** (a) A court may order a defendant to reimburse the state for the cost of the public defender. In determining the amount of reimbursement, the court shall consider the defendant's income, assets, and employment. If reimbursement is required under this subdivision, the court shall order the reimbursement when a public defender is first appointed or as soon as possible after the court determines that reimbursement is required. The court may accept partial reimbursement from the defendant if the defendant's financial circumstances warrant establishing a reduced reimbursement schedule. If a defendant does not agree to make payments, the court may order the defendant's employer to withhold a percentage of the defendant's income to be turned over to the court.

(b) If a court determines under section 611.17 that a defendant is financially unable to pay the reasonable costs charged by private counsel due to the cost of a private retainer fee, the court shall evaluate the defendant's ability to make partial payments or reimbursement.

Subd. 7. **Income withholding.** (a) Whenever an obligation for reimbursement of public defender costs is ordered by a court under this section, the amount of reimbursement as determined by court order must be withheld from the income of the person obligated to pay. The court shall serve a copy of the reimbursement order on the defendant's employer. Notwithstanding any law to the contrary, the order is binding on the employer when served. Withholding must begin no later than the first pay period that occurs after 14 days following the date of the notice. The employer shall withhold from the income payable to the defendant the amount specified in the order and shall remit, within ten days of the date the defendant is paid the remainder of the income, the amounts withheld to the court.

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(b) An employer shall not discharge, or refuse to hire, or otherwise discipline an employee as a result of a wage or salary withholding authorized by this section. The employer shall be liable to the court for any amounts required to be withheld. An employer that fails to withhold or transfer funds in accordance with this section is also liable for interest on the funds at the rate applicable to judgments under section 549.09, computed from the date the funds were required to be withheld. An employer that has failed to comply with the requirements of this section is subject to contempt of court.

(c) Amounts withheld under this section do not supersede or have priority over amounts withheld pursuant to other sections of law.

611.25 POWERS; DUTIES; LIMITATIONS.

Subd. 3. **Duties.** The state public defender may require the reporting of statistical data, budget information, and other cost factors by the chief district public defenders and appointed counsel systems. The state public defender shall design and conduct programs for the training of all state and district public defenders, appointed counsel, and attorneys for public defense corporations funded under section 611.26. The state public defender shall establish policies and procedures to administer the district public defender system, consistent with standards adopted by the State Board of Public Defense.

611.27 OFFICES OF DISTRICT PUBLIC DEFENDER; FINANCING; REPRESENTATION.

Subd. 6. **Case reporting system.** The state Board of Public Defense shall adopt and implement a uniform system for reporting of hours and cases by district public defenders. District public defenders shall provide whatever assistance the board requires in order to implement this reporting system.

Subd. 9. **Request for other appointment of counsel.** The chief district public defender may request that the state public defender authorize appointment of counsel other than the district public defender in such cases.

Subd. 12. **Compensation and expenses.** Counsel appointed under this subdivision shall document the time worked and expenses incurred in a manner prescribed by the chief district public defender.