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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. **1542**

02/21/2019 Authored by Richardson, Halverson, Hamilton, Howard, Olson and others
The bill was read for the first time and referred to the Committee on Health and Human Services Policy

1.1 A bill for an act

1.2 relating to health; allowing homeless youth to obtain certain vital records without

1.3 paying fees; providing for Minnesota identification card issuance to homeless

1.4 youth; establishing a homeless youth state training and systems alignment task

1.5 force; appropriating money; amending Minnesota Statutes 2018, sections 144.212,

1.6 by adding a subdivision; 144.225, subdivision 7, by adding a subdivision; 144.226,

1.7 by adding a subdivision; 171.06, by adding a subdivision; 171.07, subdivision 3.

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

1.9 Section 1. Minnesota Statutes 2018, section 144.212, is amended by adding a subdivision

1.10 to read:

1.11 Subd. 12. **Homeless youth.** "Homeless youth" has the meaning given in section 256K.45,

1.12 subdivision 1a.

1.13 Sec. 2. Minnesota Statutes 2018, section 144.225, subdivision 7, is amended to read:

1.14 Subd. 7. **Certified birth or death record.** (a) The state registrar or local issuance office

1.15 shall issue a certified birth or death record or a statement of no vital record found to an

1.16 individual upon the individual's proper completion of an attestation provided by the

1.17 commissioner and, except as provided in subdivision 9, payment of the required fee:

1.18 (1) to a person who has a tangible interest in the requested vital record. A person who

1.19 has a tangible interest is:

1.20 (i) the subject of the vital record;

1.21 (ii) a child of the subject;

1.22 (iii) the spouse of the subject;

- 2.1 (iv) a parent of the subject;
- 2.2 (v) the grandparent or grandchild of the subject;
- 2.3 (vi) if the requested record is a death record, a sibling of the subject;
- 2.4 (vii) the party responsible for filing the vital record;
- 2.5 (viii) the legal custodian, guardian or conservator, or health care agent of the subject;
- 2.6 (ix) a personal representative, by sworn affidavit of the fact that the certified copy is
2.7 required for administration of the estate;
- 2.8 (x) a successor of the subject, as defined in section 524.1-201, if the subject is deceased,
2.9 by sworn affidavit of the fact that the certified copy is required for administration of the
2.10 estate;
- 2.11 (xi) if the requested record is a death record, a trustee of a trust by sworn affidavit of
2.12 the fact that the certified copy is needed for the proper administration of the trust;
- 2.13 (xii) a person or entity who demonstrates that a certified vital record is necessary for the
2.14 determination or protection of a personal or property right, pursuant to rules adopted by the
2.15 commissioner; or
- 2.16 (xiii) an adoption agency in order to complete confidential postadoption searches as
2.17 required by section 259.83;
- 2.18 (2) to any local, state, or federal governmental agency upon request if the certified vital
2.19 record is necessary for the governmental agency to perform its authorized duties;
- 2.20 (3) to an attorney upon evidence of the attorney's license;
- 2.21 (4) pursuant to a court order issued by a court of competent jurisdiction. For purposes
2.22 of this section, a subpoena does not constitute a court order; or
- 2.23 (5) to a representative authorized by a person under clauses (1) to (4).
- 2.24 (b) The state registrar or local issuance office shall also issue a certified death record to
2.25 an individual described in paragraph (a), clause (1), items (ii) to (viii), if, on behalf of the
2.26 individual, a licensed mortician furnishes the registrar with a properly completed attestation
2.27 in the form provided by the commissioner within 180 days of the time of death of the subject
2.28 of the death record. This paragraph is not subject to the requirements specified in Minnesota
2.29 Rules, part 4601.2600, subpart 5, item B.

Sec. 3. Minnesota Statutes 2018, section 144.225, is amended by adding a subdivision to read:

Subd. 9. Birth record or statement of no record found provided to homeless youth. (a)

The state registrar or a local registrar shall issue a birth record or statement of no record found to the subject of the birth record who is a homeless youth without requiring the subject of the birth record to pay the fees otherwise required under section 144.226. In order to obtain a birth record or statement of no record found under this subdivision, the subject of the birth record must submit to the state registrar or local registrar, the completed attestation provided by the commissioner, a statement signed by the subject of the birth record that the subject is a homeless youth, and a statement from an individual with knowledge of the subject's housing status verifying that the subject is a homeless youth. An individual who may provide a statement verifying that the subject of the birth record is a homeless youth includes:

(1) an employee of a human services agency receiving public funding to provide services to homeless youth or runaway youth, youth with mental illness, or youth with substance use disorders;

(2) staff at a school who provide services to homeless youth or a school social worker; and

(3) an attorney licensed to practice in the state.

(b) A subject of a birth record who is a homeless youth may obtain up to four birth records or statements of no records found per year under this subdivision.

(c) The commissioner may assess an administrative penalty of up to \$100 against an individual if the commissioner determines the individual intentionally obtained or attempted to obtain a birth record or statement of no record found under this subdivision but is not a homeless youth. All penalties collected under this paragraph shall be deposited in the state government special revenue fund in the state treasury.

Sec. 4. Minnesota Statutes 2018, section 144.226, is amended by adding a subdivision to read:

Subd. 7. Certain fees waived for homeless youth. A subject of a birth record who is a homeless youth may obtain up to four birth records or statements of no records found per year without paying the fees in subdivisions 1 and 3 to 6, provided the subject of the birth record complies with the procedure in section 144.225, subdivision 9.

Sec. 5. Minnesota Statutes 2018, section 171.06, is amended by adding a subdivision to read:

Subd. 7. Identification card for homeless youth. (a) A homeless youth who meets the requirements of this subdivision may obtain a noncompliant identification card, notwithstanding subdivision 3, paragraph (b), clause (1).

(b) An applicant under this subdivision must:

(1) provide the applicant's date of birth;

(2) provide the applicant's height in feet and inches, weight in pounds, and eye color;

(3) attest to residing in Minnesota;

(4) submit a statement signed by the applicant that the applicant is a homeless youth;

and

(5) submit a statement from an individual with knowledge of the applicant's housing status verifying that the applicant is a homeless youth.

(c) An individual who may provide a verification statement under paragraph (b), clause (5), includes:

(1) an employee of a human services agency receiving public funding to provide services to homeless youth or runaway youth, youth with mental illness, or youth with substance use disorders;

(2) staff at a school who provide services to homeless youth or a school social worker;

and

(3) an attorney licensed to practice in the state.

(d) Minnesota Rules, parts 7410.0400 and 7410.0410, or successor rules, do not apply for an application under this subdivision.

EFFECTIVE DATE. This section is effective the day following final enactment for application and issuance of Minnesota identification cards on and after January 1, 2020.

Sec. 6. Minnesota Statutes 2018, section 171.07, subdivision 3, is amended to read:

Subd. 3. Identification card; content and design; fee. (a) Upon payment of the required fee, the department shall issue to every qualifying applicant a Minnesota identification card. The department may not issue a Minnesota identification card to an individual who has a driver's license, other than a limited license. The department may not issue an enhanced identification card to an individual who is under 16 years of age, not a resident of this state,

or not a citizen of the United States of America. The card must bear: (1) a distinguishing number assigned to the applicant; (2) a colored photograph or an electronically produced image of the applicant; (3) the applicant's full name and date of birth; (4) either (i) the licensee's residence address, or (ii) the designated address under section 5B.05; (5) a description of the applicant in the manner as the commissioner deems necessary; (6) the usual signature of the applicant; and (7) designations and markings provided under this section.

(b) If the United States Postal Service will not deliver mail to the applicant's residence address as listed on the Minnesota identification card, then the applicant shall provide verification from the United States Postal Service that mail will not be delivered to the applicant's residence address and that mail will be delivered to a specified alternate mailing address. When an applicant provides an alternate mailing address under this subdivision, the commissioner shall use the alternate mailing address in lieu of the applicant's residence address for all notices and mailings to the applicant.

(c) Each identification card issued to an applicant under the age of 21 must be of a distinguishing color and plainly marked "Under-21."

(d) Each Minnesota identification card must be plainly marked "Minnesota identification card - not a driver's license."

(e) Except for an enhanced identification card or a noncompliant identification card, a Minnesota identification card must bear a distinguishing indicator for compliance with requirements of the REAL ID Act.

(f) A noncompliant identification card must:

(1) be marked "not for federal identification" on the face and in the machine-readable portion; and

(2) have a unique design or color indicator.

(g) A Minnesota identification card issued to a person with temporary lawful status must be marked "temporary" on the face and in the machine-readable portion.

(h) A Minnesota identification card must display the cardholder's full name or no fewer than 39 characters of the name. Any necessary truncation must begin with the last character of the middle name and proceed through the second letter of the middle name, followed by the last character of the first name and proceeding through the second letter of the first name.

(i) The fee for a Minnesota identification card is 50 cents when issued to a person who is developmentally disabled, as defined in section 252A.02, subdivision 2; a physically

disabled person, as defined in section 169.345, subdivision 2; or, a person with mental illness, as described in section 245.462, subdivision 20, paragraph (c).

(j) For Minnesota identification card issuance to a homeless youth under section 171.06, subdivision 7:

(1) the commissioner must not impose a fee, a surcharge, or a filing fee under section 171.06, subdivision 2; and

(2) a driver's license agent must not impose a filing fee under section 171.061, subdivision 4.

EFFECTIVE DATE. This section is effective the day following final enactment for application and issuance of Minnesota identification cards on and after January 1, 2020.

Sec. 7. HOMELESS YOUTH STATE TRAINING AND SYSTEMS ALIGNMENT TASK FORCE.

Subd. 1. **Establishment; membership.** (a) A homeless youth state training and systems alignment task force is established to provide recommendations to the legislature to develop state agency training and align policies and practices to give homeless youth greater access to key state resources.

(b) The task force shall include 11 members as follows:

(1) the commissioner of human services or a designee;

(2) the commissioner of health or a designee;

(3) the commissioner of employment and economic development or a designee;

(4) the commissioner of education or a designee;

(5) the commissioner of corrections or a designee;

(6) the commissioner of the Higher Education Services Office;

(7) a representative of a suburban drop-in center for homeless youth that partners with an area shopping mall, appointed by the commissioner of human services;

(8) a representative of a Minneapolis-based homeless youth and safe harbor service provider, appointed by the commissioner of human services;

(9) a representative of a greater Minnesota homeless youth service provider, appointed by the commissioner of human services; and

(10) two youth experts with experience living as homeless youth.

(c) The commissioner of human services shall complete the appointments under this subdivision no later than July 1, 2019.

Subd. 2. **Duties.** The task force must:

(1) review youth program statutes and policies and make recommendations to provide homeless youth greater access to programs and services to help them meet their educational, career, health, parenting, housing, and well-being goals and to align systems across agencies;

(2) review current state agency administrative practices and make recommendations to adjust administrative practices to allow resources for homeless youth to be within reach; and

(3) make recommendations on training development to enhance awareness of the homeless youth population within state agency leadership and staff.

Subd. 3. **Meetings.** The commissioner of human services or a designee shall convene the first meeting of the task force no later than August 1, 2019. The commissioner or a designee shall serve as the chair of the task force. Meetings of the task force are open to the public.

Subd. 4. **Compensation.** Members of the task force shall serve without compensation or reimbursement for expenses.

Subd. 5. **Administrative support.** The Department of Human Services shall provide administrative support for the task force and arrange for meeting space.

Subd. 6. **Report.** No later than December 1, 2020, the task force shall provide recommendations and proposed legislation to develop training and align systems to provide youth experiencing homelessness greater access to key state resources to the chairs and ranking minority members of the legislative committees with jurisdiction over programs and services provided to homeless youth.

Subd. 7. **Expiration.** The task force expires on December 1, 2020, or the day after the task force submits the report required under subdivision 6, whichever is later.

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

Sec. 8. **APPROPRIATION; HOMELESS YOUTH ACT.**

\$5,619,000 in fiscal year 2020 and \$5,619,000 in fiscal year 2021 are appropriated from the general fund to the commissioner of human services for purposes of the Homeless Youth Act under Minnesota Statutes, section 256K.45. This appropriation must be used to fund the full continuum of services under Minnesota Statutes, section 256K.45, however, priority

- 8.1 must be given to fund activities related to providing mobile case management and housing
- 8.2 for young families. This appropriation is added to the base.