

A bill for an act
relating to juveniles; requiring the court to provide a general notice of collateral
sanctions to a juvenile before accepting a guilty plea; amending Minnesota
Statutes 2008, section 260B.163, by adding a subdivision.

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

Section 1. Minnesota Statutes 2008, section 260B.163, is amended by adding a
subdivision to read:

Subd. 11. **Notice of collateral sanctions.** (a) For purposes of this subdivision,
"collateral sanctions" means a legal penalty, disability, or disadvantage, however
denominated, that is imposed on an individual as a result of an adjudication of delinquency,
even if the sanction is not included in the dispositional order. The term does not include:

(1) a direct consequence of a violation of the law such as a fine, restitution, or
detention; or

(2) a requirement imposed by the court or other designated official or agency that the
delinquent child provide a biological specimen for DNA analysis, provide fingerprints, or
submit to any form of assessment or testing.

(b) The court shall provide a child with a notice of the collateral sanctions of an
adjudication of delinquency prior to accepting or entering a dispositional order upon a
plea of guilty.

(c) The notice provided in this subdivision shall not provide a basis for:

(1) invalidating a plea, delinquency adjudication, or dispositional order; or

(2) a claim for relief from or defense to the application of a collateral sanction.

(d) The notice provided in this subdivision does not affect:

(1) the duty an individual's attorney owes to the individual;

- 2.1 (2) a claim or right of a victim of an offense; or
2.2 (3) a right or remedy under law other than this subdivision available to an individual.
2.3 (e) By December 1, 2010, the Supreme Court shall prescribe a uniform notice to be
2.4 used by district courts throughout the state to comply with paragraph (b). At a minimum,
2.5 the uniform notice must inform a child that collateral sanctions of an adjudication of
2.6 delinquency may include:
2.7 (1) being unable to get or keep certain licenses, permits, or jobs as a child or as
2.8 an adult;
2.9 (2) receiving a harsher disposition or adult sentence if adjudicated delinquent or
2.10 convicted of another offense in the future; and
2.11 (3) being unable to possess a firearm.

2.12 **EFFECTIVE DATE.** Subdivision 11, paragraph (e), is effective the day following
2.13 final enactment. Subdivision 11, paragraphs (a), (b), (c), and (d), are effective December
2.14 1, 2010, and apply to juvenile delinquency hearings occurring on or after that date.