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State of Minnesota HOUSE OF REPRESENTATIVES

THIRD SPECIAL SESSION

H. F. No. 2

08/12/2020 Authored by Mariani The bill was read for the first time and referred to the Public Safety and Criminal Justice Reform Finance and Policy Division R/S Rules Suspended, urgency declared Read for the Second Time Read for the Third Time Passed by the House and transmitted to the Senate Presented to Governor 08/14/2020 Governor Approval

1.1 A bill for an act 1.2 relating to public safety; delaying the effective date of the first meeting of the 1.3 Ensuring Police Excellence and Improving Community Relations Advisory Council; 1.4 delaying the effective dates of certain training requirements for peace officers; 1.5 amending an appropriation to the Peace Officer Standards and Training Board to 1.6 permit the hiring of staff; amending Minnesota Statutes 2018, sections 626.8457, 1.7 subdivision 3, as amended; 626.8469, subdivision 1, as amended; Laws 2020, 1.8 Second Special Session chapter 1, sections 15, subdivision 4; 22, subdivision 2; 1.9 35.

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

1.11 Section 1. Minnesota Statutes 2018, section 626.8457, subdivision 3, as amended by Laws 1.12 2020, Second Special Session chapter 1, section 20, is amended to read:

1.13 Subd. 3. Report on alleged misconduct; database; report. (a) A chief law enforcement 1.14 officer shall report annually to the board summary data regarding the investigation and 1.15 disposition of cases involving alleged misconduct, indicating the total number of 1.16 investigations, the total number by each subject matter, the number dismissed as unfounded, 1.17 and the number dismissed on grounds that the allegation was unsubstantiated.

1.18 (b) Beginning ~~January 15~~ July 1, 2021, a chief law enforcement officer, in real time, 1.19 must submit individual peace officer data classified as public and submitted using encrypted 1.20 data that the board determines is necessary to:

- 1.21 (1) evaluate the effectiveness of statutorily required training;
- 1.22 (2) assist the Ensuring Police Excellence and Improving Community Relations Advisory 1.23 Council in accomplishing the council's duties; and

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

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

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

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

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

2.17 Sec. 2. Minnesota Statutes 2018, section 626.8469, subdivision 1, as amended by Laws  
 2.18 2020, Second Special Session chapter 1, section 21, subdivision 1, is amended to read:

2.19 Subdivision 1. **In-service training required.** (a) Beginning July 1, 2018, the chief law  
 2.20 enforcement officer of every state and local law enforcement agency shall provide in-service  
 2.21 training in crisis intervention and mental illness crises; conflict management and mediation;  
 2.22 ~~ensuring safer interactions between peace officers and persons with autism;~~ and recognizing  
 2.23 and valuing community diversity and cultural differences to include implicit bias training  
 2.24 to every peace officer and part-time peace officer employed by the agency. The training  
 2.25 shall comply with learning objectives developed and approved by the board; and shall meet  
 2.26 board requirements for board-approved continuing education credit; ~~and shall be provided~~  
 2.27 ~~by an approved entity. The board shall create a list of approved entities and training courses~~  
 2.28 ~~and make the list available to the chief law enforcement officer of every state and local law~~  
 2.29 ~~enforcement agency. Crisis intervention and mental illness crisis training shall meet the~~  
 2.30 ~~standards in subdivision 1a.~~ The training shall consist of at least 16 continuing education  
 2.31 credits ~~with a minimum of six hours for crisis intervention and mental illness crisis training~~  
 2.32 ~~and four hours to ensure safer interactions between peace officers and persons with autism~~  
 2.33 within an officer's three-year licensing cycle. Each peace officer with a license renewal date

3.1 after June 30, 2018, is not required to complete this training until the officer's next full  
3.2 three-year licensing cycle.

3.3 (b) Beginning July 1, 2021, the training mandated under paragraph (a) must be provided  
3.4 by an approved entity. The board shall create a list of approved entities and training courses  
3.5 and make the list available to the chief law enforcement officer of every state and local law  
3.6 enforcement agency. Each peace officer (1) with a license renewal date before June 30,  
3.7 2022, and (2) who received the training mandated under paragraph (a) before July 1, 2021,  
3.8 is not required to receive this training by an approved entity until the officer's next full  
3.9 three-year licensing cycle.

3.10 (c) For every peace officer and part-time peace officer with a license renewal date of  
3.11 June 30, 2022, or later, the training mandated under paragraph (a) must:

3.12 (1) include a minimum of six hours for crisis intervention and mental illness crisis  
3.13 training that meets the standards established in subdivision 1a; and

3.14 (2) include a minimum of four hours to ensure safer interactions between peace officers  
3.15 and persons with autism in compliance with section 626.8474.

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

3.17 Sec. 3. Laws 2020, Second Special Session chapter 1, section 15, subdivision 4, is amended  
3.18 to read:

3.19 Subd. 4. **Meetings.** The council must meet at least quarterly. Meetings of the council  
3.20 are governed by chapter 13D. The executive director of the Peace Officer Standards and  
3.21 Training Board shall convene the council's first meeting, which must occur by ~~September~~  
3.22 † October 15, 2020.

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

3.24 Sec. 4. Laws 2020, Second Special Session chapter 1, section 22, subdivision 2, is amended  
3.25 to read:

3.26 Subd. 2. **Preservice training required.** (a) The learning objectives developed pursuant  
3.27 to subdivision 1 must be included in the required curriculum of professional peace officer  
3.28 educational programs.

3.29 (b) A person is not eligible to take the peace officer licensing examination after July 1,  
3.30 ~~2021~~ 2022, unless the individual has received the training described in paragraph (a).

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

4.1 Sec. 5. Laws 2020, Second Special Session chapter 1, section 35, is amended to read:

4.2 Sec. 35. **APPROPRIATION; PEACE OFFICER CRISIS INTERVENTION AND**  
4.3 **MENTAL ILLNESS CRISIS TRAINING.**

4.4 \$145,000 in fiscal year 2021 is appropriated from the general fund to the Peace Officer  
4.5 Standards and Training Board to ~~reimburse law enforcement agency crisis intervention and~~  
4.6 ~~mental illness crisis training expenses for training that is provided by approved entities~~  
4.7 ~~according to~~ staff and meet the requirements of Minnesota Statutes, section 626.8469,  
4.8 ~~subdivision 1a.~~ The base for this appropriation is \$137,000 in fiscal year 2022 and thereafter.

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