

HOUSE OF REPRESENTATIVES

NINETY-FOURTH SESSION

H. F. No. 1367

02/24/2025 Authored by Pinto, Moller and Virnig
The bill was read for the first time and referred to the Committee on Judiciary Finance and Civil Law
03/24/2025 Adoption of Report: Amended and re-referred to the Committee on Children and Families Finance and Policy
04/10/2025 Adoption of Report: Placed on the General Register
Read for the Second Time
05/19/2025 Pursuant to Rule 4.20, returned to the Committee on Children and Families Finance and Policy

1.1 A bill for an act
1.2 relating to child maltreatment; allowing for judicial review of maltreatment
1.3 occurring outside of Minnesota; providing for local welfare agency responsibility
1.4 for assessing or investigating alleged child maltreatment occurring outside of
1.5 Minnesota; amending Minnesota Statutes 2024, sections 256.045, subdivision 7;
1.6 260E.14, subdivisions 2, 3.

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

1.8 Section 1. Minnesota Statutes 2024, section 256.045, subdivision 7, is amended to read:

1.9 Subd. 7. **Judicial review.** (a) Except for a prepaid health plan, any party who is aggrieved
1.10 by an order of the commissioner of human services; the commissioner of health; or the
1.11 commissioner of children, youth, and families in appeals within the commissioner's
1.12 jurisdiction under subdivision 3b; or the Direct Care and Treatment executive board in
1.13 appeals within the jurisdiction of the executive board under subdivision 5a may appeal the
1.14 order ~~to the~~ in district court ~~of~~.

1.15 (b) A party appealing under this subdivision must file:

1.16 (1) in the county responsible for furnishing assistance; ~~or, in~~

1.17 (2) for appeals under subdivision 3b;

1.18 (i) in the county where the maltreatment occurred, ~~by serving; or~~

1.19 (ii) if the maltreatment occurred in another state or country, in the county where the
1.20 maltreatment was determined.

1.21 (c) A party appealing under this subdivision must (1) serve a written copy of a notice
1.22 of appeal upon the applicable commissioner or executive board and any adverse party of

record within 30 days after the date the commissioner or executive board issued the order, the amended order, or order affirming the original order, and ~~by filing~~ (2) file the original notice and proof of service with the court administrator of the district court. Service may be made personally or by mail; service by mail is complete upon mailing; no filing fee shall be required by the court administrator in appeals taken pursuant to this subdivision, with the exception of appeals taken under subdivision 3b.

(d) The applicable commissioner or executive board may elect to become a party to the proceedings in the district court.

(e) Except for appeals under subdivision 3b, any party may demand that the commissioner or executive board furnish all parties to the proceedings with a copy of the decision, and a transcript of any testimony, evidence, or other supporting papers from the hearing held before the human services judge, by serving a written demand upon the applicable commissioner or executive board within 30 days after service of the notice of appeal.

(f) Any party aggrieved by the failure of an adverse party to obey an order issued by the commissioner or executive board under subdivision 5 or 5a may compel performance according to the order in the manner prescribed in sections 586.01 to 586.12.

Sec. 2. Minnesota Statutes 2024, section 260E.14, subdivision 2, is amended to read:

Subd. 2. **Sexual abuse.** (a) The local welfare agency is the agency responsible for investigating an allegation of sexual abuse, including if the alleged sexual abuse occurred in another state or country but the child's residence is in Minnesota, if the alleged offender is the parent, guardian, sibling, or an individual functioning within the family unit as a person responsible for the child's care, or a person with a significant relationship to the child if that person resides in the child's household.

(b) The local welfare agency is also responsible for assessing or investigating when a child is identified as a victim of sex trafficking.

Sec. 3. Minnesota Statutes 2024, section 260E.14, subdivision 3, is amended to read:

Subd. 3. **Neglect, physical abuse, or labor trafficking.** (a) The local welfare agency is responsible for ~~immediately~~ conducting a family assessment or investigation if the report alleges neglect or physical abuse by a parent, guardian, or individual functioning within the family unit as a person responsible for the child's care, including if the alleged neglect or physical abuse occurred in another state or country but the child's residence is in Minnesota.

- 3.1 (b) The local welfare agency is also responsible for conducting a family assessment or
- 3.2 investigation when a child is identified as a victim of labor trafficking.