

This Document can be made available in alternative formats upon request

State of Minnesota

Printed Page No. 52

HOUSE OF REPRESENTATIVES

NINETY-FOURTH SESSION

H. F. No. 1410

- 02/24/2025 Authored by Witte and Novotny  
The bill was read for the first time and referred to the Committee on Public Safety Finance and Policy
- 03/06/2025 Adoption of Report: Placed on the General Register  
Read for the Second Time
- 03/17/2025 Calendar for the Day  
Read for the Third Time
- 04/23/2026 Passed by the House and transmitted to the Senate  
Passed by the Senate as Amended and returned to the House  
The House concurred in the Senate Amendments  
Repassed the bill as Amended by the Senate
- 04/28/2026 Presented to Governor
- 04/29/2026 Governor Approval

1.1 A bill for an act

1.2 relating to public safety; modifying correctional and peace officer disciplinary

1.3 procedures; amending Minnesota Statutes 2024, sections 241.026, subdivisions

1.4 1, 3, by adding subdivisions; 626.89, subdivisions 1, 8.

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

1.6 Section 1. Minnesota Statutes 2024, section 241.026, subdivision 1, is amended to read:

1.7 Subdivision 1. **Definitions.** (a) For purposes of this section, the terms defined in this

1.8 subdivision have the meanings given them.

1.9 (b) "Administrative hearing" means a nonjudicial hearing or arbitration authorized to

1.10 modify, approve, or deny discipline.

1.11 ~~(b)~~ (c) "Correctional officer" and "officer" mean a person employed by the state, a state

1.12 correctional facility, or a local correctional or detention facility in a security capacity.

1.13 ~~(e)~~ (d) "Formal statement" means the questioning of an the subject officer in the course

1.14 of for the purpose of obtaining a recorded, stenographic, or signed statement information

1.15 to be used as a basis for discipline of the officer or as evidence in a disciplinary proceeding

1.16 against the officer.

1.17 Sec. 2. Minnesota Statutes 2024, section 241.026, subdivision 3, is amended to read:

1.18 Subd. 3. **Governing formal statement procedures.** The formal statement of an officer

1.19 must be taken according to ~~subdivision~~ subdivisions 4, 4a, 4b, 4c, 4d, 4e, and 5.

2.1 Sec. 3. Minnesota Statutes 2024, section 241.026, is amended by adding a subdivision to  
2.2 read:

2.3 Subd. 4a. **Complaint.** An officer's formal statement may not be taken unless there is  
2.4 filed with the employing or investigating agency a written complaint signed by the  
2.5 complainant stating the complainant's knowledge, and the officer has been given a summary  
2.6 of the allegations. Complaints stating the signer's knowledge also may be filed by members  
2.7 of the employing agency. Before an administrative hearing is begun, the officer must be  
2.8 given a copy of the signed complaint.

2.9 Sec. 4. Minnesota Statutes 2024, section 241.026, is amended by adding a subdivision to  
2.10 read:

2.11 Subd. 4b. **Witnesses; investigative reports.** Upon request, the investigating agency or  
2.12 the officer shall provide the other party with a list of witnesses that the agency or officer  
2.13 expects to testify at the administrative hearing and the substance of the testimony. A party  
2.14 is entitled to copies of any witness statements in the possession of the other party and an  
2.15 officer is entitled to a copy of the investigating agency's investigative report, provided that  
2.16 any references in a witness statement or investigative report that would reveal the identity  
2.17 of confidential informants need not be disclosed except upon order of the person presiding  
2.18 over the administrative hearing for good cause shown.

2.19 Sec. 5. Minnesota Statutes 2024, section 241.026, is amended by adding a subdivision to  
2.20 read:

2.21 Subd. 4c. **Sessions.** Sessions at which a formal statement is taken must be of reasonable  
2.22 duration and must give the officer reasonable periods for rest and personal necessities. When  
2.23 practicable, sessions must be held during the officer's regularly scheduled work shift. If the  
2.24 session is not held during the officer's regularly scheduled work shift, the officer must be  
2.25 paid by the employing agency at the officer's current compensation rate for time spent  
2.26 attending the session.

2.27 Sec. 6. Minnesota Statutes 2024, section 241.026, is amended by adding a subdivision to  
2.28 read:

2.29 Subd. 4d. **Record.** A complete record of sessions at which a formal statement is taken  
2.30 must be made by electronic recording. Upon written request of the officer whose statement  
2.31 is taken, a complete copy or transcript must be made available to the officer without charge

3.1 or undue delay. The session may be tape recorded by the investigating officer and by the  
3.2 officer under investigation.

3.3 Sec. 7. Minnesota Statutes 2024, section 241.026, is amended by adding a subdivision to  
3.4 read:

3.5 Subd. 4e. **Presence of attorney and union representative.** The officer whose formal  
3.6 statement is taken has the right to have a union representative or an attorney retained by the  
3.7 officer, or both, present during the session. The officer may request the presence of the  
3.8 union representative or attorney, or both, at any time before or during the session. When a  
3.9 request under this subdivision is made, no formal statement may be taken until a reasonable  
3.10 opportunity is provided for the officer to obtain the presence of the union representative or  
3.11 attorney.

3.12 Sec. 8. Minnesota Statutes 2024, section 241.026, is amended by adding a subdivision to  
3.13 read:

3.14 Subd. 11. **Action for damages.** Notwithstanding section 3.736 or 466.03, a political  
3.15 subdivision or state agency that violates this section is liable to the officer for actual damages  
3.16 resulting from the violation, plus costs and reasonable attorney fees. The political subdivision  
3.17 or the state is deemed to have waived any immunity to a cause of action brought under this  
3.18 subdivision, except that the monetary limits on liability under section 3.736, subdivision 4,  
3.19 or 466.04 apply.

3.20 Sec. 9. Minnesota Statutes 2024, section 626.89, subdivision 1, is amended to read:

3.21 Subdivision 1. **Definitions.** For purposes of this section, the terms defined in this  
3.22 subdivision have the meanings given them.

3.23 (a) "Administrative hearing" means a nonjudicial hearing or arbitration authorized to  
3.24 recommend, approve, or order discipline.

3.25 (b) "Formal statement" means the questioning of an officer in the course of obtaining a  
3.26 ~~recorded, stenographic, or signed statement~~ information to be used as a basis for disciplining  
3.27 an officer or as evidence in a disciplinary proceeding against the officer.

3.28 (c) "Officer" means a licensed peace officer or part-time peace officer, as defined in  
3.29 section 626.84, subdivision 1, paragraphs (c) and (d), who is employed by a unit of  
3.30 government.

4.1 Sec. 10. Minnesota Statutes 2024, section 626.89, subdivision 8, is amended to read:

4.2 Subd. 8. **Record.** A complete record of sessions at which a formal statement is taken  
4.3 must be made by electronic recording ~~or otherwise~~. Upon written request of the officer  
4.4 whose statement is taken, a complete copy or transcript must be made available to the officer  
4.5 without charge or undue delay. The session may be tape recorded by the investigating officer  
4.6 and by the officer under investigation.