

1.1 A bill for an act

1.2 relating to state government; providing for certain judiciary, court, public safety,

1.3 crime, corrections, data privacy, and civil law policy; establishing Minnesota

1.4 Victims of Crime Account; providing for law enforcement agency registration

1.5 with eTrace System to provide firearm information; transferring financial crimes

1.6 and fraud investigations to Financial Crimes and Fraud Section in Bureau of

1.7 Criminal Apprehension; providing for crime of theft of public funds; providing

1.8 criminal background checks for individuals or entities seeking license to operate

1.9 business; modifying use of unmanned aerial vehicles; modifying criminal justice

1.10 related judicial policy; modifying criminal victims policy; establishing policy for

1.11 corrections warrant and stop orders; clarifying Tribal Nation access and use of

1.12 community services subsidy; providing for civil commitment coordinating division

1.13 in Office of Attorney General; providing for civil law; modifying marriage policy;

1.14 establishing a civil cause of action for nonconsensual removal of sexually protective

1.15 device; providing for order for protection against financial exploitation of vulnerable

1.16 adult; providing for task forces and work groups; providing for reports; exempting

1.17 Department of Corrections from certain administrative rulemaking; appropriating

1.18 money for judiciary, public safety, corrections, Board of Civil Legal Aid, Guardian

1.19 ad Litem Board, Tax Court, Uniform Laws Commission, Board on Judicial

1.20 Standards, Board of Public Defense, Human Rights, Office of Appellate Counsel

1.21 and Training, Minnesota Attainment Competency Board, Cannabis Expungement

1.22 Board, Attorney General, Secretary of State, Sentencing Guidelines, Peace Officer

1.23 Standards and Training (POST) Board, Private Detective Board, Ombudsperson

1.24 for Corrections, and Clemency Review Commission; contingently reducing and

1.25 appropriating money to the Housing Finance Agency; amending Minnesota Statutes

1.26 2024, sections 13.03, subdivision 6; 13.04, subdivision 4; 13.05, subdivision 5;

1.27 13.356; 13.40, subdivision 2; 13.43, subdivision 2; 13.82, subdivisions 1, 7; 13.821;

1.28 13.825, subdivisions 2, 4; 13.991; 14.03, subdivision 3; 15.17, subdivision 1;

1.29 43A.17, subdivision 13; 45.0135, subdivisions 2b, 6, 7, 8, 9, by adding a

1.30 subdivision; 60A.951, subdivision 2; 60A.952, subdivisions 2, 4, 5; 60A.954,

1.31 subdivision 2; 60A.956; 65B.84; 138.17, subdivision 1; 144.223; 144.296; 152.021,

1.32 subdivision 2; 152.022, subdivision 2; 152.023, subdivision 2; 152.025, subdivision

1.33 2; 152.137, subdivision 2; 201.014, subdivision 2a; 241.26, subdivisions 1, 3, 4,

1.34 5, by adding a subdivision; 241.80; 242.10; 242.19, subdivision 3; 242.44; 243.05,

1.35 subdivisions 1, 2, 4; 243.166, subdivision 1b; 243.88, subdivisions 2, 5, by adding

1.36 a subdivision; 244.04, subdivisions 1, 2, by adding a subdivision; 244.05,

1.37 subdivisions 1b, 2; 244.0513, subdivisions 1, 7, 8; 244.07, subdivision 1, by adding

1.38 a subdivision; 244.13, subdivision 1; 244.171, subdivision 4; 244.19, subdivisions

1c, 1d, 5, 5a; 244.20; 246B.04, subdivision 2; 260C.419, subdivisions 2, 3, 4; 268.19, subdivision 1; 268B.30; 272.45; 297I.11, subdivision 2; 299A.296, by adding a subdivision; 299A.41, subdivisions 3, 4; 299A.477, subdivision 2; 299C.40, subdivision 1; 299C.52, subdivision 1; 299C.80, subdivision 6; 299F.47, subdivision 2; 326.338, subdivision 4; 357.021, subdivisions 1a, 2; 388.23, subdivision 1; 401.01, subdivision 2; 401.03; 401.10, subdivisions 1, 4, by adding a subdivision; 401.11, subdivision 1; 401.14; 401.15, subdivision 2; 401.17, subdivisions 1, 5; 480.243, by adding a subdivision; 480.40, subdivisions 1, 3; 480.45, subdivision 2; 484.44; 484.51; 504B.385, subdivision 1; 504B.395, subdivision 4; 517.04; 517.08, subdivisions 1a, 1b; 517.09, subdivision 1; 517.10; 518.68, subdivision 1; 524.5-120; 524.5-311; 524.5-313; 524.5-420; 580.07, subdivisions 1, 2; 580.10; 580.225; 580.24; 580.25; 580.26; 580.28; 581.02; 582.03, subdivisions 1, 2; 582.043, subdivision 6; 590.01; 595.02, subdivision 1; 609.05, subdivision 2a; 609.101, subdivision 2; 609.105, subdivision 2; 609.185; 609.19, subdivisions 1, 2, by adding a subdivision; 609.2231, subdivision 2; 609.27, subdivision 2; 609.378, by adding a subdivision; 609.495, subdivision 1; 609.50, subdivision 1; 609.527, subdivision 3; 609.531, subdivision 1; 609.593, subdivision 1; 609.78, subdivision 2c; 609A.06, subdivisions 3, 7, 10, 12; 611.24, subdivision 4; 611A.02; 611A.0315; 611A.06, by adding a subdivision; 611A.90; 617.246; 617.247; 624.712, subdivision 5; 624.714, subdivision 7a; 626.05, subdivision 2; 626.19, subdivision 3; 626.84, subdivision 1; 626A.35, by adding a subdivision; 629.341, subdivision 3; 634.35; Laws 2023, chapter 52, article 2, section 3, subdivisions 2, 8, as amended; article 11, section 31; article 19, sections 90; 102; Laws 2023, chapter 68, article 1, section 4, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 8; 243; 299A; 299C; 325E; 325M; 401; 480; 517; 604; 609; 617; 626; repealing Minnesota Statutes 2024, sections 45.0135, subdivisions 2a, 2c, 2d, 2e, 2f, 3, 4, 5; 243.58; 244.065, subdivision 1; 253.21; 253.23; 325E.21, subdivision 2b; 325F.02; 325F.03; 325F.04; 325F.05; 325F.06; 325F.07; 517.05; 517.18; Minnesota Rules, parts 2940.0100, subparts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13, 14, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 31, 32, 33, 34; 2940.0200; 2940.0300; 2940.0400; 2940.0500; 2940.0600; 2940.0700; 2940.0800; 2940.0900; 2940.1000; 2940.1100; 2940.1200; 2940.1300; 2940.1400; 2940.1500; 2940.1600; 2940.1700; 2940.1800; 2940.1900; 2940.2000; 2940.2100; 2940.2200; 2940.2300; 2940.2400; 2940.2500; 2940.2600; 2940.2700; 2940.2800; 2940.2900; 2940.3000; 2940.3100; 2940.3200; 2940.3300; 2940.3400; 2940.3500; 2940.3600; 2940.3700; 2940.3800; 2940.3900; 2940.4000; 2940.4100; 2940.4200; 2940.4300; 2940.4400; 2940.4500; 2940.5700.

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

ARTICLE 1

JUDICIARY APPROPRIATIONS

Section 1. APPROPRIATIONS.

The sums shown in the columns marked "Appropriations" are appropriated to the agencies and for the purposes specified in this article. The appropriations are from the general fund, or another named fund, and are available for the fiscal years indicated for each purpose.

The figures "2026" and "2027" used in this article mean that the appropriations listed under them are available for the fiscal year ending June 30, 2026, or June 30, 2027, respectively.

"The first year" is fiscal year 2026. "The second year" is fiscal year 2027. "The biennium" is fiscal years 2026 and 2027.

		<u>APPROPRIATIONS</u>	
		<u>Available for the Year</u>	
		<u>Ending June 30</u>	
		<u>2026</u>	<u>2027</u>
3.5	Sec. 2. <u>SUPREME COURT</u>	<u>\$ 51,110,000</u>	<u>\$ 52,319,000</u>
3.6	<u>(a) Contingent Account</u>		
3.7	<u>\$5,000 each year is for a contingent account</u>		
3.8	<u>for expenses necessary for the normal</u>		
3.9	<u>operation of the court for which no other</u>		
3.10	<u>reimbursement is provided.</u>		
3.11	<u>(b) Justices' Compensation</u>		
3.12	<u>Justices' compensation is increased by one and</u>		
3.13	<u>one-half percent each year.</u>		
3.14	<u>(c) Digital Accessibility</u>		
3.15	<u>\$828,000 each year is for digital accessibility.</u>		
3.16	<u>This is a onetime appropriation.</u>		
3.17	Sec. 3. <u>BOARD OF CIVIL LEGAL AID</u>	<u>\$ 34,941,000</u>	<u>\$ 35,467,000</u>
3.18	<u>The base for the Board of Civil Legal Aid is</u>		
3.19	<u>\$35,519,000 in fiscal year 2028 and</u>		
3.20	<u>\$35,520,000 in fiscal year 2029.</u>		
3.21	Sec. 4. <u>COURT OF APPEALS</u>	<u>\$ 15,612,000</u>	<u>\$ 15,969,000</u>
3.22	<u>Judges' Compensation</u>		
3.23	<u>Judges' compensation is increased by one and</u>		
3.24	<u>one-half percent each year.</u>		
3.25	Sec. 5. <u>DISTRICT COURTS</u>	<u>\$ 405,511,000</u>	<u>\$ 403,781,000</u>
3.26	<u>(a) Forensic Examiner Rate Increase</u>		
3.27	<u>\$2,685,000 each year is to increase the hourly</u>		
3.28	<u>rate paid to forensic examiners.</u>		
3.29	<u>(b) Judges' Compensation</u>		
3.30	<u>Judges' compensation is increased by one and</u>		
3.31	<u>one-half percent each year.</u>		

4.1 **(c) Psychological Services**

4.2 \$10,634,000 the first year is for the
4.3 psychological and psychiatric examiner
4.4 services program, which delivers statutorily
4.5 mandated psychological examinations for civil
4.6 commitment, criminal competency, and
4.7 criminal responsibility evaluations. This
4.8 appropriation is available until June 30, 2029.

4.9 Sec. 6. **GUARDIAN AD LITEM BOARD** \$ **25,867,000** \$ **26,120,000**

4.10 Sec. 7. **TAX COURT** \$ **2,312,000** \$ **2,353,000**

4.11 Sec. 8. **UNIFORM LAWS COMMISSION** \$ **115,000** \$ **115,000**

4.12 Sec. 9. **BOARD ON JUDICIAL STANDARDS** \$ **655,000** \$ **666,000**

4.13 **(a) Availability of Appropriation**

4.14 If the appropriation for either year is
4.15 insufficient, the appropriation for the other
4.16 fiscal year is available.

4.17 **(b) Major Disciplinary Actions**

4.18 \$125,000 each year is for special investigative
4.19 and hearing costs for major disciplinary
4.20 actions undertaken by the board. This
4.21 appropriation does not cancel. Any
4.22 unencumbered and unspent balances remain
4.23 available for these expenditures through June
4.24 30, 2027.

4.25 Sec. 10. **BOARD OF PUBLIC DEFENSE** \$ **165,459,000** \$ **166,842,000**

4.26 Sec. 11. **HUMAN RIGHTS** \$ **8,959,000** \$ **9,030,000**

4.27 Sec. 12. **OFFICE OF APPELLATE COUNSEL**
4.28 **AND TRAINING** \$ **1,000,000** \$ **1,361,000**

4.29 Sec. 13. **MINNESOTA COMPETENCY**
4.30 **ATTAINMENT BOARD** \$ **11,017,000** \$ **11,137,000**

4.31 Sec. 14. **CANNABIS EXPUNGEMENT BOARD** \$ **5,371,000** \$ **5,386,000**

4.32 Sec. 15. **ATTORNEY GENERAL** \$ **438,000** \$ **438,000**

5.1 **Civil Commitment Coordinating Division**

administrator shall transmit the fees monthly to the commissioner of management and budget for deposit in the state treasury and credit to the general fund. ~~\$30~~ \$60 of each fee collected in a dissolution action under subdivision 2, clause (1), must be deposited by the commissioner of management and budget in the special revenue fund and is appropriated to the commissioner of employment and economic development for the Minnesota Family Resiliency Partnership under section 116L.96.

(b) In a county which has a screener-collector position, fees paid by a county pursuant to this subdivision shall be transmitted monthly to the county treasurer, who shall apply the fees first to reimburse the county for the amount of the salary paid for the screener-collector position. The balance of the fees collected shall then be forwarded to the commissioner of management and budget for deposit in the state treasury and credited to the general fund. In a county in a judicial district under section 480.181, subdivision 1, paragraph (b), which has a screener-collector position, the fees paid by a county shall be transmitted monthly to the commissioner of management and budget for deposit in the state treasury and credited to the general fund. A screener-collector position for purposes of this paragraph is an employee whose function is to increase the collection of fines and to review the incomes of potential clients of the public defender, in order to verify eligibility for that service.

(c) No fee is required under this section from the public authority or the party the public authority represents in an action for:

(1) child support enforcement or modification, medical assistance enforcement, or establishment of parentage in the district court, or in a proceeding under section 484.702;

(2) civil commitment under chapter 253B;

(3) the appointment of a public conservator or public guardian or any other action under chapters 252A and 525;

(4) wrongfully obtaining public assistance under section 256.98 or 256D.07, or recovery of overpayments of public assistance;

(5) court relief under chapters 260, 260A, 260B, and 260C;

(6) forfeiture of property under sections 169A.63 and 609.531 to 609.5317;

(7) recovery of amounts issued by political subdivisions or public institutions under sections 246.52, 252.27, 256.045, 256.25, 256B.042, 256B.14, 256B.15, 256B.37, 260B.331, 260C.331, and 518A.82, or other sections referring to other forms of public assistance;

(8) restitution under section 611A.04; or

(9) actions seeking monetary relief in favor of the state pursuant to section 16D.14, subdivision 5.

(d) \$20 from each fee collected for child support modifications under subdivision 2, clause (13), must be transmitted to the county treasurer for deposit in the county general fund and \$35 from each fee shall be credited to the state general fund. The fees must be used by the county to pay for child support enforcement efforts by county attorneys.

(e) No fee is required under this section from any federally recognized Indian Tribe or its representative in an action for:

(1) child support enforcement or modification, medical assistance enforcement, or establishment of parentage in the district court or in a proceeding under section 484.702;

(2) civil commitment under chapter 253B;

(3) the appointment of a public conservator or public guardian or any other action under chapters 252A and 525; or

(4) court relief under chapters 260, 260A, 260B, 260C, and 260D.

Sec. 21. Minnesota Statutes 2024, section 357.021, subdivision 2, is amended to read:

Subd. 2. **Fee amounts.** The fees to be charged and collected by the court administrator shall be as follows:

(1) In every civil action or proceeding in said court, including any case arising under the tax laws of the state that could be transferred or appealed to the Tax Court, the plaintiff, petitioner, or other moving party shall pay, when the first paper is filed for that party in said action, a fee of ~~\$285~~ \$310, except in marriage dissolution actions the fee is ~~\$315~~ \$340.

The defendant or other adverse or intervening party, or any one or more of several defendants or other adverse or intervening parties appearing separately from the others, shall pay, when the first paper is filed for that party in said action, a fee of ~~\$285~~ \$310, except in marriage dissolution actions the fee is ~~\$315~~ \$340. This subdivision does not apply to the filing of an Application for Discharge of Judgment. Section 548.181 applies to an Application for Discharge of Judgment.

The party requesting a trial by jury shall pay \$100.

The fees above stated shall be the full trial fee chargeable to said parties irrespective of whether trial be to the court alone, to the court and jury, or disposed of without trial, and shall include the entry of judgment in the action, but does not include copies or certified

8.1 copies of any papers so filed or proceedings under chapter 103E, except the provisions
8.2 therein as to appeals.

8.3 (2) Certified copy of any instrument from a civil or criminal proceeding, \$14.

8.4 (3) Issuing a subpoena, \$16 for each name.

8.5 (4) Filing a motion or response to a motion in civil, family, excluding child support, and
8.6 guardianship cases, ~~\$75~~ \$100.

8.7 (5) Issuing an execution and filing the return thereof; issuing a writ of attachment,
8.8 injunction, habeas corpus, mandamus, quo warranto, certiorari, or other writs not specifically
8.9 mentioned, \$55.

8.10 (6) Issuing a transcript of judgment, or for filing and docketing a transcript of judgment
8.11 from another court, \$40.

8.12 (7) Filing and entering a satisfaction of judgment, partial satisfaction, or assignment of
8.13 judgment, \$5.

8.14 (8) Certificate as to existence or nonexistence of judgments docketed, \$5 for each name
8.15 certified to.

8.16 (9) Filing and indexing trade name; or recording basic science certificate; or recording
8.17 certificate of physicians, osteopathic physicians, chiropractors, veterinarians, or optometrists,
8.18 \$5.

8.19 (10) For the filing of each partial, final, or annual account in all trusteeships, \$55.

8.20 (11) For the deposit of a will, \$27.

8.21 (12) For recording notary commission, \$20.

8.22 (13) Filing a motion or response to a motion for modification of child support, a fee of
8.23 \$50.

8.24 (14) All other services required by law for which no fee is provided, such fee as compares
8.25 favorably with those herein provided, or such as may be fixed by rule or order of the court.

8.26 (15) In addition to any other filing fees under this chapter, a surcharge in the amount of
8.27 \$75 must be assessed in accordance with section 259.52, subdivision 14, for each adoption
8.28 petition filed in district court to fund the fathers' adoption registry under section 259.52.

8.29 The fees in clauses (3) and (5) need not be paid by a public authority or the party the
8.30 public authority represents. No fee may be charged to view or download a publicly available
8.31 instrument from a civil or criminal proceeding or for an uncertified copy of that instrument.

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ARTICLE 2

PUBLIC SAFETY APPROPRIATIONS

Section 1. APPROPRIATIONS.

The sums shown in the columns marked "Appropriations" are appropriated to the agencies and for the purposes specified in this article. The appropriations are from the general fund, or another named fund, and are available for the fiscal years indicated for each purpose. The figures "2026" and "2027" used in this article mean that the appropriations listed under them are available for the fiscal year ending June 30, 2026, or June 30, 2027, respectively. "The first year" is fiscal year 2026. "The second year" is fiscal year 2027. "The biennium" is fiscal years 2026 and 2027. Appropriations for the fiscal year ending June 30, 2025, are effective the day following final enactment.

			<u>APPROPRIATIONS</u> <u>Available for the Year</u> <u>Ending June 30</u>	
	<u>2025</u>		<u>2026</u>	<u>2027</u>
Sec. 2. <u>SENTENCING GUIDELINES</u>	\$		<u>1,092,000</u>	\$ <u>1,112,000</u>
Sec. 3. <u>PUBLIC SAFETY</u>				
Subdivision 1. <u>Total</u>				
<u>Appropriation</u>	\$		<u>284,251,000</u>	\$ <u>269,313,000</u>
<u>Appropriations by Fund</u>				
	<u>2026</u>	<u>2027</u>		
<u>General</u>	<u>176,898,000</u>	<u>176,057,000</u>		
<u>Special Revenue</u>	<u>21,879,000</u>	<u>21,779,000</u>		
<u>State Government</u>				
<u>Special Revenue</u>	<u>103,000</u>	<u>103,000</u>		
<u>Environmental</u>	<u>130,000</u>	<u>133,000</u>		
<u>Trunk Highway</u>	<u>2,429,000</u>	<u>2,429,000</u>		
<u>911 Fund</u>	<u>82,597,000</u>	<u>68,597,000</u>		
<u>Workers'</u>				
<u>Compensation Fund</u>	<u>215,000</u>	<u>215,000</u>		
The amounts that may be spent for each purpose are specified in the following subdivisions.				
Subd. 2. <u>Emergency Management</u>			<u>5,165,000</u>	<u>5,555,000</u>

Article 2 Sec. 3.

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10.1	<u>Appropriations by Fund</u>		
10.2	<u>General</u>	<u>5,035,000</u>	<u>5,422,000</u>
10.3	<u>Environmental</u>	<u>130,000</u>	<u>133,000</u>

10.4 **Supplemental Nonprofit Security Grants**

10.5 \$125,000 each year is for supplemental
10.6 nonprofit security grants under this
10.7 subdivision. Nonprofit organizations whose
10.8 applications for funding through the Federal
10.9 Emergency Management Agency's nonprofit
10.10 security grant program have been approved
10.11 by the Division of Homeland Security and
10.12 Emergency Management are eligible for grants
10.13 under this subdivision. No additional
10.14 application shall be required for grants under
10.15 this subdivision, and an application for a grant
10.16 from the federal program is also an application
10.17 for funding from the state supplemental
10.18 program. Eligible organizations may receive
10.19 grants of up to \$75,000, except that the total
10.20 received by any individual from both the
10.21 federal nonprofit security grant program and
10.22 the state supplemental nonprofit security grant
10.23 program shall not exceed \$75,000. Grants shall
10.24 be awarded in an order consistent with the
10.25 ranking given to applicants for the federal
10.26 nonprofit security grant program. No grants
10.27 under the state supplemental nonprofit security
10.28 grant program shall be awarded until the
10.29 announcement of the recipients and the
10.30 amount of the grants awarded under the federal
10.31 nonprofit security grant program. The
10.32 commissioner may use up to one percent of
10.33 the appropriation received under this
10.34 subdivision to pay costs incurred by the
10.35 department in administering the supplemental

11.1 nonprofit security grant program. This is a
11.2 onetime appropriation.

11.3 **Subd. 3. Criminal Apprehension** 112,438,000 112,950,000

11.4 Appropriations by Fund

11.5 General 109,787,000 110,299,000

11.6 State Government

11.7 Special Revenue 7,000 7,000

11.8 Trunk Highway 2,429,000 2,429,000

11.9 Workers'

11.10 Compensation Fund 215,000 215,000

11.11 **(a) DWI Lab Analysis; Trunk Highway**

11.12 **Fund**

11.13 Notwithstanding Minnesota Statutes, section

11.14 161.20, subdivision 3, \$2,429,000 the first

11.15 year and \$2,429,000 the second year are from

11.16 the trunk highway fund for staff and operating

11.17 costs for laboratory analysis related to

11.18 driving-while-impaired cases.

11.19 **(b) Fraud and Financial Crime Unit**

11.20 \$1,115,000 each year from the general fund

11.21 and \$215,000 each year from the workers'

11.22 compensation fund are for the Financial

11.23 Crimes and Fraud Section in Minnesota

11.24 Statutes, section 299C.061, and may not be

11.25 used for any other purpose.

11.26 **Subd. 4. Fire Marshal** 20,117,000 20,017,000

11.27 Appropriations by Fund

11.28 General 4,190,000 4,190,000

11.29 Special Revenue 15,927,000 15,827,000

11.30 The special revenue fund appropriation is from

11.31 the fire safety account in the special revenue

11.32 fund and is for activities under Minnesota

11.33 Statutes, section 299F.012. The base

11.34 appropriation for this account is \$15,927,000

12.1 in fiscal year 2028 and \$15,827,000 in fiscal
12.2 year 2029.

12.3 **(a) Hazardous Materials and Emergency**
12.4 **Response Teams**

12.5 \$2,170,000 the first year and \$2,070,000 the
12.6 second year are from the fire safety account
12.7 for hazardous materials and emergency
12.8 response teams. The base for these purposes
12.9 is \$2,170,000 in the first year of future biennia
12.10 and \$2,070,000 in the second year of future
12.11 biennia.

12.12 **(b) Bomb Squad Reimbursements**

12.13 \$250,000 from the fire safety account and
12.14 \$50,000 from the general fund each year are
12.15 for reimbursements to local governments for
12.16 bomb squad services.

12.17 **(c) Nonresponsible Party Reimbursements**

12.18 \$750,000 each year from the fire safety
12.19 account is for nonresponsible party hazardous
12.20 material and bomb squad incident
12.21 reimbursements. Money appropriated for this
12.22 purpose is available for one year.

12.23 **(d) Hometown Heroes Assistance Program**

12.24 \$4,000,000 each year from the general fund
12.25 is for grants to the Minnesota Firefighter
12.26 Initiative to fund the hometown heroes
12.27 assistance program established in Minnesota
12.28 Statutes, section 299A.477.

12.29 **(e) Task Force 1**

12.30 \$1,425,000 each year from the fire safety
12.31 account is for the Minnesota Task Force 1.

12.32 **(f) Task Force 2**

- 13.1 \$300,000 each year from the fire safety
13.2 account is for the Minnesota Task Force 2.
- 13.3 **(g) Air Rescue**
- 13.4 \$500,000 each year from the fire safety
13.5 account is for the Minnesota Air Rescue Team.
- 13.6 **(h) Fire Service Assessment**
- 13.7 The state fire marshal shall conduct or contract
13.8 with a third party to conduct a comprehensive
13.9 assessment of how firefighting services are
13.10 provided in Minnesota and make
13.11 recommendations for any proposed changes.
13.12 At a minimum, the assessment must include:
- 13.13 (1) a macro-level review and analysis of
13.14 incidents; incident types; response metrics;
13.15 geographical distribution; life, safety, and
13.16 property damage impacts; and trend projection
13.17 analysis, benchmarked against national
13.18 standards and best practices, including those
13.19 of the National Fire Protection Association;
- 13.20 (2) an analysis of the number of fire
13.21 departments and types of staffing in Minnesota
13.22 compared to other states regionally and
13.23 nationally, including staff response by time of
13.24 day and day of the week;
- 13.25 (3) an analysis of the available data sets to
13.26 determine what data is incomplete, inaccurate,
13.27 or missing to make informed decisions in the
13.28 future;
- 13.29 (4) an analysis of the effective response force
13.30 of firefighters across the state, identifying any
13.31 trends and patterns impacting the delivery of
13.32 fire and life safety services;

- 14.1 (5) an analysis of the training, certification,
- 14.2 and licensing of Minnesota firefighters,
- 14.3 including initial and annual training, officers,
- 14.4 inspectors, investigators, and specialty
- 14.5 disciplines such as technical rescue and
- 14.6 hazardous materials;
- 14.7 (6) an analysis of the recruitment and retention
- 14.8 of fire department staff including volunteer,
- 14.9 paid-on-call, part-time, contract, and full-time
- 14.10 firefighters;
- 14.11 (7) a macro-level evaluation of fire department
- 14.12 equipment, including personal protective
- 14.13 equipment, apparatus equipment,
- 14.14 communications equipment, and infrastructure,
- 14.15 benchmarked against national standards and
- 14.16 best practices, including those of the National
- 14.17 Fire Protection Association; and
- 14.18 (8) a macro-level evaluation of the funding
- 14.19 for firefighting services in Minnesota and how
- 14.20 it compares to other states.
- 14.21 In conducting the assessment, the fire marshal
- 14.22 shall hold in-person and virtual stakeholder
- 14.23 listening sessions with the Minnesota State
- 14.24 Fire Chiefs Association, the Minnesota State
- 14.25 Fire Department Association, the Minnesota
- 14.26 Professional Firefighters Association, the
- 14.27 League of Minnesota Cities, the Minnesota
- 14.28 Association of Townships, and other statewide
- 14.29 and regional associations identified by the
- 14.30 commissioner of public safety. In conducting
- 14.31 the assessment and making recommendations
- 14.32 for proposed changes, the fire marshal shall
- 14.33 consider the current diverse nature of the fire
- 14.34 service in Minnesota, including the various

15.1 staffing models employed and the
15.2 geographical makeup of the state.

15.3 The fire marshal may request onetime funding
15.4 to complete this assessment through the Fire
15.5 Service Advisory Committee.

15.6 By December 31, 2026, the fire marshal shall
15.7 report on the assessment conducted and any
15.8 recommendations for changes to the chairs
15.9 and ranking minority members of the
15.10 legislative committees with jurisdiction over
15.11 public safety and commerce.

15.12	<u>Subd. 5. Firefighter Training and Education</u>		
15.13	<u>Board</u>	<u>5,500,000</u>	<u>5,500,000</u>

15.14	<u>Appropriations by Fund</u>		
15.15	<u>Special Revenue</u>	<u>5,500,000</u>	<u>5,500,000</u>

15.16 The special revenue fund appropriation is from
15.17 the fire safety account in the special revenue
15.18 fund and is for activities under Minnesota
15.19 Statutes, section 299F.012.

15.20 (a) Firefighter Training and Education

15.21 \$5,500,000 each year from the fire safety
15.22 account is for firefighter training and
15.23 education.

15.24 (b) Unappropriated Revenue

15.25 Any additional unappropriated money
15.26 collected in fiscal year 2025 is appropriated
15.27 to the commissioner of public safety for the
15.28 purposes of Minnesota Statutes, section
15.29 299F.012. The commissioner may transfer
15.30 appropriations and base amounts between
15.31 activities in this subdivision.

16.1	<u>Subd. 6. Alcohol and Gambling</u>		
16.2	<u>Enforcement</u>	<u>3,949,000</u>	<u>3,954,000</u>
16.3	<u>Appropriations by Fund</u>		
16.4	<u>General</u>	<u>3,879,000</u>	<u>3,884,000</u>
16.5	<u>Special Revenue</u>	<u>70,000</u>	<u>70,000</u>
16.6	<u>\$70,000 each year is from the lawful gambling</u>		
16.7	<u>regulation account in the special revenue fund.</u>		
16.8	<u>Subd. 7. Office of Justice Programs</u>		
		<u>54,103,000</u>	<u>52,358,000</u>
16.9	<u>Appropriations by Fund</u>		
16.10	<u>General</u>	<u>54,007,000</u>	<u>52,262,000</u>
16.11	<u>State Government</u>		
16.12	<u>Special Revenue</u>	<u>96,000</u>	<u>96,000</u>
16.13	<u>(a) Violence Prevention Project Research</u>		
16.14	<u>Center</u>		
16.15	<u>\$250,000 each year is to fund a violence</u>		
16.16	<u>prevention project research center that operates</u>		
16.17	<u>as a nonprofit, nonpartisan research center</u>		
16.18	<u>dedicated to reducing violence in society and</u>		
16.19	<u>using data and analysis to improve</u>		
16.20	<u>criminal-justice-related policy and practice in</u>		
16.21	<u>Minnesota. The research center must place an</u>		
16.22	<u>emphasis on issues related to gun violence.</u>		
16.23	<u>This is a onetime appropriation.</u>		
16.24	<u>(b) Legal Representation for Children</u>		
16.25	<u>\$100,000 each year is for a grant to an</u>		
16.26	<u>organization that provides legal representation</u>		
16.27	<u>for children in need of protection or services</u>		
16.28	<u>and children in out-of-home placement. The</u>		
16.29	<u>grant is contingent upon a match in an equal</u>		
16.30	<u>amount from nonstate funds. The match may</u>		
16.31	<u>be in kind, including the value of volunteer</u>		
16.32	<u>attorney time, in cash, or a combination of the</u>		
16.33	<u>two. This is a onetime appropriation and is in</u>		

- 17.1 addition to any other appropriations for the
17.2 legal representation of children.
- 17.3 **(c) MSOP; Moose Lake-Related Costs**
- 17.4 \$50,000 each year is for a grant to Carlton
17.5 County to be used for law enforcement,
17.6 prosecution, and litigation expenses arising
17.7 from the actions of clients at the Minnesota
17.8 Sex Offender Program facility at Moose Lake.
17.9 This is a onetime appropriation.
- 17.10 **(d) At-Risk Youth in Rochester, St. Cloud,**
17.11 **and Excelsior**
- 17.12 \$150,000 each year is for grants in equal
17.13 amounts to 180 Degrees in the Rochester
17.14 regional area, St. Cloud regional area, and
17.15 central Minnesota region west of the Twin
17.16 Cities to address racial disparities of youth
17.17 using shelter services. The 180 Degrees
17.18 shelters in each region shall establish and
17.19 operate a program connected to shelter
17.20 services to engage in community outreach,
17.21 mobile case management, family reunification,
17.22 aftercare, and follow up when family members
17.23 are released from shelter services. This
17.24 program shall specifically address the large
17.25 geographic rural areas served where at-risk
17.26 youth enter shelters in Rochester, St. Cloud,
17.27 and Excelsior. This is a onetime appropriation.
- 17.28 **(e) Prosecutorial and Law Enforcement**
17.29 **Training**
- 17.30 \$100,000 each year is for a grant to the
17.31 Minnesota County Attorneys Association to
17.32 be used for prosecutorial and law enforcement
17.33 training, including trial school training and

18.1 train-the-trainer courses. This is a onetime
18.2 appropriation.

18.3 **(f) Violent Crime Enforcement Teams**

18.4 \$1,750,000 the first year is for violent crime
18.5 enforcement teams.

18.6 **Subd. 8. Emergency Communication Networks** 82,597,000 68,597,000

18.7 Appropriations by Fund

18.8 911 Fund 82,597,000 68,597,000

18.9 This appropriation is from the state
18.10 government special revenue fund for 911
18.11 emergency telecommunications services unless
18.12 otherwise indicated.

18.13 **(a) Public Safety Answering Points**

18.14 \$28,011,000 the first year and \$28,011,000
18.15 the second year shall be distributed as
18.16 provided under Minnesota Statutes, section
18.17 403.113, subdivision 2.

18.18 Each eligible entity receiving these funds must
18.19 provide a detailed report on how the funds
18.20 were used to the commissioner of public safety
18.21 by August 1, 2027.

18.22 **(b) ARMER State Backbone Operating**
18.23 **Costs**

18.24 \$10,384,000 each year is transferred to the
18.25 commissioner of transportation for costs of
18.26 maintaining and operating the statewide radio
18.27 system backbone.

18.28 **(c) Statewide Emergency Communications**
18.29 **Board**

18.30 \$1,000,000 each year is to the Statewide
18.31 Emergency Communications Board. Funds
18.32 may be used for operating costs, to provide

19.1 competitive grants to local units of
19.2 government to fund enhancements to a
19.3 communication system, technology, or support
19.4 activity that directly provides the ability to
19.5 deliver the 911 call between the entry point to
19.6 the 911 system and the first responder, and to
19.7 further the strategic goals set forth by the
19.8 SECB Statewide Communication
19.9 Interoperability Plan.

19.10 **(d) ARMER Critical Infrastructure**

19.11 \$14,000,000 the first year is transferred to the
19.12 commissioner of transportation for costs of
19.13 maintaining and operating the statewide radio
19.14 system backbone. This is a onetime
19.15 appropriation and is available until June 30,
19.16 2029.

19.17	<u>Subd. 9. Driver and Vehicle Services</u>	<u>382,000</u>	<u>382,000</u>
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19.18 **Ignition Interlock**

19.19 \$382,000 each year is from the driver and
19.20 vehicle services operating account in the
19.21 special revenue fund for staffing costs related
19.22 to the modifications to the ignition interlock
19.23 device program proposed in 2025 S.F. No.
19.24 2068. This appropriation is contingent upon
19.25 the passage of 2025 S.F. No. 2068.

19.26	<u>Sec. 4. PEACE OFFICER STANDARDS AND</u>		
19.27	<u>TRAINING (POST) BOARD</u>	<u>\$ 12,749,000</u>	<u>\$ 12,797,000</u>

19.28 **(a) Peace Officer Training Reimbursements**

19.29 \$2,949,000 each year is for reimbursements
19.30 to local governments for peace officer training
19.31 costs.

19.32 **(b) Philando Castile Memorial Training**
19.33 **Fund**

20.1 \$6,000,000 each year is to support and
20.2 strengthen law enforcement training and
20.3 implement best practices. These funds may
20.4 only be used to reimburse costs related to
20.5 training courses that qualify for reimbursement
20.6 under Minnesota Statutes, sections 626.8452,
20.7 626.8469, and 626.8474. This is a onetime
20.8 appropriation.

20.9	Sec. 5. PRIVATE DETECTIVE BOARD	\$	697,000	\$	706,000
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20.10 **Sec. 6. CORRECTIONS**

20.11 Subdivision 1. **Total**

20.12	Appropriation	\$	824,336,000	\$	835,273,000
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20.13 The amounts that may be spent for each
20.14 purpose are specified in the following
20.15 subdivisions.

20.16 Subd. 2. Incarceration and
20.17 Prerelease Services

20.17	Prerelease Services	\$ 571,289,000	\$ 579,340,000
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20.18 (a) **Task Force on Mandatory Minimum**

20.19 Sentences

20.20 \$133,000 the first year is for the task force on
20.21 mandatory minimum sentences.

20.22 (b) **Incarceration and Prerelease Services**

20.23 Base Budget

20.24 The base for incarceration and prerelease
20.25 services is \$579,583,000 in fiscal year 2028
20.26 and \$579,638,000 in fiscal year 2029.

20.27 Subd. 3. Community
20.28 Supervision and Postrelease
20.29 Services

20.29	Services	193,304,000	195,647,000
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20.30 (a) **Community Supervision Funding**

20.31 \$143,378,000 each year is for community
20.32 supervision services. This appropriation shall
20.33 be distributed according to the community

21.1	<u>supervision formula in Minnesota Statutes,</u>			
21.2	<u>section 401.10.</u>			
21.3	<u>(b) Tribal Nation Supervision</u>			
21.4	<u>\$2,750,000 each year is for Tribal Nations to</u>			
21.5	<u>provide supervision or supportive services</u>			
21.6	<u>pursuant to Minnesota Statutes, section</u>			
21.7	<u>401.10.</u>			
21.8	<u>(c) Housing Initiatives</u>			
21.9	<u>\$1,685,000 each year is for housing initiatives</u>			
21.10	<u>to support stable housing of incarcerated</u>			
21.11	<u>individuals upon release.</u>			
21.12	<u>(d) Sentencing to Service Programs</u>			
21.13	<u>\$1,773,000 each year is for sentencing to</u>			
21.14	<u>service programs.</u>			
21.15	<u>(e) Community Supervision and Postrelease</u>			
21.16	<u>Services Base Budget</u>			
21.17	<u>The base for community supervision and</u>			
21.18	<u>postrelease services is \$195,647,000 in fiscal</u>			
21.19	<u>year 2028 and \$195,647,000 in fiscal year</u>			
21.20	<u>2029.</u>			
21.21	<u>Subd. 4. Organizational, Regulatory, and</u>			
21.22	<u>Administrative Services</u>	<u>59,743,000</u>		<u>60,286,000</u>
21.23	<u>Organizational, Regulatory, and</u>			
21.24	<u>Administrative Services Base Budget</u>			
21.25	<u>The base for organizational, regulatory, and</u>			
21.26	<u>administrative services is \$60,286,000 in fiscal</u>			
21.27	<u>year 2028 and \$60,286,000 in fiscal year 2029.</u>			
21.28	<u>Sec. 7. OMBUDSPERSON FOR</u>			
21.29	<u>CORRECTIONS</u>	<u>\$ 1,118,000</u>	<u>\$</u>	<u>1,137,000</u>
21.30	<u>Sec. 8. CLEMENCY REVIEW COMMISSION</u>	<u>\$ 995,000</u>	<u>\$</u>	<u>1,005,000</u>

22.1 Sec. 9. **GENERAL FUND TRANSFER; MINNESOTA VICTIMS OF CRIME**
22.2 **ACCOUNT.**

22.3 \$8,366,000 the first year is transferred from the general fund to the Minnesota victims
22.4 of crime account in the special revenue fund under Minnesota Statutes, section 299A.708.

22.5 Sec. 10. **COMMUNITY CRIME AND VIOLENCE PREVENTION ACCOUNT;**
22.6 **TRANSFER.**

22.7 The commissioner of management and budget shall transfer \$4,750,000 in fiscal year
22.8 2026 and \$3,000,000 in fiscal year 2027 from the community crime and violence prevention
22.9 account in the special revenue fund to the general fund.

22.10 Sec. 11. Minnesota Statutes 2024, section 299A.296, is amended by adding a subdivision
22.11 to read:

22.12 Subd. 3. **Duties of agency and grant recipients; report required.** (a) The commissioner
22.13 of public safety shall collect and document, at a minimum, the following information about
22.14 grants under this section:

22.15 (1) a summary of the purpose of the grant;

22.16 (2) the amount of the grant awarded to the grantee;

22.17 (3) the amount of previous grants issued by the commissioner to the grantee;

22.18 (4) the amount of other state and federal grants awarded to the grantee in the most recent
22.19 fiscal year; and

22.20 (5) the number of Minnesotans served by the organization.

22.21 (b) As a condition of receiving a grant from the Department of Public Safety, a grantee
22.22 must agree to provide the commissioner any information necessary to complete the report
22.23 required by this subdivision.

22.24 (c) If a grantee uses grant money to provide services to persons who reside outside of
22.25 Minnesota, the grantee must list for the commissioner the states where non-Minnesotan
22.26 participants reside and provide an explanation of why grant money was used to provide
22.27 services to non-Minnesota residents.

22.28 (d) The commissioner is not required to report under paragraph (e) information described
22.29 in paragraph (a), clause (5), for a grantee that does not offer programming that requires
22.30 completion or that cannot be measured by objective standards.

(e) Beginning January 15, 2026, the commissioner shall submit a report containing the information provided by grant recipients as required under this subdivision to the chairs and ranking minority members of the legislative committees with jurisdiction over public safety policy and funding. The report must also include an analysis of the grant recipients' success in meeting the purpose and any goals or measurable outcomes specified for the grant. An updated version of this report must be submitted on January 15 of each succeeding year until January 15 in the year following the date when all of the grant funds have been spent.

Sec. 12. Minnesota Statutes 2024, section 299A.41, subdivision 3, is amended to read:

Subd. 3. **Killed in the line of duty.** (a) "Killed in the line of duty" does not include any deaths from natural causes, except as expressly provided in this subdivision. In the case of a public safety officer, killed in the line of duty includes the death of a public safety officer caused by accidental means while the public safety officer is acting in the course and scope of duties as a public safety officer. Killed in the line of duty also means if a public safety officer dies as the direct and proximate result of a heart attack, stroke, or vascular rupture, that officer shall be presumed to have died as the direct and proximate result of a personal injury sustained in the line of duty if:

(1) that officer, while on duty:

(i) ~~engaged in a situation, and that engagement involved nonroutine stressful or strenuous physical~~ law enforcement, fire suppression, rescue, hazardous material response, emergency medical services, prison security, disaster relief, or other emergency response activity; or

(ii) ~~participated in a training exercise, and that participation involved nonroutine stressful or strenuous physical activity;~~

(2) that officer died as a result of a heart attack, stroke, or vascular rupture suffered:

(i) while engaging or participating under clause (1);

(ii) while still on duty after engaging or participating under clause (1); or

(iii) not later than 24 hours after engaging or participating under clause (1); and

(3) the presumption is not overcome by competent medical evidence to the contrary.

(b) "Killed in the line of duty" also means that the officer died due to suicide:

(1) secondary to a diagnosis of posttraumatic stress disorder as described in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders published by the American Psychiatric Association; or

(2) within 45 days of the end of exposure, while on duty, to a traumatic event.

(c) "Killed in the line of duty" also means that the officer died as a result of complications caused by exposure sustained in the line of duty to any of the following infectious diseases, viruses, or bacteria, if medical records identify the disease, virus, or bacteria as a cause of or contributing factor to the death: COVID-19; influenza; hepatitis B; hepatitis C; tuberculosis; HIV/AIDS; meningitis; MRSA; whooping cough; or streptococcus pneumoniae.

EFFECTIVE DATE; RETROACTIVE APPLICATION. This section is effective the day following final enactment and applies retroactively from February 1, 2020.

Sec. 13. Minnesota Statutes 2024, section 299A.41, subdivision 4, is amended to read:

Subd. 4. **Public safety officer.** "Public safety officer" includes:

(1) a peace officer defined in section 626.84, subdivision 1, paragraph (c) or (d);

(2) a correction officer employed at a correctional facility and charged with maintaining the safety, security, discipline, and custody of inmates at the facility;

(3) a corrections staff person working in a public agency and supervising offenders in the community as defined in sections 243.05, subdivision 6; 244.19, subdivision 1; and 401.01, subdivision 2;

(4) an individual employed on a full-time or part-time basis by the state or by a fire department of a governmental subdivision of the state, who is engaged in any of the following duties:

(i) firefighting;

(ii) emergency motor vehicle operation;

(iii) investigation into the cause and origin of fires;

(iv) the provision of emergency medical services; or

(v) hazardous material responder;

(5) a legally enrolled member of a volunteer or paid-on-call fire department or member of an independent nonprofit firefighting corporation who is engaged in the hazards of firefighting;

(6) a good samaritan while complying with the request or direction of a public safety officer to assist the officer;

(7) a reserve police officer or a reserve deputy sheriff while acting under the supervision and authority of a political subdivision;

(8) a driver or attendant with a licensed basic or advanced life-support transportation service who is engaged in providing emergency care;

(9) a first responder who is certified by the director of the Office of Emergency Medical Services to perform basic emergency skills before the arrival of a licensed ambulance service and who is a member of an organized service recognized by a local political subdivision to respond to medical emergencies to provide initial medical care before the arrival of an ambulance; ~~and~~

(10) a person, other than a state trooper, employed by the commissioner of public safety and assigned to the State Patrol, whose primary employment duty is either Capitol security or the enforcement of commercial motor vehicle laws and regulations; and

(11) a person formerly employed as a public safety officer under clauses (1) to (5) or (7) to (10), if the person separated from service due to a duty disability as defined in section 353.01, subdivision 41.

EFFECTIVE DATE; RETROACTIVE APPLICATION. This section is effective the day following final enactment and applies retroactively from February 1, 2020.

Sec. 14. **[299A.708] MINNESOTA VICTIMS OF CRIME ACCOUNT.**

Subdivision 1. **Account established.** The Minnesota victims of crime account is established in the special revenue fund.

Subd. 2. **Source of funds.** Money in the account consists of:

(1) general fund transfers;

(2) gifts, donations, and any interest or earnings of the account; and

(3) penalty assessments collected under section 609.1015.

Subd. 3. **Appropriation; account purpose; grants.** Money in the account, including interest accrued, is appropriated to the commissioner of public safety for the Office of Justice Programs to provide grants to crime victim services providers. Grants must be used for direct services and advocacy for victims of sexual assault, general crime, domestic violence, and child abuse. Funding must support the direct needs of organizations serving victims of crime and may provide: direct client assistance to crime victims; competitive wages for direct service staff; hotel stays and other housing-related supports and services; culturally responsive programming; prevention programming, including domestic abuse transformation

and restorative justice programming; and for other needs of organizations and crime victim survivors. Services funded must include services for victims of crime in underserved communities most impacted by violence and reflect the ethnic, racial, economic, cultural, and geographic diversity of the state.

Subd. 4. **Carryover.** Money in the account does not cancel but remains available for expenditures for grants identified in subdivision 3.

Sec. 15. **[609.1015] CORPORATE OFFENDERS; PENALTY ASSESSMENT REQUIRED.**

(a) As used in this section, "corporation" means any entity, other than a natural person, that is capable under the laws of any state to sue, be sued, own property, contract, or employ another.

(b) When a court is sentencing a corporation that has been convicted of a crime, the court shall impose an assessment of up to \$1,000,000 if the conviction is for a felony offense, up to \$250,000 if the conviction is for a gross misdemeanor offense, and up to \$100,000 if the conviction is for a misdemeanor offense. The assessment is in addition to any criminal fines, restitution, or surcharge otherwise authorized or required under law. The court shall impose an assessment of not less than 30 percent of the maximum assessment authorized by this section unless the defendant makes a showing of undue hardship. The court may not waive payment of the assessment.

(c) In setting the amount of the assessment, the court shall take the following into consideration:

(1) the nature and seriousness of the offense;

(2) the number of offenses committed;

(3) the persistence of the criminal conduct;

(4) the length of time over which the criminal conduct occurred;

(5) the willfulness of the corporation's criminal conduct;

(6) the corporation's assets, liabilities, and net worth; and

(7) the particular harm to victims of the crime.

(d) Assessments collected under this section must be deposited into the Minnesota victims of crime account under section 299A.708.

Sec. 16. [626.5536] LAW ENFORCEMENT REQUIRED TO REGISTER FOR
ETRACE SYSTEM AND TRACE AND REPORT ON RECOVERED OR
CONFISCATED FIREARMS.

Subdivision 1. Definitions. For purposes of this section, the following terms have the
meaning given:

(1) "recovered or confiscated" means any of the following:

(i) obtained from a crime scene or in connection with a criminal investigation;

(ii) seized by a law enforcement agency;

(iii) forfeited to a law enforcement agency;

(iv) acquired by a law enforcement agency as an abandoned or discarded firearm;

(v) obtained following the unlawful discharge of a firearm; or

(vi) otherwise obtained and reasonably believed to be connected to a crime; and

(2) "law enforcement agency" does not include the State Patrol or the Department of
Natural Resources.

Subd. 2. Reporting required. (a) Each law enforcement agency shall register for the
United States Bureau of Alcohol, Tobacco, Firearms and Explosives National Tracing
Center's eTrace system, and opt-in to the system's collective data sharing feature.

(b) Whenever a firearm is recovered or confiscated by a law enforcement agency, the
agency must, as soon as practicable:

(1) transmit information relating to the firearm to the eTrace system; and

(2) to the extent testing equipment is available, arrange for the firearm to be test fired
and the results submitted to the National Integrated Ballistics Information Network.

(c) Whenever a shell casing is recovered or confiscated by a law enforcement agency,
that agency must, as soon as practicable, submit the ballistics information to the National
Integrated Ballistics Information Network.

Sec. 17. Laws 2023, chapter 52, article 2, section 3, subdivision 2, is amended to read:

Subd. 2. Public Safety

Administration

1,000,000

2,250,000

2,000,000

(a) Public Safety Officer Survivor Benefits

28.1 \$1,000,000 in fiscal year 2023, \$1,000,000 in
28.2 fiscal year 2024, and \$1,000,000 in fiscal year
28.3 2025 are for payment of public safety officer
28.4 survivor benefits under Minnesota Statutes,
28.5 section 299A.44. If the appropriation for either
28.6 year is insufficient, the appropriation for the
28.7 other year is available. This appropriation is
28.8 available until June 30, 2027.

28.9 **(b) Soft Body Armor Reimbursements**

28.10 \$1,000,000 each year is for increases in the
28.11 base appropriation for soft body armor
28.12 reimbursements under Minnesota Statutes,
28.13 section 299A.38. This is a onetime
28.14 appropriation.

28.15 **(c) Firearm Storage Grants**

28.16 \$250,000 the first year is for grants to local or
28.17 state law enforcement agencies to support the
28.18 safe and secure storage of firearms owned by
28.19 persons subject to extreme risk protection
28.20 orders. The commissioner must apply for a
28.21 grant from the Byrne State Crisis Intervention
28.22 Program to supplement the funds appropriated
28.23 by the legislature for implementation of
28.24 Minnesota Statutes, sections 624.7171 to
28.25 624.7178 and 626.8481. Of the federal funds
28.26 received, the commissioner must dedicate at
28.27 least an amount that is equal to this
28.28 appropriation to fund safe and secure firearms
28.29 storage grants provided for under this
28.30 paragraph.

28.31 Sec. 18. Laws 2023, chapter 52, article 2, section 3, subdivision 8, as amended by Laws
28.32 2023, chapter 69, section 12, and Laws 2024, chapter 123, article 1, section 11, and Laws
28.33 2024, chapter 123, article 9, section 3, is amended to read:

28.34	Subd. 8. Office of Justice Programs	94,758,000	80,434,000
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29.1	Appropriations by Fund		
29.2	General	94,662,000	80,338,000
29.3	State Government		
29.4	Special Revenue	96,000	96,000

29.5 **(a) Domestic and Sexual Violence Housing**

29.6 \$1,500,000 each year is to establish a

29.7 Domestic Violence Housing First grant

29.8 program to provide resources for survivors of

29.9 violence to access safe and stable housing and

29.10 for staff to provide mobile advocacy and

29.11 expertise in housing resources in their

29.12 community and a Minnesota Domestic and

29.13 Sexual Violence Transitional Housing

29.14 program to develop and support medium to

29.15 long term transitional housing for survivors

29.16 of domestic and sexual violence with

29.17 supportive services. The base for this

29.18 appropriation is \$1,000,000 beginning in fiscal

29.19 year 2026.

29.20 **(b) Federal Victims of Crime Funding Gap**

29.21 \$11,000,000 each year is to fund services for

29.22 victims of domestic violence, sexual assault,

29.23 child abuse, and other crimes. This is a

29.24 onetime appropriation.

29.25 **(c) Office for Missing and Murdered Black**

29.26 **Women and Girls**

29.27 \$1,248,000 each year is to establish and

29.28 maintain the Minnesota Office for Missing

29.29 and Murdered Black Women and Girls.

29.30 **(d) Increased Staffing**

29.31 \$667,000 the first year and \$1,334,000 the

29.32 second year are to increase staffing in the

29.33 Office of Justice Programs for grant

29.34 monitoring and compliance; provide training

30.1 and technical assistance to grantees and
30.2 potential grantees; conduct community
30.3 outreach and engagement to improve the
30.4 experiences and outcomes of applicants, grant
30.5 recipients, and crime victims throughout
30.6 Minnesota; expand the Minnesota Statistical
30.7 Analysis Center; and increase staffing for the
30.8 crime victim reimbursement program and the
30.9 Crime Victim Justice Unit.

30.10 **(e) Office of Restorative Practices**

30.11 \$500,000 each year is to establish and
30.12 maintain the Office of Restorative Practices.

30.13 **(f) Crossover and Dual-Status Youth Model**
30.14 **Grants**

30.15 \$1,000,000 each year is to provide grants to
30.16 local units of government to initiate or expand
30.17 crossover youth practices model and
30.18 dual-status youth programs that provide
30.19 services for youth who are involved with or
30.20 at risk of becoming involved with both the
30.21 child welfare and juvenile justice systems, in
30.22 accordance with the Robert F. Kennedy
30.23 National Resource Center for Juvenile Justice
30.24 model. This is a onetime appropriation.

30.25 **(g) Restorative Practices Initiatives Grants**

30.26 \$4,000,000 each year is for grants to establish
30.27 and support restorative practices initiatives
30.28 pursuant to Minnesota Statutes, section
30.29 299A.95, subdivision 6, and for a restitution
30.30 grant program under Minnesota Statutes,
30.31 section 299A.955. This appropriation is
30.32 available until June 30, 2026. The base for this
30.33 appropriation is \$2,500,000 beginning in fiscal
30.34 year 2026.

31.1 **(h) Ramsey County Youth Treatment**

31.2 **Homes Acquisition and Betterment**

31.3 \$5,000,000 the first year is for a grant to
31.4 Ramsey County to establish, with input from
31.5 community stakeholders, including impacted
31.6 youth and families, up to seven intensive
31.7 trauma-informed therapeutic treatment homes
31.8 in Ramsey County that are licensed by the
31.9 Department of Human Services, that are
31.10 culturally specific, that are community-based,
31.11 and that can be secured. These residential
31.12 spaces must provide intensive treatment and
31.13 intentional healing for youth as ordered by the
31.14 court as part of the disposition of a case in
31.15 juvenile court. This appropriation is available
31.16 through June 30, ~~2026~~ 2027.

31.17 **(i) Ramsey County Violence Prevention**

31.18 \$5,000,000 the first year is for a grant to
31.19 Ramsey County to award grants to develop
31.20 new and further enhance existing
31.21 community-based organizational support
31.22 through violence prevention and community
31.23 wellness grants. Grantees must use the money
31.24 to create family support groups and resources
31.25 to support families during the time a young
31.26 person is placed out of home following a
31.27 juvenile delinquency adjudication and support
31.28 the family through the period of postplacement
31.29 reentry; create community-based respite
31.30 options for conflict or crisis de-escalation to
31.31 prevent incarceration or further systems
31.32 involvement for families; or establish
31.33 additional meaningful employment
31.34 opportunities for systems-involved youth. This

32.1 appropriation is available through June 30,
32.2 2027.

32.3 **(j) Office for Missing and Murdered**
32.4 **Indigenous Relatives**

32.5 \$274,000 each year is for increased staff and
32.6 operating costs of the Office for Missing and
32.7 Murdered Indigenous Relatives, the Missing
32.8 and Murdered Indigenous Relatives Advisory
32.9 Board, and the Gaagige-Mikwendaagoziwag
32.10 reward advisory group.

32.11 **(k) Youth Intervention Programs**

32.12 \$3,525,000 the first year and \$3,526,000 the
32.13 second year are for youth intervention
32.14 programs under Minnesota Statutes, section
32.15 299A.73. The base for this appropriation is
32.16 \$3,526,000 in fiscal year 2026 and \$3,525,000
32.17 in fiscal year 2027.

32.18 **(l) Community Crime Intervention and**
32.19 **Prevention Grants**

32.20 \$750,000 each year is for community crime
32.21 intervention and prevention program grants,
32.22 authorized under Minnesota Statutes, section
32.23 299A.296. This is a onetime appropriation.

32.24 **(m) Resources for Victims of Crime**

32.25 \$1,000,000 each year is for general crime
32.26 victim grants to meet the needs of victims of
32.27 crime not covered by domestic violence,
32.28 sexual assault, or child abuse services. This is
32.29 a onetime appropriation.

32.30 **(n) Prosecutor Training**

32.31 \$100,000 each year is for a grant to the
32.32 Minnesota County Attorneys Association to
32.33 be used for prosecutorial and law enforcement

33.1 training, including trial school training and
33.2 train-the-trainer courses. All training funded
33.3 with grant proceeds must contain blocks of
33.4 instruction on racial disparities in the criminal
33.5 justice system, collateral consequences to
33.6 criminal convictions, and trauma-informed
33.7 responses to victims. This is a onetime
33.8 appropriation.

33.9 The Minnesota County Attorneys Association
33.10 must report to the chairs and ranking minority
33.11 members of the legislative committees with
33.12 jurisdiction over public safety policy and
33.13 finance on the training provided with grant
33.14 proceeds, including a description of each
33.15 training and the number of prosecutors and
33.16 law enforcement officers who received
33.17 training. The report is due by February 15,
33.18 2025. The report may include trainings
33.19 scheduled to be completed after the date of
33.20 submission with an estimate of expected
33.21 participants.

33.22 **(o) Minnesota Heals**

33.23 \$500,000 each year is for the Minnesota Heals
33.24 grant program. This is a onetime
33.25 appropriation.

33.26 **(p) Sexual Assault Exam Costs**

33.27 \$3,967,000 the first year and \$3,767,000 the
33.28 second year are to reimburse qualified health
33.29 care providers for the expenses associated with
33.30 medical examinations administered to victims
33.31 of criminal sexual conduct as required under
33.32 Minnesota Statutes, section 609.35, and for
33.33 costs to administer the program. The base for

34.1 this appropriation is \$3,771,000 in fiscal year
34.2 2026 and \$3,776,000 in fiscal year 2027.

34.3 **(q) First Responder Mental Health**

34.4 **Curriculum**

34.5 \$75,000 each year is for a grant to the Adler
34.6 graduate school. The grantee must use the
34.7 grant to develop a curriculum for a 24-week
34.8 certificate to train licensed therapists to
34.9 understand the nuances, culture, and stressors
34.10 of the work environments of first responders
34.11 to allow those therapists to provide effective
34.12 treatment to first responders in distress. The
34.13 grantee must collaborate with first responders
34.14 who are familiar with the psychological,
34.15 cultural, and professional issues of their field
34.16 to develop the curriculum and promote it upon
34.17 completion.

34.18 The grantee may provide the program online.

34.19 The grantee must seek to recruit additional
34.20 participants from outside the 11-county
34.21 metropolitan area.

34.22 The grantee must create a resource directory
34.23 to provide law enforcement agencies with
34.24 names of counselors who complete the
34.25 program and other resources to support law
34.26 enforcement professionals with overall
34.27 wellness. The grantee shall collaborate with
34.28 the Department of Public Safety and law
34.29 enforcement organizations to promote the
34.30 directory. This is a onetime appropriation.

34.31 **(r) Pathways to Policing**

34.32 \$400,000 each year is for reimbursement
34.33 grants to state and local law enforcement
34.34 agencies that operate pathway to policing

35.1 programs. Applicants for reimbursement
35.2 grants may receive up to 50 percent of the cost
35.3 of compensating and training program
35.4 participants. Reimbursement grants shall be
35.5 proportionally allocated based on the number
35.6 of grant applications approved by the
35.7 commissioner. This is a onetime appropriation.

35.8 **(s) Direct Assistance to Crime Victim**
35.9 **Survivors**

35.10 \$5,000,000 each year is to provide grants for
35.11 direct services and advocacy for victims of
35.12 sexual assault, general crime, domestic
35.13 violence, and child abuse. Funding must
35.14 support the direct needs of organizations
35.15 serving victims of crime by providing: direct
35.16 client assistance to crime victims; competitive
35.17 wages for direct service staff; hotel stays and
35.18 other housing-related supports and services;
35.19 culturally responsive programming; prevention
35.20 programming, including domestic abuse
35.21 transformation and restorative justice
35.22 programming; and for other needs of
35.23 organizations and crime victim survivors.
35.24 Services funded must include services for
35.25 victims of crime in underserved communities
35.26 most impacted by violence and reflect the
35.27 ethnic, racial, economic, cultural, and
35.28 geographic diversity of the state. The office
35.29 shall prioritize culturally specific programs,
35.30 or organizations led and staffed by persons of
35.31 color that primarily serve communities of
35.32 color, when allocating funds.

35.33 **(t) Racially Diverse Youth**

35.34 \$250,000 each year is for grants to
35.35 organizations to address racial disparity of

36.1 youth using shelter services in the Rochester
36.2 and St. Cloud regional areas. Of this amount,
36.3 \$125,000 each year is to address this issue in
36.4 the Rochester area and \$125,000 each year is
36.5 to address this issue in the St. Cloud area. A
36.6 grant recipient shall establish and operate a
36.7 pilot program connected to shelter services to
36.8 engage in community intervention outreach,
36.9 mobile case management, family reunification,
36.10 aftercare, and follow up when family members
36.11 are released from shelter services. A pilot
36.12 program must specifically address the high
36.13 number of racially diverse youth that enter
36.14 shelters in the regions. This is a onetime
36.15 appropriation.

36.16 **(u) Violence Prevention Project Research**
36.17 **Center**

36.18 \$500,000 each year is for a grant to the
36.19 Violence Prevention Project Research Center,
36.20 operating as a 501(c)(3) organization, for
36.21 research focused on reducing violence in
36.22 society that uses data and analysis to improve
36.23 criminal justice-related policy and practice in
36.24 Minnesota. Research must place an emphasis
36.25 on issues related to deaths and injuries
36.26 involving firearms. This is a onetime
36.27 appropriation.

36.28 Beginning January 15, 2025, the Violence
36.29 Prevention Project Research Center must
36.30 submit an annual report to the chairs and
36.31 ranking minority members of the legislative
36.32 committees with jurisdiction over public safety
36.33 policy and finance on its work and findings.
36.34 The report must include a description of the
36.35 data reviewed, an analysis of that data, and

37.1 recommendations to improve criminal
37.2 justice-related policy and practice in
37.3 Minnesota with specific recommendations to
37.4 address deaths and injuries involving firearms.

37.5 **(v) Report on Approaches to Address Illicit**
37.6 **Drug Use in Minnesota**

37.7 \$118,000 each year is to enter into an
37.8 agreement with Rise Research LLC for a study
37.9 and set of reports on illicit drug use in
37.10 Minnesota describing current responses to that
37.11 use, reviewing alternative approaches utilized
37.12 in other jurisdictions, and making policy and
37.13 funding recommendations for a holistic and
37.14 effective response to illicit drug use and the
37.15 illicit drug trade. The agreement must establish
37.16 a budget and schedule with clear deliverables.
37.17 This appropriation is onetime.

37.18 The study must include a review of current
37.19 policies, practices, and funding; identification
37.20 of alternative approaches utilized effectively
37.21 in other jurisdictions; and policy and funding
37.22 recommendations for a response to illicit drug
37.23 use and the illicit drug trade that reduces and,
37.24 where possible, prevents harm and expands
37.25 individual and community health, safety, and
37.26 autonomy. Recommendations must consider
37.27 impacts on public safety, racial equity,
37.28 accessibility of health and ancillary supportive
37.29 social services, and the intersections between
37.30 drug policy and mental health, housing and
37.31 homelessness, overdose and infectious disease,
37.32 child welfare, and employment.

37.33 Rise Research may subcontract and coordinate
37.34 with other organizations or individuals to

38.1 conduct research, provide analysis, and
38.2 prepare the reports required by this section.

38.3 Rise Research shall submit reports to the
38.4 chairs and ranking minority members of the
38.5 legislative committees with jurisdiction over
38.6 public safety finance and policy, human
38.7 services finance and policy, health finance and
38.8 policy, and judiciary finance and policy. Rise
38.9 Research shall submit an initial report by
38.10 February 15, 2024, and a final report by March
38.11 1, 2025.

38.12 **(w) Legal Representation for Children**

38.13 \$150,000 each year is for a grant to an
38.14 organization that provides legal representation
38.15 for children in need of protection or services
38.16 and children in out-of-home placement. The
38.17 grant is contingent upon a match in an equal
38.18 amount from nonstate funds. The match may
38.19 be in kind, including the value of volunteer
38.20 attorney time, in cash, or a combination of the
38.21 two. These appropriations are in addition to
38.22 any other appropriations for the legal
38.23 representation of children. This appropriation
38.24 is onetime.

38.25 **(x) Pretrial Release Study and Report**

38.26 \$250,000 each year are for a grant to the
38.27 Minnesota Justice Research Center to study
38.28 and report on pretrial release practices in
38.29 Minnesota and other jurisdictions, including
38.30 but not limited to the use of bail as a condition
38.31 of pretrial release. This appropriation is
38.32 onetime.

38.33 **(y) Intensive Comprehensive Peace Officer**
38.34 **Education and Training Program**

39.1 \$5,000,000 the first year is to implement the
39.2 intensive comprehensive peace officer
39.3 education and training program described in
39.4 Minnesota Statutes, section 626.8516. This
39.5 appropriation is available through June 30,
39.6 2027.

39.7 (z) **Youth Services Office**

39.8 \$250,000 each year is to operate the Youth
39.9 Services Office.

39.10 Sec. 19. Laws 2023, chapter 68, article 1, section 4, subdivision 2, is amended to read:

39.11 Subd. 2. **Administration and Related Services**

39.12 (a) **Office of Communications** 896,000 1,148,000

39.13 This appropriation is from the general fund.

39.14 (b) **Public Safety Support** 9,976,000 11,773,000

39.15 Appropriations by Fund

39.16		2024	2025
39.17	General	5,049,000	6,564,000
39.18	Trunk Highway	4,927,000	5,209,000

39.19 \$1,482,000 in each year is from the general
39.20 fund for staff and operating costs related to
39.21 public engagement activities.

39.22 (c) **Public Safety Officer Survivor Benefits** 640,000 640,000

39.23 This appropriation is from the general fund
39.24 for payment of public safety officer survivor
39.25 benefits under Minnesota Statutes, section
39.26 299A.44. If the appropriation for either year
39.27 is insufficient, the appropriation for the other
39.28 year is available for it. This appropriation is
39.29 available until June 30, 2027.

39.30 (d) **Public Safety Officer Reimbursements** 1,367,000 1,367,000

39.31 This appropriation is from the general fund
39.32 for transfer to the public safety officer's benefit

40.1

account. This appropriation is available for

40.2

reimbursements under Minnesota Statutes,

40.3

section 299A.465.

40.4

(e) **Soft Body Armor Reimbursements**

745,000

745,000

40.5

This appropriation is from the general fund

40.6

for soft body armor reimbursements under

40.7

Minnesota Statutes, section 299A.38.

40.8

(f) **Technology and Support Services**

6,712,000

6,783,000

40.9

Appropriations by Fund

40.10		2024	2025
40.11	General	1,645,000	1,684,000
40.12	Trunk Highway	5,067,000	5,099,000

40.13

Sec. 20. **TASK FORCE ON MANDATORY MINIMUM SENTENCES.**

40.14

Subdivision 1. **Definition.** As used in this section, "mandatory minimum" means

40.15

legislatively defined, predetermined sentencing requirements, including but not limited to

40.16

sentencing requirements under Minnesota Statutes, sections 152.021, 152.022, and 609.11,

40.17

that mandate a minimum period of commitment to the commissioner of corrections upon

40.18

conviction for certain offenses.

40.19

Subd. 2. **Establishment.** The Task Force on Mandatory Minimum Sentences is

40.20

established to collect and analyze data on the charging, convicting, and sentencing of persons

40.21

to mandatory minimum sentences; assess whether current laws and practices promote public

40.22

safety and equity in sentencing; and make recommendations to the legislature.

40.23

Subd. 3. **Membership.** (a) The task force consists of the following members:

40.24

(1) the commissioner of corrections, or a designee;

40.25

(2) the executive director of the Minnesota Sentencing Guidelines Commission, or a

40.26

designee;

40.27

(3) the state public defender, or a designee;

40.28

(4) the statewide coordinator of the Violent Crime Coordinating Council, or a designee;

40.29

(5) one defense attorney, appointed by the Minnesota Association of Criminal Defense

40.30

Lawyers;

41.1 (6) two county attorneys, one from Hennepin or Ramsey County and one from outside
41.2 the seven-county metropolitan area, appointed by the Minnesota County Attorneys
41.3 Association;

41.4 (7) a peace officer familiar with shooting investigations, appointed by the Minnesota
41.5 Sheriffs' Association;

41.6 (8) a peace officer familiar with shooting investigations, appointed by the Minnesota
41.7 Chiefs of Police Association;

41.8 (9) one member representing a victims' rights organization, appointed by the senate
41.9 majority leader;

41.10 (10) one member of a statewide civil rights organization, appointed by the speaker of
41.11 the house of representatives;

41.12 (11) one impacted person who is directly related to a person who has been convicted of
41.13 a mandatory minimum sentence or who has themselves been convicted of a mandatory
41.14 minimum sentence and has completed the sentence, appointed by the governor; and

41.15 (12) one person with academic expertise regarding the laws and practices of other states
41.16 relating to mandatory minimum sentences, appointed by the governor.

41.17 (b) Appointments must be made no later than July 30, 2025.

41.18 (c) Members shall serve without compensation.

41.19 (d) Members of the task force serve at the pleasure of the appointing authority or until
41.20 the task force expires. Vacancies shall be filled by the appointing authority consistent with
41.21 the qualifications of the vacating member required by this subdivision.

41.22 Subd. 4. **Officers; meetings.** (a) The task force shall elect a chair and vice-chair and
41.23 may elect other officers as necessary.

41.24 (b) The commissioner of corrections shall convene the first meeting of the task force no
41.25 later than August 1, 2025, and shall provide meeting space and administrative assistance
41.26 as necessary for the task force to conduct its work.

41.27 (c) The task force shall meet at least monthly or upon the call of the chair. The task force
41.28 shall meet sufficiently enough to accomplish the tasks identified in this section. Meetings
41.29 of the task force are subject to Minnesota Statutes, chapter 13D.

41.30 (d) To compile and analyze data, the task force shall request the cooperation and
41.31 assistance of local law enforcement agencies, the Minnesota Sentencing Guidelines
41.32 Commission, the judicial branch, the Bureau of Criminal Apprehension, county attorneys,

42.1 and Tribal governments and may request the cooperation of academics and others with
42.2 experience and expertise in researching the impact of mandatory minimum sentences.

42.3 Subd. 5. **Duties.** (a) The task force shall, at a minimum:

42.4 (1) collect and analyze data on charges, convictions, and sentences that involve mandatory
42.5 minimum sentences;

42.6 (2) collect and analyze data on mandatory minimum sentences in which a person received
42.7 a mitigated durational departure because the mandatory minimum sentence was seen as
42.8 inappropriate by a judge or county attorney, or both;

42.9 (3) collect and analyze data on mandatory minimum sentences in which a person likely
42.10 would have received a mitigated durational departure but for the enforcement of a mandatory
42.11 minimum sentence;

42.12 (4) collect and analyze data on charges, convictions, and sentences for codefendants of
42.13 persons sentenced to a mandatory minimum sentence;

42.14 (5) review relevant state statutes and state and federal court decisions;

42.15 (6) receive input from persons who were convicted of a crime with a mandatory minimum
42.16 sentence;

42.17 (7) receive input from family members of persons who were convicted of a crime with
42.18 a mandatory minimum sentence;

42.19 (8) receive input from persons who were victims of crimes with a mandatory minimum
42.20 sentence;

42.21 (9) receive input from family members of persons who were victims of crimes with a
42.22 mandatory minimum sentence;

42.23 (10) analyze the benefits and unintended consequences of state statutes and practices
42.24 related to the charging, convicting, and sentencing of persons of crimes with mandatory
42.25 minimum sentences, including but not limited to an analysis of whether current statutes and
42.26 practices;

42.27 (i) promote public safety; and

42.28 (ii) properly punish a person for that person's role in an offense; and

42.29 (11) make recommendations for legislative action, if any, on laws affecting:

42.30 (i) the collection and reporting of data; and

43.1 (ii) the charging, convicting, and sentencing of persons for crimes with mandatory
43.2 minimum sentences.

43.3 (b) At its discretion, the task force may examine, as necessary, other related issues
43.4 consistent with this section.

43.5 Subd. 6. **Report.** On or before August 15, 2026, the task force shall submit a report to
43.6 the chairs and ranking minority members of the legislative committees and divisions with
43.7 jurisdiction over criminal sentencing on the findings and recommendations of the task force.

43.8 Subd. 7. **Expiration.** The task force expires the day after submitting the report under
43.9 subdivision 6.

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

43.11 Sec. 21. **PROCESS FOR RETROACTIVE CLAIMS.**

43.12 (a) Notwithstanding Minnesota Statutes, section 299A.47, claims for benefits arising
43.13 out of deaths occurring before July 1, 2025, where eligibility is due to the retroactive changes
43.14 made in this act are timely if filed by July 1, 2027. Claims for benefits arising out of deaths
43.15 that occur on or after July 1, 2027, are subject to the limitation period described in Minnesota
43.16 Statutes, section 299A.47.

43.17 (b) Notwithstanding Minnesota Statutes, section 299A.47, the commissioner of public
43.18 safety shall review previously denied benefit claims for deaths occurring between February
43.19 1, 2020, and the effective date of this act, determine whether the applicant is eligible for
43.20 benefits based on the retroactive application of the amendments made in this act, and award
43.21 applicable benefits as necessary.

43.22 **ARTICLE 3**

43.23 **FINANCIAL CRIMES AND FRAUD INVESTIGATIONS**

43.24 Section 1. Minnesota Statutes 2024, section 13.82, subdivision 1, is amended to read:

43.25 Subdivision 1. **Application.** This section shall apply to agencies which carry on a law
43.26 enforcement function, including but not limited to municipal police departments, county
43.27 sheriff departments, fire departments, the Bureau of Criminal Apprehension, the Minnesota
43.28 State Patrol, the Board of Peace Officer Standards and Training, ~~the Department of~~
43.29 ~~Commerce~~, and county human service agency client and provider fraud investigation,
43.30 prevention, and control units operated or supervised by the Department of Human Services.

Sec. 2. Minnesota Statutes 2024, section 43A.17, subdivision 13, is amended to read:

Subd. 13. **Compensation for law enforcement officers.** (a) For purposes of this subdivision, the term "law enforcement officers" means all licensed peace officers employed by the state who are included in the state units under section 179A.10, subdivision 2, including without limitation: Minnesota State Patrol troopers, Bureau of Criminal Apprehension agents, including Financial Crimes and Fraud Section agents, and Alcohol and Gambling Enforcement agents, in the Department of Public Safety; Department of Natural Resources conservation officers; and Department of Corrections Fugitive Apprehension Unit members; ~~and Commerce Fraud Bureau agents in the Department of Commerce.~~

(b) When the commissioner of management and budget negotiates a collective bargaining agreement establishing compensation for law enforcement officers, the commissioner must use compensation and benefit data from the most recent salary and benefits survey conducted pursuant to section 299D.03, subdivision 2a, to compare salaries to ensure appropriate increases are made to law enforcement officer salaries and benefits.

Sec. 3. Minnesota Statutes 2024, section 45.0135, subdivision 2b, is amended to read:

Subd. 2b. **Duties.** The commissioner of commerce ~~Fraud Bureau~~ shall ~~may~~:

(1) review notices and reports ~~within the Commerce Fraud Bureau's primary jurisdiction~~ submitted by authorized insurers, their employees, and agents or producers regarding insurance fraud, as defined in section 60A.951, subdivision 4;

~~(2) respond to notifications or complaints within the Commerce Fraud Bureau's primary jurisdiction generated by other law enforcement agencies, state or federal governmental units, or any other person;~~

~~(3)~~ (2) initiate inquiries and conduct investigations under section 45.027 when the ~~bureau~~ commissioner has reason to believe that ~~an offense within the Commerce Fraud Bureau's primary jurisdiction~~ insurance fraud, as defined in section 60A.951, subdivision 4, has been or is being committed; and

~~(4) report crimes disclosed by the Commerce Fraud Bureau's investigations to appropriate law enforcement agencies, including, but not limited to, the attorney general, county attorneys, or any other appropriate law enforcement or regulatory agency, and shall assemble evidence, prepare charges, and otherwise assist any law enforcement authority having jurisdiction.~~

(3) share active investigative data pursuant to section 13.39 concerning insurance fraud with the commissioner of public safety and the Bureau of Criminal Apprehension.

Sec. 4. Minnesota Statutes 2024, section 45.0135, is amended by adding a subdivision to read:

Subd. 2g. **Criminal insurance fraud investigations.** (a) The Bureau of Criminal Apprehension shall conduct investigations of criminal insurance fraud, as defined in section 609.611, in accordance with section 299C.061.

(b) The commissioner shall report criminal insurance fraud-related crimes disclosed by the Department of Commerce's investigations of civil insurance fraud to the Bureau of Criminal Apprehension.

Sec. 5. Minnesota Statutes 2024, section 45.0135, subdivision 6, is amended to read:

Subd. 6. **Insurance fraud prevention account.** The insurance fraud prevention account is created in the state treasury. Money received from assessments under ~~subdivision 7~~ section 299C.061, subdivision 10, and transferred from the automobile theft prevention account in sections 65B.84, subdivision 1, and 297I.11, subdivision 2, is deposited in the account. Money in this fund is appropriated to the commissioner of ~~commerce~~ public safety for the purposes specified in this section and sections 60A.951 to 60A.956.

Sec. 6. Minnesota Statutes 2024, section 45.0135, subdivision 7, is amended to read:

Subd. 7. **Assessment.** Each insurer authorized to sell insurance in the state of Minnesota, including surplus lines carriers, and having Minnesota earned premium the previous calendar year shall remit an assessment to the commissioner of public safety for deposit in the insurance fraud prevention account on or before June 1 of each year. The amount of the assessment shall be based on the insurer's total assets and on the insurer's total written Minnesota premium, for the preceding fiscal year, as reported pursuant to section 60A.13. The commissioner of public safety shall consult with the commissioner of commerce for purposes of calculating the assessment amount. Beginning with the payment due on or before June 1, 2024, the assessment amount is:

Total Assets	Assessment
Less than \$100,000,000	\$ 400
\$100,000,000 to \$1,000,000,000	\$ 1,500
Over \$1,000,000,000	\$ 4,000
Minnesota Written Premium	Assessment

46.1	Less than \$10,000,000	\$	400
46.2	\$10,000,000 to \$100,000,000	\$	1,500
46.3	Over \$100,000,000	\$	4,000

46.4 For purposes of this subdivision, the following entities are not considered to be insurers
46.5 authorized to sell insurance in the state of Minnesota: risk retention groups; or township
46.6 mutuals organized under chapter 67A.

46.7 Sec. 7. Minnesota Statutes 2024, section 45.0135, subdivision 8, is amended to read:

46.8 Subd. 8. **Investigations; health-related boards.** (a) The ~~Commerce-Fraud~~ Bureau of
46.9 Criminal Apprehension may consult with the appropriate health-related board when a
46.10 licensee, licensed under chapter 144E, 147, 148, 148B, or 150A, is suspected of insurance
46.11 fraud.

46.12 (b) The bureau shall, for any conviction involving or related to insurance, send copies
46.13 of all public data in its possession to the appropriate health-related licensing board.

46.14 Sec. 8. Minnesota Statutes 2024, section 45.0135, subdivision 9, is amended to read:

46.15 Subd. 9. **Administrative penalty for insurance fraud.** (a) The commissioner may:

46.16 (1) impose an administrative penalty against any person in an amount as set forth in
46.17 paragraph (b) for each intentional act of insurance fraud or substantiated acts of attempted
46.18 insurance fraud as defined in section 60A.951, subdivision 4, committed by that person;

46.19 (2) order restitution to any person suffering loss as a result of the insurance fraud; and

46.20 (3) order restitution to a company for the reasonable documented cost of any investigation
46.21 in connection with the insurance fraud.

46.22 (b) The administrative penalty for each violation described in paragraph (a) may be no
46.23 more than:

46.24 (1) \$20,000 if the funds or the value of the property or services wrongfully obtained
46.25 exceeds \$5,000;

46.26 (2) \$10,000 if the funds or value of the property or services wrongfully obtained exceeds
46.27 \$1,000, but not more than \$5,000;

46.28 (3) \$3,000 if the funds or value of the property or services wrongfully obtained is more
46.29 than \$500, but not more than \$1,000; and

46.30 (4) \$1,000 if the funds or value of the property or services wrongfully obtained is \$500
46.31 or less.

(c) If an administrative penalty is not paid after all rights of appeal have been waived or exhausted, the commissioner may bring a civil action in a court of competent jurisdiction to collect the administrative penalty, including expenses and litigation costs, reasonable attorney fees, and interest.

(d) This section does not affect a person's right to seek recovery, including expenses and litigation costs, reasonable attorney fees, and interest, against any person that commits insurance fraud.

(e) For purposes of this subdivision, "insurance fraud" has the meaning given in section 60A.951, subdivision 4.

(f) Hearings under this subdivision must be conducted in accordance with chapter 14 and any other applicable law.

(g) All revenues from penalties, expenses, costs, fees, and interest collected under paragraphs (a) to (c) shall be deposited ~~in~~ into the insurance fraud prevention account under ~~subdivision 6~~ section 299C.061, subdivision 9.

Sec. 9. Minnesota Statutes 2024, section 60A.951, subdivision 2, is amended to read:

Subd. 2. **Authorized person.** "Authorized person" means the county attorney, sheriff, or chief of police responsible for investigations in the county where the suspected insurance fraud occurred; the superintendent of the Bureau of Criminal Apprehension; the commissioner of commerce; ~~the Commerce Fraud Bureau~~; the commissioner of labor and industry; the attorney general; or any duly constituted criminal investigative department or agency of the United States.

Sec. 10. Minnesota Statutes 2024, section 60A.952, subdivision 2, is amended to read:

Subd. 2. **Notice to and cooperation with the Commerce Fraud Bureau of Criminal Apprehension.** Any insurer or insurance professional that has reasonable belief that an act of insurance fraud will be, is being, or has been committed, shall furnish and disclose all relevant information to the Commerce Fraud Bureau of Criminal Apprehension or to any authorized person and cooperate fully with any investigation conducted by the ~~Commerce Fraud Bureau of Criminal Apprehension~~. Any person that has a reasonable belief that an act of insurance fraud will be, is being, or has been committed, or any person who collects, reviews, or analyzes information concerning insurance fraud may furnish and disclose any information in its possession concerning the act to the Commerce Fraud Bureau, any authorized person, or to an authorized representative of an insurer that requests the

information for the purpose of detecting, prosecuting, or preventing insurance fraud. The insurer may also release relevant information to any person authorized to receive the information under section 72A.502, subdivision 2. If disclosure is made to an authorized person other than the ~~Commerce-Fraud~~ Bureau of Criminal Apprehension, a copy of the disclosure must be sent to the ~~Commerce-Fraud~~ Bureau of Criminal Apprehension.

Sec. 11. Minnesota Statutes 2024, section 60A.952, subdivision 4, is amended to read:

Subd. 4. **Tolling of time periods.** If an insurer has a reasonable or probable cause to believe that an insurance fraud has been committed in connection with an insurance claim, and has properly notified the ~~Commerce-Fraud~~ Bureau of Criminal Apprehension of its suspicions according to subdivision 2, the notification tolls any applicable time period in any unfair claims practices statute or related regulations, or any action on the claim against the insurer to whom the claim had been presented for bad faith, until 30 days after determination by the ~~Commerce-Fraud~~ Bureau of Criminal Apprehension and notice to the insurer that the ~~division~~ Bureau of Criminal Apprehension will not recommend action on the claim.

Sec. 12. Minnesota Statutes 2024, section 60A.952, subdivision 5, is amended to read:

Subd. 5. **Reward for information.** The ~~Commerce-Fraud~~ Bureau of Criminal Apprehension, in cooperation with authorized insurers and insurance professionals, may establish a voluntary fund to reward persons not connected with the insurance industry who provide information or furnish evidence leading to the arrest and conviction of persons responsible for insurance fraud.

Sec. 13. Minnesota Statutes 2024, section 60A.954, subdivision 2, is amended to read:

Subd. 2. **Review.** The commissioner may review each insurer's antifraud plan to determine whether it complies with the requirements of this section. If the commissioner finds that an insurer's antifraud plan does not comply with the requirements of this section, the commissioner shall disapprove the plan and send a notice of disapproval, along with the reasons for disapproval, to the insurer. An insurer whose antifraud plan has been disapproved by the commissioner shall submit a new plan to the commissioner within 60 days after the plan was disapproved. The commissioner may examine an insurer's procedures to determine whether the insurer is complying with its antifraud plan. The commissioner shall withhold from public inspection any part of an insurer's antifraud plan for so long as the commissioner deems the withholding to be in the public interest. The commissioner may share an insurer's complete antifraud plan with the Bureau of Criminal Apprehension.

49.1 Sec. 14. Minnesota Statutes 2024, section 60A.956, is amended to read:

49.2 **60A.956 OTHER LAW ENFORCEMENT AUTHORITY.**

49.3 Nothing in sections 60A.951 to 60A.956 preempts the authority of or relieves the duty
49.4 of any other law enforcement agencies to investigate and prosecute alleged violations of
49.5 law, prevents or prohibits a person from voluntarily disclosing any information concerning
49.6 insurance fraud to any law enforcement agency other than the ~~Commerce-Fraud Bureau of~~
49.7 Criminal Apprehension, or limits any of the powers granted elsewhere by the laws of this
49.8 state to the commissioner of commerce to investigate alleged violations of law and to take
49.9 appropriate action.

49.10 Sec. 15. Minnesota Statutes 2024, section 65B.84, is amended to read:

49.11 **65B.84 AUTOMOBILE THEFT PREVENTION PROGRAM.**

49.12 Subdivision 1. **Program described; commissioner's duties; appropriation.** (a) The
49.13 commissioner of ~~commerce~~ public safety shall:

49.14 (1) develop and sponsor the implementation of statewide plans, programs, and strategies
49.15 to combat automobile theft, improve the administration of the automobile theft laws, and
49.16 provide a forum for identification of critical problems for those persons dealing with
49.17 automobile theft;

49.18 (2) coordinate the development, adoption, and implementation of plans, programs, and
49.19 strategies relating to interagency and intergovernmental cooperation with respect to
49.20 automobile theft enforcement;

49.21 (3) annually audit the plans and programs that have been funded in whole or in part to
49.22 evaluate the effectiveness of the plans and programs and withdraw funding should the
49.23 commissioner determine that a plan or program is ineffective or is no longer in need of
49.24 further financial support from the fund;

49.25 (4) develop a plan of operation including:

49.26 (i) an assessment of the scope of the problem of automobile theft, including areas of the
49.27 state where the problem is greatest;

49.28 (ii) an analysis of various methods of combating the problem of automobile theft;

49.29 (iii) a plan for providing financial support to combat automobile theft;

49.30 (iv) a plan for eliminating car hijacking; and

49.31 (v) an estimate of the funds required to implement the plan; and

(5) distribute money, in consultation with the commissioner of ~~public safety~~ commerce, pursuant to subdivision 3 from the automobile theft prevention special revenue account for automobile theft prevention activities, including:

(i) paying the administrative costs of the program;

(ii) providing financial support to the State Patrol and local law enforcement agencies for automobile theft enforcement teams;

(iii) providing financial support to state or local law enforcement agencies for programs designed to reduce the incidence of automobile theft and for improved equipment and techniques for responding to automobile thefts;

(iv) providing financial support to local prosecutors for programs designed to reduce the incidence of automobile theft;

(v) providing financial support to judicial agencies for programs designed to reduce the incidence of automobile theft;

(vi) providing financial support for neighborhood or community organizations or business organizations for programs designed to reduce the incidence of automobile theft and to educate people about the common methods of automobile theft, the models of automobiles most likely to be stolen, and the times and places automobile theft is most likely to occur; and

(vii) providing financial support for automobile theft educational and training programs for state and local law enforcement officials, driver and vehicle services exam and inspections staff, and members of the judiciary.

(b) The commissioner may not spend in any fiscal year more than ten percent of the money in the fund for the program's administrative and operating costs. The commissioner is annually appropriated and must distribute the amount of the proceeds credited to the automobile theft prevention special revenue account each year, less the transfer of \$1,300,000 each year to the insurance fraud prevention account described in section 297I.11, subdivision 2.

(c) At the end of each fiscal year, the commissioner may transfer any unobligated balances in the auto theft prevention account to the insurance fraud prevention account under section ~~45.0135, subdivision 6~~ 299C.061, subdivision 9.

(d) The commissioner must establish a library of equipment to combat automobile-related theft offenses. The equipment must be available to all law enforcement agencies upon request to support law enforcement agency efforts to combat automobile theft.

Subd. 2. **Annual report.** By September 30 each year, the commissioner of public safety shall report to the governor and the chairs and ranking minority members of the house of representatives and senate committees having jurisdiction over the ~~Departments~~ Department of Commerce and Public Safety on the activities and expenditures in the preceding year.

Subd. 3. **Grant criteria; application.** (a) A county attorney's office, law enforcement agency, neighborhood organization, community organization, or business organization may apply for a grant under this section. Multiple offices or agencies within a county may apply for a grant under this section.

(b) The commissioner of public safety, in consultation with the commissioner of ~~public safety commerce~~, must develop criteria for the fair distribution of grants from the automobile theft prevention account that address the following factors:

(1) the number of reported automobile thefts per capita in a city, county, or region, not merely the total number of automobile thefts;

(2) the population of the jurisdiction of the applicant office or agency;

(3) the total funds distributed within a county or region; and

(4) the statewide interest in automobile theft reduction.

(c) The commissioner may give priority to:

(1) offices and agencies engaged in a collaborative effort to reduce automobile theft; and

(2) counties or regions with the greatest rates of automobile theft.

(d) The minimum amount of a grant award is \$5,000. After considering the automobile theft rate and total population of an applicant's jurisdiction, if a grant award, as determined under the criteria and priorities in this subdivision, would be less than \$5,000, it must not be awarded.

Subd. 4. **Advisory board; creation; membership.** An Automobile Theft Prevention Advisory Board is established to advise the commissioner on the distribution of grants under this section. The board must consist of seven members appointed by the commissioner of public safety and must include representatives of law enforcement, prosecuting agencies, automobile insurers, and the public. The commissioner must annually select a chair from among its members.

Subd. 5. **Definition.** For purposes of this section, "automobile theft" includes automobile-related theft.

52.1 Sec. 16. Minnesota Statutes 2024, section 268.19, subdivision 1, is amended to read:

52.2 Subdivision 1. **Use of data.** (a) Except as provided by this section, data gathered from
52.3 any person under the administration of the Minnesota Unemployment Insurance Law are
52.4 private data on individuals or nonpublic data not on individuals as defined in section 13.02,
52.5 subdivisions 9 and 12, and may not be disclosed except according to a district court order
52.6 or section 13.05. A subpoena is not considered a district court order. These data may be
52.7 disseminated to and used by the following agencies without the consent of the subject of
52.8 the data:

52.9 (1) state and federal agencies specifically authorized access to the data by state or federal
52.10 law;

52.11 (2) any agency of any other state or any federal agency charged with the administration
52.12 of an unemployment insurance program;

52.13 (3) any agency responsible for the maintenance of a system of public employment offices
52.14 for the purpose of assisting individuals in obtaining employment;

52.15 (4) the public authority responsible for child support in Minnesota or any other state in
52.16 accordance with section 518A.83;

52.17 (5) human rights agencies within Minnesota that have enforcement powers;

52.18 (6) the Department of Revenue to the extent necessary for its duties under Minnesota
52.19 laws;

52.20 (7) public and private agencies responsible for administering publicly financed assistance
52.21 programs for the purpose of monitoring the eligibility of the program's recipients;

52.22 (8) the Department of Labor and Industry ~~and the Commerce Fraud Bureau in~~ the
52.23 Department of Commerce, and the Bureau of Criminal Apprehension for uses consistent
52.24 with the administration of their duties under Minnesota law;

52.25 (9) the Department of Human Services and the Office of Inspector General and its agents
52.26 within the Department of Human Services, including county fraud investigators, for
52.27 investigations related to recipient or provider fraud and employees of providers when the
52.28 provider is suspected of committing public assistance fraud;

52.29 (10) the Department of Human Services for the purpose of evaluating medical assistance
52.30 services and supporting program improvement;

52.31 (11) local and state welfare agencies for monitoring the eligibility of the data subject
52.32 for assistance programs, or for any employment or training program administered by those

53.1 agencies, whether alone, in combination with another welfare agency, or in conjunction
53.2 with the department or to monitor and evaluate the statewide Minnesota family investment
53.3 program and other cash assistance programs, the Supplemental Nutrition Assistance Program,
53.4 and the Supplemental Nutrition Assistance Program Employment and Training program by
53.5 providing data on recipients and former recipients of Supplemental Nutrition Assistance
53.6 Program (SNAP) benefits, cash assistance under chapter 256, 256D, 256J, or 256K, child
53.7 care assistance under chapter 142E, or medical programs under chapter 256B or 256L or
53.8 formerly codified under chapter 256D;

53.9 (12) local and state welfare agencies for the purpose of identifying employment, wages,
53.10 and other information to assist in the collection of an overpayment debt in an assistance
53.11 program;

53.12 (13) local, state, and federal law enforcement agencies for the purpose of ascertaining
53.13 the last known address and employment location of an individual who is the subject of a
53.14 criminal investigation;

53.15 (14) the United States Immigration and Customs Enforcement has access to data on
53.16 specific individuals and specific employers provided the specific individual or specific
53.17 employer is the subject of an investigation by that agency;

53.18 (15) the Department of Health for the purposes of epidemiologic investigations;

53.19 (16) the Department of Corrections for the purposes of case planning and internal research
53.20 for preprobation, probation, and postprobation employment tracking of offenders sentenced
53.21 to probation and preconfinement and postconfinement employment tracking of committed
53.22 offenders;

53.23 (17) the state auditor to the extent necessary to conduct audits of job opportunity building
53.24 zones as required under section 469.3201;

53.25 (18) the Office of Higher Education for purposes of supporting program improvement,
53.26 system evaluation, and research initiatives including the Statewide Longitudinal Education
53.27 Data System; and

53.28 (19) the Family and Medical Benefits Division of the Department of Employment and
53.29 Economic Development to be used as necessary to administer chapter 268B.

53.30 (b) Data on individuals and employers that are collected, maintained, or used by the
53.31 department in an investigation under section 268.182 are confidential as to data on individuals
53.32 and protected nonpublic data not on individuals as defined in section 13.02, subdivisions 3

and 13, and must not be disclosed except under statute or district court order or to a party named in a criminal proceeding, administrative or judicial, for preparation of a defense.

(c) Data gathered by the department in the administration of the Minnesota unemployment insurance program must not be made the subject or the basis for any suit in any civil proceedings, administrative or judicial, unless the action is initiated by the department.

Sec. 17. Minnesota Statutes 2024, section 268B.30, is amended to read:

268B.30 DATA PRIVACY.

(a) Except as provided by this section, data collected, created, or maintained under this chapter are private data on individuals or nonpublic data not on individuals as defined in section 13.02, subdivisions 9 and 12, and must not be disclosed except according to a district court order or section 13.05. A subpoena is not considered a district court order.

(b) Data classified under paragraph (a) may be disseminated to and used by the following without the consent of the subject of the data:

(1) state and federal agencies specifically authorized access to the data by state or federal law;

(2) the unemployment insurance division, to the extent necessary to administer the programs established under this chapter and chapter 268;

(3) employers, to the extent necessary to support adjudication of application requests and to support the employer's administration of a leave of absence;

(4) health care providers, to the extent necessary to support verification of health care conditions and qualifying events;

(5) the public authority responsible for child support in Minnesota or any other state in accordance with section 518A.83;

(6) human rights agencies within Minnesota that have enforcement powers;

(7) the Department of Revenue, to the extent necessary for its duties under Minnesota laws;

(8) public and private agencies responsible for administering publicly financed assistance programs for the purpose of monitoring the eligibility of the program's recipients;

(9) the Department of Labor and Industry ~~and the Commerce Fraud Bureau in~~, the Department of Commerce, and the Bureau of Criminal Apprehension for uses consistent with the administration of their duties under Minnesota law;

(10) the Department of Human Services and the Office of Inspector General and its agents within the Department of Human Services, including county fraud investigators, for investigations related to recipient or provider fraud and employees of providers when the provider is suspected of committing public assistance fraud;

(11) the Department of Public Safety for support in identity verification;

(12) local, state, and federal law enforcement agencies for the purpose of ascertaining the last known address and employment location of an individual who is the subject of a criminal investigation;

(13) the Department of Health for the purposes of epidemiologic investigations;

(14) the Department of Corrections for the purposes of tracking incarceration of applicants; and

(15) contracted third parties, to the extent necessary to aid in identity verification, adjudication, administration, and evaluation of the program.

(c) Data on individuals and employers that are collected, maintained, or used by the department in an investigation under section 268B.19, 268B.21, 268B.22, or 268B.23 are confidential as to data on individuals and protected nonpublic data not on individuals as defined in section 13.02, subdivisions 3 and 13, and must not be disclosed except under statute or district court order or to a party named in a criminal proceeding, administrative or judicial, for preparation of a defense.

(d) Data gathered by the department in the administration of this chapter must not be made the subject or the basis for any suit in any civil proceedings, administrative or judicial, unless the action is initiated by the department.

Sec. 18. Minnesota Statutes 2024, section 297I.11, subdivision 2, is amended to read:

Subd. 2. **Automobile theft prevention account.** A special revenue account in the state treasury shall be credited with the proceeds of the surcharge imposed under subdivision 1. Of the revenue in the account, \$1,300,000 each year must be transferred to the insurance fraud prevention account under section ~~45.0135, subdivision 6~~ 299C.061, subdivision 9. Revenues in excess of \$1,300,000 each year may be used only for the automobile theft prevention program described in section 65B.84.

Sec. 19. **[299C.061] FINANCIAL CRIMES AND FRAUD SECTION.**

Subdivision 1. Definitions. (a) For purposes of this section, the following terms have the meanings given.

(b) "Fraud involving state funded or administered programs or services" includes any violation of section 609.445, 609.465, 609.466, 609.52, 609.5523, 609.611, 609.651, 609.7475, or 609.821 involving a state agency or state funded or administered program or service.

(c) "Peace officer" has the meaning given in section 626.84, subdivision 1, paragraph (c).

(d) "State agency" has the meaning given in section 13.02, subdivision 17.

(e) "Superintendent" means the superintendent of the Bureau of Criminal Apprehension.

(f) "Section" means the Financial Crimes and Fraud Section of the Bureau of Criminal Apprehension.

Subd. 2. Financial Crimes and Fraud Section. The superintendent shall operate the Financial Crimes and Fraud Section within the Bureau of Criminal Apprehension to conduct investigations into insurance fraud, financial crimes, wage theft, and fraud involving state funded or administered programs or services. The Section shall be partially or fully comprised of licensed peace officers. Members of this section have the full authorities specified in chapter 299C and are not limited to the duties enumerated in this section.

Subd. 3. Duties. The Financial Crimes and Fraud Section shall:

(1) review notices and reports of insurance fraud and related crimes submitted by authorized insurers, their employees, and agents or producers pursuant to sections 60A.951 to 60A.956;

(2) initiate inquiries and conduct investigations when the Section has reason to believe that any of the following offenses have been or are being committed:

(i) fraud involving state funded or administered programs or services in subdivision 1, paragraph (b);

(ii) insurance fraud and related crimes, as defined in sections 60A.951, subdivision 4, and 609.611 and support of those activities;

(iii) wage theft and related crimes; and

(iv) any other financial crimes; and

(3) operate the automobile theft prevention program under section 65B.84.

Subd. 4. **Mandatory referral; duty to investigate.** (a) Except as provided in paragraphs (b) and (d), a state agency shall refer all suspected fraudulent activity under the provisions in subdivision 1, paragraph (b), equaling \$100,000 or more, to the Section for evaluation and investigation or appropriate referral. Upon receipt of the referral, the Section shall review and, where appropriate, conduct criminal investigations into the allegations. The Section has sole discretion as to which allegations are investigated further, referred back to the reporting agency for appropriate regulatory investigation, or referred to another law enforcement agency with appropriate jurisdiction.

(b) When acting in a civil or criminal law enforcement capacity and permitted by applicable law or order, the attorney general may, in the attorney general's discretion, refer suspected fraudulent activity under the provisions in subdivision 1, paragraph (b), to the Section for evaluation and investigation or appropriate referral in accordance with paragraph (a).

(c) Notwithstanding paragraph (b), this section has no effect on the authority of the attorney general to investigate and enforce violations or suspected violations of Minnesota civil or criminal law.

(d) Referral to the Section under this subdivision is not required when a state agency is required to refer the fraudulent activity to the state Medicaid Fraud Control Unit in accordance with Code of Federal Regulations, title 42, section 455.21(A)(1)(a), and section 256B.04, subdivision 10.

Subd. 5. **Discretionary referral.** (a) A state agency may refer suspected fraud involving state funded or administered programs or services equaling less than \$100,000 to the Section for investigation. Upon referral, the Section shall:

(1) accept the referral and, where appropriate, conduct criminal investigations into the allegations and make appropriate referrals for criminal prosecution; or

(2) redirect the referral to another appropriate law enforcement agency or civil investigative authority, offering assistance where appropriate.

Subd. 6. **Data sharing authorized.** Notwithstanding chapter 13 or any other statute related to the classification of government data to the contrary, state agencies making a referral under subdivision 4 or 5 shall provide data related to the suspected fraudulent activity to the Section, including data classified as not public. The Section may share active criminal investigative data concerning insurance fraud with the Department of Commerce.

Subd. 7. **State agency reporting.** By January 15 of each year, each state agency must report all suspected fraud incurred by the agency that involves state funded or administered programs or services equaling \$10,000 or more to the Section to be summarized in the report under subdivision 8. This subdivision does not apply to information obtained by the attorney general when acting in a civil or criminal law enforcement capacity.

Subd. 8. **Annual report.** (a) By February 1 of each year, the superintendent shall report to the commissioner, the governor, and the chairs and ranking minority members of the legislative committees with jurisdiction over public safety policy and finance, and commerce consumer protection policy and finance, the following information pertaining to the Section since the previous report:

(1) the number of investigations initiated;

(2) the number of allegations investigated;

(3) the outcomes or current status of each investigation;

(4) the charging decisions made by the prosecuting authority of incidents investigated by the Section;

(5) the number of plea agreements reached in incidents investigated by the Section;

(6) the number of reports received under subdivision 7;

(7) the number of state agency referrals to the state Medicaid Fraud Control Unit reported to the superintendent under paragraph (b); and

(8) any other information relevant to the Section's responsibilities.

(b) No later than January 15 of each odd-numbered year, each state agency that is required to make referrals to the state Medicaid Fraud Control Unit in accordance with Code of Federal Regulations, title 42, section 455.21(A)(1)(a), and section 256B.04, subdivision 10, shall report the following information to the superintendent for the two previous calendar years:

(1) the number of cases referred to the state Medicaid Fraud Control Unit;

(2) the number of referrals accepted by the state Medicaid Fraud Control Unit; and

(3) the number of referrals declined by the state Medicaid Fraud Control Unit.

Subd. 9. **Funding allocation.** One hundred percent of the funding allocated to the Bureau of Criminal Apprehension for the assessment in subdivision 10 may only be used for the

59.1 investigation of insurance fraud and related crimes, as defined in sections 60A.951,
59.2 subdivision 4, and 609.611, and support of those activities.

59.3 **EFFECTIVE DATE.** (a) Subdivisions 1, 2, 3, 6, and 9 are effective July 1, 2025.

59.4 (b) Subdivisions 4, 5, 7, and 8 are effective January 1, 2026.

59.5 Sec. 20. Minnesota Statutes 2024, section 299C.40, subdivision 1, is amended to read:

59.6 Subdivision 1. **Definitions.** (a) The definitions in this subdivision apply to this section.

59.7 (b) "CIBRS" means the Comprehensive Incident-Based Reporting System, located in
59.8 the Department of Public Safety and managed by the Bureau of Criminal Apprehension. A
59.9 reference in this section to "CIBRS" includes the Bureau of Criminal Apprehension.

59.10 (c) "Law enforcement agency" means a Minnesota municipal police department, the
59.11 Metropolitan Transit Police, the Metropolitan Airports Police, the University of Minnesota
59.12 Police Department, the Department of Corrections Fugitive Apprehension Unit, a Minnesota
59.13 county sheriff's department, the Enforcement Division of the Department of Natural
59.14 Resources, ~~the Commerce Fraud Bureau~~, the Bureau of Criminal Apprehension, or the
59.15 Minnesota State Patrol.

59.16 Sec. 21. Minnesota Statutes 2024, section 609.531, subdivision 1, is amended to read:

59.17 Subdivision 1. **Definitions.** For the purpose of sections 609.531 to 609.5318, the
59.18 following terms have the meanings given ~~them~~.

59.19 (a) "Conveyance device" means a device used for transportation and includes, but is not
59.20 limited to, a motor vehicle, trailer, snowmobile, airplane, and vessel and any equipment
59.21 attached to it. The term "conveyance device" does not include property which is, in fact,
59.22 itself stolen or taken in violation of the law.

59.23 (b) "Weapon used" means a dangerous weapon as defined under section 609.02,
59.24 subdivision 6, that the actor used or had in possession in furtherance of a crime.

59.25 (c) "Property" means property as defined in section 609.52, subdivision 1, clause (1).

59.26 (d) "Contraband" means property which is illegal to possess under Minnesota law.

59.27 (e) "Appropriate agency" means the Bureau of Criminal Apprehension, ~~the Department~~
59.28 ~~of Commerce Fraud Bureau~~, the Minnesota Division of Driver and Vehicle Services, the
59.29 Minnesota State Patrol, a county sheriff's department, the Three Rivers Park District
59.30 Department of Public Safety, the Department of Natural Resources Division of Enforcement,
59.31 the University of Minnesota Police Department, the Department of Corrections Fugitive

60.1 Apprehension Unit, a city, metropolitan transit, or airport police department; or a
60.2 multijurisdictional entity established under section 299A.642 or 299A.681.

60.3 (f) "Designated offense" includes:

60.4 (1) for weapons used: any violation of this chapter, chapter 152 or 624;

60.5 (2) for driver's license or identification card transactions: any violation of section 171.22;
60.6 and

60.7 (3) for all other purposes: a felony violation of, or a felony-level attempt or conspiracy
60.8 to violate, section 325E.17; 325E.18; 609.185; 609.19; 609.195; 609.2112; 609.2113;
60.9 609.2114; 609.221; 609.222; 609.223; 609.2231; 609.2335; 609.24; 609.245; 609.247;
60.10 609.25; 609.255; 609.282; 609.283; 609.322; 609.342, subdivision 1, or subdivision 1a,
60.11 clauses (a) to (f) and (i); 609.343, subdivision 1, or subdivision 1a, clauses (a) to (f) and (i);
60.12 609.344, subdivision 1, or subdivision 1a, clauses (a) to (e), (h), or (i); 609.345, subdivision
60.13 1, or subdivision 1a, clauses (a) to (e), (h), and (i); 609.352; 609.42; 609.425; 609.466;
60.14 609.485; 609.487; 609.52; 609.525; 609.527; 609.528; 609.53; 609.54; 609.551; 609.561;
60.15 609.562; 609.563; 609.582; 609.59; 609.595; 609.611; 609.631; 609.66, subdivision 1e;
60.16 609.671, subdivisions 3, 4, 5, 8, and 12; 609.687; 609.821; 609.825; 609.86; 609.88; 609.89;
60.17 609.893; 609.895; 617.246; 617.247; or a gross misdemeanor or felony violation of section
60.18 609.891 or 624.7181; or any violation of section 609.324; or a felony violation of, or a
60.19 felony-level attempt or conspiracy to violate, Minnesota Statutes 2012, section 609.21.

60.20 (g) "Controlled substance" has the meaning given in section 152.01, subdivision 4.

60.21 (h) "Prosecuting authority" means the attorney who is responsible for prosecuting an
60.22 offense that is the basis for a forfeiture under sections 609.531 to 609.5318.

60.23 (i) "Asserting person" means a person, other than the driver alleged to have used a vehicle
60.24 in the transportation or exchange of a controlled substance intended for distribution or sale,
60.25 claiming an ownership interest in a vehicle that has been seized or restrained under this
60.26 section.

60.27 Sec. 22. Minnesota Statutes 2024, section 626.05, subdivision 2, is amended to read:

60.28 Subd. 2. **Peace officer.** The term "peace officer," as used in sections 626.04 to 626.17,
60.29 means a person who is licensed as a peace officer in accordance with section 626.84,
60.30 subdivision 1, and who serves as a sheriff, deputy sheriff, police officer, conservation officer,
60.31 agent of the Bureau of Criminal Apprehension, agent of the Division of Alcohol and
60.32 Gambling Enforcement, ~~peace officer of the Commerce Fraud Bureau~~, University of
60.33 Minnesota peace officer, Metropolitan Transit police officer, Minnesota Department of

61.1 Corrections Fugitive Apprehension Unit member, State Patrol trooper as authorized by
61.2 section 299D.03, or railroad peace officer as authorized by section 219.995 and United
61.3 States Code, title 49, section 28101.

61.4 Sec. 23. Minnesota Statutes 2024, section 626.84, subdivision 1, is amended to read:

61.5 Subdivision 1. **Definitions.** For purposes of sections 626.84 to 626.863, the following
61.6 terms have the meanings given them:

61.7 (a) "Board" means the Board of Peace Officer Standards and Training.

61.8 (b) "Director" means the executive director of the board.

61.9 (c) "Peace officer" means:

61.10 (1) an employee or an elected or appointed official of a political subdivision or law
61.11 enforcement agency who is licensed by the board, charged with the prevention and detection
61.12 of crime and the enforcement of the general criminal laws of the state and who has the full
61.13 power of arrest, and shall also include the Minnesota State Patrol, agents of the Division of
61.14 Alcohol and Gambling Enforcement, state conservation officers, Metropolitan Transit police
61.15 officers, Department of Corrections Fugitive Apprehension Unit officers, ~~Department of~~
61.16 ~~Commerce Fraud Bureau Unit officers~~, the statewide coordinator of the Violent Crime
61.17 Coordinating Council, and railroad peace officers as authorized by section 219.995 and
61.18 United States Code, title 49, section 28101; and

61.19 (2) a peace officer who is employed by a law enforcement agency of a federally
61.20 recognized tribe, as defined in United States Code, title 25, section 450b(e), and who is
61.21 licensed by the board.

61.22 (d) "Part-time peace officer" means an individual licensed by the board whose services
61.23 are utilized by law enforcement agencies no more than an average of 20 hours per week,
61.24 not including time spent on call when no call to active duty is received, calculated on an
61.25 annual basis, who has either full powers of arrest or authorization to carry a firearm while
61.26 on active duty. The term shall apply even though the individual receives no compensation
61.27 for time spent on active duty, and shall apply irrespective of the title conferred upon the
61.28 individual by any law enforcement agency.

61.29 (e) "Reserve officer" means an individual whose services are utilized by a law
61.30 enforcement agency to provide supplementary assistance at special events, traffic or crowd
61.31 control, and administrative or clerical assistance, and shall include reserve deputies, special
61.32 deputies, mounted or unmounted patrols, and all other employees or volunteers performing
61.33 reserve officer functions. A reserve officer's duties do not include enforcement of the general

62.1 criminal laws of the state, and the officer does not have full powers of arrest or authorization
62.2 to carry a firearm on duty.

62.3 (f) "Law enforcement agency" means:

62.4 (1) a unit of state or local government that is authorized by law to grant full powers of
62.5 arrest and to charge a person with the duties of preventing and detecting crime and enforcing
62.6 the general criminal laws of the state;

62.7 (2) subject to the limitations in section 626.93, a law enforcement agency of a federally
62.8 recognized tribe, as defined in United States Code, title 25, section 450b(e); and

62.9 (3) subject to the limitation of section 219.995, a railroad company.

62.10 (g) "Professional peace officer education" means a postsecondary degree program, or a
62.11 nondegree program for persons who already have a college degree, that is offered by a
62.12 college or university in Minnesota, designed for persons seeking licensure as a peace officer,
62.13 and approved by the board.

62.14 (h) "Railroad peace officer" means an individual as authorized under United States Code,
62.15 title 49, section 28101:

62.16 (1) employed by a railroad for the purpose of aiding and supplementing law enforcement
62.17 agencies in the protection of property owned by or in the care, custody, or control of a
62.18 railroad and to protect the persons and property of railroad passengers and employees; and

62.19 (2) licensed by the board.

62.20 Sec. 24. **REVISOR INSTRUCTION.**

62.21 The revisor of statutes shall renumber the subdivisions in column A with the number
62.22 listed in column B. The revisor shall also make necessary cross-reference changes in
62.23 Minnesota Statutes and Minnesota Rules consistent with the renumbering.

62.24	<u>Column A</u>	<u>Column B</u>
62.25	<u>45.0135, subdivision 6</u>	<u>299C.061, subdivision 9</u>
62.26	<u>45.0135, subdivision 7</u>	<u>299C.061, subdivision 10</u>
62.27	<u>45.0135, subdivision 8</u>	<u>299C.061, subdivision 11</u>
62.28	<u>45.0135, subdivision 9</u>	<u>299C.061, subdivision 12</u>
62.29	<u>299C.061, subdivision 9</u>	<u>299C.061, subdivision 13</u>

Sec. 25. **REPEALER.**

Minnesota Statutes 2024, sections 45.0135, subdivisions 2a, 2c, 2d, 2e, 2f, 3, 4, and 5; and 325E.21, subdivision 2b, are repealed.

ARTICLE 4

CRIMINAL PROVISIONS

Section 1. Minnesota Statutes 2024, section 152.021, subdivision 2, is amended to read:

Subd. 2. **Possession crimes.** (a) A person is guilty of a controlled substance crime in the first degree if:

(1) the person unlawfully possesses one or more mixtures of a total weight of 50 grams or more containing cocaine or methamphetamine;

(2) the person unlawfully possesses one or more mixtures of a total weight of 25 grams or more containing cocaine or methamphetamine and:

(i) the person or an accomplice possesses on their person or within immediate reach, or uses, whether by brandishing, displaying, threatening with, or otherwise employing, a firearm; or

(ii) the offense involves two aggravating factors;

(3) the person unlawfully possesses one or more mixtures of a total weight of 25 grams or more, or 100 dosage units or more, containing heroin or fentanyl;

(4) the person unlawfully possesses one or more mixtures of a total weight of 500 grams or more containing a narcotic drug other than cocaine, heroin, fentanyl, or methamphetamine;

(5) the person unlawfully possesses one or more mixtures of a total weight of 500 grams or more containing amphetamine, phencyclidine, or hallucinogen or, if the controlled substance is packaged in dosage units, equaling 500 or more dosage units; or

(6) the person unlawfully possesses:

(i) 50 kilograms or more of cannabis flower;

(ii) ten kilograms or more of cannabis concentrate; or

(iii) edible cannabis products, lower-potency hemp edibles, hemp-derived consumer products, or any combination of those infused with more than one kilogram of tetrahydrocannabinols.

(b) For the purposes of this subdivision, ~~the weight of fluid used in a water pipe may not be considered in measuring the weight of a mixture except in cases where the mixture contains four or more fluid ounces of fluid~~ a mixture does not include the fluid used in a water pipe or any amount of a controlled substance that is dissolved in the pipe's fluid.

EFFECTIVE DATE. This section is effective the day following final enactment and applies retroactively from August 1, 2023.

Sec. 2. Minnesota Statutes 2024, section 152.022, subdivision 2, is amended to read:

Subd. 2. Possession crimes. (a) A person is guilty of controlled substance crime in the second degree if:

(1) the person unlawfully possesses one or more mixtures of a total weight of 25 grams or more containing cocaine or methamphetamine;

(2) the person unlawfully possesses one or more mixtures of a total weight of ten grams or more containing cocaine or methamphetamine and:

(i) the person or an accomplice possesses on their person or within immediate reach, or uses, whether by brandishing, displaying, threatening with, or otherwise employing, a firearm; or

(ii) the offense involves three aggravating factors;

(3) the person unlawfully possesses one or more mixtures of a total weight of six grams or more, or 50 dosage units or more, containing heroin or fentanyl;

(4) the person unlawfully possesses one or more mixtures of a total weight of 50 grams or more containing a narcotic drug other than cocaine, heroin, fentanyl, or methamphetamine;

(5) the person unlawfully possesses one or more mixtures of a total weight of 50 grams or more containing amphetamine, phencyclidine, or hallucinogen or, if the controlled substance is packaged in dosage units, equaling 100 or more dosage units; or

(6) the person unlawfully possesses:

(i) 25 kilograms or more of cannabis flower;

(ii) five kilograms or more of cannabis concentrate; or

(iii) edible cannabis products, lower-potency hemp edibles, hemp-derived consumer products, or any combination of those infused with more than 500 grams of tetrahydrocannabinols.

(b) For the purposes of this subdivision, ~~the weight of fluid used in a water pipe may not be considered in measuring the weight of a mixture except in cases where the mixture contains four or more fluid ounces of fluid~~ a mixture does not include the fluid used in a water pipe or any amount of a controlled substance that is dissolved in the pipe's fluid.

EFFECTIVE DATE. This section is effective the day following final enactment and applies retroactively from August 1, 2023.

Sec. 3. Minnesota Statutes 2024, section 152.023, subdivision 2, is amended to read:

Subd. 2. Possession crimes. (a) A person is guilty of controlled substance crime in the third degree if:

(1) on one or more occasions within a 90-day period the person unlawfully possesses one or more mixtures of a total weight of ten grams or more containing a narcotic drug other than heroin or fentanyl;

(2) on one or more occasions within a 90-day period the person unlawfully possesses one or more mixtures of: (i) a total weight of three grams or more containing heroin; or (ii) a total weight of five grams or more, or 25 dosage units or more, containing fentanyl;

(3) on one or more occasions within a 90-day period the person unlawfully possesses one or more mixtures containing a narcotic drug other than heroin or fentanyl, it is packaged in dosage units, and equals 50 or more dosage units;

(4) on one or more occasions within a 90-day period the person unlawfully possesses any amount of a schedule I or II narcotic drug or five or more dosage units of lysergic acid diethylamide (LSD), 3,4-methylenedioxy amphetamine, or 3,4-methylenedioxymethamphetamine in a school zone, a park zone, a public housing zone, or a drug treatment facility;

(5) on one or more occasions within a 90-day period the person unlawfully possesses:

(i) more than ten kilograms of cannabis flower;

(ii) more than two kilograms of cannabis concentrate; or

(iii) edible cannabis products, lower-potency hemp edibles, hemp-derived consumer products, or any combination of those infused with more than 200 grams of tetrahydrocannabinol; or

(6) the person unlawfully possesses one or more mixtures containing methamphetamine or amphetamine in a school zone, a park zone, a public housing zone, or a drug treatment facility.

(b) For the purposes of this subdivision, ~~the weight of fluid used in a water pipe may not be considered in measuring the weight of a mixture except in cases where the mixture contains four or more fluid ounces of fluid~~ a mixture does not include the fluid used in a water pipe or any amount of a controlled substance that is dissolved in the pipe's fluid.

EFFECTIVE DATE. This section is effective the day following final enactment and applies retroactively from August 1, 2023.

Sec. 4. Minnesota Statutes 2024, section 152.025, subdivision 2, is amended to read:

Subd. 2. **Possession and other crimes.** (a) A person is guilty of controlled substance crime in the fifth degree and upon conviction may be sentenced as provided in subdivision 4 if:

(1) the person unlawfully possesses one or more mixtures containing a controlled substance classified in Schedule I, II, III, or IV, except cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products or a residual amount of one or more mixtures of controlled substances contained in drug paraphernalia; or

(2) the person procures, attempts to procure, possesses, or has control over a controlled substance by any of the following means:

(i) fraud, deceit, misrepresentation, or subterfuge;

(ii) using a false name or giving false credit; or

(iii) falsely assuming the title of, or falsely representing any person to be, a manufacturer, wholesaler, pharmacist, physician, doctor of osteopathic medicine licensed to practice medicine, dentist, podiatrist, veterinarian, or other authorized person for the purpose of obtaining a controlled substance.

(b) For the purposes of this subdivision, a mixture does not include the fluid used in a water pipe or any amount of a controlled substance that is dissolved in the pipe's fluid.

EFFECTIVE DATE. This section is effective the day following final enactment and applies retroactively from August 1, 2023.

Sec. 5. Minnesota Statutes 2024, section 152.137, subdivision 2, is amended to read:

Subd. 2. **Prohibited conduct.** (a) No person may knowingly engage in any of the following activities in the presence of a child or vulnerable adult; in the residence of a child or a vulnerable adult; in a building, structure, conveyance, or outdoor location where a child

67.1 or vulnerable adult might reasonably be expected to be present; in a room offered to the
67.2 public for overnight accommodation; or in any multiple unit residential building:

67.3 (1) manufacturing or attempting to manufacture methamphetamine;

67.4 (2) storing any chemical substance;

67.5 (3) storing any methamphetamine waste products; or

67.6 (4) storing any methamphetamine paraphernalia.

67.7 (b) No person may knowingly cause or permit a child or vulnerable adult to inhale, be
67.8 exposed to, have contact with, or ingest methamphetamine, a chemical substance, or
67.9 methamphetamine paraphernalia.

67.10 (c) No person may knowingly cause or permit a child or vulnerable adult to inhale, be
67.11 exposed to, have contact with, or ingest fentanyl.

67.12 **EFFECTIVE DATE.** This section is effective August 1, 2025, and applies to crimes
67.13 committed on or after that date.

67.14 Sec. 6. Minnesota Statutes 2024, section 243.166, subdivision 1b, is amended to read:

67.15 Subd. 1b. **Registration required.** (a) A person shall register under this section if:

67.16 (1) the person was charged with or petitioned for a felony violation of or attempt to
67.17 violate, or aiding, abetting, or conspiracy to commit, any of the following, and convicted
67.18 of or adjudicated delinquent for that offense or another offense arising out of the same set
67.19 of circumstances:

67.20 (i) murder under section 609.185, paragraph (a), clause (2);

67.21 (ii) kidnapping under section 609.25;

67.22 (iii) criminal sexual conduct under section 609.342; 609.343; 609.344; 609.345; 609.3451,
67.23 subdivision 3, paragraph (b); or 609.3453;

67.24 (iv) indecent exposure under section 617.23, subdivision 3; or

67.25 (v) surreptitious intrusion under the circumstances described in section 609.746,
67.26 subdivision 1, paragraph (h);

67.27 (2) the person was charged with or petitioned for a violation of, or attempt to violate, or
67.28 aiding, abetting, or conspiring to commit any of the following and convicted of or adjudicated
67.29 delinquent for that offense or another offense arising out of the same set of circumstances:

68.1 (i) criminal abuse in violation of Minnesota Statutes 2020, section 609.2325, subdivision
68.2 1, paragraph (b);

68.3 (ii) solicitation, inducement, or promotion of the prostitution of a minor or engaging in
68.4 the sex trafficking of a minor in violation of section 609.322;

68.5 (iii) a prostitution offense in violation of section 609.324, subdivision 1, paragraph (a);

68.6 (iv) soliciting a minor to engage in sexual conduct in violation of section 609.352,
68.7 subdivision 2 or 2a, clause (1);

68.8 (v) using a minor in a sexual performance in violation of section 617.246; ~~or~~

68.9 (vi) possessing or disseminating a pornographic work involving a minor in violation of
68.10 section 617.247;

68.11 (vii) possession of a child-like sex doll in violation of section 617.248; or

68.12 (viii) creation of child-like sex dolls in violation of section 617.249;

68.13 (3) the person was sentenced as a patterned sex offender under section 609.3455,
68.14 subdivision 3a; or

68.15 (4) the person was charged with or petitioned for, including pursuant to a court martial,
68.16 violating a law of the United States, including the Uniform Code of Military Justice, similar
68.17 to an offense or involving similar circumstances to an offense described in clause (1), (2),
68.18 or (3), and convicted of or adjudicated delinquent for that offense or another offense arising
68.19 out of the same set of circumstances.

68.20 (b) A person also shall register under this section if:

68.21 (1) the person was charged with or petitioned for an offense in another state similar to
68.22 an offense or involving similar circumstances to an offense described in paragraph (a),
68.23 clause (1), (2), or (3), and convicted of or adjudicated delinquent for that offense or another
68.24 offense arising out of the same set of circumstances;

68.25 (2) the person enters this state to reside, work, or attend school, or enters this state and
68.26 remains for 14 days or longer or for an aggregate period of time exceeding 30 days during
68.27 any calendar year; and

68.28 (3) ten years have not elapsed since the person was released from confinement or, if the
68.29 person was not confined, since the person was convicted of or adjudicated delinquent for
68.30 the offense that triggers registration, unless the person is subject to a longer registration
68.31 period under the laws of another state in which the person has been convicted or adjudicated,
68.32 or is subject to lifetime registration.

69.1 If a person described in this paragraph is subject to a longer registration period in another
69.2 state or is subject to lifetime registration, the person shall register for that time period
69.3 regardless of when the person was released from confinement, convicted, or adjudicated
69.4 delinquent.

69.5 (c) A person also shall register under this section if the person was committed pursuant
69.6 to a court commitment order under Minnesota Statutes 2012, section 253B.185, chapter
69.7 253D, Minnesota Statutes 1992, section 526.10, or a similar law of another state or the
69.8 United States, regardless of whether the person was convicted of any offense.

69.9 (d) A person also shall register under this section if:

69.10 (1) the person was charged with or petitioned for a felony violation or attempt to violate
69.11 any of the offenses listed in paragraph (a), clause (1), or a similar law of another state or
69.12 the United States, or the person was charged with or petitioned for a violation of any of the
69.13 offenses listed in paragraph (a), clause (2), or a similar law of another state or the United
69.14 States;

69.15 (2) the person was found not guilty by reason of mental illness or mental deficiency
69.16 after a trial for that offense, or found guilty but mentally ill after a trial for that offense, in
69.17 states with a guilty but mentally ill verdict; and

69.18 (3) the person was committed pursuant to a court commitment order under section
69.19 253B.18 or a similar law of another state or the United States.

69.20 Sec. 7. Minnesota Statutes 2024, section 609.05, subdivision 2a, is amended to read:

69.21 Subd. 2a. **Exception.** (a) A person may not be held criminally liable for a violation of
69.22 section 609.185, paragraph (a), clause (3), for a death caused by another unless the person
69.23 intentionally aided, advised, hired, counseled, or conspired with or otherwise procured the
69.24 other with the intent to cause the death of a human being.

69.25 (b) A person may not be held criminally liable for a violation of section 609.185,
69.26 paragraph (a), clause (1), for a death of a human being caused by another unless the person
69.27 intentionally aided, advised, hired, counseled, or conspired with or otherwise procured the
69.28 other with premeditation and with intent to cause the death of a human being.

69.29 (c) A person may not be held criminally liable for a violation of section 609.19,
69.30 subdivision 1, for a death of a human being caused by another unless the person intentionally
69.31 aided, advised, hired, counseled, or conspired with or otherwise procured the other with the
69.32 intent to cause the death of a human being.

~~(b)~~ (d) A person may not be held criminally liable for a violation of section 609.19, subdivision 2, clause (1), for a death caused by another unless the person was a major participant in the underlying felony and acted with extreme indifference to human life.

~~(e)~~ (e) As used in this subdivision, "major participant" means a person who:

(1) used a deadly weapon during the commission of the underlying felony or provided a deadly weapon to another participant where it was reasonably foreseeable that the weapon would be used in the underlying felony;

(2) caused substantial bodily harm to another during the commission of the underlying felony;

(3) coerced or hired a participant to undertake actions in furtherance of the underlying felony that proximately caused the death, and where it was reasonably foreseeable that such actions would cause death or great bodily harm; or

(4) impeded another person from preventing the death either by physical action or by threat of physical action where it was reasonably foreseeable that death or great bodily harm would result.

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

Sec. 8. Minnesota Statutes 2024, section 609.185, is amended to read:

609.185 MURDER IN THE FIRST DEGREE.

(a) Whoever does any of the following is guilty of murder in the first degree and shall be sentenced to imprisonment for life:

(1) causes the death of a human being with premeditation and with intent to effect the death of the person or of another;

(2) causes the death of a human being while committing or attempting to commit criminal sexual conduct in the first or second degree with force or violence, either upon or affecting the person or another;

(3) causes the death of a human being with intent to effect the death of the person or another, while committing or attempting to commit a felony-level violation of any of the following offenses: burglary, aggravated robbery, carjacking in the first or second degree, kidnapping, arson in the first or second degree, a drive-by shooting, tampering with a witness in the first degree, or escape from custody; ~~or any felony~~ a felony-level violation of chapter 152 involving the unlawful sale of a controlled substance;

71.1 (4) causes the death of a peace officer, prosecuting attorney, judge, or a guard employed
71.2 at a Minnesota state or local correctional facility, with intent to effect the death of that person
71.3 or another, while the person is engaged in the performance of official duties;

71.4 (5) causes the death of a minor while committing child abuse, when the perpetrator has
71.5 engaged in a past pattern of child abuse upon a child and the death occurs under
71.6 circumstances manifesting an extreme indifference to human life;

71.7 (6) causes the death of a human being while committing domestic abuse, when the
71.8 perpetrator has engaged in a past pattern of domestic abuse upon the victim or upon another
71.9 family or household member and the death occurs under circumstances manifesting an
71.10 extreme indifference to human life; or

71.11 (7) causes the death of a human being while committing, conspiring to commit, or
71.12 attempting to commit a felony crime to further terrorism and the death occurs under
71.13 circumstances manifesting an extreme indifference to human life.

71.14 (b) For the purposes of paragraph (a), clause (4), "prosecuting attorney" has the meaning
71.15 given in section 609.221, subdivision 6, clause (4).

71.16 (c) For the purposes of paragraph (a), clause (4), "judge" has the meaning given in section
71.17 609.221, subdivision 6, clause (5).

71.18 (d) For purposes of paragraph (a), clause (5), "child abuse" means an act committed
71.19 against a minor victim that constitutes a violation of the following laws of this state or any
71.20 similar laws of the United States or any other state: section 609.221; 609.222; 609.223;
71.21 609.224; 609.2242; 609.342; 609.343; 609.344; 609.345; 609.377; 609.378; or 609.713.

71.22 (e) For purposes of paragraph (a), clause (6), "domestic abuse" means an act that:

71.23 (1) constitutes a violation of section 609.221, 609.222, 609.223, 609.224, 609.2242,
71.24 609.342, 609.343, 609.344, 609.345, 609.713, or any similar laws of the United States or
71.25 any other state; and

71.26 (2) is committed against the victim who is a family or household member as defined in
71.27 section 518B.01, subdivision 2, paragraph (b).

71.28 (f) For purposes of paragraph (a), clause (7), "further terrorism" has the meaning given
71.29 in section 609.714, subdivision 1.

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

72.1 Sec. 9. Minnesota Statutes 2024, section 609.19, subdivision 1, is amended to read:

72.2 Subdivision 1. **Intentional murder; drive-by shootings.** Whoever ~~does either of the~~
72.3 ~~following~~ causes the death of a human being with intent to effect the death of that person
72.4 or another, but without premeditation, is guilty of murder in the second degree and may be
72.5 sentenced to imprisonment for not more than 40 years:.

72.6 ~~(1) causes the death of a human being with intent to effect the death of that person or~~
72.7 ~~another, but without premeditation; or~~

72.8 ~~(2) causes the death of a human being while committing or attempting to commit a~~
72.9 ~~drive-by shooting in violation of section 609.66, subdivision 1e, under circumstances other~~
72.10 ~~than those described in section 609.185, paragraph (a), clause (3).~~

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

72.12 Sec. 10. Minnesota Statutes 2024, section 609.19, subdivision 2, is amended to read:

72.13 Subd. 2. **Unintentional murders.** Whoever does either of the following is guilty of
72.14 unintentional murder in the second degree and may be sentenced to imprisonment for not
72.15 more than 40 years:

72.16 (1) causes the death of a human being, without intent to effect the death of any person,
72.17 while committing or attempting to commit a ~~felony offense other than criminal sexual~~
72.18 ~~conduct in the first or second degree with force or violence or a drive-by shooting~~ felony-level
72.19 violation of any of the following offenses: burglary, aggravated robbery, carjacking in the
72.20 first or second degree, kidnapping, arson in the first or second degree, drive-by shooting,
72.21 tampering with a witness in the first degree, escape from custody, malicious punishment of
72.22 a child, domestic assault, domestic assault by strangulation, or a crime to further terrorism;
72.23 or a felony-level violation of chapter 152 involving the unlawful sale of a controlled
72.24 substance; or

72.25 (2) causes the death of a human being without intent to effect the death of any person,
72.26 while intentionally inflicting or attempting to inflict bodily harm upon the victim, when the
72.27 perpetrator is restrained under an order for protection and the victim is a person designated
72.28 to receive protection under the order. As used in this clause, "order for protection" includes
72.29 an order for protection issued under chapter 518B; a harassment restraining order issued
72.30 under section 609.748; a court order setting conditions of pretrial release or conditions of
72.31 a criminal sentence or juvenile court disposition; a restraining order issued in a marriage
72.32 dissolution action; and any order issued by a court of another state or of the United States
72.33 that is similar to any of these orders.

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

73.2 Sec. 11. Minnesota Statutes 2024, section 609.19, is amended by adding a subdivision to
73.3 read:

73.4 Subd. 3. **Exception.** A person shall not be held liable for a violation of subdivision 2,
73.5 clause (1), unless their acts present a special danger to human life based on the circumstances
73.6 under which the predicate felony was committed.

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

73.8 Sec. 12. Minnesota Statutes 2024, section 609.2231, subdivision 2, is amended to read:

73.9 Subd. 2. **Firefighters and emergency medical personnel.** (a) Except as provided in
73.10 paragraph (b), whoever physically assaults any of the following persons and inflicts
73.11 demonstrable bodily harm is guilty of a felony and may be sentenced to imprisonment for
73.12 not more than two years or to payment of a fine of not more than \$4,000, or both gross
73.13 misdemeanor:

73.14 (1) either:

73.15 (i) a member of a municipal or volunteer fire department in the performance of the
73.16 member's duties; or

73.17 (ii) a member of an emergency medical services personnel unit in the performance of
73.18 the member's duties; or

73.19 (2) a physician, nurse, or other person providing health care services in a hospital
73.20 emergency department.

73.21 (b) Whoever physically assaults a person described in paragraph (a), is guilty of a felony
73.22 and may be sentenced to imprisonment for not more than three years or to payment of a
73.23 fine of not more than \$6,000, or both, if the assault inflicts demonstrable bodily harm.

73.24 **EFFECTIVE DATE.** This section is effective August 1, 2025, and applies to crimes
73.25 committed on or after that date.

73.26 Sec. 13. **[609.2285] FENTANYL ADULTERATED SUBSTANCES.**

73.27 Subdivision 1. **Crime.** (a) A person who knowingly adulterates or alters a controlled
73.28 substance or drug with fentanyl or substitutes a controlled substance or drug with fentanyl
73.29 is guilty of a felony.

(b) A person who knowingly adulterates or alters any package or receptacle containing any controlled substance by replacing the controlled substance or drug in the package or receptacle with fentanyl or a controlled substance or drug containing fentanyl or substitutes any package or receptacle containing any controlled substance or drug with another package or receptacle containing fentanyl is guilty of a felony.

(c) Paragraphs (a) and (b) do not apply to manufacturers, practitioners, pharmacists, owners of pharmacies, nurses, and other persons when the manufacturer, practitioner, pharmacist, owner of a pharmacy, nurse, or other person is acting in a professional capacity.

Subd. 2. **Definitions.** (a) For purposes of this section, the terms in this subdivision have the meanings given them.

(b) "Controlled substance" has the meaning given in section 152.01, subdivision 4.

(c) "Drug" has the meaning given in section 152.01, subdivision 2.

EFFECTIVE DATE. This section is effective August 1, 2025, and applies to crimes committed on or after that date.

Sec. 14. Minnesota Statutes 2024, section 609.27, subdivision 2, is amended to read:

Subd. 2. **Sentence.** (a) Whoever violates subdivision 1 may be sentenced as follows:

(1) to imprisonment for not more than 90 days or to payment of a fine of not more than \$1,000, or both if neither the pecuniary gain received by the violator nor the loss suffered by the person threatened or another as a result of the threat exceeds \$300, or the benefits received or harm sustained are not susceptible of pecuniary measurement; or

(2) to imprisonment for not more than five years or to payment of a fine of not more than \$10,000, or both, if such pecuniary gain or loss is more than \$300 but less than \$2,500; or

(3) to imprisonment for not more than ten years or to payment of a fine of not more than \$20,000, or both, if such pecuniary gain or loss is \$2,500, or more.

(b) A person who violates subdivision 1, clause (6), may be sentenced as provided in paragraph (a). If the violation is the proximate cause of the victim suffering great bodily harm or death, the person is guilty of a felony and may be sentenced to imprisonment for not more than 15 years, or to payment of a fine of not more than \$30,000, or both.

EFFECTIVE DATE. This section is effective August 1, 2026, and applies to crimes committed on or after that date.

75.1 Sec. 15. Minnesota Statutes 2024, section 609.378, is amended by adding a subdivision
75.2 to read:

75.3 Subd. 3. **Exception.** A person may not be charged with or convicted of a violation of
75.4 this section for acts committed while pregnant and before the birth of the person's child or
75.5 children, including but not limited to the use of drugs, prescribed or otherwise; experiencing
75.6 abuse; exposure to or being a victim of domestic or other violence; or failing to maintain
75.7 optimal physical health.

75.8 Sec. 16. Minnesota Statutes 2024, section 609.50, subdivision 1, is amended to read:

75.9 Subdivision 1. **Crime.** (a) Whoever intentionally does any of the following may be
75.10 sentenced as provided in subdivision 2:

75.11 (1) obstructs, hinders, or prevents the lawful execution of any legal process, civil or
75.12 criminal, or apprehension of another on a charge or conviction of a criminal offense;

75.13 (2) obstructs, resists, or interferes with a peace officer while the officer is engaged in
75.14 the performance of official duties;

75.15 (3) interferes with or obstructs a firefighter while the firefighter is engaged in the
75.16 performance of official duties;

75.17 (4) interferes with or obstructs a member of an ambulance service personnel crew, as
75.18 defined in section 144E.001, subdivision 3a, who is providing, or attempting to provide,
75.19 emergency care; or

75.20 (5) by force or threat of force endeavors to obstruct any employee of the Department of
75.21 Revenue, Department of Public Safety Driver and Vehicle Services Division, a driver's
75.22 license agent appointed under section 171.061, or a deputy registrar appointed under section
75.23 168.33 while the employee is lawfully engaged in the performance of official duties for the
75.24 purpose of deterring or interfering with the performance of those duties.

75.25 (b) It is a crime punishable as provided in subdivision 2 for someone to approach or
75.26 remain within 25 feet of a person described in paragraph (a), clause (2), (3), or (4):

75.27 (1) while knowing or having reason to know of the person's status and that the person
75.28 is engaged in the lawful performance of a legal duty;

75.29 (2) after having received a verbal warning from the person not to approach; and

75.30 (3) with the intent to impede or interfere with the person's ability to perform the legal
75.31 duty.

EFFECTIVE DATE. This section is effective August 1, 2025, and applies to crimes committed on or after that date.

Sec. 17. **[609.5523] THEFT OF PUBLIC FUNDS.**

Subdivision 1. **Definitions.** (a) For purposes of this section, the following terms have the meanings given.

(b) "Public funds" means all general, special, permanent, trust, and other funds, regardless of source or purpose, held or administered by a government entity.

(c) "Government entity" has the meaning given in section 13.02, subdivision 7a.

Subd. 2. **Acts constituting theft of public funds.** Whoever does any of the following commits theft of public funds and may be sentenced as provided in subdivision 3:

(1) intentionally and without claim of right takes, uses, transfers, conceals, or retains possession of public funds of a government entity or a third party administering a program funded by public vendors without consent and with intent to deprive the government entity permanently of possession of public funds;

(2) obtains for the actor or another the possession or custody of public funds from a government entity or a third party administering a program funded by public funds by intentionally deceiving the government entity or third party with a false representation which is known to be false, is made with intent to defraud, and does defraud the government entity or third party to whom it is made. False representation includes without limitation:

(i) a promise made with intent not to perform. Failure to perform is not evidence of intent not to perform unless corroborated by other substantial evidence; or

(ii) the preparation or filing of a claim for reimbursement, a rate application, or a cost report which intentionally and falsely states the costs of or actual services provided by a vendor; or

(3) by swindling, whether by artifice, trick, device, or any other means, obtains public funds or services funded by public funds from a government entity or a third party administering a program funded by public funds.

Subd. 3. **Sentence.** (a) Whoever commits theft of public funds may be sentenced as follows:

(1) to imprisonment for not more than 24 years or to payment of a fine of not more than \$100,000, or both, if the value of the property stolen is more than \$35,000;

77.1 (2) to imprisonment for not more than 12 years or to payment of a fine of not more than
77.2 \$20,000, or both, if the value of the property stolen exceeds \$5,000; or

77.3 (3) to imprisonment for not more than six years or to payment of a fine of not more than
77.4 \$10,000, or both, if the value of the property stolen is more than \$1,000 but not more than
77.5 \$5,000.

77.6 (b) In any prosecution for theft of public funds, the value of the money or property
77.7 received by the defendant in violation of any of these provisions within any six-month
77.8 period may be aggregated and the defendant charged accordingly in applying the provisions
77.9 of this subdivision.

77.10 **EFFECTIVE DATE.** This section is effective August 1, 2025, and applies to crimes
77.11 committed on or after that date.

77.12 Sec. 18. Minnesota Statutes 2024, section 609.593, subdivision 1, is amended to read:

77.13 Subdivision 1. **Crime.** Whoever intentionally and without consent from one authorized
77.14 to give consent causes any damage to or takes, removes, severs, or breaks:

77.15 (1) any line erected or maintained for the purpose of transmitting electricity for light,
77.16 heat, or power, including street lighting, vehicle charging, and other public infrastructure,
77.17 or any insulator or cross-arm, appurtenance or apparatus connected to the line, or any wire,
77.18 cable, or current of the line; or any component used in the generation, transmission, or
77.19 distribution of electricity, including equipment used for grounding, system protection, or
77.20 personnel protection;

77.21 (2) any pipe or main or hazardous liquid pipeline erected, operated, or maintained for
77.22 the purpose of transporting, conveying, or distributing gas or other hazardous liquids for
77.23 light, heat, power, or any other purpose, or any part of the pipe, main, or pipeline, or any
77.24 valve, meter, holder, compressor, machinery, appurtenance, equipment, or apparatus
77.25 connected with any main or pipeline; or

77.26 (3) any machinery, equipment, or fixtures used in receiving, initiating, amplifying,
77.27 processing, transmitting, retransmitting, recording, switching, or monitoring
77.28 telecommunications services, such as computers, transformers, amplifiers, routers, repeaters,
77.29 multiplexers, and other items performing comparable functions; and machinery, equipment,
77.30 and fixtures used in the transportation of telecommunications services, broadband services,
77.31 cable services, radio transmitters and receivers, satellite equipment, microwave equipment,
77.32 and other transporting media including wire, cable, fiber, poles, and conduit;
77.33 is guilty of a crime and may be sentenced as provided in subdivision 2.

78.1 **EFFECTIVE DATE.** This section is effective August 1, 2025, and applies to crimes
78.2 committed on or after that date.

78.3 Sec. 19. Minnesota Statutes 2024, section 609.78, subdivision 2c, is amended to read:

78.4 Subd. 2c. **Felony offense; reporting fictitious emergency resulting in response to**
78.5 **the home of certain officials.** Whoever violates subdivision 2, clause (2), is guilty of a
78.6 felony and may be sentenced to imprisonment for not more than one year or to payment of
78.7 a fine of not more than \$5,000, or both, if the person places the call with the intent of
78.8 prompting an emergency response to the home of:

78.9 (1) an elected official;

78.10 (2) a judge as defined in section 609.221, subdivision 6, clause (5);

78.11 (3) a prosecuting attorney as defined in section 609.221, subdivision 6, clause (4);

78.12 (4) ~~an employee of a correctional facility as defined in section 241.021, subdivision 1;~~
78.13 a correctional employee of the state or a local political subdivision; or

78.14 (5) a peace officer as defined in section 626.84, subdivision 1, paragraph (c).

78.15 **EFFECTIVE DATE.** This section is effective August 1, 2025, and applies to crimes
78.16 committed on or after that date.

78.17 Sec. 20. Minnesota Statutes 2024, section 617.246, subdivision 1, is amended to read:

78.18 Subdivision 1. **Definitions.** (a) For the purpose of this section, the terms defined in this
78.19 subdivision have the meanings given them.

78.20 (b) "Minor" means any person under the age of 18.

78.21 (c) "Promote" means to produce, direct, publish, manufacture, issue, or advertise.

78.22 (d) "Sexual performance" means any play, dance or other exhibition presented before
78.23 an audience or for purposes of visual or mechanical reproduction that uses a minor to depict
78.24 actual or simulated sexual conduct as defined by clause (e).

78.25 (e) "Sexual conduct" means any of the following:

78.26 (1) an act of sexual intercourse, normal or perverted, including genital-genital,
78.27 anal-genital, or oral-genital intercourse, whether between human beings or between a human
78.28 being and an animal;

78.29 (2) sadomasochistic abuse, meaning flagellation, torture, or similar demeaning acts
78.30 inflicted by or upon a person who is nude or clad in undergarments or in a revealing costume,

79.1 or the condition of being fettered, bound or otherwise physically restrained on the part of
79.2 one so clothed;

79.3 (3) masturbation;

79.4 (4) lewd exhibitions of the genitals; or

79.5 (5) physical contact with the clothed or unclothed pubic areas or buttocks of a human
79.6 male or female, or the breasts of the female, whether alone or between members of the same
79.7 or opposite sex or between humans and animals in an act of apparent sexual stimulation or
79.8 gratification.

79.9 (f) "Pornographic work" means:

79.10 (1) an original or reproduction of a picture, film, photograph, negative, slide, videotape,
79.11 videodisc, or drawing of a sexual performance involving a minor; or

79.12 (2) any visual depiction, including any photograph, film, video, picture, drawing, negative,
79.13 slide, or computer-generated image or picture, whether made or produced by electronic,
79.14 mechanical, or other means that:

79.15 (i) uses a minor to depict actual or simulated sexual conduct;

79.16 (ii) has been created, adapted, or modified to appear that an identifiable minor is engaging
79.17 in sexual conduct; ~~or~~

79.18 (iii) is advertised, promoted, presented, described, or distributed in such a manner that
79.19 conveys the impression that the material is or contains a visual depiction of a minor engaging
79.20 in sexual conduct; or

79.21 (iv) depicts an individual indistinguishable from an actual minor created by the use of
79.22 generative artificial intelligence or other computer technology capable of processing and
79.23 interpreting specific data inputs, commonly referred to as prompts, to create a visual depiction
79.24 of the individual engaging in sexual conduct.

79.25 For the purposes of this paragraph, an identifiable minor is a person who was a minor
79.26 at the time the depiction was created or altered, whose image is used to create the visual
79.27 depiction.

79.28 **EFFECTIVE DATE.** This section is effective August 1, 2025, and applies to crimes
79.29 committed on or after that date.

80.1 Sec. 21. [617.2471] IMMUNITY.

80.2 No civil or criminal liability for a violation of section 617.246 or 617.247 that involves
80.3 a pornographic work as defined solely in section 617.246, subdivision 1, paragraph (f),
80.4 clause (2), item (iv), may be imposed on an interactive computer service, as defined in
80.5 United States Code, title 47, section 230, or a provider of an information service or
80.6 telecommunications service, as defined in United States Code, title 47, section 153, or an
80.7 employee of the service or provider acting in the course and scope of employment:

80.8 (1) for actions taken to prevent, detect, protect against, report, or respond to the
80.9 production, generation, incorporation, or synthesization of the work; or

80.10 (2) for content provided by another person.

80.11 **EFFECTIVE DATE.** This section is effective August 1, 2025, and applies to acts
80.12 committed on or after that date.

80.13 Sec. 22. [617.248] POSSESSION OF A CHILD-LIKE SEX DOLL.

80.14 Subdivision 1. **Definition.** "Child-like sex doll" means an anatomically correct doll,
80.15 mannequin, or robot, with features that are intended to depict or resemble a minor and is
80.16 intended for use in sex acts.

80.17 Subd. 2. **Dissemination prohibited.** (a) A person who knowingly, or with reason to
80.18 know, disseminates a child-like sex doll to an adult or a minor, is guilty of a felony and may
80.19 be sentenced to imprisonment for not more than seven years or to payment of a fine of not
80.20 more than \$10,000, or both.

80.21 (b) A person who violates paragraph (a) is guilty of a felony and may be sentenced to
80.22 imprisonment for not more than 15 years or to payment of a fine of not more than \$20,000,
80.23 or both, if:

80.24 (1) the person has a prior conviction or delinquency adjudication for violating this section
80.25 or section 617.246 or 617.247;

80.26 (2) the violation occurs when the person is a registered predatory offender under section
80.27 243.166; or

80.28 (3) the violation involved a child-like sex doll depicting a minor under the age of 14
80.29 years.

80.30 Subd. 3. **Possession prohibited.** (a) A person who knowingly, or with reason to know,
80.31 possesses a child-like sex doll is guilty of a felony and may be sentenced to imprisonment
80.32 for not more than five years or to payment of a fine of not more than \$5,000, or both.

81.1 (b) A person who violates paragraph (a) is guilty of a felony and may be sentenced to
81.2 imprisonment for not more than ten years or to payment of a fine of not more than \$10,000,
81.3 or both, if:

81.4 (1) the person has a prior conviction or delinquency adjudication for violating this section
81.5 or section 617.246 or 617.247;

81.6 (2) the violation occurs when the person is a registered predatory offender under section
81.7 243.166; or

81.8 (3) the violation involved a child-like sex doll depicting a minor under the age of 14
81.9 years.

81.10 Subd. 4. **Exception.** This section does not apply to the performance of official duties
81.11 by peace officers, court personnel, or attorneys, nor to licensed physicians, psychologists,
81.12 or social workers or persons acting at the direction of a licensed physician, psychologist,
81.13 or social worker in the course of a bona fide treatment or professional education program.

81.14 Subd. 5. **Second offense.** If a person is convicted of a second or subsequent violation
81.15 of this section within 15 years of the prior conviction, the court shall order a mental
81.16 examination of the person. The examiner shall report to the court whether treatment of the
81.17 person is necessary.

81.18 Subd. 6. **Conditional release term.** Notwithstanding the statutory maximum sentence
81.19 otherwise applicable to the offense or any provision of the sentencing guidelines, when a
81.20 court commits a person to the custody of the commissioner of corrections for violating this
81.21 section, the court shall provide that after the person has been released from prison, the
81.22 commissioner shall place the person on conditional release for five years. If the person has
81.23 previously been convicted of a violation of this section, section 609.342, 609.343, 609.344,
81.24 609.345, 609.3451, 609.3453, 617.246, 617.247, or 617.249, or any similar statute of the
81.25 United States, this state, or any other state, the commissioner shall place the person on
81.26 conditional release for 15 years. The terms of conditional release are governed by section
81.27 609.3455, subdivision 8.

81.28 **EFFECTIVE DATE.** This section is effective August 1, 2025, and applies to crimes
81.29 committed on or after that date.

81.30 Sec. 23. **[617.249] CREATION OF CHILD-LIKE SEX DOLLS PROHIBITED.**

81.31 Subdivision 1. **Definitions.** (a) For purposes of this section, the terms defined in this
81.32 subdivision have the meanings given.

82.1 (b) "Child-like sex doll" has the meaning given in section 617.248.

82.2 (c) "Minor" means any person under the age of 18.

82.3 (d) "Promote" means to produce, direct, publish, manufacture, issue, or advertise.

82.4 Subd. 2. **Use of minor.** (a) It is unlawful for a person to promote, employ, use, or permit
82.5 a minor to engage in or assist others to engage minors in the modeling for the creation of a
82.6 child-like sex doll if the person knows or has reason to know that the conduct intended is
82.7 to create a child-like sex doll.

82.8 (b) A person who violates paragraph (a) is guilty of a felony and may be sentenced to
82.9 imprisonment for not more than ten years or to payment of a fine of not more than \$10,000,
82.10 or both.

82.11 (c) A person who violates paragraph (a) is guilty of a felony and may be sentenced to
82.12 imprisonment for not more than 15 years or to payment of a fine of not more than \$20,000,
82.13 or both, if:

82.14 (1) the person has a prior conviction or delinquency adjudication for violating this section
82.15 or section 617.246, 617.247, or 617.248;

82.16 (2) the violation occurs when the person is a registered predatory offender under section
82.17 243.166; or

82.18 (3) the violation involved a minor under the age of 14 years.

82.19 Subd. 3. **Operation or ownership of business.** (a) It is unlawful for a person who owns
82.20 or operates a business to intentionally disseminate or reproduce a child-like sex doll where
82.21 a minor was used or employed in the modeling for the creation of the child-like sex doll.

82.22 (b) A person who violates paragraph (a) is guilty of a felony and may be sentenced to
82.23 imprisonment for not more than ten years or to payment of a fine of not more than \$10,000,
82.24 or both.

82.25 (c) A person who violates paragraph (a) is guilty of a felony and may be sentenced to
82.26 imprisonment for not more than 15 years or to payment of a fine of not more than \$20,000,
82.27 or both, if:

82.28 (1) the person has a prior conviction or delinquency adjudication for violating this section
82.29 or section 617.246, 617.247, or 617.248;

82.30 (2) the violation occurs when the person is a registered predatory offender under section
82.31 243.166; or

83.1 (3) the violation involved a minor under the age of 14 years.

83.2 Subd. 4. **Dissemination.** (a) A person who intentionally disseminates for profit to an
83.3 adult or a minor a child-like sex doll that used or employed a minor in the modeling for the
83.4 creation of the child-like sex doll is guilty of a felony and may be sentenced to imprisonment
83.5 for not more than ten years or to payment of a fine of not more than \$10,000, or both.

83.6 (b) A person who violates paragraph (a) is guilty of a felony and may be sentenced to
83.7 imprisonment for not more than 15 years or to payment of a fine of not more than \$20,000,
83.8 or both, if:

83.9 (1) the person has a prior conviction or delinquency adjudication for violating this section
83.10 or section 617.246, 617.247, or 617.248;

83.11 (2) the violation occurs when the person is a registered predatory offender under section
83.12 243.166; or

83.13 (3) the violation involved a minor under the age of 14 years.

83.14 Subd. 5. **Consent; mistake.** Neither consent to the modeling for the creation of a
83.15 child-like sex doll by a minor or the minor's parent, guardian, or custodian nor mistake as
83.16 to the minor's age is a defense to a charge of violation of this section.

83.17 Subd. 6. **Conditional release term.** Notwithstanding the statutory maximum sentence
83.18 otherwise applicable to the offense or any provision of the sentencing guidelines, when a
83.19 court commits a person to the custody of the commissioner of corrections for violating this
83.20 section, the court shall provide that after the person has been released from prison, the
83.21 commissioner shall place the person on conditional release for five years. If the person has
83.22 previously been convicted of a violation of this section, section 609.342, 609.343, 609.344,
83.23 609.345, 609.3451, 609.3453, 617.246, 617.247, or 617.248, or any similar statute of the
83.24 United States, this state, or any other state, the commissioner shall place the person on
83.25 conditional release for 15 years. The terms of conditional release are governed by section
83.26 609.3455, subdivision 8.

83.27 **EFFECTIVE DATE.** This section is effective August 1, 2025, and applies to crimes
83.28 committed on or after that date.

83.29 Sec. 24. **LIABILITY FOR MURDER COMMITTED BY ANOTHER;**
83.30 **RETROACTIVE APPLICATION.**

83.31 Subdivision 1. **Purpose.** Any person convicted of a violation of Minnesota Statutes,
83.32 section 609.185, paragraph (a), clause (1), under the theory of liability for crimes of another

84.1 and who is in the custody of the commissioner of corrections or under court supervision is
84.2 entitled to petition to have the person's conviction vacated pursuant to this section.

84.3 Subd. 2. **Notification.** (a) By September 1, 2026, the commissioner of corrections shall
84.4 notify individuals convicted of a violation of Minnesota Statutes, section 609.185, paragraph
84.5 (a), clause (1), of the right to file a preliminary application for relief if the person was
84.6 convicted of a violation of Minnesota Statutes, section 609.185, paragraph (a), clause (1),
84.7 and the person:

84.8 (1) did not cause the death of a human being; and

84.9 (2) did not intentionally aid, advise, hire, counsel, or conspire with or otherwise procure
84.10 another with premeditation or the intent to cause the death of a human being.

84.11 (b) The notice shall include the address of the court administration of the judicial district
84.12 of conviction.

84.13 (c) The commissioner of corrections may coordinate with the judicial branch to establish
84.14 a standardized notification form.

84.15 Subd. 3. **Preliminary application.** (a) An applicant shall submit a preliminary application
84.16 to the court administration of the judicial district in which the conviction took place. The
84.17 preliminary application must contain:

84.18 (1) the applicant's name and, if different, the name under which the person was convicted;

84.19 (2) the applicant's date of birth;

84.20 (3) the district court case number of the case for which the person is seeking relief;

84.21 (4) a statement as to whether the applicant was convicted following a trial or pursuant
84.22 to a plea;

84.23 (5) a statement as to whether the person filed a direct appeal from the conviction, a
84.24 petition for postconviction relief, or both;

84.25 (6) a brief statement, not to exceed 3,000 words, explaining why the applicant is entitled
84.26 to relief under this section from a conviction for the death of a human being caused by
84.27 another; and

84.28 (7) the name and address of any attorney representing the applicant.

84.29 (b) The preliminary application may contain:

85.1 (1) the name, date of birth, and district court case number of any other person charged
85.2 with, or convicted of, a crime arising from the same set of circumstances for which the
85.3 applicant was convicted; and

85.4 (2) a copy of a criminal complaint or indictment, or the relevant portions of a presentence
85.5 investigation or life imprisonment report, describing the facts of the case for which the
85.6 applicant was convicted.

85.7 (c) The judicial branch may establish a standardized preliminary application form, but
85.8 shall not reject a preliminary application for failure to use a standardized form.

85.9 (d) Any person seeking relief under this section must submit a preliminary application
85.10 no later than October 1, 2027. Submission is complete upon mailing.

85.11 (e) Submission of a preliminary application shall be without costs or any fees charged
85.12 to the applicant.

85.13 Subd. 4. **Review of preliminary application.** (a) Upon receipt of a preliminary
85.14 application, the chief judge of the judicial district in which the conviction took place shall
85.15 promptly assign the matter to a judge in that district.

85.16 (b) Within 90 days of receiving the preliminary application, the reviewing judge shall
85.17 determine whether, in the discretion of that judge, there is a reasonable probability that the
85.18 application is entitled to relief under this section.

85.19 (c) In making the determination under paragraph (b), the reviewing judge shall consider
85.20 the preliminary application and any materials submitted with the preliminary application
85.21 and may consider relevant records in the possession of the judicial branch.

85.22 (d) The court may summarily deny an application when:

85.23 (1) the application does not contain the information required under subdivision 3,
85.24 paragraph (a);

85.25 (2) the applicant is not in the custody of the commissioner of corrections or under court
85.26 supervision;

85.27 (3) the applicant was not convicted of a violation of Minnesota Statutes, section 609.185,
85.28 paragraph (a), clause (1), for crimes committed before August 1, 2025; or

85.29 (4) the issues raised in the application are not relevant to the relief available under this
85.30 section or have previously been decided by the court of appeals or the supreme court in the
85.31 same case.

(e) The court may also summarily deny an application if the applicant has filed a second or successive preliminary application, any prior application was denied for a reason other than that it did not contain the information required under subdivision 3, paragraph (a), and:

(1) the reviewing judge previously determined that there was a reasonable probability that the applicant was entitled to relief, but a court determined that the petitioner did not qualify for relief under subdivision 6;

(2) a previous application was submitted by an attorney representing the applicant; or

(3) the reviewing judge previously determined that there was not a reasonable probability that the applicant is entitled to relief, the second or successive preliminary application does not contain any additional information described in subdivision 3, paragraph (b), and the second or successive preliminary application was submitted by someone other than an attorney representing the applicant.

(f) If the reviewing judge determines that there is a reasonable probability that the applicant is entitled to relief, the judge shall send notice to the applicant and the applicant's attorney, if any, and the prosecutorial office responsible for prosecuting the applicant. In the event the applicant is without counsel, the reviewing judge shall send notice to the state public defender and shall advise the applicant of the referral.

(g) If the reviewing judge determines that there is not a reasonable probability that the applicant is entitled to relief, the judge shall send notice to the applicant and the applicant's attorney, if any. The notice must contain a brief statement explaining the reasons the reviewing judge concluded that there is not a reasonable probability that the applicant is entitled to relief.

Subd. 5. Petition for relief; hearing. (a) Unless extended for good cause, within 60 days of filing of the notice sent pursuant to subdivision 4, paragraph (f), the individual seeking relief shall file and serve a petition to vacate the conviction. The petition must be filed in the district court of the judicial district in the county where the conviction took place and must contain the information identified in subdivision 3, paragraph (a), and a statement of why the petitioner is entitled to relief. The petition may contain any other relevant information, including police reports, trial transcripts, and plea transcripts involving the petitioner or any other person investigated for, charged with, or convicted of a crime arising out of the same set of circumstances for which the petitioner was convicted. The filing of the petition and any document subsequent thereto and all proceedings thereon shall be without costs or any fees charged to the petitioner.

87.1 (b) Upon filing of the petition, the prosecutor shall make a good faith and reasonable
87.2 effort to notify any person determined to be a victim of the underlying offense that a petition
87.3 has been filed.

87.4 (c) A county attorney representing the prosecutorial office shall respond to the petition
87.5 by answer or motion within 45 days after the filing of the petition pursuant to paragraph (a)
87.6 unless extended for good cause. The response shall be filed with the court administrator of
87.7 the district court and served on the petitioner if unrepresented or on the petitioner's attorney.
87.8 The response may serve notice of the intent to support the petition or include a statement
87.9 explaining why the petitioner is not entitled to relief along with any supporting documents.
87.10 The filing of the response and any document subsequent thereto and all proceedings thereon
87.11 shall be without costs or any fees charged to the county attorney.

87.12 (d) The petitioner may file a reply to the response filed by the county attorney within
87.13 15 days after the response is filed, unless extended for good cause.

87.14 (e) Within 30 days of the filing of the reply from the petitioner or, if no reply is filed,
87.15 within 30 days of the filing of the response from the county attorney, the court shall:

87.16 (1) issue an order and schedule the matter for sentencing or resentencing pursuant to
87.17 subdivision 6 if the county attorney indicates an intent to support the petition;

87.18 (2) issue an order denying the petition if additional information or submissions establish
87.19 that there is not a reasonable probability that the applicant is entitled to relief under this
87.20 section and include a memorandum identifying the additional information or submissions
87.21 and explaining the reasons why the court concluded that there is not a reasonable probability
87.22 that the applicant is entitled to relief; or

87.23 (3) schedule the matter for a hearing and issue any appropriate order regarding submission
87.24 of evidence or identification of witnesses.

87.25 (f) The hearing shall be held in open court and conducted pursuant to Minnesota Statutes,
87.26 section 590.04, except that the petitioner must be present at the hearing, unless excused
87.27 under Rules of Criminal Procedure, rule 26.03, subdivision 1, clause (3). The prosecutor
87.28 shall make a good faith and reasonable effort to notify any person determined to be a victim
87.29 of the hearing.

87.30 Subd. 6. **Determination; order; resentencing.** (a) A petitioner who was convicted of
87.31 a violation of Minnesota Statutes, section 609.185, paragraph (a), clause (1), is entitled to
87.32 relief if the petitioner shows by a preponderance of the evidence that the petitioner:

87.33 (1) did not cause the death of a human being; and

88.1 (2) did not intentionally aid, advise, hire, counsel, or conspire with or otherwise procure
88.2 another with premeditation or the intent to cause the death of a human being.

88.3 (b) If the court determines that the petitioner does not qualify for relief, the court shall
88.4 issue an order denying the petition. If the court determines that the petitioner is entitled to
88.5 relief, the court shall issue an order vacating the conviction for a violation of Minnesota
88.6 Statutes, section 609.185, paragraph (a), clause (1), and:

88.7 (1) resentence the petitioner for a remaining offense for which the petitioner was
88.8 convicted; or

88.9 (2) enter a conviction and impose a sentence for any lesser included offenses as described
88.10 in Minnesota Statutes, section 631.14.

88.11 (c) If the court intends to enter a conviction and impose a sentence for a lesser included
88.12 offense, the court must hold a hearing to determine the appropriate offense.

88.13 (d) If, pursuant to paragraph (b), the court either resents a petitioner or imposes a
88.14 sentence, the court shall also resentence the petitioner for any other offense if the sentence
88.15 was announced by a district court of the same county, the sentence was either ordered to
88.16 be served consecutively to the vacated conviction or the criminal history calculation for
88.17 that sentence included the vacated sentence, and the changes made pursuant to paragraph
88.18 (b) would have resulted in a different criminal history score being used at the time of
88.19 sentencing.

88.20 (e) The court shall state in writing or on the record the reasons for its decision on the
88.21 petition.

88.22 (f) If the court intends to resentence a petitioner or impose a sentence on a petitioner,
88.23 the court must hold the hearing at a time that allows any victim an opportunity to submit a
88.24 statement consistent with Minnesota Statutes, section 611A.038. The prosecutor shall make
88.25 a good faith and reasonable effort to notify any person determined to be a victim of the
88.26 hearing and the right to submit or make a statement. A sentence imposed under this
88.27 subdivision shall not increase the petitioner's total period of confinement or, if the petitioner
88.28 was serving a stayed sentence, increase the period of supervision. The court may increase
88.29 the period of confinement for a sentence that was ordered to be served consecutively to the
88.30 vacated conviction based on a change in the appropriate criminal history score, provided
88.31 the court does not increase the petitioner's total period of confinement. A person resentenced
88.32 under this paragraph is entitled to credit for time served in connection with the vacated
88.33 offense.

(g) Relief granted under this section shall not be treated as an exoneration for purposes of the Incarceration and Exoneration Remedies Act.

(h) If the court enters a conviction under this subdivision, the court shall ensure that the date of the conviction being entered is the same as that of the original conviction.

EFFECTIVE DATE. This section is effective August 1, 2025.

ARTICLE 5

PUBLIC SAFETY PROVISIONS

Section 1. Minnesota Statutes 2024, section 13.03, subdivision 6, is amended to read:

Subd. 6. **Discoverability of not public data.** If a government entity opposes discovery of government data or release of data pursuant to court order on the grounds that the data are classified as not public, the party that seeks access to the data may bring before the appropriate presiding judicial officer, arbitrator, or administrative law judge an action to compel discovery or an action in the nature of an action to compel discovery.

The presiding officer shall first decide whether the data are discoverable or releasable pursuant to the rules of evidence and of criminal, civil, or administrative procedure appropriate to the action.

If the data are discoverable the presiding officer shall decide whether the benefit to the party seeking access to the data outweighs any harm to the confidentiality interests of the entity maintaining the data, or of any person who has provided the data or who is the subject of the data, or to the privacy interest of an individual identified in the data. In making the decision, the presiding officer shall consider whether notice to the subject of the data is warranted and, if warranted, what type of notice must be given. The presiding officer may fashion and issue any protective orders necessary to assure proper handling of the data by the parties. If the data are a ~~videotape~~ recording of a child victim or alleged victim alleging, explaining, denying, or describing an act of physical or sexual abuse, the presiding officer shall consider the provisions of section 611A.90, subdivision 2, paragraph (b). If the data are data subject to the protections under chapter 5B or section 13.045, the presiding officer shall consider the provisions of section 5B.11.

Sec. 2. Minnesota Statutes 2024, section 13.821, is amended to read:

13.821 VIDEOTAPES RECORDINGS OF CHILD ABUSE VICTIMS.

(a) Notwithstanding section 13.04, subdivision 3, an individual subject of data may not obtain a copy of a ~~videotape~~ recording in which a child victim or alleged victim is alleging,

explaining, denying, or describing an act of physical or sexual abuse without a court order under section 13.03, subdivision 6, or 611A.90. The definitions of physical abuse and sexual abuse in section 260E.03, apply to this section, except that abuse is not limited to acts by a person responsible for the child's care or in a significant relationship with the child or position of authority.

(b) This section does not limit other rights of access to data by an individual under section 13.04, subdivision 3, other than the right to obtain a copy of the ~~videotape~~ recording, nor prohibit rights of access pursuant to discovery in a court proceeding.

Sec. 3. Minnesota Statutes 2024, section 144.296, is amended to read:

144.296 COPIES OF ~~VIDEOTAPES~~ RECORDINGS.

A provider may not release a copy of a ~~videotape~~ recording of a child victim or alleged victim of physical or sexual abuse without a court order under section 13.03, subdivision 6, or as provided in section 611A.90. This section does not limit the right of a patient to view or listen to the ~~videotape~~ recording.

Sec. 4. Minnesota Statutes 2024, section 246B.04, subdivision 2, is amended to read:

Subd. 2. **Ban on obscene material or ~~pornographic work~~ child sexual abuse material.** The executive board shall prohibit persons civilly committed as sexual psychopathic personalities or sexually dangerous persons under chapter 253D from having or receiving material that is obscene as defined under section 617.241, subdivision 1, material that depicts sexual conduct as defined under section 617.241, subdivision 1, or ~~pornographic work~~ child sexual abuse material as defined under section 617.246, subdivision 1, while receiving services in any secure treatment facilities operated by the Minnesota Sex Offender Program or any other facilities operated by the executive board.

Sec. 5. Minnesota Statutes 2024, section 299A.477, subdivision 2, is amended to read:

Subd. 2. **Program established.** The commissioner of public safety shall award a grant to the Minnesota Firefighter Initiative to administer a hometown heroes assistance program for Minnesota firefighters. The Minnesota Firefighter Initiative shall use the grant funds:

(1) to establish and fund critical illness coverage that provides monetary support payments to each firefighter who is diagnosed with a critical illness on or after August 1, 2021, and who applies for the payment. Monetary support shall be provided according to the requirements in subdivision 3;

(2) to develop a psychotherapy program customized to address emotional trauma experienced by firefighters, which includes providing peer-to-peer support, and to offer all firefighters in the state up to five psychotherapy sessions per year under the customized program, provided by mental health professionals;

(3) to coordinate additional psychotherapy sessions to firefighters who need them;

(4) to develop, ~~annually~~ update, and annually ~~provide~~ make available to all firefighters in the state at least two hours of training on critical illnesses, such as cancer and heart disease, and emotional trauma as causes of illness and death for firefighters; steps and best practices for firefighters to limit the occupational risks of cancer, heart disease, and emotional trauma; provide evidence-based suicide prevention strategies; and ways for firefighters to address occupation-related emotional trauma and promote emotional wellness. The training shall be presented by firefighters who attend an additional course to prepare them to serve as trainers; and

(5) for administrative and overhead costs of the Minnesota Firefighter Initiative associated with conducting the activities in clauses (1) to (4).

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

Sec. 6. Minnesota Statutes 2024, section 299C.52, subdivision 1, is amended to read:

Subdivision 1. **Definitions.** As used in sections 299C.52 to 299C.565, the following terms have the meanings given them:

(a) "Child" means any person under the age of 18 years or any person certified or known to be mentally incompetent.

(b) "DNA" means deoxyribonucleic acid from a human biological specimen.

(c) "Endangered" means that a law enforcement official has received sufficient evidence that the missing person is at risk of physical injury or death. The following circumstances indicate that a missing person is at risk of physical injury or death:

(1) the person is missing as a result of a confirmed abduction or under circumstances that indicate that the person's disappearance was not voluntary;

(2) the person is missing under known dangerous circumstances;

(3) the person is missing more than 30 days;

(4) the person is under the age of 21 and at least one other factor in this paragraph is applicable;

92.1 (5) there is evidence the person is in need of medical attention or prescription medication
92.2 such that it will have a serious adverse effect on the person's health if the person does not
92.3 receive the needed care or medication;

92.4 (6) the person does not have a pattern of running away or disappearing;

92.5 (7) the person is mentally impaired;

92.6 (8) the person has been diagnosed with dementia, a traumatic brain injury, Alzheimer's
92.7 disease, or other cognitive impairments;

92.8 (9) the person has been diagnosed with autism;

92.9 (10) there is evidence that the person may have been abducted by a noncustodial parent;

92.10 ~~(9)~~ (11) the person has been the subject of past threats or acts of violence;

92.11 ~~(10)~~ (12) there is evidence the person is lost in the wilderness, backcountry, or outdoors
92.12 where survival is precarious and immediate and effective investigation and search and rescue
92.13 efforts are critical; or

92.14 ~~(11)~~ (13) any other factor that the law enforcement agency deems to indicate that the
92.15 person may be at risk of physical injury or death, including a determination by another law
92.16 enforcement agency that the person is missing and endangered.

92.17 (d) "Missing" means the status of a person after a law enforcement agency that has
92.18 received a report of a missing person has conducted a preliminary investigation and
92.19 determined that the person cannot be located.

92.20 (e) "NCIC" means National Crime Information Center.

92.21 Sec. 7. [299C.77] FEDERAL BACKGROUND CHECKS BY POLITICAL
92.22 SUBDIVISIONS.

92.23 Subdivision 1. Definition. As used in this section, "applicant for licensure" means an
92.24 individual or if the applicant is a corporation, limited liability company, partnership, or
92.25 other legal entity, every officer, director, manager, and general partner of the entity, who
92.26 seeks a license issued by a county or city to operate a business:

92.27 (1) that qualifies as an adult entertainment establishment under section 617.242,
92.28 subdivision 1; or

92.29 (2) providing massage services.

92.30 Subd. 2. Background check authorized. (a) A county or city may investigate the
92.31 criminal history background of any applicant for licensure.

(b) The investigation conducted pursuant to paragraph (a) must consist of a criminal history check of the state criminal records repository and a national criminal history check. The county or city must accept the applicant's signed criminal history records check consent form for the state and national criminal history check request, a full set of classifiable fingerprints, and required fees. The county or city must submit the applicant's completed criminal history records check consent form, full set of classifiable fingerprints, and required fees to the Bureau of Criminal Apprehension. After receiving this information, the bureau must conduct a Minnesota criminal history records check of the applicant. The bureau may exchange an applicant's fingerprints with the Federal Bureau of Investigation to obtain the applicant's national criminal history record information. The bureau must return the results of the Minnesota and federal criminal history records checks to the county or city. Using the criminal history data provided by the bureau, the county or city must determine whether the applicant is disqualified from licensure. The applicant's failure to cooperate with the county or city in conducting the records check is reasonable cause to deny an application.

Sec. 8. Minnesota Statutes 2024, section 299F.47, subdivision 2, is amended to read:

Subd. 2. **Charter school inspections; fees.** The state fire marshal shall charge charter schools ~~\$100~~ \$0.014 per square foot for each school building inspected. ~~This rate~~ These rates shall include two follow-up inspections or on-site consultations. If additional follow-up inspections or consultations are needed, the state fire marshal shall charge ~~\$50~~ \$0.005 per square foot for each additional follow-up inspection to each applicable building in which a follow-up inspection is needed.

Sec. 9. Minnesota Statutes 2024, section 609.527, subdivision 3, is amended to read:

Subd. 3. **Penalties.** A person who violates subdivision 2 may be sentenced as follows:

(1) if the offense involves a single direct victim and the total, combined loss to the direct victim and any indirect victims is \$250 or less, the person may be sentenced as provided in section 609.52, subdivision 3, clause (5);

(2) if the offense involves a single direct victim and the total, combined loss to the direct victim and any indirect victims is more than \$250 but not more than \$500, the person may be sentenced as provided in section 609.52, subdivision 3, clause (4);

(3) if the offense involves two or three direct victims or the total, combined loss to the direct and indirect victims is more than \$500 but not more than \$2,500, the person may be sentenced as provided in section 609.52, subdivision 3, clause (3);

(4) if the offense involves more than three but not more than seven direct victims, or if the total combined loss to the direct and indirect victims is more than \$2,500, the person may be sentenced as provided in section 609.52, subdivision 3, clause (2);

(5) if the offense involves eight or more direct victims, or if the total, combined loss to the direct and indirect victims is more than \$35,000, the person may be sentenced as provided in section 609.52, subdivision 3, clause (1); and

(6) if the offense is related to possession or distribution of ~~pornographic work~~ child sexual abuse material in violation of section 617.246 or 617.247, the person may be sentenced as provided in section 609.52, subdivision 3, clause (1).

Sec. 10. Minnesota Statutes 2024, section 611A.90, is amended to read:

611A.90 RELEASE OF ~~VIDEOTAPES~~ RECORDINGS OF CHILD ABUSE VICTIMS.

Subdivision 1. **Definition.** For purposes of this section, "physical abuse" and "sexual abuse" have the meanings given in section 260E.03, except that abuse is not limited to acts by a person responsible for the child's care or in a significant relationship with the child or position of authority.

Subd. 2. **Court order required.** (a) A custodian of a ~~videotape~~ recording of a child victim or alleged victim alleging, explaining, denying, or describing an act of physical or sexual abuse as part of an investigation or evaluation of the abuse may not release a copy of the ~~videotape~~ recording without a court order, notwithstanding that the subject has consented to the release of the ~~videotape~~ recording or that the release is authorized under law.

(b) The court order may govern the purposes for which the ~~videotape~~ recording may be used, reproduction, release to other persons, retention and return of copies, and other requirements reasonably necessary for protection of the privacy and best interests of the child.

Subd. 3. **Petition.** An individual subject of data, as defined in section 13.02, or a patient, as defined in sections 144.291 to 144.298, who is seeking a copy of a ~~videotape~~ recording governed by this section may petition the district court in the county where the alleged abuse took place or where the custodian of the ~~videotape~~ recording resides for an order releasing a copy of the ~~videotape~~ recording under subdivision 2. Nothing in this section establishes a right to obtain access to a ~~videotape~~ recording by any other person nor limits a right of a

95.1 person to obtain access if access is otherwise authorized by law or pursuant to discovery in
95.2 a court proceeding.

95.3 Sec. 11. Minnesota Statutes 2024, section 617.246, is amended to read:

95.4 **617.246 USE OF MINORS IN SEXUAL PERFORMANCE PROHIBITED.**

95.5 Subdivision 1. **Definitions.** (a) For the purpose of this section, the terms defined in this
95.6 subdivision have the meanings given them.

95.7 (b) "Minor" means any person under the age of 18.

95.8 (c) "Promote" means to produce, direct, publish, manufacture, issue, or advertise.

95.9 (d) "Sexual performance" means any play, dance or other exhibition presented before
95.10 an audience or for purposes of visual or mechanical reproduction that uses a minor to depict
95.11 actual or simulated sexual conduct as defined by ~~clause~~ paragraph (e).

95.12 (e) "Sexual conduct" means any of the following:

95.13 (1) an act of sexual intercourse, normal or perverted, including genital-genital,
95.14 anal-genital, or oral-genital intercourse, whether between human beings or between a human
95.15 being and an animal;

95.16 (2) sadomasochistic abuse, meaning flagellation, torture, or similar demeaning acts
95.17 inflicted by or upon a person who is nude or clad in undergarments or in a revealing costume,
95.18 or the condition of being fettered, bound or otherwise physically restrained on the part of
95.19 one so clothed;

95.20 (3) masturbation;

95.21 (4) lewd exhibitions of the genitals; or

95.22 (5) physical contact with the clothed or unclothed pubic areas or buttocks of a human
95.23 male or female, or the breasts of the female, whether alone or between members of the same
95.24 or opposite sex or between humans and animals in an act of apparent sexual stimulation or
95.25 gratification.

95.26 (f) ~~"Pornographic work"~~ "Child sexual abuse material" means:

95.27 (1) an original or reproduction of a picture, film, photograph, negative, slide, videotape,
95.28 videodisc, or drawing of a sexual performance involving a minor; or

95.29 (2) any visual depiction, including any photograph, film, video, picture, drawing, negative,
95.30 slide, or computer-generated image or picture, whether made or produced by electronic,
95.31 mechanical, or other means that:

96.1 (i) uses a minor to depict actual or simulated sexual conduct;

96.2 (ii) has been created, adapted, or modified to appear that an identifiable minor is engaging
96.3 in sexual conduct; or

96.4 (iii) is advertised, promoted, presented, described, or distributed in such a manner that
96.5 conveys the impression that the material is or contains a visual depiction of a minor engaging
96.6 in sexual conduct.

96.7 For the purposes of this paragraph, an identifiable minor is a person who was a minor
96.8 at the time the depiction was created or altered, whose image is used to create the visual
96.9 depiction.

96.10 (g) "Material" has the meaning given in section 617.241, subdivision 1, paragraph (e).

96.11 Subd. 2. **Use of minor.** (a) It is unlawful for a person to promote, employ, use or permit
96.12 a minor to engage in or assist others to engage minors in posing or modeling alone or with
96.13 others in any sexual performance or ~~pornographic work~~ child sexual abuse material if the
96.14 person knows or has reason to know that the conduct intended is a sexual performance or
96.15 ~~a pornographic work~~ child sexual abuse material.

96.16 Any person who violates this paragraph is guilty of a felony and may be sentenced to
96.17 imprisonment for not more than ten years or to payment of a fine of not more than \$20,000,
96.18 or both.

96.19 (b) A person who violates paragraph (a) is guilty of a felony and may be sentenced to
96.20 imprisonment for not more than 15 years or to payment of a fine of not more than \$40,000,
96.21 or both, if:

96.22 (1) the person has a prior conviction or delinquency adjudication for violating this section
96.23 or section 617.247;

96.24 (2) the violation occurs when the person is a registered predatory offender under section
96.25 243.166; or

96.26 (3) the violation involved a minor under the age of 14 years.

96.27 Subd. 3. **Operation or ownership of business.** (a) A person who owns or operates a
96.28 business in which ~~a pornographic work~~ child sexual abuse material, as defined in this section,
96.29 is disseminated to an adult or a minor or is reproduced, and who knows the content and
96.30 character of the ~~pornographic work~~ child sexual abuse material disseminated or reproduced,
96.31 is guilty of a felony and may be sentenced to imprisonment for not more than ten years, or
96.32 to payment of a fine of not more than \$20,000, or both.

97.1 (b) A person who violates paragraph (a) is guilty of a felony and may be sentenced to
97.2 imprisonment for not more than 15 years or to payment of a fine of not more than \$40,000,
97.3 or both, if:

97.4 (1) the person has a prior conviction or delinquency adjudication for violating this section
97.5 or section 617.247;

97.6 (2) the violation occurs when the person is a registered predatory offender under section
97.7 243.166; or

97.8 (3) the violation involved a minor under the age of 14 years.

97.9 Subd. 4. **Dissemination.** (a) A person who, knowing or with reason to know its content
97.10 and character, disseminates for profit to an adult or a minor ~~a pornographic work~~ child
97.11 sexual abuse material, as defined in this section, is guilty of a felony and may be sentenced
97.12 to imprisonment for not more than ten years, or to payment of a fine of not more than
97.13 \$20,000, or both.

97.14 (b) A person who violates paragraph (a) is guilty of a felony and may be sentenced to
97.15 imprisonment for not more than 15 years or to payment of a fine of not more than \$40,000,
97.16 or both, if:

97.17 (1) the person has a prior conviction or delinquency adjudication for violating this section
97.18 or section 617.247;

97.19 (2) the violation occurs when the person is a registered predatory offender under section
97.20 243.166; or

97.21 (3) the violation involved a minor under the age of 14 years.

97.22 Subd. 5. **Consent; mistake.** Neither consent to sexual performance by a minor or the
97.23 minor's parent, guardian, or custodian nor mistake as to the minor's age is a defense to a
97.24 charge of violation of this section.

97.25 Subd. 6. **Affirmative defense.** It shall be an affirmative defense to a charge of violating
97.26 this section that the sexual performance or ~~pornographic work~~ child sexual abuse material
97.27 was produced using only persons who were 18 years or older.

97.28 Subd. 7. **Conditional release term.** Notwithstanding the statutory maximum sentence
97.29 otherwise applicable to the offense or any provision of the sentencing guidelines, when a
97.30 court commits a person to the custody of the commissioner of corrections for violating this
97.31 section, the court shall provide that after the person has been released from prison, the
97.32 commissioner shall place the person on conditional release for five years. If the person has

previously been convicted of a violation of this section, section 609.342, 609.343, 609.344, 609.345, 609.3451, 609.3453, or 617.247, or any similar statute of the United States, this state, or any state, the commissioner shall place the person on conditional release for 15 years. The terms of conditional release are governed by section 609.3455, subdivision 8.

Sec. 12. Minnesota Statutes 2024, section 617.247, is amended to read:

**617.247 POSSESSION OF ~~PORNOGRAPHIC WORK INVOLVING MINORS~~
CHILD SEXUAL ABUSE MATERIAL.**

Subdivision 1. **Policy; purpose.** It is the policy of the legislature in enacting this section to protect minors from the physical and psychological damage caused by their being used in ~~pornographic work~~ child sexual abuse material depicting sexual conduct which involves minors. It is therefore the intent of the legislature to penalize possession of ~~pornographic work~~ child sexual abuse material depicting sexual conduct which involve minors or appears to involve minors in order to protect the identity of minors who are victimized by involvement in the ~~pornographic work~~ child sexual abuse material, and to protect minors from future involvement in ~~pornographic work~~ child sexual abuse material depicting sexual conduct.

Subd. 2. **Definitions.** For purposes of this section, the following terms have the meanings given them:

(a) ~~"Pornographic work"~~ "Child sexual abuse material" has the meaning given to it in section 617.246.

(b) "Sexual conduct" has the meaning given to it in section 617.246.

Subd. 3. **Dissemination prohibited.** (a) A person who disseminates ~~pornographic work~~ child sexual abuse material to an adult or a minor, knowing or with reason to know its content and character, is guilty of a felony and may be sentenced to imprisonment for not more than seven years or to payment of a fine of not more than \$10,000, or both.

(b) A person who violates paragraph (a) is guilty of a felony and may be sentenced to imprisonment for not more than 15 years or to payment of a fine of not more than \$20,000, or both, if:

(1) the person has a prior conviction or delinquency adjudication for violating this section or section 617.246;

(2) the violation occurs when the person is a registered predatory offender under section 243.166; or

(3) the violation involved a minor under the age of 14 years.

Subd. 4. **Possession prohibited.** (a) A person who possesses a ~~pornographic work~~ child sexual abuse material or a computer disk or computer or other electronic, magnetic, or optical storage system or a storage system of any other type, containing a ~~pornographic work~~ child sexual abuse material, knowing or with reason to know its content and character, is guilty of a felony and may be sentenced to imprisonment for not more than five years or to payment of a fine of not more than \$5,000, or both.

(b) A person who violates paragraph (a) is guilty of a felony and may be sentenced to imprisonment for not more than ten years or to payment of a fine of not more than \$10,000, or both, if:

(1) the person has a prior conviction or delinquency adjudication for violating this section or section 617.246;

(2) the violation occurs when the person is a registered predatory offender under section 243.166; or

(3) the violation involved a minor under the age of 14 years.

Subd. 5. **Exception.** This section does not apply to the performance of official duties by peace officers, court personnel, or attorneys, nor to licensed physicians, psychologists, or social workers or persons acting at the direction of a licensed physician, psychologist, or social worker in the course of a bona fide treatment or professional education program.

Subd. 6. **Consent.** Consent to sexual performance by a minor or the minor's parent, guardian, or custodian is not a defense to a charge of violation of this section.

Subd. 7. **Second offense.** If a person is convicted of a second or subsequent violation of this section within 15 years of the prior conviction, the court shall order a mental examination of the person. The examiner shall report to the court whether treatment of the person is necessary.

Subd. 8. **Affirmative defense.** It shall be an affirmative defense to a charge of violating this section that the ~~pornographic work~~ child sexual abuse material was produced using only persons who were 18 years or older.

Subd. 9. **Conditional release term.** Notwithstanding the statutory maximum sentence otherwise applicable to the offense or any provision of the sentencing guidelines, when a court commits a person to the custody of the commissioner of corrections for violating this section, the court shall provide that after the person has been released from prison, the commissioner shall place the person on conditional release for five years. If the person has previously been convicted of a violation of this section, section 609.342, 609.343, 609.344,

609.345, 609.3451, 609.3453, or 617.246, or any similar statute of the United States, this state, or any state, the commissioner shall place the person on conditional release for 15 years. The terms of conditional release are governed by section 609.3455, subdivision 8.

Sec. 13. Minnesota Statutes 2024, section 624.712, subdivision 5, is amended to read:

Subd. 5. Crime of violence. "Crime of violence" means: felony convictions of the following offenses: sections 609.185 (murder in the first degree); 609.19 (murder in the second degree); 609.195 (murder in the third degree); 609.20 (manslaughter in the first degree); 609.205 (manslaughter in the second degree); 609.215 (aiding suicide and aiding attempted suicide); 609.221 (assault in the first degree); 609.222 (assault in the second degree); 609.223 (assault in the third degree); 609.2231 (assault in the fourth degree); 609.224 (assault in the fifth degree); 609.2242 (domestic assault); 609.2247 (domestic assault by strangulation); 609.229 (crimes committed for the benefit of a gang); 609.235 (use of drugs to injure or facilitate crime); 609.24 (simple robbery); 609.245 (aggravated robbery); 609.247 (carjacking); 609.25 (kidnapping); 609.255 (false imprisonment); 609.322 (solicitation, inducement, and promotion of prostitution; sex trafficking); 609.342 (criminal sexual conduct in the first degree); 609.343 (criminal sexual conduct in the second degree); 609.344 (criminal sexual conduct in the third degree); 609.345 (criminal sexual conduct in the fourth degree); 609.377 (malicious punishment of a child); 609.378 (neglect or endangerment of a child); 609.486 (commission of crime while wearing or possessing a bullet-resistant vest); 609.52 (involving theft of a firearm and theft involving the theft of a controlled substance, an explosive, or an incendiary device); 609.561 (arson in the first degree); 609.562 (arson in the second degree); 609.582, subdivision 1 or 2 (burglary in the first and second degrees); 609.66, subdivision 1e (drive-by shooting); 609.67 (unlawfully owning, possessing, operating a machine gun or short-barreled shotgun); 609.71 (riot); 609.713 (terroristic threats); 609.749 (harassment); 609.855, subdivision 5 (shooting at a public transit vehicle or facility); ~~and chapter~~ chapter chapters 152 (drugs, controlled substances); and 343 (prevention of cruelty to animals); and an attempt to commit any of these offenses.

EFFECTIVE DATE. This section is effective August 1, 2025, and applies to crimes committed on or after that date.

Sec. 14. Minnesota Statutes 2024, section 624.714, subdivision 7a, is amended to read:

Subd. 7a. Change of address or legal name; loss or destruction of permit. (a) Within 30 days after changing the permit holder's legal name or permanent address, or within 30 days of having lost or destroyed the permit card, the permit holder must notify the issuing

101.1 sheriff of the change, loss, or destruction. Failure to provide notification as required by this
101.2 subdivision is a petty misdemeanor. The fine for a first offense must not exceed \$25.
101.3 Notwithstanding section 609.531, a firearm carried in violation of this paragraph is not
101.4 subject to forfeiture.

101.5 (b) After notice is given under paragraph (a), a permit holder may obtain a replacement
101.6 permit card by paying \$10 to the sheriff. The request for a replacement permit card must
101.7 be made on an official, standardized application adopted for this purpose under section
101.8 624.7151, and, except in the case of a legal name or an address change, must include a
101.9 notarized statement that the permit card has been lost or destroyed.

101.10 Sec. 15. Minnesota Statutes 2024, section 626.19, subdivision 3, is amended to read:

101.11 Subd. 3. **Authorized use.** A law enforcement agency may use a UAV:

101.12 (1) during or in the aftermath of an emergency situation that involves the risk of death
101.13 or bodily harm to a person;

101.14 (2) to preserve or protect evidence from the imminent risk of destruction;

101.15 ~~(2)~~ (3) over a public event where there is a heightened risk to the safety of participants
101.16 or bystanders;

101.17 (4) to assist in the lawful pursuit of a suspect who is fleeing law enforcement or who
101.18 the law enforcement agency reasonably believes might flee;

101.19 ~~(3)~~ (5) to counter the risk of a terrorist attack by a specific individual or organization if
101.20 the agency determines that credible intelligence indicates a risk;

101.21 ~~(4)~~ (6) to prevent the loss of life and property in natural or man-made disasters and to
101.22 facilitate operational planning, rescue, and recovery operations in the aftermath of these
101.23 disasters;

101.24 ~~(5)~~ (7) to conduct a threat assessment in anticipation of a specific event;

101.25 ~~(6)~~ (8) to collect information from a public area if there is reasonable suspicion of criminal
101.26 activity;

101.27 ~~(7)~~ (9) to collect information for crash reconstruction purposes after a serious or deadly
101.28 collision occurring on a public road;

101.29 ~~(8)~~ (10) over a private area with the written consent of the occupant or a public area, for
101.30 officer training or public relations purposes; ~~and~~

102.1 ~~(9)~~ (11) for purposes unrelated to law enforcement at the request of a government entity
102.2 provided that the government entity makes the request in writing to the law enforcement
102.3 agency and specifies the reason for the request and proposed period of use; and
102.4 (12) to facilitate the search for a missing person.

102.5 Sec. 16. Minnesota Statutes 2024, section 626A.35, is amended by adding a subdivision
102.6 to read:

102.7 Subd. 2c. **Exception; fleeing motor vehicles.** The prohibition under subdivision 1 does
102.8 not apply to the use of a mobile tracking device on a fleeing motor vehicle. For purposes
102.9 of this subdivision, the term "flee" has the meaning given in section 609.487, subdivision
102.10 1.

102.11 **EFFECTIVE DATE.** This section is effective August 1, 2025, and applies to crimes
102.12 committed on or after that date.

102.13 Sec. 17. Minnesota Statutes 2024, section 634.35, is amended to read:

102.14 ~~634.35 VIDEOTAPES~~ **RECORDINGS OF CHILD VICTIMS; CONDITIONS OF**
102.15 **DISCLOSURE.**

102.16 (a) If a ~~videotaped~~ recorded interview of a child victim of physical or sexual abuse is
102.17 disclosed by a prosecuting attorney to a defendant or the defendant's attorney, the following
102.18 applies:

102.19 (1) no more than two copies of the ~~tape~~ recording or any portion of the ~~tape~~ recording
102.20 may be made by the defendant or the defendant's attorney, investigator, expert, or any other
102.21 representative or agent of the defendant;

102.22 (2) the ~~tapes~~ recordings may not be used for any purpose other than to prepare for the
102.23 defense in the criminal action against the defendant;

102.24 (3) the ~~tapes~~ recordings may not be publicly exhibited, shown, displayed, used for
102.25 educational, research, or demonstrative purposes, or used in any other fashion, except in
102.26 judicial proceedings in the criminal action against the defendant;

102.27 (4) the ~~tapes~~ recordings may be viewed only by the defendant, the defendant's attorney,
102.28 and the attorney's employees, investigators, and experts;

102.29 (5) no transcript of the ~~tapes~~ recordings, nor the substance of any portion of the ~~tapes~~
102.30 recordings, may be divulged to any person not authorized to view or listen to the tapes
102.31 recordings;

(6) no person may be granted access to the ~~tapes~~ recordings, any transcription of the ~~tapes~~ recordings, or the substance of any portion of the ~~tapes~~ recordings unless the person has first signed a written agreement that the person is aware of this statute and acknowledges that the person is subject to the court's contempt powers for any violation of it; and

(7) upon final disposition of the criminal case against the defendant, the ~~tapes~~ recordings and any transcripts of the ~~tapes~~ recordings must be returned to the prosecuting attorney.

(b) The court may hold a person who violates this section in contempt.

Sec. 18. **REVISOR INSTRUCTION.**

The revisor of statutes shall update headnote cross-references in Minnesota Statutes and Minnesota Rules to reflect the changes made in this article.

Sec. 19. **REPEALER.**

Minnesota Statutes 2024, sections 325F.02; 325F.03; 325F.04; 325F.05; 325F.06; and 325F.07, are repealed.

ARTICLE 6

CRIMINAL JUSTICE-RELATED JUDICIAL PROVISIONS

Section 1. Minnesota Statutes 2024, section 388.23, subdivision 1, is amended to read:

Subdivision 1. **Authority.** (a) The county attorney, or any deputy or assistant county attorney whom the county attorney authorizes in writing, has the authority to subpoena and require the production of:

(1) any records of:

(i) telephone companies, cellular phone companies, paging companies, and subscribers of private computer networks including Internet service providers or computer bulletin board systems;

(ii) electric companies, gas companies, and water utilities;

(iii) chemical suppliers;

(iv) hotels and motels;

(v) pawn shops;

(vi) airlines, buses, taxis, and other entities engaged in the business of transporting people; and

104.1 (vii) freight companies, warehousing companies, self-service storage facilities, package
104.2 delivery companies, and other entities engaged in the businesses of transport, storage, or
104.3 delivery; ~~and;~~

104.4 (2) records of the existence of safe deposit box account numbers and customer savings
104.5 and checking account numbers maintained by financial institutions and safe deposit
104.6 companies; ~~;~~

104.7 (3) insurance records relating to the monetary payment or settlement of claims; ~~;~~

104.8 (4) the banking, credit card, and financial records of a subject of an identity theft
104.9 investigation or a vulnerable adult, whether held in the name of the vulnerable adult or a
104.10 third party, including but not limited to safe deposit, loan and account applications and
104.11 agreements, signature cards, statements, checks, transfers, account authorizations, safe
104.12 deposit access records and documentation of fraud; ~~and;~~

104.13 (5) wage and employment records of an applicant or recipient of public assistance who
104.14 is the subject of a welfare fraud investigation relating to eligibility information for public
104.15 assistance programs; and

104.16 (6) any of the following records of an employer or other person or business entity who
104.17 is the subject of a wage theft investigation:

104.18 (i) accounting and financial records such as books, registers, payrolls, banking records,
104.19 credit card records, securities records, and records of money transfers;

104.20 (ii) records required to be kept pursuant to section 177.30, paragraph (a); and

104.21 (iii) other records that in any way relate to wages or other income paid, hours worked,
104.22 and other conditions of employment of any employee or of work performed by persons
104.23 identified as independent contractors, and records of any payments to contractors, and
104.24 records of workers' compensation insurance.

104.25 (b) Subpoenas may only be issued for records that are relevant to an ongoing legitimate
104.26 law enforcement investigation. Administrative subpoenas may only be issued in welfare
104.27 fraud and identity theft cases if there is probable cause to believe a crime has been committed.

104.28 (c) This ~~provision~~ subdivision applies only to the records of business entities and does
104.29 not extend to private individuals or their dwellings.

104.30 (d) As used in this subdivision, "business entity" has the meaning given in section
104.31 308B.005.

105.1 **EFFECTIVE DATE.** This section is effective August 1, 2025, and applies to crimes
105.2 committed on or after that date.

105.3 Sec. 2. Minnesota Statutes 2024, section 590.01, is amended to read:

105.4 **590.01 AVAILABILITY, CONDITIONS.**

105.5 Subdivision 1. **Petition.** Except at a time when direct appellate relief is available, a
105.6 person convicted of a crime, or who received a stay of adjudication who claims that:

105.7 (1) the conviction or stay of adjudication obtained, or the sentence or other disposition
105.8 made, violated the person's rights under the Constitution or laws of the United States or of
105.9 the state; or

105.10 (2) scientific evidence not available at trial, obtained pursuant to a motion granted under
105.11 subdivision 1a, establishes the petitioner's actual innocence;

105.12 may commence a proceeding to secure relief by filing a petition in the district court in the
105.13 county in which the conviction or stay of adjudication was had to vacate and set aside the
105.14 judgment and to discharge the petitioner or to resentence the petitioner or grant a new trial
105.15 or correct the sentence or make other disposition as may be appropriate. A petition for
105.16 postconviction relief after a direct appeal has been completed may not be based on grounds
105.17 that could have been raised on direct appeal of the conviction, stay of adjudication, or
105.18 sentence. Nothing contained herein shall prevent the supreme court or the court of appeals,
105.19 upon application by a party, from granting a stay of a case on appeal for the purpose of
105.20 allowing an appellant to apply to the district court for an evidentiary hearing under the
105.21 provisions of this chapter. The proceeding shall conform with sections 590.01 to 590.06.

105.22 Subd. 1a. **Motion for fingerprint or forensic testing not available at trial.** (a) A person
105.23 convicted of a crime, or who received a stay of adjudication, may make a motion for the
105.24 performance of fingerprint or forensic DNA testing to demonstrate the person's actual
105.25 innocence if:

105.26 (1) the testing is to be performed on evidence secured in relation to the trial which
105.27 resulted in the conviction or plea; and

105.28 (2) the evidence was not subject to the testing because either the technology for the
105.29 testing was not available at the time of the trial or the testing was not available as evidence
105.30 at the time of the trial.

106.1 The motion shall be filed before the district court that entered the judgment of conviction
106.2 or stay of adjudication. Reasonable notice of the motion shall be served on the prosecuting
106.3 attorney who represented the state at trial.

106.4 (b) A person who makes a motion under paragraph (a) must present a prima facie case
106.5 that:

106.6 (1) identity was an issue in the trial; and

106.7 (2) the evidence to be tested has been subject to a chain of custody sufficient to establish
106.8 that it has not been substituted, tampered with, replaced, or altered in any material aspect.

106.9 (c) The court shall order that the testing be performed if:

106.10 (1) a prima facie case has been established under paragraph (b);

106.11 (2) the testing has the scientific potential to produce new, noncumulative evidence
106.12 materially relevant to the defendant's assertion of actual innocence; and

106.13 (3) the testing requested employs a scientific method generally accepted within the
106.14 relevant scientific community. The court shall impose reasonable conditions on the testing
106.15 designed to protect the state's interests in the integrity of the evidence and the testing process.

106.16 Subd. 2. **Remedy.** This remedy takes the place of any other common law, statutory or
106.17 other remedies which may have been available for challenging the validity of a stay of
106.18 adjudication, conviction, sentence, or other disposition and must be used exclusively in
106.19 place of them unless it is inadequate or ineffective to test the legality of the stay of
106.20 adjudication, conviction, sentence or other disposition.

106.21 Subd. 3. **Application for relief.** A person who has been convicted or received a stay of
106.22 adjudication and sentenced for a crime committed before May 1, 1980, may institute a
106.23 proceeding applying for relief under this chapter upon the ground that a significant change
106.24 in substantive or procedural law has occurred which, in the interest of justice, should be
106.25 applied retrospectively, including resentencing under subsequently enacted law.

106.26 No petition seeking resentencing shall be granted unless the court makes specific findings
106.27 of fact that release of the petitioner prior to the time the petitioner would be released under
106.28 the sentence currently being served does not present a danger to the public and is not
106.29 incompatible with the welfare of society.

106.30 Subd. 4. **Time limit.** (a) No petition for postconviction relief may be filed more than
106.31 two years after the later of:

107.1 (1) the entry of judgment of conviction, stay of adjudication, or sentence if no direct
107.2 appeal is filed; or

107.3 (2) an appellate court's disposition of petitioner's direct appeal.

107.4 (b) Notwithstanding paragraph (a), a court may hear a petition for postconviction relief
107.5 if:

107.6 (1) the petitioner establishes that a physical disability or mental disease precluded a
107.7 timely assertion of the claim;

107.8 (2) the petitioner alleges the existence of newly discovered evidence, including scientific
107.9 evidence, that provides facts necessary to sustain one or more legally cognizable claims for
107.10 postconviction relief, if such evidence could not have been ascertained by the exercise of
107.11 due diligence by the petitioner or petitioner's attorney within the two-year time period for
107.12 filing a postconviction petition, is not cumulative to evidence presented at trial, and is not
107.13 for impeachment purposes;

107.14 (3) the petitioner asserts a new interpretation of federal or state constitutional or statutory
107.15 law by either the United States Supreme Court or a Minnesota appellate court and the
107.16 petitioner establishes that this interpretation is retroactively applicable to the petitioner's
107.17 case;

107.18 (4) the petition is brought pursuant to subdivision 3; or

107.19 (5) the petitioner establishes to the satisfaction of the court that the petition is not frivolous
107.20 and is in the interests of justice.

107.21 (c) Any petition invoking an exception provided in paragraph (b) must be filed within
107.22 two years of the date the claim arises.

107.23 Sec. 3. Minnesota Statutes 2024, section 595.02, subdivision 1, is amended to read:

107.24 Subdivision 1. **Competency of witnesses.** Every person of sufficient understanding,
107.25 including a party, may testify in any action or proceeding, civil or criminal, in court or
107.26 before any person who has authority to receive evidence, except as provided in this
107.27 subdivision:

107.28 (a) A husband cannot be examined for or against his wife without her consent, nor a
107.29 wife for or against her husband without his consent, nor can either, during the marriage or
107.30 afterwards, without the consent of the other, be examined as to any communication made
107.31 by one to the other during the marriage. This exception does not apply to a civil action or
107.32 proceeding by one against the other, nor to a criminal action or proceeding for a crime

108.1 committed by one against the other or against a child of either or against a child under the
108.2 care of either spouse, nor to a criminal action or proceeding in which one is charged with
108.3 homicide or an attempt to commit homicide and the date of the marriage of the defendant
108.4 is subsequent to the date of the offense, nor to an action or proceeding for nonsupport,
108.5 neglect, dependency, or termination of parental rights.

108.6 (b) An attorney cannot, without the consent of the attorney's client, be examined as to
108.7 any communication made by the client to the attorney or the attorney's advice given thereon
108.8 in the course of professional duty; nor can any employee of the attorney be examined as to
108.9 the communication or advice, without the client's consent.

108.10 (c) A member of the clergy or other minister of any religion shall not, without the consent
108.11 of the party making the confession, be allowed to disclose a confession made to the member
108.12 of the clergy or other minister in a professional character, in the course of discipline enjoined
108.13 by the rules or practice of the religious body to which the member of the clergy or other
108.14 minister belongs; nor shall a member of the clergy or other minister of any religion be
108.15 examined as to any communication made to the member of the clergy or other minister by
108.16 any person seeking religious or spiritual advice, aid, or comfort or advice given thereon in
108.17 the course of the member of the clergy's or other minister's professional character, without
108.18 the consent of the person.

108.19 (d) A licensed physician or surgeon, dentist, or chiropractor shall not, without the consent
108.20 of the patient, be allowed to disclose any information or any opinion based thereon which
108.21 the professional acquired in attending the patient in a professional capacity, and which was
108.22 necessary to enable the professional to act in that capacity; after the decease of the patient,
108.23 in an action to recover insurance benefits, where the insurance has been in existence two
108.24 years or more, the beneficiaries shall be deemed to be the personal representatives of the
108.25 deceased person for the purpose of waiving this privilege, and no oral or written waiver of
108.26 the privilege shall have any binding force or effect except when made upon the trial or
108.27 examination where the evidence is offered or received.

108.28 (e) A public officer shall not be allowed to disclose communications made to the officer
108.29 in official confidence when the public interest would suffer by the disclosure.

108.30 (f) Persons of unsound mind and persons intoxicated at the time of their production for
108.31 examination are not competent witnesses if they lack capacity to remember or to relate
108.32 truthfully facts respecting which they are examined.

108.33 (g) A registered nurse, psychologist, consulting psychologist, or licensed social worker
108.34 engaged in a psychological or social assessment or treatment of an individual at the

109.1 individual's request shall not, without the consent of the professional's client, be allowed to
109.2 disclose any information or opinion based thereon which the professional has acquired in
109.3 attending the client in a professional capacity, and which was necessary to enable the
109.4 professional to act in that capacity. Nothing in this clause exempts licensed social workers
109.5 from compliance with the provisions of section 626.557 and chapter 260E.

109.6 (h) An interpreter for a person disabled in communication shall not, without the consent
109.7 of the person, be allowed to disclose any communication if the communication would, if
109.8 the interpreter were not present, be privileged. For purposes of this section, a "person disabled
109.9 in communication" means a person who, because of a hearing, speech or other communication
109.10 disorder, or because of the inability to speak or comprehend the English language, is unable
109.11 to understand the proceedings in which the person is required to participate. The presence
109.12 of an interpreter as an aid to communication does not destroy an otherwise existing privilege.

109.13 (i) Licensed chemical dependency counselors shall not disclose information or an opinion
109.14 based on the information which they acquire from persons consulting them in their
109.15 professional capacities, and which was necessary to enable them to act in that capacity,
109.16 except that they may do so:

109.17 (1) when informed consent has been obtained in writing, except in those circumstances
109.18 in which not to do so would violate the law or would result in clear and imminent danger
109.19 to the client or others;

109.20 (2) when the communications reveal the contemplation or ongoing commission of a
109.21 crime; or

109.22 (3) when the consulting person waives the privilege by bringing suit or filing charges
109.23 against the licensed professional whom that person consulted.

109.24 (j) A parent or the parent's minor child may not be examined as to any communication
109.25 made in confidence by the minor to the minor's parent. A communication is confidential if
109.26 made out of the presence of persons not members of the child's immediate family living in
109.27 the same household. This exception may be waived by express consent to disclosure by a
109.28 parent entitled to claim the privilege or by the child who made the communication or by
109.29 failure of the child or parent to object when the contents of a communication are demanded.
109.30 This exception does not apply to a civil action or proceeding by one spouse against the other
109.31 or by a parent or child against the other, nor to a proceeding to commit either the child or
109.32 parent to whom the communication was made or to place the person or property or either
109.33 under the control of another because of an alleged mental or physical condition, nor to a
109.34 criminal action or proceeding in which the parent is charged with a crime committed against

the person or property of the communicating child, the parent's spouse, or a child of either the parent or the parent's spouse, or in which a child is charged with a crime or act of delinquency committed against the person or property of a parent or a child of a parent, nor to an action or proceeding for termination of parental rights, nor any other action or proceeding on a petition alleging child abuse, child neglect, abandonment or nonsupport by a parent.

(k) Sexual assault counselors may not be allowed to disclose any opinion or information received from or about the victim without the consent of the victim. However, a counselor may be compelled to identify or disclose information in investigations or proceedings related to neglect or termination of parental rights if the court determines good cause exists. In determining whether to compel disclosure, the court shall weigh the public interest and need for disclosure against the effect on the victim, the treatment relationship, and the treatment services if disclosure occurs. Nothing in this clause exempts sexual assault counselors from compliance with the provisions of section 626.557 and chapter 260E.

"Sexual assault counselor" for the purpose of this section means a person who has undergone at least 40 hours of crisis counseling training and works under the direction of a supervisor in a crisis center, whose primary purpose is to render advice, counseling, or assistance to victims of sexual assault.

(l) A domestic abuse advocate ~~may~~ shall not, without the consent of the victim, be compelled allowed to disclose any opinion or information received from or about the victim ~~without the consent of the victim unless ordered by the court~~ which the advocate acquired in attending the victim in a professional capacity. In determining whether to compel disclosure, the court shall weigh the public interest and need for disclosure against the effect on the victim, the relationship between the victim and domestic abuse advocate, and the services if disclosure occurs. Nothing in this paragraph (1) exempts domestic abuse advocates from compliance with the provisions of section 626.557 and chapter 260E, or (2) modifies a prosecutor's obligation to disclose material and information to the defense when the information is in the possession or control of members of the prosecution staff and of any others who have participated in the investigation or evaluation of the case and who either regularly report, or with reference to the particular case have reported, to the prosecutor's office.

For the purposes of this section, "domestic abuse advocate" means an employee or supervised volunteer from a community-based ~~battered women's shelter and~~ domestic abuse program eligible to receive grants under section 611A.32; that provides information, advocacy, crisis intervention, emergency shelter, or support to victims of domestic abuse

111.1 and who is not employed by or under the direct supervision of a law enforcement agency,
111.2 a prosecutor's office, or by a city, county, or state agency.

111.3 (m) A person cannot be examined as to any communication or document, including
111.4 work notes, made or used in the course of or because of mediation pursuant to an agreement
111.5 to mediate or a collaborative law process pursuant to an agreement to participate in
111.6 collaborative law. This does not apply to the parties in the dispute in an application to a
111.7 court by a party to have a mediated settlement agreement or a stipulated agreement resulting
111.8 from the collaborative law process set aside or reformed. A communication or document
111.9 otherwise not privileged does not become privileged because of this paragraph. This
111.10 paragraph is not intended to limit the privilege accorded to communication during mediation
111.11 or collaborative law by the common law.

111.12 (n) A child under ten years of age is a competent witness unless the court finds that the
111.13 child lacks the capacity to remember or to relate truthfully facts respecting which the child
111.14 is examined. A child describing any act or event may use language appropriate for a child
111.15 of that age.

111.16 (o) A communication assistant for a telecommunications relay system for persons who
111.17 have communication disabilities shall not, without the consent of the person making the
111.18 communication, be allowed to disclose communications made to the communication assistant
111.19 for the purpose of relaying.

111.20 **EFFECTIVE DATE.** This section is effective July 1, 2025.

111.21 Sec. 4. Minnesota Statutes 2024, section 609A.06, subdivision 3, is amended to read:

111.22 Subd. 3. **Eligibility; cannabis offense.** (a) A person is eligible for an expungement or
111.23 resentencing to a lesser offense if:

111.24 (1) the person was convicted of, or adjudication was stayed for, a violation of ~~any of the~~
111.25 following a first-, second-, third-, fourth-, or fifth-degree controlled substance crime involving
111.26 the sale or possession of marijuana or tetrahydrocannabinols:

111.27 ~~(i) section 152.021, subdivision 1, clause (6);~~

111.28 ~~(ii) section 152.021, subdivision 2, clause (6);~~

111.29 ~~(iii) section 152.022, subdivision 1, clause (5), or clause (7), item (iii);~~

111.30 ~~(iv) section 152.022, subdivision 2, clause (6);~~

111.31 ~~(v) section 152.023, subdivision 1, clause (5);~~

112.1 ~~(vi) section 152.023, subdivision 2, clause (5);~~

112.2 ~~(vii) section 152.024, subdivision (4); or~~

112.3 ~~(viii) section 152.025, subdivision 2, clause (1) under Minnesota Statutes 2023~~

112.4 Supplement, section 152.021, 152.022, 152.023, 152.024, or 152.025, or a previous version

112.5 of those or any other statutes criminalizing the possession, sale, transportation, or cultivation

112.6 of marijuana or tetrahydrocannabinols;

112.7 (2) the offense did not involve a dangerous weapon, the intentional infliction of bodily

112.8 harm on another, an attempt to inflict bodily harm on another, or an act committed with the

112.9 intent to cause fear in another of immediate bodily harm or death;

112.10 (3) the act on which the charge was based would either be a lesser offense or no longer

112.11 be a crime after August 1, 2023; and

112.12 (4) the person did not appeal the conviction, any appeal was denied, or the deadline to

112.13 file an appeal has expired.

112.14 (b) A person is eligible for an expungement for any other offense charged along with

112.15 the underlying crime described in paragraph (a) if the charge was either dismissed or eligible

112.16 for expungement under section 609A.055.

112.17 (c) For purposes of this subdivision, a "lesser offense" means a nonfelony offense if the

112.18 person was charged with a felony.

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

112.20 Sec. 5. Minnesota Statutes 2024, section 609A.06, subdivision 7, is amended to read:

112.21 Subd. 7. **Review and determination.** (a) The Cannabis Expungement Board shall review

112.22 all available records to determine whether the conviction or stay of adjudication or charge

112.23 is eligible for an expungement or resentencing to a lesser offense. An expungement under

112.24 this section is presumed to be in the public interest unless there is clear and convincing

112.25 evidence that an expungement or resentencing to a lesser offense would create a risk to

112.26 public safety.

112.27 (b) If the Cannabis Expungement Board determines that an expungement is in the public

112.28 interest, the board shall determine whether a person's conviction should be vacated and

112.29 charges should be dismissed.

112.30 (c) If the Cannabis Expungement Board determines that an expungement is in the public

112.31 interest, the board shall determine whether the limitations under section 609A.03, subdivision

112.32 5a, apply.

113.1 (d) If the Cannabis Expungement Board determines that an expungement is in the public
113.2 interest, the board shall determine whether the limitations under section 609A.03, subdivision
113.3 7a, paragraph (b), clause (5), apply.

113.4 (e) If the Cannabis Expungement Board determines that an expungement is not in the
113.5 public interest, the board shall determine whether the person is eligible for resentencing to
113.6 a lesser offense.

113.7 (f) In making a determination under this subdivision, the Cannabis Expungement Board
113.8 shall consider:

113.9 (1) the nature and severity of the underlying crime, including but not limited to the total
113.10 amount of marijuana or tetrahydrocannabinols possessed by the person and whether the
113.11 offense involved a dangerous weapon, the intentional infliction of bodily harm on another,
113.12 an attempt to inflict bodily harm on another, or an act committed with the intent to cause
113.13 fear in another of immediate bodily harm or death;

113.14 (2) whether an expungement or resentencing the person a lesser offense would increase
113.15 the risk, if any, the person poses to other individuals or society;

113.16 (3) if the person is under sentence, whether an expungement or resentencing to a lesser
113.17 offense would result in the release of the person and whether release earlier than the date
113.18 that the person would be released under the sentence currently being served would present
113.19 a danger to the public or would be compatible with the welfare of society;

113.20 (4) aggravating or mitigating factors relating to the underlying crime, including the
113.21 person's level of participation and the context and circumstances of the underlying crime;

113.22 (5) statements from victims and law enforcement, if any;

113.23 (6) if an expungement or resentencing the person to a lesser offense is considered,
113.24 whether there is good cause to restore the person's right to possess firearms and ammunition;

113.25 (7) if an expungement is considered, whether an expunged record of a conviction or stay
113.26 of adjudication may be opened for purposes of a background check required under section
113.27 122A.18, subdivision 8; and

113.28 (8) whether the person was also charged with other offenses in addition to the underlying
113.29 crime, the disposition of those other charges, and other factors deemed relevant by the
113.30 Cannabis Expungement Board.

113.31 (g) In making a determination under this subdivision, the Cannabis Expungement Board
113.32 shall not consider the impact the expungement would have on the offender based on any

114.1 records held by the Department of Health; Department of Children, Youth, and Families;
114.2 or Department of Human Services.

114.3 (h) The affirmative vote of three members is required for action taken at any meeting.

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

114.5 Sec. 6. Minnesota Statutes 2024, section 609A.06, subdivision 10, is amended to read:

114.6 Subd. 10. **Notice to judicial branch and offenders.** (a) The Cannabis Expungement
114.7 Board shall identify any conviction or stay of adjudication or charge that qualifies for an
114.8 order of expungement or resentencing to a lesser offense and notify the judicial branch of:

114.9 (1) the name and date of birth of a person whose conviction or stay of adjudication is
114.10 eligible for an order of expungement or resentencing to a lesser offense;

114.11 (2) the court file number of the eligible conviction or stay of adjudication;

114.12 (3) whether the person is eligible for an expungement;

114.13 (4) if the person is eligible for an expungement, whether the person's conviction should
114.14 be vacated and charges should be dismissed;

114.15 (5) if the person is eligible for an expungement, whether there is good cause to restore
114.16 the offender's right to possess firearms and ammunition;

114.17 (6) if the person is eligible for an expungement, whether the limitations under section
114.18 609A.03, subdivision 7a, paragraph (b), clause (5), apply; ~~and~~

114.19 (7) if the person is eligible for an expungement, whether the expungement should also
114.20 apply to any other offenses charged in addition to the underlying crime; and

114.21 (8) if the person is eligible for resentencing to a lesser offense, the lesser sentence to be
114.22 imposed.

114.23 (b) The Cannabis Expungement Board shall make a reasonable and good faith effort to
114.24 notify any person whose conviction or stay of adjudication qualifies for an order of
114.25 expungement that the offense qualifies and notice is being sent to the judicial branch. Notice
114.26 sent pursuant to this paragraph shall inform the person that, following the order of
114.27 expungement, any records of an arrest, conviction, or incarceration should not appear on
114.28 any background check or study.

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

Sec. 7. Minnesota Statutes 2024, section 609A.06, subdivision 12, is amended to read:

Subd. 12. Order of expungement. (a) Upon receiving notice that an offense qualifies for expungement, the court shall issue an order sealing all records relating to an arrest, indictment or information, trial, verdict, or dismissal and discharge for an offense described in subdivision 3, and any other offenses charged in addition to the underlying crime if identified by the Cannabis Expungement Board as eligible for expungement. In addition, the court shall order all records, including those pertaining to probation, incarceration, or supervision, held by the Department of Corrections or local correctional officials sealed.

The courts shall not order the Department of Health; the Department of Children, Youth, and Families; or the Department of Human Services to seal records under this section. If the Cannabis Expungement Board determined that the person's conviction should be vacated and charges should be dismissed, the order shall vacate and dismiss the charges.

(b) If the Cannabis Expungement Board determined that there is good cause to restore the person's right to possess firearms and ammunition, the court shall issue an order pursuant to section 609.165, subdivision 1d.

(c) If the Cannabis Expungement Board determined that an expunged record of a conviction or stay of adjudication may not be opened for purposes of a background check required under section 122A.18, subdivision 8, the court shall direct the order specifically to the Professional Educator Licensing and Standards Board.

(d) The court administrator shall send a copy of an expungement order issued under this section to each agency and jurisdiction whose records are affected by the terms of the order and send a letter to the last known address of the person whose offense has been expunged identifying each agency to which the order was sent.

(e) In consultation with the commissioner of human services, the court shall establish a schedule on which it shall provide the commissioner of human services a list identifying the name and court file number or, if no court file number is available, the citation number of each record for a person who received an expungement under this section.

(f) Data on the person whose offense has been expunged in a letter sent under this subdivision are private data on individuals as defined in section 13.02, subdivision 12.

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

Sec. 8. Minnesota Statutes 2024, section 611.24, subdivision 4, is amended to read:

Subd. 4. Appeal by prosecuting attorney; attorney fees. (a) When a prosecuting attorney appeals to the court of appeals, in any criminal case, from any pretrial order of the

district court, reasonable attorney fees and costs incurred shall be allowed to the defendant on the appeal which shall be paid by the governmental unit responsible for the prosecution involved in accordance with paragraph (b).

(b) On or before January 15 of each year, the chief judge of the judicial district, after consultation with city and county attorneys, the chief public defender, and members of the private bar in the district, shall establish a reimbursement rate for attorney fees and costs associated with representation of a defendant on appeal. The compensation to be paid to an attorney for such service rendered to a defendant under this subdivision may not exceed \$10,000, exclusive of reimbursement for expenses reasonably incurred, unless payment in excess of that limit is certified by the chief judge of the district as necessary to provide fair compensation for services of an unusual character or duration.

ARTICLE 7

CRIME VICTIMS PROVISIONS

Section 1. Minnesota Statutes 2024, section 609.101, subdivision 2, is amended to read:

Subd. 2. **Minimum fines.** Notwithstanding any other law, when a court sentences a person convicted of violating section 609.221, 609.222, 609.223, 609.2231, 609.224, 609.2242, 609.267, 609.2671, 609.2672, 609.342, 609.343, 609.344, or 609.345, it must impose a fine of not less than 30 percent of the maximum fine authorized by law nor more than the maximum fine authorized by law.

The court shall collect the portion of the fine mandated by this subdivision and forward 70 percent of it to a local victim assistance program that provides services locally in the county in which the crime was committed. The court shall forward the remaining 30 percent to the commissioner of management and budget to be credited to the general fund. If more than one victim assistance program serves the county in which the crime was committed, the court may designate on a case-by-case basis which program will receive the fine proceeds, giving consideration to the nature of the crime committed, the types of victims served by the program, and the funding needs of the program. If no victim assistance program serves that county, the court shall forward 100 percent of the fine proceeds to the commissioner of management and budget to be credited to the general fund. Fine proceeds received by a local victim assistance program must be used to provide direct services to crime victims.

The minimum fine required by this subdivision is in addition to the surcharge or assessment required by section 357.021, subdivision 6, and is in addition to any sentence of imprisonment or restitution imposed or ordered by the court.

As used in this subdivision, "victim assistance program" means victim witness programs within county attorney offices or any of the following programs: crime victim crisis centers, victim-witness programs, ~~battered women~~ domestic abuse victim shelters and nonshelter programs, ~~and sexual assault programs,~~ and children's advocacy centers as defined in section 260E.02, subdivision 5.

Sec. 2. Minnesota Statutes 2024, section 611A.02, is amended to read:

611A.02 NOTIFICATION OF VICTIM SERVICES AND VICTIMS' RIGHTS.

Subd. 2. **Victims' rights.** (a) The Office of Justice Programs in the Department of Public Safety shall update the ~~two~~ model notices of the rights of crime victims required to be distributed under this section and section 629.341.

(b) The initial notice of the rights of crime victims must be distributed by a peace officer to each victim, as defined in section 611A.01, at the time of initial contact with the victim at the scene or when the victim makes a report. The notice, which can be distributed as a document or electronically, must inform a victim of:

(1) the victim's right to apply ~~for reparations~~ to the Minnesota Crime Victims Reimbursement Program to cover losses, not including property losses, resulting from a violent crime ~~and the telephone number to call to request an application and information on how to apply;~~

(2) the victim's right to request that the law enforcement agency withhold public access to data revealing the victim's identity under section 13.82, subdivision 17, paragraph (d);

(3) the additional rights of domestic abuse victims as described in section 629.341;

(4) information on statewide crime victim help lines, the state address confidentiality program, and the nearest crime victim assistance program or resource; and

(5) ~~the victim's rights, if an offender is charged, to be informed of and participate in the prosecution process, including the right to request restitution; and~~ right to be notified if an offender is charged, to participate in the prosecution process, and to request restitution upon conviction.

~~(6)~~ (c) A supplemental notice must be distributed by law enforcement agencies in homicide cases, and must include resources and information specific to homicide victims and information on rights and procedures available under sections 524.2-803, 524.3-614, and 524.3-615.

118.1 ~~(e)~~ (d) A supplemental notice of the rights of crime victims must be distributed by the
118.2 city or county attorney's office to each victim, within a reasonable time after the offender
118.3 is charged or petitioned. This notice must inform a victim of all the rights of crime victims
118.4 under this chapter.

118.5 Subd. 3. **Notice of rights of victims in juvenile court.** ~~(a) The Office of Justice Programs~~
118.6 ~~in the Department of Public Safety shall update the notice of the rights of victims in juvenile~~
118.7 ~~court that explains~~ A supplemental notice shall be distributed by the prosecutor's office to
118.8 each victim of an offense committed by a juvenile within a reasonable time after the petition
118.9 is filed. This notice must notify the victim of:

- 118.10 (1) the rights of victims in the juvenile court;
- 118.11 (2) when a juvenile matter is public;
- 118.12 (3) the procedures to be followed in juvenile court proceedings; ~~and~~
- 118.13 (4) the right to attend certain juvenile court proceedings;
- 118.14 (5) the information related to the juvenile case that is available to victims; and
- 118.15 ~~(4)~~ (6) other relevant matters.

118.16 ~~(b) The juvenile court shall distribute a copy of the notice to each victim of juvenile~~
118.17 ~~crime who attends a juvenile court proceeding, along with a notice of services for victims~~
118.18 ~~available in that judicial district.~~

118.19 Sec. 3. Minnesota Statutes 2024, section 611A.0315, is amended to read:

118.20 **611A.0315 VICTIM NOTIFICATION; DOMESTIC ASSAULT; CRIMINAL**
118.21 **SEXUAL CONDUCT; HARASSMENT; STALKING.**

118.22 Subdivision 1. **Notice of decision not to prosecute.** (a) A prosecutor shall make every
118.23 reasonable effort to notify a victim of domestic assault, a criminal sexual conduct offense,
118.24 ~~or harassment or stalking, or a violation of an order for protection; domestic abuse no contact~~
118.25 order; or harassment restraining order that the prosecutor has decided to decline prosecution
118.26 of the case or to dismiss the criminal charges filed against the defendant. Efforts to notify
118.27 the victim should include, in order of priority: (1) contacting the victim or a person designated
118.28 by the victim by telephone; and (2) contacting the victim by email or mail. If a suspect is
118.29 still in custody, ~~the~~ a telephone or email notification attempt shall be made before the suspect
118.30 is released from custody.

118.31 (b) Whenever a prosecutor dismisses criminal charges against a person accused of
118.32 domestic assault, a criminal sexual conduct offense, ~~or harassment or stalking,~~ a violation

119.1 of an order for protection, or a violation of a harassment restraining order, a record shall be
119.2 made of the specific reasons for the dismissal. If the dismissal is due to the unavailability
119.3 of the witness, the prosecutor shall indicate the specific reason that the witness is unavailable.

119.4 (c) Whenever a prosecutor notifies a victim of domestic assault, criminal sexual conduct,
119.5 or harassment or stalking under this section, the prosecutor shall also inform the victim of
119.6 the method and benefits of seeking an order for protection under section 518B.01 or a
119.7 restraining order under section 609.748 and that the victim may seek an order without paying
119.8 a fee.

119.9 Subd. 2. **Definitions.** For the purposes of this section, the following terms have the
119.10 meanings given them.

119.11 (a) "Assault" has the meaning given it in section 609.02, subdivision 10.

119.12 (b) "Domestic assault" means an assault committed by the actor against a family or
119.13 household member.

119.14 (c) "Family or household member" has the meaning given it in section 518B.01,
119.15 subdivision 2.

119.16 (d) "Harassment" or "stalking" means a violation of section 609.749.

119.17 (e) "Criminal sexual conduct offense" means a violation of sections 609.342 to 609.3453.

119.18 (f) "Violation of an order for protection" has the meaning given in section 518B.01,
119.19 subdivision 14.

119.20 (g) "Violation of a harassment restraining order" has the meaning given in section
119.21 609.748, subdivision 6.

119.22 Sec. 4. Minnesota Statutes 2024, section 611A.06, is amended by adding a subdivision to
119.23 read:

119.24 Subd. 3b. **Notice of submission of apology letter.** (a) The commissioner of corrections
119.25 or other custodial authority shall make a good faith effort to notify the victim that the offender
119.26 has submitted a letter of apology. Notices shall only be provided to victims who have
119.27 submitted a written request for notification to the head of the county correctional facility
119.28 in which the offender is confined, or if committed to the Department of Corrections,
119.29 submitted a written request for the notice to the commissioner of corrections or an electronic
119.30 request through the Department of Corrections electronic victim notification system. The
119.31 good faith effort to notify the victim must occur within 90 days of the filing of the apology
119.32 letter.

120.1 (b) Upon request, the commissioner of corrections or other custodial authority shall
120.2 notify the Board of Pardons, the Clemency Review Commission, or a court that the offender
120.3 submitted a letter of apology.

120.4 (c) The content of a letter of apology submitted by an offender is private data on
120.5 individuals, as defined in section 13.02, subdivision 12, or nonpublic data, as defined in
120.6 section 13.02, subdivision 9, except that the letter may be provided to the intended recipient
120.7 upon request.

120.8 Sec. 5. Minnesota Statutes 2024, section 629.341, subdivision 3, is amended to read:

120.9 Subd. 3. **Notice of rights.** The peace officer shall ~~tell~~ orally notify the victim ~~whether~~
120.10 ~~a~~ about shelter or other services ~~are~~ available in the community and give the victim immediate
120.11 written notice of the legal ~~rights and~~ remedies and resources available. The written notice
120.12 must include ~~furnishing the victim a copy of~~ the following statement:

120.13 ~~"IF YOU ARE THE VICTIM OF DOMESTIC VIOLENCE, you can ask the city or~~
120.14 ~~county attorney to file a criminal complaint. You also have the right to go to court and file~~
120.15 ~~a petition requesting an order for protection from domestic abuse. The order could include~~
120.16 ~~the following:~~

120.17 ~~(1) an order restraining the abuser from further acts of abuse;~~

120.18 ~~(2) an order directing the abuser to leave your household;~~

120.19 ~~(3) an order preventing the abuser from entering your residence, school, business, or~~
120.20 ~~place of employment;~~

120.21 ~~(4) an order awarding you or the other parent custody of or parenting time with your~~
120.22 ~~minor child or children; or~~

120.23 ~~(5) an order directing the abuser to pay support to you and the minor children if the~~
120.24 ~~abuser has a legal obligation to do so."~~

120.25 "IF YOU ARE A VICTIM OF DOMESTIC VIOLENCE, you can file a petition with
120.26 the court for an order for protection and ask that the person responsible for the domestic
120.27 violence:

120.28 (1) Be restrained from further acts of abuse;

120.29 (2) Leave your household;

120.30 (3) Stay away from your residence, school, business, or place of employment; and

121.1 (4) Pay temporary support to you and for the minor child if the person is legally obligated
121.2 to do so.

121.3 In your petition, you can request a custody and parenting time order for a child in common
121.4 with the person."

121.5 The notice must include the ~~resource listing, including telephone number, for the area~~
121.6 ~~program that provides~~ statewide domestic abuse help line and contact information for area
121.7 organizations providing services to victims of domestic abuse as ~~shelter~~, designated by the
121.8 Office of Justice Programs in the Department of Public Safety.

121.9 Sec. 6. USE OF EXISTING SUPPLY.

121.10 A law enforcement agency, city attorney's office, or county attorney's office may exhaust
121.11 existing notices before producing materials with the modifications required under Minnesota
121.12 Statutes, sections 611A.02, subdivision 2, and 629.341, subdivision 3.

121.13 **ARTICLE 8**
121.14 **CORRECTIONAL PROVISIONS**

121.15 Section 1. Minnesota Statutes 2024, section 14.03, subdivision 3, is amended to read:

121.16 Subd. 3. **Rulemaking procedures.** (a) The definition of a rule in section 14.02,
121.17 subdivision 4, does not include:

121.18 (1) rules concerning only the internal management of the agency or other agencies that
121.19 do not directly affect the rights of or procedures available to the public;

121.20 (2) an application deadline on a form; and the remainder of a form and instructions for
121.21 use of the form to the extent that they do not impose substantive requirements other than
121.22 requirements contained in statute or rule;

121.23 (3) the curriculum adopted by an agency to implement a statute or rule permitting or
121.24 mandating minimum educational requirements for persons regulated by an agency, provided
121.25 the topic areas to be covered by the minimum educational requirements are specified in
121.26 statute or rule;

121.27 (4) procedures for sharing data among government agencies, provided these procedures
121.28 are consistent with chapter 13 and other law governing data practices.

121.29 (b) The definition of a rule in section 14.02, subdivision 4, does not include:

121.30 (1) rules of the commissioner of corrections;

122.1 (i) relating to the release, placement, term, revocation, and supervision of inmates on
122.2 work release, on parole, or serving a supervised release or conditional release term;

122.3 (ii) on the internal management of institutions under the commissioner's control, ~~and~~
122.4 ~~rules adopted~~; and

122.5 (iii) under section 609.105 governing the inmates of ~~these~~ institutions under the
122.6 commissioner's control;

122.7 (2) rules relating to weight limitations on the use of highways when the substance of the
122.8 rules is indicated to the public by means of signs;

122.9 (3) opinions of the attorney general;

122.10 (4) the data element dictionary and the annual data acquisition calendar of the Department
122.11 of Education to the extent provided by section 125B.07;

122.12 (5) the occupational safety and health standards provided in section 182.655;

122.13 (6) revenue notices and tax information bulletins of the commissioner of revenue;

122.14 (7) uniform conveyancing forms adopted by the commissioner of commerce under
122.15 section 507.09;

122.16 (8) standards adopted by the Electronic Real Estate Recording Commission established
122.17 under section 507.0945; or

122.18 (9) the interpretive guidelines developed by the commissioner of human services to the
122.19 extent provided in chapter 245A.

122.20 Sec. 2. Minnesota Statutes 2024, section 201.014, subdivision 2a, is amended to read:

122.21 Subd. 2a. **Felony conviction; restoration of civil right to vote.** An individual who is
122.22 ineligible to vote because of a felony conviction has the civil right to vote restored during
122.23 any period when the individual is not incarcerated for the offense. If the individual is later
122.24 incarcerated for the offense, the individual's civil right to vote is lost only during that period
122.25 of incarceration. For purposes of this subdivision only, an individual on work release under
122.26 section 241.26 or ~~244.065~~ or an individual released under section 631.425 is not deemed
122.27 to be incarcerated.

122.28 Sec. 3. Minnesota Statutes 2024, section 241.26, subdivision 1, is amended to read:

122.29 Subdivision 1. **Commissioner Granting work release.** ~~When consistent with the public~~
122.30 ~~interest and the public safety,~~ (a) The commissioner of corrections may conditionally release

123.1 an inmate ~~who is eligible and being considered for release under section 243.05~~, to work
123.2 at paid employment, seek employment, or participate in a vocational training or educational
123.3 program-;

123.4 (1) when consistent with the public interest and the public safety; and

123.5 (2) if the inmate has served at least one-half of the term of imprisonment.

123.6 (b) Release under this subdivision is an extension of the limits of confinement, and each
123.7 inmate ~~so~~ released ~~shall~~ must be confined in the correctional facility from which released
123.8 or in some other suitable place of confinement designated by the commissioner of corrections
123.9 during the hours the inmate is not employed, seeking employment, or engaged in a vocational
123.10 training or educational program, or, if employed, seeking employment, or engaged in a
123.11 vocational training or educational program, between the hours of such activity.

123.12 (c) A reasonable allowance for travel time and meals shall be permitted.

123.13 Sec. 4. Minnesota Statutes 2024, section 241.26, subdivision 3, is amended to read:

123.14 Subd. 3. **Rules Policy.** The commissioner of corrections ~~shall establish rules for placement~~
123.15 ~~and supervision of such~~ must adopt policy for placing and supervising inmates under
123.16 subdivision 1 and for ~~administration of~~ administrating programs authorized by this section.
123.17 When consistent with the public interest, the commissioner may grant furloughs to ~~those~~
123.18 inmates participating in the programs authorized by this section who have spent at least 30
123.19 days in a residential work release center operated by or under the control of the commissioner
123.20 for a period ~~of time~~ not to exceed their supervised release date.

123.21 Sec. 5. Minnesota Statutes 2024, section 241.26, subdivision 4, is amended to read:

123.22 Subd. 4. **Revocation Rescinding work release.** The willful failure of an inmate to report
123.23 to or return from planned employment, seeking employment, educational or vocational
123.24 training, or furlough as provided in subdivision 3 ~~shall be~~ is considered an escape under
123.25 section 609.485. If an inmate violates any ~~of the~~ policy rules ~~provided for in~~ under
123.26 subdivision 3, the inmate's work placement, educational, or vocational training privileges
123.27 may be withdrawn by the commissioner.

123.28 Sec. 6. Minnesota Statutes 2024, section 241.26, subdivision 5, is amended to read:

123.29 Subd. 5. **Earnings; work release account.** (a) The net earnings of each inmate
123.30 participating in the work release program provided by this section may be collected by or
123.31 forwarded to the commissioner of corrections for deposit to the account of the inmate in

124.1 the work release account in the state treasury, or the inmate may be permitted to collect,
124.2 retain, and expend the net earnings from the inmate's employment ~~under rules established~~
124.3 according to policy adopted by the commissioner of corrections. The money collected by
124.4 or forwarded to the commissioner ~~under the rules shall remain~~ remains under the control
124.5 of the commissioner for the sole benefit of the inmate. After making deductions for the
124.6 payment of state and local taxes, if necessary, and for repayment of advances and gate
124.7 money as provided in section 243.24, wages under the control of the commissioner and
124.8 wages retained by the inmate may be disbursed by the commissioner or expended by the
124.9 inmate for the following purposes and in the following order:

124.10 (1) the cost of the inmate's keep as determined by subdivision 7, which money shall be
124.11 deposited in the general fund of the state treasury if the inmate is housed in a state
124.12 correctional facility, or shall be paid directly to the place of confinement as designated by
124.13 the commissioner pursuant to subdivision 1;

124.14 (2) necessary travel expense to and from work and other incidental expenses of the
124.15 inmate;

124.16 (3) support of inmate's dependents, if any;

124.17 (4) court-ordered restitution, if any;

124.18 (5) fines, surcharges, or other fees assessed or ordered by the court;

124.19 (6) contribution to any programs established by law to aid victims of crime, provided
124.20 that the contribution must not be more than 20 percent of the inmate's gross wages;

124.21 (7) restitution to the commissioner of corrections ordered by a prison disciplinary hearing
124.22 officer for damage to property caused by an inmate's conduct;

124.23 (8) restitution to staff ordered by a prison disciplinary hearing officer for damage to
124.24 property caused by an inmate's conduct;

124.25 (9) restitution to another inmate ordered by a prison disciplinary hearing officer for
124.26 personal injury to another caused by an inmate's conduct;

124.27 (10) after the above expenditures, the inmate shall have discretion to direct payment of
124.28 the balance, if any, upon proper proof of personal legal debts; and

124.29 (11) the balance, if any, shall be disbursed to the inmate as provided in section 243.24,
124.30 subdivision 1.

124.31 (b) The commissioner may authorize the payment of court-ordered restitution from an
124.32 inmate's wages when the restitution was court ordered as a sanction for the conviction of

125.1 an offense which is not the offense of commitment, including offenses which occurred prior
125.2 to the offense for which the inmate was committed to the commissioner. All money in the
125.3 work release account are appropriated annually to the commissioner of corrections for the
125.4 purposes of the work release program.

125.5 Sec. 7. Minnesota Statutes 2024, section 241.26, is amended by adding a subdivision to
125.6 read:

125.7 Subd. 8. **Exempt from rulemaking.** A commissioner policy or policy rule under this
125.8 section is not a rule under chapter 14 and is exempt from the rulemaking provisions under
125.9 chapter 14, including section 14.386.

125.10 Sec. 8. Minnesota Statutes 2024, section 241.80, is amended to read:

125.11 **241.80 AMERICAN INDIAN CULTURAL PROGRAM.**

125.12 Subdivision 1. **Authority.** The commissioner of corrections shall develop a policy to
125.13 provide the cultural programming services listed in subdivision 2 to American Indian inmates
125.14 incarcerated individuals of all juvenile and adult state correctional facilities and
125.15 community-based correctional programs. The commissioner may, within the limits of
125.16 available money, contract with appropriate American Indian private, nonprofit organizations
125.17 to provide the cultural programming services.

125.18 Subd. 2. **Cultural programming services.** The policy shall include, but need not be
125.19 limited to, providing, within the limits of available money, spiritual and cultural programming
125.20 services having the following purposes:

125.21 ~~(1) the teaching of good work habits and the development of motivation through work~~
125.22 education and training needed for postincarceration self-sufficiency;

125.23 ~~(2) the development of cultural pride to improve~~ strengthened ~~American Indian self-image~~
125.24 identity;

125.25 ~~(3) the development of an understanding of and an adjustment to the cultural differences~~
125.26 ~~between American Indians and other ethnic groups;~~

125.27 (3) improved understanding of American Indian culture, traditions, and spiritual practices
125.28 for Department of Corrections staff;

125.29 ~~(4) the development of attitudes of mutual trust, respect, and understanding among~~
125.30 American Indian family members partnerships with Tribal Nations to address the unique

126.1 needs of American Indian incarcerated individuals and promote approaches to rehabilitation
126.2 specific to this population;

126.3 ~~(5) the fostering of increased availability of medicine men and American Indian spiritual~~
126.4 ~~leaders to teach American Indian inmates~~ incarcerated individuals about American Indian
126.5 history, cultural sensitivity, and religion and spiritual practices;

126.6 (6) the involvement of American Indian inmates incarcerated individuals in those aspects
126.7 of the correctional system that will aid in their rehabilitation; and

126.8 (7) the provision of services to American Indian inmates incarcerated individuals that
126.9 will facilitate their reentry into the community.

126.10 Sec. 9. Minnesota Statutes 2024, section 242.10, is amended to read:

126.11 **242.10 HEARING OFFICERS, POWERS; PROBATION, COMMITMENT,**
126.12 **PAROLE.**

126.13 Subdivision 1. Designated hearing officers. The commissioner of corrections may
126.14 designate from among the members of the commissioner's staff, one or more hearing officers
126.15 and delegate to them the authority to grant or revoke probation, commit to an institution,
126.16 grant or revoke parole, or issue final discharge to any person ~~under the control of the~~
126.17 ~~commissioner pursuant to a commitment~~ committed to the commissioner by a juvenile court
126.18 of this state.

126.19 Subd. 2. Appealing order of hearing officer. Any person aggrieved by an order issued
126.20 by a hearing officer may appeal to the commissioner or ~~to a review panel established by~~
126.21 ~~the commissioner~~ a designee within the department pursuant according to rules policy issued
126.22 by the commissioner.

126.23 Subd. 3. Exempt from rulemaking. A commissioner policy under this section is not a
126.24 rule under chapter 14 and is exempt from the rulemaking provisions under chapter 14,
126.25 including section 14.386.

126.26 Sec. 10. Minnesota Statutes 2024, section 242.19, subdivision 3, is amended to read:

126.27 Subd. 3. **Retaking absconding and other person.** ~~The written order of the commissioner~~
126.28 ~~of corrections is authority to any peace officer or parole or probation officer~~ Warrants to
126.29 take and detain any child committed to the commissioner of corrections by a juvenile court
126.30 who absconds from field supervision or escapes from confinement, violates furlough
126.31 conditions, or is released from court while on institution status are governed according to
126.32 section 243.051. ~~Any person of the age of 18 years or older who is taken into custody under~~

127.1 ~~the provisions of this subdivision may be detained as provided in section 260B.181,~~
127.2 ~~subdivision 4.~~

127.3 Sec. 11. Minnesota Statutes 2024, section 242.44, is amended to read:

127.4 **242.44 PUPILS JUVENILES.**

127.5 Subdivision 1. Receiving and housing juveniles. The commissioner of corrections, so
127.6 far as the accommodations of the correctional facilities and other means at the commissioner's
127.7 disposal will permit, may receive juvenile delinquents and juvenile offenders serving a
127.8 juvenile disposition under section 260B.130, subdivision 4. The commissioner's housing
127.9 of these individuals must be consistent with federal and state law, including established
127.10 admissions criteria for Minnesota Correctional Facility-Red Wing. The commissioner may
127.11 place these youths at employment, may provide education suitable to their years and capacity,
127.12 and may place them in suitable homes.

127.13 Subd. 2. Parole or discharge. (a) Under ~~rules~~ policy prescribed by the commissioner,
127.14 when deemed best for these youths, persons committed to the commissioner's care and
127.15 custody by a juvenile court may be paroled or discharged from the facility by the
127.16 commissioner.

127.17 (b) A commissioner policy under this subdivision is not a rule under chapter 14 and is
127.18 exempt from the rulemaking provisions under chapter 14, including section 14.386.

127.19 Subd. 3. Youth in facility. All ~~pupils~~ youth in the facility ~~shall~~ must be clothed,
127.20 instructed, and maintained by the commissioner of corrections.

127.21 Sec. 12. Minnesota Statutes 2024, section 243.05, subdivision 1, is amended to read:

127.22 Subdivision 1. **Conditional release.** (a) The Supervised Release Board may parole any
127.23 person sentenced to confinement in any state correctional facility for adults under the control
127.24 of the commissioner of corrections, provided that:

127.25 (1) no inmate serving a life sentence for committing murder before May 1, 1980, other
127.26 than murder committed in violation of clause (1) of section 609.185 who has not been
127.27 previously convicted of a felony shall be paroled without having served 20 years, less the
127.28 diminution that would have been allowed for good conduct had the sentence been for 20
127.29 years;

127.30 (2) no inmate serving a life sentence for committing murder before May 1, 1980, who
127.31 has been previously convicted of a felony or though not previously convicted of a felony
127.32 is serving a life sentence for murder in the first degree committed in violation of clause (1)

128.1 of section 609.185 shall be paroled without having served 25 years, less the diminution
128.2 which would have been allowed for good conduct had the sentence been for 25 years;

128.3 (3) any inmate sentenced prior to September 1, 1963, who would be eligible for parole
128.4 had the inmate been sentenced after September 1, 1963, shall be eligible for parole; and

128.5 (4) any new rule or policy or change of rule or policy adopted by the commissioner of
128.6 corrections which has the effect of postponing eligibility for parole has prospective effect
128.7 only and applies only with respect to persons committing offenses after the effective date
128.8 of the new rule or policy or change.

128.9 (b) Upon being paroled and released, an inmate is and remains in the legal custody and
128.10 under the control of the commissioner, subject at any time to be returned to a facility of the
128.11 Department of Corrections established by law for the confinement or treatment of convicted
128.12 persons and the parole rescinded by the commissioner.

128.13 ~~(e) The written order of the commissioner of corrections, is sufficient authority for any~~
128.14 ~~peace officer, state correctional investigator, or state parole and probation agent to retake~~
128.15 ~~and place in actual custody any person on parole or supervised release. In addition, when~~
128.16 ~~it appears necessary in order to prevent escape or enforce discipline, any state parole and~~
128.17 ~~probation agent or state correctional investigator may, without order of warrant, take and~~
128.18 ~~detain a parolee or person on supervised release or work release and bring the person to the~~
128.19 ~~commissioner for action.~~

128.20 ~~(d) The written order of the commissioner of corrections is sufficient authority for any~~
128.21 ~~peace officer, state correctional investigator, or state parole and probation agent to retake~~
128.22 ~~and place in actual custody any person on probation under the supervision of the~~
128.23 ~~commissioner pursuant to section 609.135. Additionally, when it appears necessary in order~~
128.24 ~~to prevent escape or enforce discipline, any state parole and probation agent or state~~
128.25 ~~correctional investigator may, without an order, retake and detain a probationer and bring~~
128.26 ~~the probationer before the court for further proceedings under section 609.14.~~

128.27 ~~(e) The written order of the commissioner of corrections is sufficient authority for any~~
128.28 ~~peace officer, state correctional investigator, or state parole and probation agent to detain~~
128.29 ~~any person on pretrial release who absconds from pretrial release or fails to abide by the~~
128.30 ~~conditions of pretrial release.~~

128.31 ~~(f)~~ (c) Persons conditionally released, and those on probation under the supervision of
128.32 the commissioner of corrections pursuant to section 609.135 may be placed within or outside
128.33 the boundaries of the state at the discretion of the commissioner of corrections or the court,
128.34 and the limits fixed for these persons may be enlarged or reduced according to their conduct.

129.1 ~~(g)~~ (d) Except as otherwise provided in subdivision 1b, in considering applications for
129.2 conditional release or discharge, the commissioner is not required to hear oral argument
129.3 from any attorney or other person not connected with an adult correctional facility of the
129.4 Department of Corrections in favor of or against the parole or release of any inmates. The
129.5 commissioner may institute inquiries by correspondence, taking testimony, or otherwise,
129.6 as to the previous history, physical or mental condition, and character of the inmate and, to
129.7 that end, has the authority to require the attendance of the chief executive officer of any
129.8 state adult correctional facility and the production of the records of these facilities, and to
129.9 compel the attendance of witnesses. The commissioner is authorized to administer oaths to
129.10 witnesses for these purposes.

129.11 ~~(h)~~ (e) Before revoking a nonviolent controlled substance offender's parole or probation
129.12 based on a technical violation, when the offender does not present a risk to the public and
129.13 the offender is amenable to continued supervision in the community, a parole or probation
129.14 agent must identify community options to address and correct the violation including, but
129.15 not limited to, inpatient substance use disorder treatment. If a probation or parole agent
129.16 determines that community options are appropriate and available in the state, the agent must
129.17 seek to restructure the offender's terms of release to incorporate those options. If an offender
129.18 on probation stipulates in writing to restructure the terms of release, a probation agent must
129.19 forward a report to the district court containing:

129.20 (1) the specific nature of the technical violation of probation;

129.21 (2) the recommended restructure to the terms of probation; and

129.22 (3) a copy of the offender's signed stipulation indicating that the offender consents to
129.23 the restructuring of probation.

129.24 ~~(i)~~ (f) The recommended restructuring of probation becomes effective when confirmed
129.25 by a judge. The order of the court is proof of confirmation and amends the terms of the
129.26 sentence imposed by the court under section 609.135.

129.27 ~~(j)~~ (g) If a nonviolent controlled substance offender's parole or probation is revoked, the
129.28 offender's agent must first attempt to place the offender in a local jail.

129.29 ~~(k)~~ (h) For purposes of paragraphs ~~(h)~~ (e) to ~~(k)~~ (g):

129.30 (1) "nonviolent controlled substance offender" means a person who meets the criteria
129.31 described under section 244.0513, subdivision 2, clauses (1), (2), and (5); and

130.1 (2) "technical violation" means any violation of a court order of probation or a condition
130.2 of parole, except an allegation of a subsequent criminal act that is alleged in a formal
130.3 complaint, citation, or petition.

130.4 Sec. 13. Minnesota Statutes 2024, section 243.05, subdivision 2, is amended to read:

130.5 Subd. 2. **Rules Policy on conditional release.** (a) The commissioner of corrections ~~may~~
130.6 ~~must adopt rules in accordance with chapter 14, the Administrative Procedure Act, policy~~
130.7 ~~governing the procedures for granting of conditional release and final discharge. The rules~~
130.8 ~~policy may provide for the conduct and employment of persons conditionally released, and~~
130.9 ~~other matters necessary to implement the duties conferred by law upon the commissioner~~
130.10 ~~with respect to conditional release and discharge of persons.~~

130.11 (b) A commissioner policy under this subdivision is not a rule under chapter 14 and is
130.12 exempt from the rulemaking provisions under chapter 14, including section 14.386.

130.13 (c) For purposes of this subdivision, "conditional release" means a person on parole,
130.14 work release, or supervised release.

130.15 Sec. 14. Minnesota Statutes 2024, section 243.05, subdivision 4, is amended to read:

130.16 Subd. 4. **Hearing officers; powers; duties.** To carry out the powers and duties conferred
130.17 by this section, the commissioner of corrections may designate from among staff members;
130.18 one or more hearing officers and delegate to them any of the powers and duties conferred
130.19 by this section. ~~In the exercise of their delegated powers and duties the hearing officers~~
130.20 ~~shall be subject to the rules prescribed by the commissioner of corrections.~~

130.21 Sec. 15. **[243.051] WARRANTS AND STOP ORDERS.**

130.22 Subdivision 1. Warrants and stop orders; commissioner policy. (a) For purposes of
130.23 this section, "commissioner" means the commissioner of corrections.

130.24 (b) Consistent with this section, the commissioner must adopt policy governing warrants
130.25 and stop orders.

130.26 (c) A commissioner policy under this section is not a rule under chapter 14 and is exempt
130.27 from the rulemaking provisions under chapter 14, including section 14.386.

130.28 Subd. 2. Warrants; generally. (a) The commissioner may issue warrants, including
130.29 nationwide warrants, for apprehension and detention in any of the following circumstances:

131.1 (1) when a person under the commissioner's supervision, including but not limited to a
131.2 person on parole, supervised release, conditional release, work release, or probation, absconds
131.3 from supervision or fails to abide by the conditions of their release;

131.4 (2) when a person on pretrial release absconds from pretrial release or fails to abide by
131.5 the conditions of pretrial release;

131.6 (3) when an inmate escapes from any state correctional facility under the commissioner's
131.7 control;

131.8 (4) when a convicted defendant fails to report postsentencing to their county authority
131.9 or to a state correctional facility; or

131.10 (5) when a child committed to the commissioner by a juvenile court absconds from field
131.11 supervision, escapes from confinement, violates furlough conditions, or is released from
131.12 court while on institution status.

131.13 (b) For an inmate under paragraph (a), clause (3), the commissioner must use all proper
131.14 means to apprehend and return the inmate, which may include offering a reward of no more
131.15 than \$100 to be paid from the state treasury, for information leading to the arrest and return
131.16 to custody of the inmate.

131.17 (c) Any individual 18 years of age or older who is taken into custody under paragraph
131.18 (a), clause (5), may be detained according to section 260B.181, subdivision 4.

131.19 Subd. 3. **Warrant authority.** A warrant issued by the commissioner is sufficient authority
131.20 for any peace officer, state correctional investigator, or state parole or probation agent to
131.21 retake and place in actual custody any person.

131.22 Subd. 4. **Preventing escape or enforcing discipline.** When it appears necessary to
131.23 prevent escape or enforce discipline, any state parole and probation agent or state correctional
131.24 investigator may, without a warrant:

131.25 (1) take and detain any person on probation, parole, supervised release, conditional
131.26 release, or work release; and

131.27 (2) take one of the following actions:

131.28 (i) for a person on probation, bring them before the court for further proceedings under
131.29 section 609.14; or

131.30 (ii) for a person on parole, supervised release, conditional release, or work release, bring
131.31 them to the commissioner for action.

132.1 Subd. 5. **Stop time.** The commissioner may stop the time from running on sentences of
132.2 persons until they are taken into custody in the following circumstances:

132.3 (1) releasees who have absconded from supervision;

132.4 (2) inmates who have escaped from a state correctional facility; or

132.5 (3) convicted defendants who have failed to report postsentencing.

132.6 Sec. 16. Minnesota Statutes 2024, section 243.88, subdivision 2, is amended to read:

132.7 Subd. 2. **Private industry employment.** (a) Any corporation operating a factory or
132.8 other business or commercial enterprise under this section may employ selected inmates of
132.9 the correctional institution upon whose grounds it operates and persons conditionally released
132.10 subject to the provisions of section 241.26. Persons conditionally released as provided in
132.11 this subdivision ~~shall be deemed to be~~ are parolees within the purview of United States
132.12 Code, title 49, section 60.

132.13 (b) Except as prohibited by applicable provisions of the United States Code, inmates of
132.14 state correctional institutions may be employed in the manufacture and processing of goods,
132.15 wares and merchandise for introduction into interstate commerce, provided that they are
132.16 paid no less than the prevailing minimum wages for work of a similar nature performed by
132.17 employees with similar skills in the locality in which the work is being performed.

132.18 ~~Under rules~~ (c) As prescribed by the commissioner of corrections, a portion of the wages
132.19 of each inmate employed as authorized by this subdivision, in an amount to be determined
132.20 by the commissioner, shall be set aside and kept ~~by the chief executive officer of the facility~~
132.21 in the public welfare fund of the state for the benefit of the inmate and for the purpose of
132.22 assisting the inmate when leaving the facility on conditional release or by final discharge.
132.23 Any portion remaining undisbursed at the time of the inmate's final discharge shall be given
132.24 to the inmate upon final discharge.

132.25 Sec. 17. Minnesota Statutes 2024, section 243.88, subdivision 5, is amended to read:

132.26 Subd. 5. **Deductions.** Notwithstanding any other law to the contrary, any compensation
132.27 paid to inmates under this section is subject to section 243.23, subdivisions 2 and 3, and
132.28 ~~rules~~ policy of the commissioner of corrections.

133.1 Sec. 18. Minnesota Statutes 2024, section 243.88, is amended by adding a subdivision to
133.2 read:

133.3 Subd. 6. **Exempt from rulemaking.** A commissioner prescription or policy under this
133.4 section is not a rule under chapter 14 and is exempt from the rulemaking provisions under
133.5 chapter 14, including section 14.386.

133.6 Sec. 19. Minnesota Statutes 2024, section 244.04, subdivision 1, is amended to read:

133.7 Subdivision 1. **Reduction of sentence; inmates sentenced for crimes committed**
133.8 **before 1993.** (a) Notwithstanding the provisions of section 609.11, subdivision 6, and
133.9 Minnesota Statutes 2004, section 609.109, subdivision 1, the term of imprisonment of any
133.10 inmate sentenced to a presumptive fixed sentence after May 1, 1980, and whose crime was
133.11 committed before August 1, 1993, shall be reduced in duration by one day for each two
133.12 days during which the inmate violates none of the disciplinary offense rules ~~promulgated~~
133.13 adopted by the commissioner. The reduction shall accrue to the period of supervised release
133.14 to be served by the inmate, except that the period of supervised release for a sex offender
133.15 conditionally released by the commissioner under section 609.3455 is governed by that
133.16 provision.

133.17 (b) Except as otherwise provided in subdivision 2, if an inmate whose crime was
133.18 committed before August 1, 1993, violates a disciplinary offense rule ~~promulgated by the~~
133.19 ~~commissioner~~, good time earned prior to the violation may not be taken away, but the inmate
133.20 may be required to serve an appropriate portion of the term of imprisonment after the
133.21 violation without earning good time.

133.22 Sec. 20. Minnesota Statutes 2024, section 244.04, subdivision 2, is amended to read:

133.23 Subd. 2. **Loss of good time.** ~~By May 1, 1980, The commissioner shall promulgate rules~~
133.24 must adopt policy specifying disciplinary offenses ~~which that~~ may result in the loss of good
133.25 time and the amount of good time ~~which that~~ may be lost as a result of each disciplinary
133.26 offense, including provision for restoration of good time. In no case shall an individual
133.27 disciplinary offense result in the loss of more than 90 days of good time; except that no
133.28 inmate confined in segregation for violation of a disciplinary rule shall be placed on
133.29 supervised release until discharged or released from punitive segregation confinement, nor
133.30 shall an inmate in segregation for violation of a disciplinary rule for which the inmate could
133.31 also be prosecuted under the criminal laws earn good time while in segregation. The loss
133.32 of good time shall be considered to be a disciplinary sanction imposed upon an inmate, and
133.33 the procedure for the loss of good time and the rights of the inmate in the procedure shall

134.1 be those in effect for the imposition of other disciplinary sanctions at each state correctional
134.2 institution.

134.3 Sec. 21. Minnesota Statutes 2024, section 244.04, is amended by adding a subdivision to
134.4 read:

134.5 Subd. 4. **Exempt from rulemaking.** A commissioner policy or disciplinary rule under
134.6 this section is not a rule under chapter 14 and is exempt from the rulemaking provisions
134.7 under chapter 14, including section 14.386.

134.8 Sec. 22. Minnesota Statutes 2024, section 244.05, subdivision 1b, is amended to read:

134.9 Subd. 1b. **Supervised release; inmates who commit crimes on or after August 1,**
134.10 **1993.** (a) Except as provided in subdivisions 4, 4a, and 5, every inmate sentenced to prison
134.11 for a felony offense committed on or after August 1, 1993, shall serve a supervised release
134.12 term upon completion of the inmate's term of imprisonment and any disciplinary confinement
134.13 period imposed by the commissioner due to the inmate's violation of any disciplinary rule
134.14 adopted by the commissioner or refusal to participate in a rehabilitative program required
134.15 under section 244.03. The amount of time the inmate serves on supervised release is equal
134.16 to one-third of the inmate's fixed executed sentence, less any disciplinary confinement period
134.17 imposed by the commissioner and regardless of any earned incentive release credit applied
134.18 toward the individual's term of imprisonment under section 244.44.

134.19 (b) No inmate who violates a disciplinary rule or refuses to participate in a rehabilitative
134.20 program as required under section 244.03 shall be placed on supervised release until the
134.21 inmate has served the disciplinary confinement period for that disciplinary sanction or until
134.22 the inmate is discharged or released from punitive restrictive-housing confinement, whichever
134.23 is later. The imposition of a disciplinary confinement period shall be considered to be a
134.24 disciplinary sanction imposed upon an inmate, and the procedure for imposing the
134.25 disciplinary confinement period and the rights of the inmate in the procedure shall be those
134.26 in effect for the imposition of other disciplinary sanctions at each state correctional institution.

134.27 (c) A disciplinary rule under this subdivision is not a rule under chapter 14 and is exempt
134.28 from the rulemaking provisions under chapter 14, including section 14.386.

134.29 ~~(e)~~(d) For purposes of this subdivision, "earned incentive release credit" has the meaning
134.30 given in section 244.41, subdivision 7.

135.1 Sec. 23. Minnesota Statutes 2024, section 244.05, subdivision 2, is amended to read:

135.2 Subd. 2. **Rules Policy.** (a) The commissioner of corrections ~~shall~~ must adopt ~~by rule~~
135.3 ~~standards and procedures~~ policies for the establishment of:

135.4 (1) establishing conditions of release and the revocation of;

135.5 (2) revoking supervised or conditional release, and shall specify the period of revocation
135.6 for each violation of release. Procedures for the revocation of release shall provide due
135.7 process of law for the inmate, including revocation procedures that must provide for due
135.8 process of law for the offender;

135.9 (3) assigning terms of reimprisonment for release violations; and

135.10 (4) extending terms of reimprisonment due to violations of disciplinary rules or other
135.11 factors specified in policy relating to community supervision or public safety.

135.12 (b) In no case may a term of reimprisonment exceed 12 months unless:

135.13 (1) the release violation involved a conviction for a felony offense;

135.14 (2) the commissioner finds the releasee to be a risk to the public; or

135.15 (3) the commissioner finds the releasee to be unamenable to supervision due to one or
135.16 more prior violations of the conditions of release.

135.17 ~~(b)~~ (c) The commissioner may prohibit an inmate placed on parole, supervised release,
135.18 or conditional release from using adult-use cannabis flower as defined in section 342.01,
135.19 subdivision 3, or adult-use cannabis products as defined in section 342.01, subdivision 3,
135.20 hemp-derived consumer products as defined in section 342.01, subdivision 35, or
135.21 lower-potency hemp edibles as defined in section 342.01, subdivision 48, if the inmate
135.22 undergoes a chemical use assessment and abstinence is consistent with a recommended
135.23 level of care for the defendant in accordance with the criteria under section 254B.04,
135.24 subdivision 4.

135.25 ~~(c)~~ (d) The commissioner of corrections shall not prohibit an inmate placed on parole,
135.26 supervised release, or conditional release from participating in the registry program as
135.27 defined in section 342.01, subdivision 61, as a condition of release or revoke a patient's
135.28 parole, supervised release, or conditional release or otherwise sanction a patient on parole,
135.29 supervised release, or conditional release solely for participating in the registry program or
135.30 for a positive drug test for cannabis components or metabolites.

136.1 (e) A commissioner policy or disciplinary rule under this subdivision is not a rule under
136.2 chapter 14 and is exempt from the rulemaking provisions under chapter 14, including section
136.3 14.386.

136.4 Sec. 24. Minnesota Statutes 2024, section 244.0513, subdivision 1, is amended to read:

136.5 Subdivision 1. **Conditional release authority.** The commissioner of corrections has
136.6 the authority to release offenders committed to the commissioner's custody who meet the
136.7 requirements of this section and of any ~~rules~~ policy adopted by the commissioner. A
136.8 commissioner policy under this section is not a rule under chapter 14 and is exempt from
136.9 the rulemaking provisions under chapter 14, including section 14.386.

136.10 Sec. 25. Minnesota Statutes 2024, section 244.0513, subdivision 7, is amended to read:

136.11 Subd. 7. **Release procedures.** The commissioner may deny conditional release to an
136.12 offender under this section if the commissioner determines that the offender's release may
136.13 reasonably pose a danger to the public or an individual. In making this determination, the
136.14 commissioner ~~shall~~ must follow the procedures in section 244.05, subdivision 5, and ~~the~~
136.15 ~~rules adopted by the commissioner under that subdivision~~ policy thereunder. The
136.16 commissioner shall consider whether the offender was involved in criminal gang activity
136.17 during the offender's prison term. The commissioner shall also consider the offender's
136.18 custody classification and level of risk of violence and the availability of appropriate
136.19 community supervision for the offender. Conditional release granted under this section
136.20 continues until the offender's sentence expires, unless release is rescinded under subdivision
136.21 8. The commissioner may not grant conditional release unless a release plan is in place for
136.22 the offender that addresses, at a minimum, plans for aftercare, community-based substance
136.23 use disorder treatment, gaining employment, and securing housing.

136.24 Sec. 26. Minnesota Statutes 2024, section 244.0513, subdivision 8, is amended to read:

136.25 Subd. 8. **Conditional release.** The conditions of release granted under this section are
136.26 governed by the statutes and ~~rules~~ policy governing supervised release under this chapter,
136.27 except that release may be rescinded without hearing by the commissioner if the
136.28 commissioner determines that continuation of the conditional release poses a danger to the
136.29 public or to an individual. If the commissioner rescinds an offender's conditional release,
136.30 the offender shall be returned to prison and shall serve the remaining portion of the offender's
136.31 sentence.

137.1 Sec. 27. Minnesota Statutes 2024, section 244.07, subdivision 1, is amended to read:

137.2 Subdivision 1. **Authority.** If consistent with the public interest, the commissioner may;
137.3 ~~under rules prescribed by the commissioner,~~ furlough any inmate in custody to any point
137.4 within the state for up to five days. A furlough may be granted to assist the inmate with
137.5 family needs, personal health needs, or reintegration into society. No inmate may receive
137.6 more than three furloughs under this section within any 12-month period. ~~The provisions~~
137.7 ~~of This section shall also apply~~ applies to those inmates convicted of offenses ~~prior to~~ before
137.8 May 1, 1980.

137.9 Sec. 28. Minnesota Statutes 2024, section 244.07, is amended by adding a subdivision to
137.10 read:

137.11 Subd. 3. **Exempt from rulemaking.** A commissioner determination under this section
137.12 is not a rule under chapter 14 and is exempt from the rulemaking provisions under chapter
137.13 14, including section 14.386.

137.14 Sec. 29. Minnesota Statutes 2024, section 244.13, subdivision 1, is amended to read:

137.15 Subdivision 1. **Establishment.** The commissioner of corrections shall establish programs
137.16 for those designated by the commissioner to serve all or part of a sentence on intensive
137.17 community supervision or all or part of a supervised release or parole term on intensive
137.18 supervised release. The adoption and modification of policies and procedures to implement
137.19 sections 244.05, subdivision 6, ~~and 244.12 to 244.15,~~ and 244.13 are not subject to the
137.20 rulemaking procedures of chapter 14 ~~because these policies and procedures are excluded~~
137.21 ~~from the definition of a rule under section 14.03, subdivision 3, paragraph (b), clause (1),~~
137.22 including section 14.386. The commissioner shall locate the programs so that at least one-half
137.23 of the money appropriated for the programs in each year is used for programs in Community
137.24 Corrections Act counties. In awarding contracts for intensive supervision programs in
137.25 Community Corrections Act counties, the commissioner shall give first priority to programs
137.26 that utilize county employees as intensive supervision agents and shall give second priority
137.27 to programs that utilize state employees as intensive supervision agents. The commissioner
137.28 may award contracts to other providers in Community Corrections Act counties only if
137.29 doing so will result in a significant cost savings or a significant increase in the quality of
137.30 services provided, and only after notifying the chairs of the committees in the senate and
137.31 house of representatives with jurisdiction over criminal justice policy.

138.1 Sec. 30. Minnesota Statutes 2024, section 244.171, subdivision 4, is amended to read:

138.2 Subd. 4. **Sanctions.** (a) The commissioner shall impose severe and meaningful sanctions
138.3 for violating the conditions of the challenge incarceration program. The commissioner shall
138.4 remove an offender from the challenge incarceration program if the offender:

138.5 (1) commits a material violation of or repeatedly fails to follow the rules of the program;

138.6 (2) commits any misdemeanor, gross misdemeanor, or felony offense; or

138.7 (3) presents a risk to the public, based on the offender's behavior, attitude, or abuse of
138.8 alcohol or controlled substances. The removal of an offender from the challenge incarceration
138.9 program is governed by the procedures in the commissioner's ~~rules adopted~~ policy under
138.10 section 244.05, subdivision 2.

138.11 (b) An offender who is removed from the challenge incarceration program shall be
138.12 imprisoned for a time period equal to the offender's term of imprisonment, minus earned
138.13 good time if any, but in no case for longer than the time remaining in the offender's sentence.
138.14 "Term of imprisonment" means a time period equal to two-thirds of the sentence originally
138.15 executed by the sentencing court, minus jail credit, if any.

138.16 (c) Notwithstanding paragraph (b), an offender who has been removed from the challenge
138.17 incarceration program but who remains otherwise eligible for acceptance into the program
138.18 may be readmitted at the commissioner's discretion. An offender readmitted to the program
138.19 under this paragraph must participate from the beginning and complete all of the program's
138.20 phases.

138.21 Sec. 31. Minnesota Statutes 2024, section 244.19, subdivision 1c, is amended to read:

138.22 Subd. 1c. **Community supervision funding; eligibility for funding formula.** (a) A
138.23 CPO jurisdiction:

138.24 (1) must collaborate with the commissioner to develop a comprehensive plan under
138.25 section 401.06; and

138.26 (2) is subject to all applicable eligibility provisions under chapter 401 necessary to
138.27 receive a subsidy under section 401.10.

138.28 (b) A non-CPO jurisdiction is eligible to receive a subsidy under section 401.10 but is
138.29 not a Community Corrections Act jurisdiction under chapter 401, ~~and~~ Except as provided
138.30 under section 401.115, the commissioner:

138.31 ~~(1)~~ is appropriated the jurisdiction's share of funding under section 401.10 for providing
138.32 probation services; ~~and~~.

139.1 ~~(2) may seek reimbursement from the jurisdiction according to subdivision 5a.~~

139.2 Sec. 32. Minnesota Statutes 2024, section 244.19, subdivision 1d, is amended to read:

139.3 Subd. 1d. **Commissioner of corrections; reimbursing CPO and non-CPO jurisdictions**
139.4 **jurisdiction**. As calculated by the community supervision formula under section 401.10,
139.5 the commissioner must:

139.6 ~~(1) reimburse a CPO jurisdiction for the cost that the jurisdiction assumes under this~~
139.7 ~~section for providing probation services, including supervising juveniles committed to the~~
139.8 ~~commissioner of corrections; and.~~

139.9 ~~(2) reimburse a non-CPO jurisdiction for the commissioner's provision of probation~~
139.10 ~~services to the jurisdiction under this section.~~

139.11 Sec. 33. Minnesota Statutes 2024, section 244.19, subdivision 5, is amended to read:

139.12 Subd. 5. **Commissioner ~~compensation to~~ duties for non-CPO jurisdiction**. (a) For a
139.13 non-CPO jurisdiction, the commissioner must, ~~out of appropriations provided under~~
139.14 ~~subdivision 5a, paragraph (b),~~ pay probation officers the salary and all benefits fixed by the
139.15 state law or applicable bargaining unit and all necessary expenses, including secretarial
139.16 service, office equipment and supplies, postage, telephone services, and travel and
139.17 subsistence.

139.18 (b) Except as provided under section 401.115, the commissioner must pay the items
139.19 under paragraph (a) using appropriations provided under section 401.10.

139.20 Sec. 34. Minnesota Statutes 2024, section 244.19, subdivision 5a, is amended to read:

139.21 Subd. 5a. **Department of Corrections ~~billing; CPO and non-CPO jurisdiction~~**
139.22 **~~reimbursement~~ annual reporting**. (a) At least ~~every six months~~ annually, the commissioner
139.23 must ~~bill for the total cost and expenses incurred by the commissioner on behalf of each~~
139.24 ~~non-CPO jurisdiction that has received probation services. The commissioner must notify~~
139.25 ~~each CPO and non-CPO jurisdiction of the total cost and expenses, and the jurisdiction must~~
139.26 ~~pay to the commissioner the amount due for reimbursement~~ incurred by the commissioner
139.27 on behalf of each CPO and non-CPO jurisdiction that has received probation services.

139.28 ~~(b) Each CPO and non-CPO jurisdiction must reimburse the Department of Corrections~~
139.29 ~~for the total cost and expenses of the probation services as incurred by the commissioner,~~
139.30 ~~excluding the cost and expense of services provided under the state's obligation for adult~~
139.31 ~~felony supervision in section 244.20. Money received under this paragraph from a non-CPO~~

140.1 ~~jurisdiction must be annually appropriated to the commissioner for providing probation~~
140.2 ~~services to the jurisdiction.~~

140.3 ~~(c) Objections by a non-CPO jurisdiction to all allocation of cost and expenses must be~~
140.4 ~~presented to and determined by the commissioner.~~

140.5 ~~(d) In addition to the billing and reimbursement requirements under this section, (b)~~
140.6 Invoicing and payments for probation services for a CPO jurisdiction are as provided under
140.7 sections 401.14 and 401.15.

140.8 Sec. 35. Minnesota Statutes 2024, section 244.20, is amended to read:

140.9 **244.20 PROBATION; FELONY SUPERVISION.**

140.10 (a) Notwithstanding sections 244.19, subdivisions 1 to 1d, and 609.135, subdivision 1,
140.11 the Department of Corrections:

140.12 (1) has exclusive responsibility for providing probation services for adult felons in
140.13 counties and Tribal Nations that do not take part in the Community Corrections Act subsidy
140.14 program under chapter 401; and

140.15 (2) to provide felony supervision, retains the county's or Tribal Nation's funding allotted
140.16 under section 401.10 for providing felony probation services.

140.17 (b) Paragraph (a), clause (2), does not apply to a Tribal Nation's subsidy under section
140.18 401.115.

140.19 Sec. 36. Minnesota Statutes 2024, section 326.338, subdivision 4, is amended to read:

140.20 Subd. 4. **Protective agent.** A person who for a fee, reward, or other valuable consideration
140.21 undertakes any of the following acts is considered to be engaged in the business of protective
140.22 agent:

140.23 (1) providing guards, private patrol, or other security personnel to protect persons or
140.24 their property or to prevent the theft, unlawful taking of goods, merchandise, or money, or
140.25 to prevent the misappropriation or concealment of goods, merchandise, money, or other
140.26 valuable things, or to procure the return of those things;

140.27 (2) physically responding to any alarm signal device, burglar alarm, television camera,
140.28 still camera, or a mechanical or electronic device installed or used to prevent or detect
140.29 burglary, theft, shoplifting, pilferage, losses, or other security measures;

140.30 (3) providing armored car services for the protection of persons or property;

141.1 (4) controlling motor traffic on public streets, roads, and highways for the purpose of
141.2 escorting a funeral procession and oversized loads;

141.3 (5) providing management and control of crowds for the purpose of safety and protection;
141.4 or

141.5 (6) providing guards or other security personnel to transport prisoners or any other person
141.6 arrested on a warrant, except that this does not apply to the transport or escort of offenders
141.7 by staff of the Department of Corrections; the transport of a person by the sheriff of a county
141.8 to the appropriate adult or juvenile correctional facility as designated by the commissioner
141.9 of corrections or to and from court in connection with postconviction, habeas corpus, or
141.10 intrastate mandatory disposition of detainers proceedings; the transfer of a person by
141.11 emergency medical services personnel; or the transfer of a person by a peace officer as
141.12 defined in section 626.84, subdivision 1, paragraph (c), or employed by a federal law
141.13 enforcement agency.

141.14 A person covered by this subdivision may perform the traffic-control duties in clause
141.15 (4) in place of a police officer when a special permit is required, provided that the protective
141.16 agent is first-aid qualified.

141.17 Sec. 37. Minnesota Statutes 2024, section 401.01, subdivision 2, is amended to read:

141.18 Subd. 2. **Definitions.** (a) For purposes of this chapter, the terms defined in this subdivision
141.19 have the meanings given them.

141.20 (b) "CCA jurisdiction" means a county or Tribal Nation that participates in the
141.21 Community Corrections Act, the subsidy program under this chapter.

141.22 (c) "Commissioner" means the commissioner of corrections or a designee.

141.23 (d) "Conditional release" means:

141.24 (1) parole, supervised release, or conditional release as authorized by section 609.3455,
141.25 subdivision 6, 7, or 8; Minnesota Statutes 2004, section 609.108, subdivision 6; or Minnesota
141.26 Statutes 2004, section 609.109, subdivision 7;

141.27 (2) work release as authorized by sections 241.26, ~~244.065~~, and 631.425; and

141.28 (3) probation, furlough, and any other authorized temporary release from a correctional
141.29 facility.

141.30 (e) "Detain" means to take into actual custody, including custody within a local
141.31 correctional facility.

142.1 (f) "Joint board" means the board under section 471.59.

142.2 (g) "Local advisory board" means:

142.3 (1) for a CCA jurisdiction, a corrections advisory board as defined in section 401.08;

142.4 (2) for a non-CCA jurisdiction other than a Tribal Nation, a human services advisory
142.5 board as defined in section 402.02, or advisory committee or task force as defined in section
142.6 402.03; or

142.7 (3) for a Tribal Nation that is a non-CCA jurisdiction, a board with membership as
142.8 determined by the Tribal Nation.

142.9 (h) "Non-CCA jurisdiction" means a county or Tribal Nation that is not participating in
142.10 the Community Corrections Act subsidy program and provides or receives probation services
142.11 according to section 244.19.

142.12 (i) "Probation officer" means a county or Tribal probation officer under a CCA or
142.13 non-CCA jurisdiction appointed with the powers under section 244.19.

142.14 (j) "Release" means to release from actual custody.

142.15 (k) "Tribal Nation" means a federally recognized Tribal Nation within the boundaries
142.16 of the state of Minnesota.

142.17 Sec. 38. Minnesota Statutes 2024, section 401.03, is amended to read:

142.18 **401.03 RULEMAKING AUTHORITY; TECHNICAL ASSISTANCE.**

142.19 (a) The commissioner must, as provided in chapter 14, adopt rules to implement this
142.20 chapter and provide consultation and technical assistance to counties and Tribal Nations to
142.21 help them develop comprehensive plans, including abbreviated plans.

142.22 (b) The time limit to adopt rules under section 14.125 does not apply.

142.23 Sec. 39. Minnesota Statutes 2024, section 401.10, subdivision 1, is amended to read:

142.24 Subdivision 1. **Community supervision funding formula.** (a) Beginning July 1, 2023,
142.25 the community supervision subsidy paid to each county, the commissioner for supervision
142.26 of non-CCA jurisdictions served by the Department of Corrections, and each applicable
142.27 Tribal Nation ~~under paragraph (e)~~ providing services as a CCA jurisdiction or CPO
142.28 jurisdiction as defined in section 244.19, subdivision 1a, paragraph (b), equals the sum of:

142.29 (1) a base funding amount equal to \$150,000; and

142.30 (2) a community supervision formula equal to the sum of:

143.1 ~~(i) for each individual with a felony sentence, a felony per diem rate of \$5.62 multiplied~~
 143.2 ~~by the sum of the county's or Tribal Nation's adult felony population, adult supervised~~
 143.3 ~~release and parole populations, and juvenile supervised release and parole populations as~~
 143.4 ~~reported in the most recent probation survey published by the commissioner, multiplied by~~
 143.5 ~~365; and~~

143.6 ~~(ii) for each individual sentenced for a gross misdemeanor or misdemeanor or under~~
 143.7 ~~juvenile probation, the felony per diem rate of \$5.62 multiplied by 0.5 and then multiplied~~
 143.8 ~~by the sum of the county's or Tribal Nation's gross misdemeanor, misdemeanor, and juvenile~~
 143.9 ~~populations as reported in the most recent probation survey published by the commissioner,~~
 143.10 ~~multiplied by 365.~~

143.11 (i) for individuals with a felony sentence, the felony per diem rate of \$5.62 shall be
 143.12 multiplied by the average total population over the three most recent years, as reported in
 143.13 the probation surveys published by the commissioner. This population includes the county
 143.14 or Tribal Nation's adult felony population, adult supervised release population, adult parole
 143.15 population, juvenile supervised release population, and juvenile parole populations. The
 143.16 resulting amount shall then be multiplied by 365 to calculate the total annual allocation;
 143.17 and

143.18 (ii) for individuals sentenced for a gross misdemeanor or misdemeanor, or under juvenile
 143.19 probation, the felony per diem rate of \$5.62 shall be multiplied by 0.5, and then multiplied
 143.20 by the average total population over the three most recent years, as reported in the probation
 143.21 surveys published by the commissioner. This population includes the county or Tribal
 143.22 Nation's gross misdemeanor population, misdemeanor population, and juvenile probation
 143.23 population. The resulting amount shall then be multiplied by 365 to calculate the total annual
 143.24 allocation.

143.25 (b) For a non-CCA jurisdiction under section 244.19, subdivision 1b, paragraph (b) or
 143.26 (c), the base funding amount must be shared equally between the jurisdiction and the
 143.27 commissioner for the provision of felony supervision under section 244.20.

143.28 (c) If in any year the total amount appropriated for the purpose of this section is more
 143.29 than or less than the total of base funding plus community supervision formula funding for
 143.30 all counties and applicable Tribal Nations, the sum of each county's and applicable Tribal
 143.31 Nation's base funding plus community supervision formula funding is adjusted by the ratio
 143.32 of amounts appropriated for this purpose divided by the total of base funding plus community
 143.33 supervision formula funding for all counties and applicable Tribal Nations.

(d) If in any year the base funding plus the community supervision formula amount based on what was appropriated in fiscal year 2024 is less than the funding paid to the county in fiscal year 2023, the difference is added to the community supervision formula amount for that county. A county is not eligible for additional funding under this paragraph unless the base funding plus community supervision formula results in an increase in funding for the county based on what was appropriated in the previous fiscal year. This paragraph expires June 30, 2029.

~~(e) For each Tribal Nation, a funding amount of \$250,000 is allotted annually to purchase probation services or probation-related services, including contracted services, but a Tribal Nation that becomes a CCA jurisdiction or a non-CCA jurisdiction under section 244.19, subdivision 1b, paragraph (b) or (c), is an applicable Tribal Nation under paragraphs (a) to (e) and:~~

~~(1) has the Tribal Nation's funding amount of \$250,000 transferred to the total community supervision subsidy amount appropriated for the purposes of this section; and~~

~~(2) is allotted a base funding amount equal to \$150,000 plus an amount as determined according to the community supervision formula under paragraph (a), clause (2).~~

~~(f)~~ (e) Minnesota Rehabilitation and Reinvestment Act savings under section 244.50, subdivision 4, clause (2), are appropriated to each CCA jurisdiction and non-CCA jurisdiction served by the Department of Corrections by dividing the three-year average of the number of individuals on supervised release and intensive supervised release within the jurisdiction by the three-year average of the total number of individuals under supervised release and intensive supervised release statewide, using the numbers reported annually in the Probation Survey report.

Sec. 40. Minnesota Statutes 2024, section 401.10, is amended by adding a subdivision to read:

Subd. 1a. **Prorating subsidy for Interstate Transfer Unit.** Before disbursing the community supervision subsidy in subdivision 1, the commissioner must prorate the cost of the Interstate Transfer Unit based upon the county's share of the average total probation population over the three most recent years as reported in the probation survey published by the commissioner and deduct that amount from the county's subsidy.

145.1 Sec. 41. Minnesota Statutes 2024, section 401.10, subdivision 4, is amended to read:

145.2 Subd. 4. **Report.** ~~(a)~~ By January 15, 2025, and every odd-numbered year thereafter, the
145.3 commissioner must submit a report to the chairs and ranking minority members of the
145.4 legislative committees and divisions with jurisdiction over public safety finance and policy.

145.5 At a minimum, the report must summarize and contain the following data:

145.6 (1) the commissioner's most recent workload study under section 401.17, subdivision
145.7 4; and

145.8 ~~(2) the commissioner's collected caseload data under section 244.21, subdivision 1; and~~

145.9 ~~(3)~~ (2) projected growth in the community supervision formula calculated by analyzing
145.10 ~~caseload~~ supervision population trends and data.

145.11 ~~(b) The report may be made in conjunction with reporting under section 244.21.~~

145.12 Sec. 42. Minnesota Statutes 2024, section 401.11, subdivision 1, is amended to read:

145.13 Subdivision 1. **Policy items.** (a) Except for an abbreviated comprehensive plan submitted
145.14 under section 401.115, a comprehensive plan submitted to the commissioner for approval
145.15 under section 401.06 must include items prescribed by commissioner policy and may include
145.16 the following:

145.17 (1) the manner in which presentence and postsentence investigations and reports for the
145.18 district courts and social history reports for the juvenile courts will be made;

145.19 (2) the manner in which conditional release services to the courts and persons under
145.20 jurisdiction of the commissioner will be provided;

145.21 (3) a program for detaining, supervising, and treating persons under pretrial detention
145.22 or under commitment;

145.23 (4) delivery of other correctional services;

145.24 (5) proposals for new programs, which proposals must demonstrate a need for the
145.25 program, and the program's purpose, objective, administrative structure, staffing pattern,
145.26 staff training, financing, evaluation process, degree of community involvement, client
145.27 participation, and duration;

145.28 (6) descriptions of programs that adhere to best practices for assessing risk and using
145.29 interventions that address an individual's needs while tailoring supervision and interventions
145.30 by using risk, need, and responsivity principles; and

(7) data on expenditures, costs, and programming results and outcomes for individuals under community supervision.

(b) The commissioner must develop in policy budgetary requirements for comprehensive plans to ensure the efficient and accountable expenditure of a county's or Tribal Nation's subsidy for correctional services and programming to produce successful community supervision outcomes.

Sec. 43. **[401.115] NONPARTICIPATING TRIBAL NATIONS.**

Subdivision 1. Subsidy amount. A Tribal Nation electing not to provide services as a CCA jurisdiction or a CPO jurisdiction under section 244.19, subdivision 1a, paragraph (b), is eligible for a subsidy of \$250,000 annually to purchase or provide community supervision services or reentry services, including contracted services.

Subd. 2. Eligibility for subsidy. (a) A Tribal Nation is eligible to receive funding under subdivision 1 upon submission and approval by the commissioner of an abbreviated comprehensive plan. Section 401.08 does not apply. The abbreviated plan must comply with commissioner-developed standards and, at minimum:

(1) describe the community supervision services or reentry services for which the funding will be utilized;

(2) identify a steering committee to oversee the use of funds; and

(3) provide a budget for those services.

(b) Once approved, the abbreviated comprehensive plan is valid for two years.

Subd. 3. Paying subsidy. A Tribal Nation receiving the subsidy under subdivision 1 must be paid according to section 401.14.

Subd. 4. Eligibility for community supervision funding formula. A Tribal Nation electing to become a CCA jurisdiction or a non-CCA jurisdiction under section 244.19, subdivision 1b, paragraph (b) or (c), is an applicable Tribal Nation under section 401.10, subdivision 1, paragraphs (a) to (c), and:

(1) has the Tribal Nation's funding amount under subdivision 1 transferred to the community supervision formula amount appropriated for the purpose of section 401.10;

(2) is allotted a base funding amount equal to \$150,000 plus an amount as determined according to the community supervision formula under section 401.10, subdivision 1, paragraph (a), clause (2); and

147.1 (3) is subject to all requirements relating to providing correctional services under section
147.2 244.19 and chapter 401.

147.3 Sec. 44. Minnesota Statutes 2024, section 401.14, is amended to read:

147.4 **401.14 PAYING SUBSIDY TO CCA AND NON-CCA JURISDICTIONS.**

147.5 Subdivision 1. **Payment.** (a) This section does not apply to:

147.6 (1) a non-CCA jurisdiction under section 244.19, subdivision 1b, paragraph (d); and

147.7 (2) a non-CCA jurisdiction under section 244.19, subdivision 1b, paragraph (b) or (c),

147.8 for the portion of the subsidy distributed for felony probation services.

147.9 (b) After a county or Tribal Nation becomes compliant with the prerequisites for receiving
147.10 the subsidy and the commissioner approves the applicable comprehensive plan, the
147.11 commissioner must determine whether funds exist to pay the subsidy and proceed to pay it
147.12 in accordance with applicable law.

147.13 Subd. 2. **Quarterly remittance.** Based on the approved comprehensive plan, the
147.14 commissioner may estimate the amount to be expended in furnishing the required correctional
147.15 services during each calendar quarter and cause the estimated amount to be remitted to the
147.16 counties and Tribal Nations entitled to the amount as provided under section 401.15,
147.17 subdivision 1.

147.18 Subd. 3. **Installment payments.** The commissioner must:

147.19 (1) make payments for correctional services to each county and Tribal Nation in 12
147.20 installments per year;

147.21 (2) ensure that the pertinent payment of the allotment for each month is made to each
147.22 county and Tribal Nation on the first working day after the end of each month of the calendar
147.23 year, except for the last month of the calendar year; and

147.24 (3) ensure that each county and Tribal Nation receives its monthly payment allotment
147.25 no later than the last working day of each month.

147.26 Sec. 45. Minnesota Statutes 2024, section 401.15, subdivision 2, is amended to read:

147.27 Subd. 2. **Formula review.** The commissioner must ~~annually~~ review the community
147.28 supervision formula under section 401.10 at the start of each biennium and calculate and
147.29 prorate the subsidy accordingly.

148.1 Sec. 46. Minnesota Statutes 2024, section 401.17, subdivision 1, is amended to read:

148.2 Subdivision 1. **Establishment; members.** (a) The commissioner must establish a
148.3 Community Supervision Advisory Committee to develop and make recommendations to
148.4 the commissioner on standards for probation, supervised release, and community supervision.

148.5 The committee consists of 19 members as follows:

148.6 (1) two directors appointed by the Minnesota Association of Community Corrections
148.7 Act Counties;

148.8 (2) two probation directors appointed by the Minnesota Association of County Probation
148.9 Officers;

148.10 (3) three county commissioner representatives appointed by the Association of Minnesota
148.11 Counties;

148.12 (4) two behavioral health, treatment, or programming providers who work directly with
148.13 individuals on correctional supervision, one appointed by the Department of Human Services
148.14 and one appointed by the Minnesota Association of County Social Service Administrators;

148.15 (5) two representatives appointed by the Minnesota Indian Affairs Council;

148.16 (6) two commissioner-appointed representatives from the Department of Corrections;

148.17 (7) the chair of the statewide Evidence-Based Practice Advisory Committee;

148.18 (8) three individuals ~~who have been supervised, either individually or collectively, under~~
148.19 ~~each of the state's three community supervision delivery systems~~ with varied experiences
148.20 in community supervision, reflecting the diversity of the state's supervision frameworks as
148.21 well as demographic and geographic diversity, appointed by the commissioner in consultation
148.22 with the Minnesota Association of County Probation Officers and the Minnesota Association
148.23 of Community Corrections Act Counties;

148.24 (9) an advocate for victims of crime appointed by the commissioner; ~~and~~

148.25 (10) a representative from a community-based research ~~and~~ or advocacy entity appointed
148.26 by the commissioner;

148.27 (11) two judicial representatives, one from the seven-county metropolitan area and one
148.28 from greater Minnesota, appointed by the Minnesota Judicial Council;

148.29 (12) one prosecutor appointed by the Minnesota County Attorneys Association; and

148.30 (13) one defense attorney appointed by the Minnesota State Public Defender.

(b) When an appointing authority selects an individual for membership on the committee, the authority must make reasonable efforts to reflect geographic diversity and to appoint qualified members of protected groups, as defined under section 43A.02, subdivision 33.

(c) Chapter 15 applies to the extent consistent with this section.

(d) The commissioner must convene the first meeting of the committee on or before October 1, 2023.

Sec. 47. Minnesota Statutes 2024, section 401.17, subdivision 5, is amended to read:

Subd. 5. Data collection; report. (a) By June 1, 2024, the advisory committee, in consultation with the Minnesota Counties Computer Cooperative, must create a method to (1) standardize data classifications across the three community supervision systems, and (2) collect data for the commissioner to publish in an annual report to the chairs and ranking minority members of the legislative committees and divisions with jurisdiction over public safety finance and policy.

(b) The advisory committee's method, at a minimum, must provide for collecting the following data:

(1) the number of individuals sentenced to supervision each year;

(2) the offense levels, offense types, and assessed risk levels for which individuals are sentenced to supervision;

(3) violation and revocation rates and the identified grounds for the violations and revocations, including final disposition of the violation action such as execution of the sentence, imposition of new conditions, or a custodial sanction;

(4) the number of individuals granted early discharge from probation;

(5) the number of individuals restructured on supervision, including imposition of new conditions of release; and

(6) the number of individuals revoked from supervision and the identified grounds for revocation.

(c) Beginning ~~January 15~~ May 1, 2025, as part of the report under section ~~241.21~~ 244.21, subdivision 2, the commissioner must include data collected under the committee method established under this subdivision. The commissioner must analyze the collected data by race, gender, and county, including Tribal Nations.

150.1 (d) Nothing in this section overrides the commissioner's authority to require additional
150.2 data be provided under other law.

150.3 Sec. 48. Minnesota Statutes 2024, section 609.105, subdivision 2, is amended to read:

150.4 Subd. 2. **Place of confinement.** (a) The commissioner of corrections shall determine
150.5 the place of confinement in a prison, reformatory, or other facility of the Department of
150.6 Corrections established by law for the confinement of convicted persons and prescribe
150.7 reasonable conditions and rules for their employment, conduct, instruction, and discipline
150.8 within or without the facility. When the remaining term of imprisonment for a convicted
150.9 person upon commitment is 90 days or less, the commissioner of corrections may contract
150.10 with a county for placement of the person in a county jail or detention center for the
150.11 remainder of the person's term.

150.12 (b) A commissioner's determination, prescription, or policy rule under this section is
150.13 not a rule under chapter 14 and is exempt from the rulemaking provisions under chapter
150.14 14, including section 14.386.

150.15 Sec. 49. Minnesota Statutes 2024, section 609.495, subdivision 1, is amended to read:

150.16 Subdivision 1. **Definition of crime.** (a) Whoever harbors, conceals, aids, or assists by
150.17 word or acts another whom the actor knows or has reason to know has committed a crime
150.18 under the laws of this or another state or of the United States with intent that such offender
150.19 shall avoid or escape from arrest, trial, conviction, or punishment, may be sentenced to
150.20 imprisonment for not more than three years or to payment of a fine of not more than \$5,000,
150.21 or both if the crime committed or attempted by the other person is a felony.

150.22 (b) Whoever knowingly harbors, conceals, or aids a person who is on probation, parole,
150.23 or supervised release because of a felony level conviction and for whom an arrest and
150.24 detention order has been issued, with intent that the person evade or escape being taken into
150.25 custody under the order, may be sentenced to imprisonment for not more than three years
150.26 or to payment of a fine of not more than \$5,000, or both. As used in this paragraph, "arrest
150.27 and detention order" means a written order to take and detain a probationer, parolee, or
150.28 supervised releasee that is issued under section ~~243.05, subdivision 1; 244.195; 243.051,~~
150.29 244.1951, or 401.025.

150.30 **EFFECTIVE DATE.** This section is effective August 1, 2025, and applies to crimes
150.31 committed on or after that date.

151.1 Sec. 50. Laws 2023, chapter 52, article 11, section 31, is amended to read:

151.2 Sec. 31. **MENTAL HEALTH UNIT PILOT PROGRAM.**

151.3 (a) The commissioner of corrections shall establish a pilot program with interested
151.4 counties to provide mental health care to individuals with serious and persistent mental
151.5 illness who are incarcerated in county jails. The pilot program must require the participating
151.6 counties to pay according to Minnesota Statutes, section 243.51, a per diem for
151.7 reimbursement of the Mental Health Unit at the Minnesota Correctional Facility - Oak Park
151.8 Heights, and other costs incurred by the Department of Corrections.

151.9 (b) The commissioner in consultation with the Minnesota Sheriffs' Association shall
151.10 develop program protocols, guidelines, and procedures and qualifications for participating
151.11 counties and incarcerated individuals to be treated in the Mental Health Unit. The program
151.12 is limited to a total of five incarcerated individuals from the participating counties at any
151.13 one time. Incarcerated individuals must ~~volunteer to be treated in the unit~~ and be able to
151.14 participate in programming with other incarcerated individuals. A licensed mental health
151.15 professional must evaluate the incarcerated individual and recommend the individual to
151.16 receive treatment in the unit.

151.17 (c) The Minnesota Correctional Facility - Oak Park Heights warden, director of
151.18 psychology, and associate director of behavioral health, or a designee of each, in consultation
151.19 with the Minnesota Sheriffs' Association, the Minnesota branch of the National Association
151.20 on Mental Illness, and the Department of Human Services, shall oversee the pilot program.

151.21 ~~(d) On November 15, 2024, the warden shall submit a report to the chairs and ranking~~
151.22 ~~minority members of the legislative committees and divisions with jurisdiction over~~
151.23 ~~corrections describing the protocols, guidelines, and procedures for participation in the pilot~~
151.24 ~~program by counties and incarcerated individuals, challenges with staffing, cost sharing~~
151.25 ~~with counties, capacity of the program, services provided to the incarcerated individuals,~~
151.26 ~~program outcomes, concerns regarding the program, and recommendations for the viability~~
151.27 ~~of a long-term program.~~

151.28 ~~(e)~~ (d) The pilot program expires ~~November 16, 2024~~ August 1, 2027.

151.29 Sec. 51. **REPEALER.**

151.30 (a) Minnesota Statutes 2024, sections 243.58; 244.065, subdivision 1; 253.21; and 253.23,
151.31 are repealed.

152.1 (b) Minnesota Rules, parts 2940.0100, subparts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13, 14,
152.2 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 31, 32, 33, and 34; 2940.0200;
152.3 2940.0300; 2940.0400; 2940.0500; 2940.0600; 2940.0700; 2940.0800; 2940.0900;
152.4 2940.1000; 2940.1100; 2940.1200; 2940.1300; 2940.1400; 2940.1500; 2940.1600;
152.5 2940.1700; 2940.1800; 2940.1900; 2940.2000; 2940.2100; 2940.2200; 2940.2300;
152.6 2940.2400; 2940.2500; 2940.2600; 2940.2700; 2940.2800; 2940.2900; 2940.3000;
152.7 2940.3100; 2940.3200; 2940.3300; 2940.3400; 2940.3500; 2940.3600; 2940.3700;
152.8 2940.3800; 2940.3900; 2940.4000; 2940.4100; 2940.4200; 2940.4300; 2940.4400;
152.9 2940.4500; and 2940.5700, are repealed.

152.10 **ARTICLE 9**

152.11 **CIVIL COMMITMENT COORDINATING DIVISION**

152.12 Section 1. **[8.365] DEFINITIONS.**

152.13 (a) The definitions in section 253B.02 apply to sections 8.37 to 8.38.

152.14 (b) For the purposes of sections 8.37 to 8.38, the following terms have the meanings

152.15 given:

152.16 (1) "engagement services" means the services described under section 253B.041;

152.17 (2) "outpatient civil commitment" means the option available to a committing court

152.18 under section 253B.09, subdivision 1, paragraph (c); and

152.19 (3) "provisional discharge" means the option available to the head of a treatment facility

152.20 or community-based treatment program under section 253B.09, subdivision 1.

152.21 Sec. 2. **[8.37] CIVIL COMMITMENT COORDINATING DIVISION.**

152.22 Subdivision 1. **Civil Commitment Coordinating Division established.** There shall be
152.23 in the Office of the Attorney General a Civil Commitment Coordinating Division. A civil
152.24 commitment coordinator shall be appointed by the attorney general. The civil commitment
152.25 coordinator shall perform duties that may lawfully be assigned to the coordinator by the
152.26 attorney general or by law.

152.27 Subd. 2. **Duties of the civil commitment coordinator.** The civil commitment coordinator
152.28 must:

152.29 (1) continuously maintain the Civil Commitment Advisory Committee;

152.30 (2) in consultation with the Civil Commitment Advisory Committee, provide best
152.31 practices and guidance regarding engagement services, outpatient civil commitment, and

153.1 provisional discharge to committing courts, counties, designated agencies, treatment facilities,
153.2 and community-based treatment programs;

153.3 (3) advocate for increased statewide capacity for engagement services, outpatient civil
153.4 commitment, and provisional discharge;

153.5 (4) provide ongoing technical assistance to those at the local and regional level tasked
153.6 with monitoring participants civilly committed under chapter 253B;

153.7 (5) provide guidance on data collection of outcomes related to engagement services,
153.8 outpatient civil commitment, and provisional discharge;

153.9 (6) aggregate and analyze all data submitted by all jurisdictions by either contracting
153.10 with a third party to perform these tasks or entering into an interagency agreement with the
153.11 commissioner of management and budget to utilize the Results First Initiative to perform
153.12 these tasks;

153.13 (7) ensure that any data submitted is treated in accordance with chapter 13; and

153.14 (8) create a public awareness campaign designed to educate the public about the
153.15 availability and effectiveness of engagement services.

153.16 Subd. 3. **Civil Commitment Advisory Committee.** (a) The attorney general shall
153.17 establish the Civil Commitment Advisory Committee. The Civil Commitment Advisory
153.18 Committee shall advise the civil commitment coordinator on: identification of best practices
153.19 regarding engagement services, outpatient civil commitment, and provisional discharge;
153.20 development of guidance for implementation of engagement services, outpatient civil
153.21 commitment, and provisional discharge; development of data reporting requirements and
153.22 standards; identification of outcomes to be measured through data analysis; and other topics
153.23 as determined by the coordinator.

153.24 (b) The Civil Commitment Advisory Committee must consist of no fewer than 11
153.25 members and no more than 20 members. The membership of the committee must include:

153.26 (1) the attorney general or a designee who is not the civil commitment coordinator;

153.27 (2) the chief executive officer of Direct Care and Treatment or a designee;

153.28 (3) the commissioner of public safety or a designee;

153.29 (4) the commissioner of corrections or a designee;

153.30 (5) the ombudsman for mental health and developmental disabilities or a designee;

154.1 (6) a member representing district court judges, appointed by the chief justice of the
154.2 supreme court;

154.3 (7) a member representing district court administrators, appointed by the chief justice
154.4 of the supreme court;

154.5 (8) a member representing county administrators or county social services administrators,
154.6 appointed by the attorney general;

154.7 (9) a member representing federally recognized Tribes in Minnesota and urban Indian
154.8 communities, appointed by the Indian Affairs Council;

154.9 (10) a member who is a defense attorney and has represented a person referred for civil
154.10 commitment, appointed by the attorney general;

154.11 (11) a member who was previously civilly committed, appointed by the attorney general;

154.12 (12) a member who is a parent, sibling, or child of a person currently or previously
154.13 civilly committed, appointed by the attorney general;

154.14 (13) a member who is a person for whom engagement services were successfully
154.15 provided, appointed by the attorney general;

154.16 (14) a member who is a provider of engagement services, appointed by the attorney
154.17 general;

154.18 (15) a member who represents a treatment facility or community-based treatment program
154.19 that accepts civilly committed participants, appointed by the attorney general;

154.20 (16) up to four additional members appointed by the attorney general; and

154.21 (17) the Minnesota Competency Attainment Board Program Administrator or designee.

154.22 (c) The attorney general must consult with the chief executive officer of Direct Care
154.23 and Treatment before making appointments to the committee.

154.24 (d) The members of the Civil Commitment Advisory Committee serve without
154.25 compensation.

154.26 **Sec. 3. [8.38] DIVERSION STUDIES.**

154.27 Subdivision 1. **Diversion studies.** Each county must conduct diversion studies in
154.28 accordance with the requirements of this section. Diversion studies must examine each
154.29 county's local behavioral health system's capacity to divert people who have a mental illness,
154.30 developmental disability, or chemical use disorder away from the local justice system and
154.31 into treatment. The civil commitment coordinator must establish uniform study guidelines,

155.1 data requirements, including any qualitative data or narrative requirements, and data reporting
 155.2 procedures for diversion studies. The coordinator must ensure that the study guidelines and
 155.3 data requirements will allow the coordinator to determine how people with a mental illness,
 155.4 people with a developmental disability, and people with a substance use disorder come into
 155.5 contact with and move through the local criminal justice system and what resources are
 155.6 available or needed to divert individuals away from the local justice system.

155.7 Subd. 2. **Diversion study reporting requirements.** By October 1, 2027, and every two
 155.8 years thereafter, each county must submit to the coordinator in the manner established under
 155.9 subdivision 1 all required data and narratives related to its diversion study.

155.10 Subd. 3. **Statewide diversion study report.** By April 1, 2028, and every two years
 155.11 thereafter, the civil commitment coordinator must submit to the chairs and ranking minority
 155.12 members of the legislative committees with jurisdiction over civil commitment, mental
 155.13 health, or Direct Care and Treatment a report summarizing the county-level data submitted
 155.14 under subdivision 2. The coordinator must include in the report county, regional, and
 155.15 state-level needs assessments. The coordinator must include in subsequent reports
 155.16 comparisons to the data submitted in prior reports and any statistically significant trends
 155.17 the coordinator's analysis reveals.

155.18 Sec. 4. **TRANSPORT HOLD WORK GROUP.**

155.19 Subdivision 1. **Establishment and membership.** (a) The Transport Hold Work Group
 155.20 is comprised of the following members:

155.21 (1) the commissioner of human services or the commissioner's designee;

155.22 (2) a representative of the Minnesota County Attorneys Association;

155.23 (3) the state public defender or a designee;

155.24 (4) a commitment defense attorney;

155.25 (5) at least two mental health professionals with experience in crisis response, one of
 155.26 whom must work primarily outside the seven-county metropolitan area, appointed by the
 155.27 commissioner of human services;

155.28 (6) at least two mental health professionals from underrepresented communities as
 155.29 defined in Minnesota Statutes, section 148E.025, subdivision 20;

155.30 (7) a representative of the Minnesota Sheriffs' Association;

155.31 (8) a representative of the Minnesota Chiefs of Police Association;

- 156.1 (9) a representative of the Association of Minnesota Counties;
- 156.2 (10) a representative of the Minnesota Ambulance Association;
- 156.3 (11) a representative of the National Alliance on Mental Illness Minnesota;
- 156.4 (12) a representative of Mental Health Minnesota;
- 156.5 (13) the ombudsman for mental health and developmental disabilities or the ombudsman's
- 156.6 designee; and
- 156.7 (14) the chief executive officer of Direct Care and Treatment or a designee.
- 156.8 (b) Members listed in clauses (2), (4), (5), and (6) to (12) are appointed by the
- 156.9 commissioner of human services, with recommendation from the named organizations.
- 156.10 Subd. 2. **Duties.** (a) The duties of the work group are to:
- 156.11 (1) determine best practices when a person must be taken into custody and transported
- 156.12 for emergency admission under Minnesota Statutes, section 253B.051;
- 156.13 (2) determine best practices when a peace officer may use authorized force to take a
- 156.14 person into custody and transport the person under Minnesota Statutes, section 253B.051;
- 156.15 and
- 156.16 (3) develop recommendations for policy changes and funding needs to safely transport
- 156.17 people in mental health crises, including alternatives to law enforcement.
- 156.18 (b) By February 1, 2026, the work group must submit a written report to the governor
- 156.19 and the chairs and ranking minority members of the legislative committees and divisions
- 156.20 with jurisdiction over human services and public safety on the work group's activities and
- 156.21 recommendations.
- 156.22 Subd. 3. **Administration.** The Department of Human Services must provide
- 156.23 administrative support to the work group and must assist in creation of the report under
- 156.24 subdivision 2.
- 156.25 Subd. 4. **Compensation.** Members of the work group serve without compensation.
- 156.26 Subd. 5. **Appointment deadline.** Members must be appointed by the authorities under
- 156.27 subdivision 1 by July 31, 2025.
- 156.28 Subd. 6. **Meeting; chair.** The commissioner of health must convene the first meeting
- 156.29 by September 15, 2025. The work group must elect a chair at its first meeting. The chair
- 156.30 must convene meetings of the work group at least monthly.
- 156.31 Subd. 7. **Expiration.** The work group expires February 1, 2026.

ARTICLE 10

COURTS

Section 1. Minnesota Statutes 2024, section 480.243, is amended by adding a subdivision to read:

Subd. 3. **Report to legislature.** The State Board of Civil Legal Aid shall report to the chairs and ranking minority members of the legislative committees with jurisdiction over judiciary on data related to the cases and individuals and families serviced by each of the grant recipients providing legal services with funds received pursuant to section 480.242. The data shall be provided for each individual organization and, when possible, for each geographic region the organization works in, and provided in the aggregate to protect the privacy of the individuals and families served by the organization. Reports under this subdivision shall be submitted by April 1 in odd-numbered years.

Sec. 2. Minnesota Statutes 2024, section 484.44, is amended to read:

484.44 DEPUTY SHERIFF AND COURT ADMINISTRATOR; ST. LOUIS COUNTY.

There shall be at all times a chief deputy sheriff of St. Louis County and a chief deputy court administrator of the district court of St. Louis County and such other deputies as may be necessary, resident at the city of Virginia, or the city of Ely, or the city of Hibbing, and their appointment shall be made in the same manner as other deputy sheriffs and deputy clerks of the district court in said county. The salaries of such deputies shall be fixed and paid in the same manner as other such deputies. The office of said deputy sheriff at Virginia, Hibbing, and Ely shall not in any sense be considered or deemed the office of the sheriff for any purpose except the performance of duties relating solely to proceedings tried or to be tried at said places; but the office of the deputy court administrator at said places shall be equally deemed the office of the court administrator of court for all purposes ~~except the filing of papers in actions or proceedings to be tried at Duluth.~~ Marriage licenses and naturalization papers may be issued by said deputy court administrator.

Sec. 3. Minnesota Statutes 2024, section 484.51, is amended to read:

484.51 PAPERS WHERE FILED; ST. LOUIS COUNTY.

~~After~~ Regardless of the place of trial of any cause is determined, as provided in sections 484.44 to 484.52, all papers, orders and documents pertaining to all causes ~~to be tried at Virginia and filed in court shall be filed and be kept on file at the court administrator's office~~

158.1 ~~in the city of Virginia, and all causes to be tried in Hibbing and all papers, orders and~~
158.2 ~~documents pertaining thereto shall be filed and be kept on file at the court administrator's~~
158.3 ~~office in the city of Hibbing~~ can be filed at any court location in St. Louis County.

158.4 In all actions tried at the city of Virginia or the city of Hibbing, the court administrator,
158.5 as soon as final judgment is entered, shall forthwith cause such judgment to be docketed in
158.6 the court administrator's office at the county seat; and when so docketed the same shall
158.7 become a lien on real estate and have the same effect as judgments entered in causes tried
158.8 at the county seat.

158.9 In all actions tried at the city of Virginia or the city of Hibbing, involving the title of
158.10 real estate, upon final judgment being entered, all the papers in said cause shall be filed in
158.11 the court administrator's office at the county seat and the final judgment or decree recorded
158.12 therein, and a certified copy of all papers in the case shall be made by the court administrator
158.13 and retained at the court administrator's office in the city of Virginia or in the court
158.14 administrator's office in the city of Hibbing where the action was originally tried, without
158.15 additional charge to the parties to said action.

158.16 Sec. 4. Minnesota Statutes 2024, section 518.68, subdivision 1, is amended to read:

158.17 Subdivision 1. **Requirement.** Every court order or judgment and decree under this
158.18 chapter or chapter 518A that provides for child support, spousal maintenance, custody, or
158.19 parenting time must contain certain notices as set out in subdivision 2. The information in
158.20 the notices must be concisely stated in plain language. ~~The notices must be~~ and in clearly
158.21 legible print, but may not exceed two pages. An order or judgment and decree without the
158.22 notice remains subject to all statutes. The court may waive all or part of the notice required
158.23 under subdivision 2 relating to parental rights under section 518.17, subdivision 3, if it finds
158.24 it is necessary to protect the welfare of a party or child.

158.25 Sec. 5. Minnesota Statutes 2024, section 524.5-420, is amended to read:

158.26 **524.5-420 REPORTS; APPOINTMENT OF VISITOR; MONITORING; COURT**
158.27 **ORDERS.**

158.28 (a) A conservator shall report to the court for administration of the estate annually unless
158.29 the court otherwise directs, upon resignation or removal, upon termination of the
158.30 conservatorship, and at other times as the court directs. A copy of the report must be provided
158.31 to the person subject to conservatorship and to interested persons of record with the court.
158.32 An order, after notice and hearing, allowing an intermediate report of a conservator
158.33 adjudicates liabilities concerning the matters adequately disclosed in the accounting. An

159.1 order, after notice and hearing, allowing a final report adjudicates all previously unsettled
159.2 liabilities relating to the conservatorship.

159.3 (b) A report must state or contain a listing of the assets of the estate under the
159.4 conservator's control and a listing of the receipts, disbursements, and distributions during
159.5 the reporting period.

159.6 (c) The report must also state an address or post office box and a telephone number
159.7 where the conservator can be contacted.

159.8 (d) A conservator shall report to the court in writing within 30 days of the occurrence
159.9 of any of the events listed in this paragraph. The conservator must report any of the
159.10 occurrences in this paragraph and follow the same reporting requirements in this paragraph
159.11 for any employee of the conservator responsible for exercising powers and duties under the
159.12 conservatorship. A copy of the report must be provided to the person subject to
159.13 conservatorship and to interested persons of record with the court. A conservator shall report
159.14 when:

159.15 (1) the conservator is removed for cause from serving as a guardian or conservator, and
159.16 if so, the case number and court location;

159.17 (2) the conservator has a professional license from an agency listed under section
159.18 524.5-118, subdivision 2a, denied, conditioned, suspended, revoked, or canceled, and if so,
159.19 the licensing agency and license number, and the basis for denial, condition, suspension,
159.20 revocation, or cancellation of the license;

159.21 (3) the conservator is found civilly liable in an action that involves fraud,
159.22 misrepresentation, material omission, misappropriation, theft, or conversion, and if so, the
159.23 case number and court location;

159.24 (4) the conservator files for or receives protection under the bankruptcy laws, and if so,
159.25 the case number and court location;

159.26 (5) a civil monetary judgment is entered against the conservator, and if so, the case
159.27 number, court location, and outstanding amount owed;

159.28 (6) the conservator is convicted of a crime other than a petty misdemeanor or traffic
159.29 offense, and if so, the case number and court location; or

159.30 (7) an order for protection or harassment restraining order is issued against the
159.31 conservator, and if so, the case number and court location.

(e) A person subject to conservatorship or an interested person of record with the court may submit to the court a written statement disputing account statements regarding the administration of the estate or addressing any disciplinary or legal action that is contained in the reports and may petition the court for any order that is in the best interests of the person subject to conservatorship and the estate or for other appropriate relief.

(f) An interested person may notify the court in writing that the interested person does not wish to receive copies of reports required under this section after which time neither the court nor any other person is required to give notice to any person who has waived notice.

(g) The court may appoint a visitor to review a report or plan, interview the person subject to conservatorship or conservator, and make any other investigation the court directs. In connection with a report, the court may order a conservator to submit the assets of the estate to an appropriate examination to be made in a manner the court directs.

(h) The court shall establish a system for monitoring of conservatorships, including the filing and review of conservators' reports and plans. If an annual report is not filed within 60 days of the required date, the court shall issue an order to show cause. Unless otherwise ordered by the court, a report under this section shall be filed publicly.

(i) If there is no acting guardian, a conservator that becomes aware of the death of the person subject to conservatorship shall notify in writing; orally; or by phone, text message, email, or electronic service, all known interested persons as defined by section 524.5-102, subdivision 7, clauses (iii), (iv), (v), (vi), (ix), and (xi), and the court as soon as is reasonably practical, that the person subject to conservatorship has died. The conservator may delegate this task under reasonable circumstances.

(j) If a conservator fails to comply with this section, the court may decline to appoint that person as a guardian or conservator, or may remove a person as guardian or conservator.

ARTICLE 11

DATA PRACTICES

Section 1. Minnesota Statutes 2024, section 13.04, subdivision 4, is amended to read:

Subd. 4. **Procedure when data is not accurate or complete.** (a) An individual subject of the data may contest the accuracy or completeness of public or private data about themselves.

161.1 (b) To exercise this right, an individual shall notify in writing the responsible authority
161.2 of the government entity that maintains the data, describing the nature of the disagreement.

161.3 (c) Upon receiving notification from the data subject, the responsible authority shall
161.4 within 30 days either:

161.5 (1) correct the data found to be inaccurate or incomplete and attempt to notify past
161.6 recipients of inaccurate or incomplete data, including recipients named by the individual;
161.7 or

161.8 (2) notify the individual that the responsible authority has determined the data to be
161.9 correct. If the challenged data are determined to be accurate or complete, the responsible
161.10 authority shall inform the individual of the right to appeal the determination to the
161.11 commissioner as specified under paragraph (d). Data in dispute shall be disclosed only if
161.12 the individual's statement of disagreement is included with the disclosed data.

161.13 (d) A data subject may appeal the determination of the responsible authority pursuant
161.14 to the provisions of the Administrative Procedure Act relating to contested cases. An
161.15 individual must submit an appeal to the commissioner within 60 days of the responsible
161.16 authority's notice of the right to appeal or as otherwise provided by the rules of the
161.17 commissioner. Upon receipt of an appeal by an individual, the commissioner shall, before
161.18 issuing the order and notice of a contested case hearing required by chapter 14, try to resolve
161.19 the dispute through education, conference, conciliation, or persuasion. If the parties consent,
161.20 the commissioner may refer the matter to mediation. Following these efforts, the
161.21 commissioner shall dismiss the appeal or issue the order and notice of hearing.

161.22 (e) The commissioner may dismiss an appeal without first attempting to resolve the
161.23 dispute or before issuing an order and notice of a contested case hearing if:

161.24 (1) the appeal to the commissioner is not timely;

161.25 (2) the appeal concerns data previously presented as evidence in a court proceeding in
161.26 which the data subject was a party; or

161.27 (3) the individual making the appeal is not the subject of the data challenged as inaccurate
161.28 or incomplete.

161.29 (f) A responsible authority may submit private data to the commissioner to respond to
161.30 a data subject's appeal of the determination that data are accurate and complete. Section
161.31 13.03, subdivision 4, applies to data submitted by the responsible authority. Government
161.32 data submitted to the commissioner by a government entity, copies of government data
161.33 submitted by a data subject, or government data described by the data subject in their appeal

162.1 have the same classification as the data when maintained by the government entity. The
162.2 commissioner may disclose private data contained within the appeal record to the Office
162.3 of Administrative Hearings.

162.4 ~~(f)~~ (g) Data on individuals that have been successfully challenged by an individual must
162.5 be completed, corrected, or destroyed by a government entity without regard to the
162.6 requirements of section 138.17.

162.7 ~~(g)~~ (h) After completing, correcting, or destroying successfully challenged data, a
162.8 government entity may retain a copy of the commissioner of administration's order issued
162.9 under chapter 14 or, if no order were issued, a summary of the dispute between the parties
162.10 that does not contain any particulars of the successfully challenged data.

162.11 (i) Data maintained by the commissioner that a responsible authority has completed,
162.12 corrected, or destroyed as the result of the informal resolution process described in paragraph
162.13 (d) or by order of the commissioner, are private data on individuals.

162.14 Sec. 2. Minnesota Statutes 2024, section 13.05, subdivision 5, is amended to read:

162.15 Subd. 5. **Data protection.** (a) The responsible authority shall:

162.16 (1) establish procedures to assure that all data on individuals is accurate, complete, and
162.17 current for the purposes for which it was collected;

162.18 (2) establish appropriate security safeguards for all records containing data on individuals,
162.19 including procedures for ensuring that data that ~~are~~ is not public ~~are~~ is only accessible to
162.20 persons whose work assignment reasonably requires access to the data, and is only being
162.21 accessed by those persons for purposes described in the procedure; ~~and~~

162.22 (3) develop a policy incorporating these procedures, which may include a model policy
162.23 governing access to the data if sharing of the data with other government entities is authorized
162.24 by law; and

162.25 (4) establish procedures for monitoring access to private or confidential data on
162.26 individuals.

162.27 (b) When not public data is being disposed of, the data must be destroyed in a way that
162.28 prevents its contents from being determined.

Sec. 3. Minnesota Statutes 2024, section 13.356, is amended to read:

13.356 PERSONAL CONTACT AND ONLINE ACCOUNT INFORMATION.

(a) The following data on an individual collected, maintained, or received by a government entity ~~for notification purposes or as part of a subscription list for an entity's electronic periodic publications as requested by the individual~~ are private data on individuals:

(1) telephone number;

(2) email address; and

(3) Internet user name, password, Internet protocol address, and any other similar data related to the individual's online account or access procedures.

(b) Section 13.04, subdivision 2, does not apply to data classified under paragraph (a). Paragraph (a) does not apply to data submitted by an individual to the Campaign Finance Board to meet the legal requirements imposed by chapter 10A, to data submitted for purposes of making a public comment, or to data in a state agency's rulemaking email list.

(c) Data provided under paragraph (a) may ~~only be used for the specific purpose for which the individual provided the data~~ by the government entity to:

(1) communicate with the individual; or

(2) perform the government entity's health, safety, or welfare functions or provide government services.

(d) If the data provided under paragraph (a) is also classified as private data on individuals by other state statute, the data may be shared or disseminated as provided in the other state statute.

(e) This section does not apply to data on an individual contained in a real property record, which is any record of data that is maintained as part of the county real estate document recording system for use by the public, data on assessments, data on real or personal property taxation, and other data on real property.

Sec. 4. Minnesota Statutes 2024, section 13.40, subdivision 2, is amended to read:

Subd. 2. **Private data; library ~~borrowers~~ patrons.** (a) Except as provided in paragraph (b), the following data maintained by a library ~~are~~ is private data on individuals and may not be disclosed ~~for~~ other than for library purposes except pursuant to a court order or section 13.05:

164.1 (1) data that link a library patron's name with materials requested or borrowed by the
164.2 patron or that link a patron's name with a specific subject about which the patron has
164.3 requested information or materials; ~~or~~

164.4 (2) data in applications for patron borrower cards, other than the name of the ~~borrower~~.
164.5 patron if the patron is 18 years of age or older; or

164.6 (3) the name of a patron who is a minor.

164.7 (b) A library may release reserved materials to a family member or other person who
164.8 resides with a library patron and who is picking up the material on behalf of the patron. A
164.9 patron may request that reserved materials be released only to the patron.

164.10 (c) Section 13.04, subdivision 2, does not apply to data classified under paragraph (a),
164.11 clause (3).

164.12 Sec. 5. Minnesota Statutes 2024, section 13.43, subdivision 2, is amended to read:

164.13 Subd. 2. **Public data.** (a) Except for employees described in subdivision 5 and subject
164.14 to the limitations described in subdivision 5a, the following personnel data on current and
164.15 former employees, volunteers, and independent contractors of a government entity is public:

164.16 (1) name; employee identification number, which must not be the employee's Social
164.17 Security number; actual gross salary; salary range; terms and conditions of employment
164.18 relationship; contract fees; actual gross pension; the value and nature of employer paid
164.19 fringe benefits; and the basis for and the amount of any added remuneration, including
164.20 expense reimbursement, in addition to salary;

164.21 (2) job title and bargaining unit; job description; education and training background;
164.22 and previous work experience;

164.23 (3) date of first and last employment;

164.24 (4) the existence and status of any complaints or charges against the employee, regardless
164.25 of whether the complaint or charge resulted in a disciplinary action;

164.26 (5) the final disposition of any disciplinary action together with the specific reasons for
164.27 the action and data documenting the basis of the action, excluding data that would identify
164.28 confidential sources who are employees of the public body;

164.29 (6) the complete terms of any agreement settling any dispute arising out of an employment
164.30 relationship, including a buyout agreement as defined in section 123B.143, subdivision 2,
164.31 paragraph (a); except that the agreement must include specific reasons for the agreement if
164.32 it involves the payment of more than \$10,000 of public money;

165.1 (7) work location; a work telephone number; badge number; work-related continuing
165.2 education; and honors and awards received; and

165.3 (8) payroll time sheets or other comparable data that are only used to account for
165.4 employee's work time for payroll purposes, except to the extent that release of time sheet
165.5 data would reveal the employee's reasons for the use of sick or other medical leave or other
165.6 not public data.

165.7 (b) For purposes of this subdivision, a final disposition occurs when the government
165.8 entity makes its final decision about the disciplinary action, regardless of the possibility of
165.9 any later proceedings or court proceedings. Final disposition includes a resignation by an
165.10 individual when the resignation occurs after the final decision of the government entity, or
165.11 arbitrator. In the case of arbitration proceedings arising under collective bargaining
165.12 agreements, a final disposition occurs at the conclusion of the arbitration proceedings, or
165.13 upon the failure of the employee to elect arbitration within the time provided by the collective
165.14 bargaining agreement. A disciplinary action does not become public data if an arbitrator
165.15 sustains a grievance and reverses all aspects of any disciplinary action.

165.16 (c) The government entity may display a photograph of a current or former employee
165.17 to a prospective witness as part of the government entity's investigation of any complaint
165.18 or charge against the employee.

165.19 (d) A complainant has access to a statement provided by the complainant to a government
165.20 entity in connection with a complaint or charge against an employee.

165.21 (e) Notwithstanding paragraph (a), clause (5), and subject to paragraph (f), upon
165.22 completion of an investigation of a complaint or charge against a public official, or if a
165.23 public official resigns or is terminated from employment while the complaint or charge is
165.24 pending, all data relating to the complaint or charge are public, unless access to the data
165.25 would jeopardize an active investigation or reveal confidential sources. For purposes of this
165.26 paragraph, "public official" means:

165.27 (1) the head of a state agency and deputy and assistant state agency heads;

165.28 (2) members of boards or commissions required by law to be appointed by the governor
165.29 or other elective officers;

165.30 (3) executive or administrative heads of departments, bureaus, divisions, or institutions
165.31 within state government; and

165.32 (4) the following employees:

166.1 (i) the chief administrative officer, or the individual acting in an equivalent position, in
166.2 all political subdivisions;

166.3 (ii) individuals required to be identified by a political subdivision pursuant to section
166.4 471.701;

166.5 (iii) in a city ~~with a population of more than 7,500~~ or a county ~~with a population of more~~
166.6 ~~than 5,000~~; managers; chiefs; heads or directors of departments, divisions, bureaus, or
166.7 boards; and any equivalent position; and

166.8 (iv) in a school district: business managers; human resource directors; athletic directors
166.9 whose duties include at least 50 percent of their time spent in administration, personnel,
166.10 supervision, and evaluation; chief financial officers; directors; individuals defined as
166.11 superintendents and principals under Minnesota Rules, part 3512.0100; and in a charter
166.12 school, individuals employed in comparable positions.

166.13 (f) Data relating to a complaint or charge against an employee identified under paragraph
166.14 (e), clause (4), are public only if:

166.15 (1) the complaint or charge results in disciplinary action or the employee resigns or is
166.16 terminated from employment while the complaint or charge is pending; or

166.17 (2) potential legal claims arising out of the conduct that is the subject of the complaint
166.18 or charge are released as part of a settlement agreement.

166.19 This paragraph and paragraph (e) do not authorize the release of data that are made not
166.20 public under other law.

166.21 Sec. 6. Minnesota Statutes 2024, section 13.82, subdivision 7, is amended to read:

166.22 Subd. 7. **Criminal investigative data.** Except for the data defined in subdivisions 2, 3,
166.23 and 6, investigative data collected or created by a law enforcement agency in order to prepare
166.24 a case against a person, whether known or unknown, for the commission of a crime or other
166.25 offense for which the agency has primary investigative responsibility are confidential or
166.26 protected nonpublic while the investigation is active. Inactive investigative data are public
166.27 unless the release of the data would jeopardize another ongoing investigation or would
166.28 reveal the identity of individuals protected under subdivision 17. Images and recordings,
166.29 including photographs, video, and audio records, which are part of inactive investigative
166.30 files and which are clearly offensive to common sensibilities are classified as private or
166.31 nonpublic data, provided that the existence of the images and recordings shall be disclosed
166.32 to any person requesting access to the inactive investigative file. An investigation becomes
166.33 inactive upon the occurrence of any of the following events:

(a) a decision by the agency or appropriate prosecutorial authority not to pursue the case;
(b) expiration of the time to bring a charge or file a complaint under the applicable statute of limitations, or 30 years after the commission of the offense, whichever comes earliest;
or

(c) exhaustion of or expiration of all rights of appeal by a person convicted on the basis of the investigative data.

Any investigative data presented as evidence in court shall be public. Data determined to be inactive under clause (a) may become active if the agency or appropriate prosecutorial authority decides to renew the investigation.

During the time when an investigation is active, any person may bring an action in the district court located in the county where the data are being maintained to authorize disclosure of investigative data. The court may order that all or part of the data relating to a particular investigation be released to the public or to the person bringing the action. In making the determination as to whether investigative data shall be disclosed, the court shall consider whether the benefit to the person bringing the action or to the public outweighs any harm to the public, to the agency or to any person identified in the data. The data in dispute shall be examined by the court in camera.

In cases involving a missing person who has been missing for a continuous period of 20 years, the law enforcement agency and prosecuting authority must release active criminal investigative data to the legal representative of the missing person's next of kin, upon request, if the release of the data is not prohibited under section 13.821. If the law enforcement agency or prosecuting authority reasonably believes that public dissemination of the data will interfere with the investigation, the law enforcement agency or prosecuting authority may release the data to the next of kin's legal representative on the condition that the data remain in the custody and control of a licensed attorney or a licensed private investigator and be used for investigative purposes, until the investigation is inactive.

Sec. 7. Minnesota Statutes 2024, section 13.825, subdivision 2, is amended to read:

Subd. 2. Data classification; court-authorized disclosure. (a) Data collected by a portable recording system are private data on individuals or nonpublic data, subject to the following:

(1) data that record, describe, or otherwise document actions and circumstances surrounding either the discharge of a firearm by a peace officer in the course of duty, if a notice is required under section 626.553, subdivision 2, or the use of force by a peace officer

168.1 that results in substantial bodily harm, as defined in section 609.02, subdivision 7a, are
168.2 public;

168.3 (2) data are public if a subject of the data requests it be made accessible to the public,
168.4 except that, if practicable, (i) data on a subject who is not a peace officer and who does not
168.5 consent to the release must be redacted, and (ii) data on a peace officer whose identity is
168.6 protected under section 13.82, subdivision 17, clause (a), must be redacted;

168.7 (3) subject to paragraphs (b) to ~~(d)~~ (e), portable recording system data that are active
168.8 criminal investigative data are governed by section 13.82, subdivision 7, and portable
168.9 recording system data that are inactive criminal investigative data are governed by this
168.10 section;

168.11 (4) portable recording system data that are public personnel data under section 13.43,
168.12 subdivision 2, clause (5), are public; and

168.13 (5) data that are not public data under other provisions of this chapter retain that
168.14 classification.

168.15 (b) Notwithstanding section 13.82, subdivision 7, when an individual dies as a result of
168.16 a use of force by a peace officer, an involved officer's law enforcement agency must allow
168.17 the following individuals, upon their request, to inspect all portable recording system data,
168.18 redacted no more than what is required by law, documenting the incident within five days
168.19 of the request, subject to paragraphs (c) and (d):

168.20 (1) the deceased individual's next of kin;

168.21 (2) the legal representative of the deceased individual's next of kin; and

168.22 (3) the other parent of the deceased individual's child.

168.23 (c) A law enforcement agency may deny a request to inspect portable recording system
168.24 data under paragraph (b) if the agency determines that there is a compelling reason that
168.25 inspection would interfere with an active investigation. If the agency denies access under
168.26 this paragraph, the chief law enforcement officer must provide a prompt, written denial to
168.27 the individual in paragraph (b) who requested the data with a short description of the
168.28 compelling reason access was denied and must provide notice that relief may be sought
168.29 from the district court pursuant to section 13.82, subdivision 7.

168.30 (d) When an individual dies as a result of a use of force by a peace officer, an involved
168.31 officer's law enforcement agency shall release all portable recording system data, redacted
168.32 no more than what is required by law, documenting the incident no later than 14 days after
168.33 the incident, unless the chief law enforcement officer asserts in writing that the public

169.1 classification would interfere with an ongoing investigation, in which case the data remain
169.2 classified by section 13.82, subdivision 7.

169.3 (e) Notwithstanding section 13.82, subdivision 7, portable recording system data on a
169.4 data subject who is an elected official and charged with a felony is public data 14 days after
169.5 a criminal complaint is filed.

169.6 ~~(e)~~ (f) A law enforcement agency may redact or withhold access to portions of data that
169.7 are public under this subdivision if those portions of data are clearly offensive to common
169.8 sensibilities.

169.9 ~~(f)~~ (g) Section 13.04, subdivision 2, does not apply to collection of data classified by
169.10 this subdivision.

169.11 ~~(g)~~ (h) Any person may bring an action in the district court located in the county where
169.12 portable recording system data are being maintained to authorize disclosure of data that are
169.13 private or nonpublic under this section or to challenge a determination under paragraph ~~(e)~~
169.14 (f) to redact or withhold access to portions of data because the data are clearly offensive to
169.15 common sensibilities. The person bringing the action must give notice of the action to the
169.16 law enforcement agency and subjects of the data, if known. The law enforcement agency
169.17 must give notice to other subjects of the data, if known, who did not receive the notice from
169.18 the person bringing the action. The court may order that all or part of the data be released
169.19 to the public or to the person bringing the action. In making this determination, the court
169.20 shall consider whether the benefit to the person bringing the action or to the public outweighs
169.21 any harm to the public, to the law enforcement agency, or to a subject of the data and, if
169.22 the action is challenging a determination under paragraph ~~(e)~~ (f), whether the data are clearly
169.23 offensive to common sensibilities. The data in dispute must be examined by the court in
169.24 camera. This paragraph does not affect the right of a defendant in a criminal proceeding to
169.25 obtain access to portable recording system data under the Rules of Criminal Procedure.

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

169.27 Sec. 8. Minnesota Statutes 2024, section 13.825, subdivision 4, is amended to read:

169.28 Subd. 4. **Access by data subjects.** (a) For purposes of this chapter, a portable recording
169.29 system data subject includes the peace officer who collected the data, and any other individual
169.30 or entity, including any other peace officer, regardless of whether the officer is or can be
169.31 identified by the recording, whose image or voice is documented in the data.

169.32 (b) An individual who is the subject of portable recording system data has access to the
169.33 data, including data on other individuals who are the subject of the recording. If the individual

requests a copy of the recording, data on other individuals who do not consent to its release must be redacted from the copy. The identity and activities of an on-duty peace officer engaged in an investigation or response to an emergency, incident, or request for service may not be redacted, unless the officer's identity is subject to protection under section 13.82, subdivision 17, clause (a).

(c) Notwithstanding section 13.82, subdivision 7, a person entitled to a report of a collision under section 169.09, subdivision 13, must be provided with copies of unredacted data from all portable recording systems used in the collision investigation, including data on other individuals who are the subject of the recording. A request must be made in writing and accompanied by the accident report relating to the data. Data provided under this paragraph may only be used to process a claim related to the collision or as evidence in a proceeding related to the collision. The requestor must not further disseminate the data or use the data for any other purpose. A law enforcement agency may deny a request to provide unredacted portable recording system data under this paragraph if:

(1) the agency determines there is a compelling reason that providing access to the data would interfere with an active investigation;

(2) the data is clearly offensive to common sensibilities; or

(3) the data is classified as not public by other provisions under this chapter.

If a law enforcement agency denies access under clause (1), the agency must provide a prompt, written reason for the denial to the individual who requested the data with a description of the compelling reason and must provide notice that relief may be sought from the district court under section 13.82, subdivision 7.

Sec. 9. Minnesota Statutes 2024, section 13.991, is amended to read:

13.991 JUDICIAL OFFICIAL DATA; PERSONAL INFORMATION.

(a) Subject to paragraph (b), the personal information of all judicial officials collected, created, or maintained by a government entity is private data on individuals. For purposes of this section, the terms "personal information" and "judicial official" have the meanings given in section 480.40, subdivision 1.

(b) If the responsible authority or government entity violates this chapter, the remedies and penalties under this chapter are available only if the judicial official making a claim previously provided written notification to the responsible authority confirming on a form provided by the Minnesota judicial branch that they are entitled to protection under section 480.40. If the subject of the data is an adult child of a judicial official who does not reside

171.1 with the judicial official, the remedies and penalties under this chapter are available only
171.2 if the adult child previously provided written notification to the responsible authority
171.3 confirming their status as the child of a judicial official. In the case of county records, the
171.4 form shall be filed with the responsible authority that maintains the personal information
171.5 for which the judicial officer is seeking protection. A form submitted under this section is
171.6 private data on individuals. A notice filed under this paragraph expires five years following
171.7 the date of filing, unless it is renewed prior to the expiration date.

171.8 (c) ~~This section shall not apply to~~ Notwithstanding paragraph (a), section 480.50 shall
171.9 govern personal information contained in: of all judicial officials contained in real property
171.10 records, as defined in section 480.50, subdivision 1, paragraph (f).

171.11 ~~(1) real property records as defined in section 13.045, subdivision 1, clause (5);~~

171.12 ~~(2) Uniform Commercial Code filings and tax liens maintained by the secretary of state;~~
171.13 ~~and~~

171.14 ~~(3) any other records maintained by a government entity evidencing title to, or any lien,~~
171.15 ~~judgment, or other encumbrance on, real or personal property.~~

171.16 **EFFECTIVE DATE.** This section is effective January 1, 2026.

171.17 Sec. 10. Minnesota Statutes 2024, section 15.17, subdivision 1, is amended to read:

171.18 Subdivision 1. **Must be kept.** All officers and agencies of the state, counties, cities,
171.19 towns, school districts, municipal subdivisions or corporations, or other public authorities
171.20 or political entities within the state, hereinafter "public officer," shall make and preserve
171.21 all records necessary to a full and accurate knowledge of their official activities. Government
171.22 records may be produced in the form of computerized records. All government records shall
171.23 be made ~~on a physical medium of a~~ in a manner and quality to insure ensure permanent
171.24 records. Every public officer is empowered to reproduce records ~~if the records are not~~
171.25 ~~deemed to be of permanent or archival value by the commissioner of administration and~~
171.26 but may only reproduce permanent and archival records pursuant to guidance from the state
171.27 archives in consultation with the records disposition panel under section 138.17. The public
171.28 officer is empowered to reproduce these records by any ~~photographic, photostatic,~~
171.29 ~~microphotographic, optical disk imaging system, microfilming, or other reproduction method~~
171.30 that clearly and accurately reproduces the records. Each public officer may order that those
171.31 ~~photographs, photostats, microphotographs, microfilms, optical images, or other~~
171.32 reproductions, be substituted for the originals of them. Records that are reproduced when
171.33 so ordered by a public officer are admissible as evidence in all courts and proceedings of

172.1 every kind. A certified or exemplified copy of the reproduction has the same effect and
172.2 weight as evidence as would a certified or exemplified copy of the original. The public
172.3 officer may direct the destruction or sale for salvage or other disposition of the originals
172.4 from which they were made, in accordance with the disposition requirements of section
172.5 138.17. ~~Photographs, photostats, microphotographs, microfilms, optical images, or other~~
172.6 ~~reproductions are for all purposes deemed the original recording of the papers, books,~~
172.7 ~~documents, and records reproduced when so ordered by any public officer and are admissible~~
172.8 ~~as evidence in all courts and proceedings of every kind. A facsimile or exemplified or~~
172.9 ~~certified copy of a photograph, photostat, microphotograph, microfilm, optical image, or~~
172.10 ~~other reproduction, or an enlargement or reduction of it, has the same effect and weight as~~
172.11 ~~evidence as would a certified or exemplified copy of the original.~~

172.12 Sec. 11. Minnesota Statutes 2024, section 138.17, subdivision 1, is amended to read:

172.13 Subdivision 1. **Destruction, preservation, reproduction of records; prima facie**
172.14 **evidence.** (a) The attorney general, legislative auditor in the case of state records, state
172.15 auditor in the case of local records, and director of the Minnesota Historical Society,
172.16 hereinafter director, shall constitute the Records Disposition Panel. The members of the
172.17 panel shall have power by majority vote to direct the destruction or sale for salvage of
172.18 government records determined to be no longer of any value, or to direct the disposition by
172.19 gift to the Minnesota Historical Society or otherwise of government records determined to
172.20 be valuable for preservation. The Records Disposition Panel may by majority vote order
172.21 any of those records to be reproduced ~~by photographic or other means,~~ and order that
172.22 ~~photographic or other~~ the reproductions be substituted for the originals ~~of them.~~ It may
172.23 direct the destruction or sale for salvage or other disposition of the originals from which
172.24 they were made. ~~Photographic or other reproductions shall for all purposes be deemed the~~
172.25 ~~originals of the records reproduced when so ordered by the records disposition panel, and~~
172.26 ~~shall be admissible as evidence in all courts and in proceedings of every kind. A facsimile,~~
172.27 ~~exemplified or certified copy of a photographic, optical disk imaging, or other reproduction,~~
172.28 ~~or an enlargement or reduction of it, shall have the same effect and weight as evidence as~~
172.29 ~~would a certified or exemplified copy of the original.~~ Records that are reproduced when so
172.30 ordered by the Records Disposition Panel are admissible as evidence in all courts and
172.31 proceedings of every kind. A certified or exemplified copy of the reproduction has the same
172.32 effect and weight as evidence as would a certified or exemplified copy of the original. The
172.33 Records Disposition Panel, by majority vote, may direct the storage of government records,
172.34 except as herein provided, ~~and direct the storage of photographic or other reproductions.~~

173.1 ~~Photographic or other~~ Reproductions substituted for original records shall be disposed of
173.2 in accordance with the procedures provided for the original records.

173.3 (b) For the purposes of this chapter:

173.4 (1) the term "government records" means state and local records, including all cards,
173.5 correspondence, discs, maps, memoranda, microfilms, papers, photographs, recordings,
173.6 reports, tapes, writings, optical disks, and other data, information, or documentary material,
173.7 regardless of physical form or characteristics, storage media or conditions of use, made or
173.8 received by an officer or agency of the state and an officer or agency of a county, city, town,
173.9 school district, municipal subdivision or corporation or other public authority or political
173.10 entity within the state pursuant to state law or in connection with the transaction of public
173.11 business by an officer or agency;

173.12 (2) the term "state record" means a record of a department, office, officer, commission,
173.13 commissioner, board or any other agency, however styled or designated, of the executive
173.14 branch of state government; a record of the state legislature; a record of any court, whether
173.15 of statewide or local jurisdiction; and any other record designated or treated as a state record
173.16 under state law;

173.17 (3) the term "local record" means a record of an agency of a county, city, town, school
173.18 district, municipal subdivision or corporation or other public authority or political entity;

173.19 (4) the term "records" excludes data and information that does not become part of an
173.20 official transaction, library and museum material made or acquired and kept solely for
173.21 reference or exhibit purposes, extra copies of documents kept only for convenience of
173.22 reference and stock of publications and processed documents, and bonds, coupons, or other
173.23 obligations or evidences of indebtedness, the destruction or other disposition of which is
173.24 governed by other laws; and

173.25 (5) the term "state archives" means those records preserved or appropriate for preservation
173.26 as evidence of the organization, functions, policies, decisions, procedures, operations or
173.27 other activities of government or because of the value of the information contained in them,
173.28 when determined to have sufficient historical or other value to warrant continued preservation
173.29 by the state of Minnesota and accepted for inclusion in the collections of the Minnesota
173.30 Historical Society.

173.31 (c) If the decision is made to dispose of records by majority vote, the Minnesota Historical
173.32 Society may acquire and retain whatever they determine to be of potential historical value.

Sec. 12. Minnesota Statutes 2024, section 299C.80, subdivision 6, is amended to read:

Subd. 6. **Reporting.** (a) As provided for in chapter 13, the superintendent must make all inactive investigative data for officer-involved death investigations that are public under section 13.82, subdivision 7, or other applicable law available on the bureau's website within 30 days of the end of the last criminal appeal of a subject of an investigation. case becoming inactive as defined in section 13.82, subdivision 7, except any video that does not record, describe, or otherwise document actions and circumstances surrounding the officer-involved death.

(b) By February 1 of each year, the superintendent shall report to the commissioner, the governor, and the chairs and ranking minority members of the legislative committees with jurisdiction over public safety finance and policy the following information about the unit: the number of investigations initiated; the number of incidents investigated; the outcomes or current status of each investigation; the charging decisions made by the prosecuting authority of incidents investigated by the unit; the number of plea agreements reached in incidents investigated by the unit; and any other information relevant to the unit's mission.

(c) Nothing in this subdivision modifies the requirements of chapter 13 or the classification of data.

Sec. 13. **[325M.40] DATA SHARING PROHIBITED; CERTAIN AUTISM STUDIES.**

Subdivision 1. **Definitions.** (a) For purposes of this section, the following terms have the meanings given.

(b) "Business" means any corporation, partnership, proprietorship, firm, enterprise, franchise, association, organization, self-employed individual, or any other legal entity that engages in either nonprofit or profit-making activities.

(c) "Government entity" has the meaning given in section 13.02, subdivision 7a.

(d) "Health care provider" means a provider under section 144.291, subdivision 2, paragraph (i), and includes health care providers who provide telehealth services to Minnesota residents.

Subd. 2. **Dissemination prohibited.** A business, health care provider, or government entity must not disseminate the following data for purposes of researching autism as a preventable disease:

(1) data identifying an individual, including names, birthdates, addresses, telephone numbers, or email addresses; or

175.1 (2) any other data that could reasonably be used to identify an individual.

175.2 Subd. 3. **Enforcement.** The attorney general may enforce this section pursuant to section
175.3 8.31. A government entity that violates this section is subject to the remedies and penalties
175.4 under sections 13.08, 13.085, and 13.09.

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

175.6 Sec. 14. Minnesota Statutes 2024, section 480.40, subdivision 1, is amended to read:

175.7 Subdivision 1. **Definitions.** (a) For purposes of this section and section 480.45, the
175.8 following terms have the meanings given.

175.9 (b) "Judicial official" means:

175.10 (1) every Minnesota district court judge, senior judge, retired judge, and every judge of
175.11 the Minnesota Court of Appeals and every active, senior, recalled, or retired federal judge
175.12 who resides in Minnesota;

175.13 (2) a justice of the Minnesota Supreme Court;

175.14 (3) employees of the Minnesota judicial branch;

175.15 (4) judicial referees and magistrate judges; and

175.16 (5) current and retired judges and current employees of the Office of Administrative
175.17 Hearings, Workers' Compensation Court of Appeals, and Tax Court.

175.18 (c) "Personal information" does not include publicly available information. Personal
175.19 information means:

175.20 (1) a residential address of a judicial official;

175.21 (2) a residential address of the spouse, domestic partner, or children of a judicial official;

175.22 (3) a nonjudicial branch issued telephone number or email address of a judicial official;

175.23 (4) the name of any child of a judicial official; and

175.24 (5) the name of any child care facility or school that is attended by a child of a judicial
175.25 official if combined with an assertion that the named facility or school is attended by the
175.26 child of a judicial official.

175.27 (d) "Publicly available information" means information that is lawfully made available
175.28 through federal, state, or local government records or information that a business has a
175.29 reasonable basis to believe is lawfully made available to the general public through widely
175.30 distributed media, by a judicial official, or by a person to whom the judicial official has

176.1 disclosed the information, unless the judicial official has restricted the information to a
176.2 specific audience.

176.3 (e) "Law enforcement support organizations" do not include charitable organizations.

176.4 (f) "Real property records" has the meaning given in section 480.50, subdivision 1,
176.5 paragraph (f).

176.6 **EFFECTIVE DATE.** This section is effective January 1, 2026.

176.7 Sec. 15. Minnesota Statutes 2024, section 480.40, subdivision 3, is amended to read:

176.8 Subd. 3. **Exceptions.** (a) Subdivision 2 does and section 480.50 do not apply to:

176.9 (1) the dissemination of personal information if the information is relevant to and
176.10 displayed as part of a news story, commentary, editorial, or other speech on a matter of
176.11 public concern;

176.12 (2) personal information that the judicial official voluntarily disseminates publicly after
176.13 August 1, 2024;

176.14 (3) the dissemination of personal information made at the request of the judicial official
176.15 or which is necessary to effectuate the request of a judicial official;

176.16 (4) a commercial entity using personal information internally, providing access to
176.17 businesses under common ownership or affiliated by corporate control, or selling or providing
176.18 data for a transaction or service requested by or concerning the individual whose personal
176.19 information is being transferred;

176.20 (5) a commercial entity providing publicly available information through real-time or
176.21 near real-time alert services for health or safety purposes;

176.22 (6) a commercial entity engaged in the collection, maintenance, disclosure, sale,
176.23 communication, or use of any personal information bearing on a consumer's credit worthiness,
176.24 credit standing, credit capacity, character, general reputation, personal characteristics, or
176.25 mode of living by a consumer reporting agency, furnisher, or user that provides information
176.26 for use in a consumer report, and by a user of a consumer report, but only to the extent that
176.27 such activity is regulated by and authorized under the federal Fair Credit Reporting Act,
176.28 United States Code, title 15, section 1681, et seq.;

176.29 (7) a consumer reporting agency subject to the federal Fair Credit Reporting Act, United
176.30 States Code, title 15, section 1681, et seq.;

177.1 (8) a commercial entity using personal information collected, processed, sold, or disclosed
177.2 in compliance with the federal Driver's Privacy Protection Act of 1994, United States Code,
177.3 title 18, section 2721, et seq.;

177.4 (9) a commercial entity using personal information to do any of the following: prevent,
177.5 detect, protect against, or respond to security incidents, identity theft, fraud, harassment,
177.6 malicious or deceptive activities, or any illegal activity; preserve the integrity or security
177.7 of systems; or investigate, report, or prosecute any person responsible for any such action;

177.8 (10) a financial institution, affiliate of a financial institution, or data subject to title V
177.9 of the federal Gramm-Leach-Bliley Act, United States Code, title 15, section 6801, et seq.;

177.10 (11) a covered entity or business associate for purposes of the federal privacy regulations
177.11 promulgated under the federal Health Insurance Portability and Accountability Act of 1996,
177.12 specifically United States Code, title 42, section 1320d-2 note;

177.13 (12) insurance and insurance support organizations;

177.14 (13) law enforcement agencies or law enforcement support organizations and vendors
177.15 that provide data support services to law enforcement agencies;

177.16 (14) the display of a property address on a real estate or mapping platform when the
177.17 address is not displayed or disclosed in connection with any ownership or occupancy
177.18 information or other personal identifying information of a judicial official; and

177.19 ~~(14)~~ (15) the collection and sale or licensing of covered information incidental to
177.20 conducting the activities described in clauses (4) to ~~(13)~~ (14); and.

177.21 ~~(15) personal information contained in:~~

177.22 ~~(i) real property records as defined in section 13.045, subdivision 1, clause (5);~~

177.23 ~~(ii) uniform commercial code filings and tax liens maintained by the secretary of state;~~
177.24 ~~and~~

177.25 ~~(iii) any other records maintained by a government entity evidencing title to, or any lien,~~
177.26 ~~judgment, or other encumbrance on, real or personal property.~~

177.27 (b) Subdivision 2 does not apply to personal information of judicial officials collected,
177.28 created, or maintained in real property records.

177.29 **EFFECTIVE DATE.** This section is effective January 1, 2026.

178.1 Sec. 16. Minnesota Statutes 2024, section 480.45, subdivision 2, is amended to read:

178.2 Subd. 2. **Removal of personal information; exception.** (a) Upon receipt of an affidavit
178.3 requesting removal of the personal information of a judicial official that meets the
178.4 requirements of subdivision 1, the person, business, association, or government entity shall
178.5 remove the publicly posted personal information within 30 days. If the person, business,
178.6 association, or government entity fails to remove the publicly posted personal information
178.7 within 30 days after an affidavit is submitted, the judicial official may file a civil action in
178.8 a court of competent jurisdiction seeking a court order compelling compliance, including
178.9 injunctive and declarative relief.

178.10 (b) Paragraph (a) shall not apply to personal information disseminated directly by a
178.11 government entity contained in: real property records, as defined in section 480.50,
178.12 subdivision 1, paragraph (f).

178.13 ~~(1) real property records as defined in section 13.045, subdivision 1, clause (5);~~

178.14 ~~(2) uniform commercial code filings and tax liens maintained by the secretary of state;~~
178.15 ~~and~~

178.16 ~~(3) any other records maintained by a government entity evidencing title to, or any lien,~~
178.17 ~~judgment, or other encumbrance on, real or personal property.~~

178.18 **EFFECTIVE DATE.** This section is effective January 1, 2026.

178.19 Sec. 17. **[480.50] PERSONAL INFORMATION IN REAL PROPERTY RECORDS.**

178.20 Subdivision 1. **Definitions.** (a) For purposes of this section, the following terms have
178.21 the meanings given.

178.22 (b) "County recorder" has the meaning given in section 13.045, subdivision 1, clause
178.23 (4).

178.24 (c) "Government entity" has the meaning given in section 13.02, subdivision 7a.

178.25 (d) "Judicial official" has the meaning given in section 480.40, subdivision 1, paragraph
178.26 (b), except that it does not include employees of the Minnesota judicial branch, the Office
178.27 of Administrative Hearings, the Workers' Compensation Court of Appeals, or the Tax Court.

178.28 (e) "Personal information" has the meaning given in section 480.40, subdivision 1,
178.29 paragraph (c).

178.30 (f) "Real property records" means any of the following:

178.31 (1) real property records as defined in section 13.045, subdivision 1, clause (5);

179.1 (2) Uniform Commercial Code filings and tax liens maintained by the secretary of state;
179.2 and

179.3 (3) any other records maintained by a county recorder or other government entity
179.4 evidencing title to, or any lien, judgment, or other encumbrance on, real or personal property.

179.5 (g) "Responsible authority" has the meaning given in section 13.02, subdivision 16.

179.6 Subd. 2. **Classification of data.** (a) Subject to the provisions of this section, the personal
179.7 information of all judicial officials collected, created, or maintained in real property records
179.8 is private data on individuals, as defined in section 13.02, subdivision 12.

179.9 (b) If the responsible authority or government entity violates this section, the remedies
179.10 and penalties under chapter 13 are available only if the judicial official making a claim
179.11 previously provided a real property notice that complies with subdivision 3. If the subject
179.12 of the data is the spouse, domestic partner, or adult child of a judicial official who does not
179.13 reside with the judicial official, the remedies and penalties under chapter 13 are available
179.14 only if the spouse, domestic partner, or adult child previously provided a notification under
179.15 subdivision 3 to the responsible authority confirming their status as the spouse, domestic
179.16 partner, or adult child of a judicial official. In the case of county records, the notification
179.17 shall be filed with the responsible authority that maintains the personal information for
179.18 which protection is sought. A notification submitted under this section is private data on
179.19 individuals, as defined in section 13.02, subdivision 12.

179.20 Subd. 3. **Notification.** (a) For the classification in subdivision 2 to apply to personal
179.21 information in real property records, a judicial official must submit a real property notice
179.22 in writing to the county recorder in the county where the property identified in the real
179.23 property notice is located and to the Office of the Secretary of State. To affect real property
179.24 records maintained by any other government entity, a judicial official must submit a real
179.25 property notice in writing to the other government entity's responsible authority. If the
179.26 personal information is that of the spouse, domestic partner, or adult child of a judicial
179.27 official who does not reside with the judicial official, the spouse, domestic partner, or adult
179.28 child must submit a real property notice. The real property notice is classified as private
179.29 data on individuals, as defined in section 13.02, subdivision 12. A real property notice must
179.30 be on a form provided by the judicial branch and must include:

179.31 (1) the full legal name of the individual submitting the form;

179.32 (2) the last four digits of the individual's Social Security number;

179.33 (3) the individual's date of birth;

- 180.1 (4) the individual's telephone number and email address;
- 180.2 (5) the residential address of the individual in Minnesota;
- 180.3 (6) the legal description, parcel identification number, and street address, if any, of the
- 180.4 real property affected by the notice; and
- 180.5 (7) a certification that the individual is a judicial official or the spouse, domestic partner,
- 180.6 or adult child of a judicial official that contains the notarized signature of the individual.
- 180.7 (b) A notice submitted by a judicial official employed by the state must include the
- 180.8 employer's business address and a verification of current employment signed by the
- 180.9 employer's human resources office.
- 180.10 (c) A notice submitted pursuant to this subdivision by a spouse, domestic partner, or
- 180.11 adult child of a judicial official not residing with the judicial official must include a notarized
- 180.12 verification that the individual is the spouse, domestic partner, or adult child of a judicial
- 180.13 official.
- 180.14 (d) Only one parcel of real property may be included in each notice, but an individual
- 180.15 may submit more than one notice. A government entity may require an individual to provide
- 180.16 additional information necessary to identify the records or the real property described in
- 180.17 the notice. An individual submitting a notice must submit a new real property notice if their
- 180.18 legal name changes.
- 180.19 **Subd. 4. Access to real property records.** (a) If an individual submits a notice under
- 180.20 subdivision 3, the county recorder or other government entity must not disclose the
- 180.21 individual's personal information in conjunction with the property identified in the written
- 180.22 notice, unless:
- 180.23 (1) the individual has consented to sharing or dissemination of the personal information
- 180.24 for the purpose identified in a writing signed by the individual and acknowledged by a
- 180.25 notary public;
- 180.26 (2) the personal information is subject to dissemination pursuant to a court order under
- 180.27 section 13.03, subdivision 6;
- 180.28 (3) the personal information is shared with a government entity for the purpose of
- 180.29 administering assessment and taxation laws;
- 180.30 (4) the personal information is disseminated pursuant to subdivision 5; or

181.1 (5) the personal information is shared with the examiner of titles or deputy examiner as
181.2 necessary to perform their statutory duties under chapters 508 and 508A, including the
181.3 dissemination of personal information in reports of examiner.

181.4 (b) This subdivision does not prevent the county recorder from returning original
181.5 documents to the person who submitted the documents for recording. Each county recorder
181.6 shall establish procedures for recording documents to comply with this subdivision. These
181.7 procedures may include masking personal information and making documents or certificates
181.8 of title containing the personal information private and not viewable, except as allowed by
181.9 this paragraph. The procedure must comply with the requirements of chapters 386, 507,
181.10 508, and 508A, and other laws as appropriate, to the extent these requirements do not conflict
181.11 with this section. The procedures must provide public notice of the existence of recorded
181.12 documents and certificates of title that are not publicly viewable and the provisions for
181.13 viewing them under this subdivision. Notice that a document or certificate is private and
181.14 viewable only under this subdivision or subdivision 5 is deemed constructive notice of the
181.15 document or certificate.

181.16 (c) A real property notice submitted under subdivision 3 shall apply retroactively to all
181.17 online and digital real property records, except digitized or scanned images of tract pages
181.18 and books, but only to the extent the individual submitting the notice provides the parcel
181.19 identification number, document number, or certificate of title number of each record for
181.20 which protection is sought. Otherwise, paragraph (a) applies only to the real property records
181.21 recorded or filed concurrently with the real property notice specified in subdivision 3 and
181.22 to real property records affecting the same real property recorded subsequent to the county
181.23 recorder or other government entity's receipt of the real property notice.

181.24 (d) The county recorder or other government entity shall have 60 days from the date of
181.25 receipt of a real property notice under subdivision 3 to process the request. If the individual
181.26 cites exigent circumstances, the county recorder or other government entity shall process
181.27 the request as soon as practicable.

181.28 (e) The prohibition on disclosure in paragraph (a) continues until:

181.29 (1) the individual has consented to the termination of the real property notice in a writing
181.30 signed by the individual and acknowledged by a notary public;

181.31 (2) the real property notice is terminated pursuant to a court order;

181.32 (3) the individual no longer holds a record interest in the real property identified in the
181.33 real property notice;

182.1 (4) the individual is deceased and a certified copy of the death certificate has been filed
182.2 with the county recorder or other government entity to which a notice under subdivision 3
182.3 was given; or

182.4 (5) the judicial official no longer qualifies as a judicial official. Notification that the
182.5 judicial official no longer qualifies as a judicial official must be given by the judicial official
182.6 to each county recorder or other government entity to which a notice under subdivision 3
182.7 was given within 90 days after the judicial official no longer qualifies as a judicial official.

182.8 (f) Upon termination of the prohibition of disclosure, the county recorder shall make
182.9 publicly viewable all documents and certificates of title that were previously partially or
182.10 wholly private and not viewable pursuant to a notice filed under subdivision 3.

182.11 Subd. 5. Access to personal information in real property records; title
182.12 examination. (a) Upon request, the individual who submitted the real property under notice
182.13 under subdivision 3 shall verify that the individual's real property is the property subject to
182.14 a bona fide title exam.

182.15 (b) The county recorder or other government entity shall provide the unredacted real
182.16 property records of an individual who submitted a real property notice under subdivision 3
182.17 upon request of any of the following persons:

182.18 (1) a licensed title insurance company representative, a licensed title insurance agent, a
182.19 licensed abstractor, or an attorney licensed to practice law in Minnesota;

182.20 (2) a mortgage loan originator;

182.21 (3) a real estate broker or a real estate salesperson; and

182.22 (4) an individual or entity that has made or received an offer for the purchase of real
182.23 property to or from an individual who submitted a real property notice under subdivision 3
182.24 whose address is subject to nondisclosure, provided the request is accompanied by a written
182.25 consent from the individual.

182.26 (c) A request made under paragraph (a) or (b) must be made on a notarized form and
182.27 include:

182.28 (1) the full legal name, title, address, and place of employment, if applicable, of the
182.29 person requesting the real property records;

182.30 (2) the lawful purpose for requesting the real property records;

182.31 (3) the requestor's relationship, if any, to the individual who submitted a real property
182.32 notice under subdivision 3;

183.1 (4) the legal description of the property subject to the title examination; and

183.2 (5) proof of the requestor's licensure.

183.3 (d) Personal information provided under this subdivision may be used only for the
183.4 purposes authorized in this subdivision or the lawful purposes set forth in the request for
183.5 disclosure form and may not be further disseminated to any other person. A person receiving
183.6 private data under this subdivision shall establish procedures to protect the data from further
183.7 dissemination unless further dissemination is required by law. However, the dissemination
183.8 of personal information in real property records by a licensed attorney or any employees in
183.9 the office of the licensed attorney is permitted when reasonably necessary for the provision
183.10 of legal services.

183.11 Subd. 6. Service fees to county recorder or other government entity. The county
183.12 recorder or any other government entity is authorized to charge the following service fees:

183.13 (1) up to \$40 for each real property notice under subdivision 3;

183.14 (2) up to \$40 for each consent submitted under subdivision 4, paragraphs (a), clause (1),
183.15 and (e), clause (1); and

183.16 (3) up to \$40 for each request submitted under subdivision 5.

183.17 These service fees shall not be considered county recorder fees under section 357.18 or
183.18 registrar of titles fees under section 508.82 or 508A.82 and shall be deposited into the county
183.19 recorder or other government entity's general fund.

183.20 **EFFECTIVE DATE.** This section is effective January 1, 2026.

183.21 **ARTICLE 12**

183.22 **MORTGAGE FORECLOSURE**

183.23 Section 1. Minnesota Statutes 2024, section 272.45, is amended to read:

183.24 **272.45 TAXES PAID BY TENANT, OCCUPANT, OR OTHER PERSON BECOME**
183.25 **LIEN, UPON NOTICE FILED WITH COUNTY RECORDER OR REGISTRAR OF**
183.26 **TITLES.**

183.27 When any past due or delinquent tax on land is paid by any occupant, tenant, or person
183.28 with ~~an~~ a legal or equitable interest in the land other than a lien, or a person acting on that
183.29 person's behalf, which, by agreement or otherwise, ought to have been paid by the owner,
183.30 lessor, or other party in interest, such occupant, tenant, or person may recover by action the
183.31 amount which such owner, lessor, or party in interest ought to have paid, with interest
183.32 thereon at the rate of 12 percent per annum, or may retain the same from any rent due or

184.1 accruing from the person to such owner or lessor for land on which such tax is so paid. A
184.2 person making a payment under this section may file with the county recorder or registrar
184.3 of titles of the proper county a ~~notice~~ sworn statement stating the amount and date of such
184.4 payment, with a copy of the receipt attached, and stating the legal or equitable interest
184.5 claimed in the land, with a description of the land against which the taxes were charged;
184.6 and the same shall thereupon be a lien as of the date of recording of the sworn statement
184.7 upon such land in favor of the person paying the same until the same is paid. The county
184.8 recorder shall record such ~~notice~~ sworn statement in the indices maintained by the county
184.9 recorder. The registrar of titles shall record the ~~notice~~ sworn statement on the certificate of
184.10 title for the land. Upon the payment of any such lien, the person filing such ~~notice~~ sworn
184.11 statement shall satisfy the same of record.

184.12 Sec. 2. Minnesota Statutes 2024, section 580.07, subdivision 1, is amended to read:

184.13 Subdivision 1. **Postponement by mortgagee.** (a) The sale may be postponed, from time
184.14 to time, by the party conducting the foreclosure. The party requesting the postponement
184.15 must, at the party's expense:

184.16 (1) publish, only once, a notice of the postponement and the rescheduled date of the sale,
184.17 if known, as soon as practicable, in the newspaper in which the notice under section 580.03
184.18 was published; and

184.19 (2) send by first class mail to the occupant, postmarked within three business days of
184.20 the postponed sale, notice:

184.21 (i) of the postponement; and

184.22 (ii) if known, of the rescheduled date of the sale and the date on or before which the
184.23 mortgagor must vacate the property if the sheriff's sale is not further postponed, the mortgage
184.24 is not reinstated under section 580.30, the property is not redeemed under section 580.23,
184.25 or the redemption period is not reduced under section 582.032. The notice must state that
184.26 the time to vacate the property is 11:59 p.m. on the specified date.

184.27 (b) If the rescheduled date of the sale is not known at the time of the initial publication
184.28 and notice to the occupant of postponement, the foreclosing party must, at its expense if
184.29 and when a new date of sale is scheduled:

184.30 (1) publish, only once, notice of the rescheduled date of the sale, as soon as practicable,
184.31 in the newspaper in which the notice under section 580.03 and the notice of postponement
184.32 under paragraph (a) was published; and

185.1 (2) send by first class mail to the occupant, postmarked within ten days of the rescheduled
185.2 sale, notice:

185.3 (i) of the date of the rescheduled sale; and

185.4 (ii) of the date on or before which the mortgagor must vacate the property if the mortgage
185.5 is not reinstated under section 580.30 or the property redeemed under section 580.23. The
185.6 notice must state that the time to vacate the property is 11:59 p.m. on the specified date.

185.7 (c) The right of a mortgagee to postpone a foreclosure sale under this section applies to
185.8 a foreclosure by action taken under chapter 581.

185.9 **EFFECTIVE DATE.** This section is effective August 1, 2025, for judicial foreclosures
185.10 with the lis pendens recorded on or after the effective date.

185.11 Sec. 3. Minnesota Statutes 2024, section 580.07, subdivision 2, is amended to read:

185.12 Subd. 2. **Postponement by mortgagor or owner.** (a) If all or a part of the property to
185.13 be sold is classified as homestead under section 273.124 and contains one to four dwelling
185.14 units, the mortgagor or owner may, in the manner provided in this subdivision, postpone
185.15 the sale to the first date that is not a Saturday, Sunday, or legal holiday and is:

185.16 (1) five months after the originally scheduled date of sale if the original redemption
185.17 period was six months under section 580.23, subdivision 1; or

185.18 (2) 11 months after the originally scheduled date of sale if the original redemption period
185.19 was 12 months under section 580.23, subdivision 2. To postpone a foreclosure sale pursuant
185.20 to this subdivision, at any time after the first publication of the notice of mortgage foreclosure
185.21 sale under section 580.03 but at least 15 days prior to the scheduled sale date specified in
185.22 that notice, the mortgagor shall: (1) execute a sworn affidavit in the form set forth in
185.23 subdivision 3, (2) record the affidavit in the office of each county recorder and registrar of
185.24 titles where the mortgage was recorded, and (3) file with the sheriff conducting the sale and
185.25 deliver to the attorney foreclosing the mortgage a copy of the recorded affidavit, showing
185.26 the date and office in which the affidavit was recorded. Recording of the affidavit and
185.27 postponement of the foreclosure sale pursuant to this subdivision shall automatically reduce
185.28 the mortgagor's redemption period under section 580.23 to five weeks. The postponement
185.29 of a foreclosure sale pursuant to this subdivision does not require any change in the contents
185.30 of the notice of sale, service of the notice of sale if the occupant was served with the notice
185.31 of sale prior to postponement under this subdivision, or publication of the notice of sale if
185.32 publication was commenced prior to postponement under this subdivision, notwithstanding
185.33 the service and publication time periods specified in section 580.03, but the sheriff's

certificate of sale shall indicate the actual date of the foreclosure sale and the actual length of the mortgagor's redemption period. No notice of postponement need be published. An affidavit complying with subdivision 3 shall be prima facie evidence of the facts stated therein, and shall be entitled to be recorded. The right to postpone a foreclosure sale pursuant to this subdivision may be exercised only once, regardless whether the mortgagor reinstates the mortgage prior to the postponed mortgage foreclosure sale.

(b) If the automatic stay under United States Code, title 11, section 362, applies to the mortgage foreclosure after a mortgagor or owner requests postponement of the sheriff's sale under this section, then when the automatic stay is no longer applicable, the mortgagor's or owner's election to shorten the redemption period to five weeks under this section remains applicable to the mortgage foreclosure.

(c) Except for the circumstances set forth in paragraph (b), this section does not reduce the mortgagor's redemption period under section 580.23 for any subsequent foreclosure of the mortgage.

(d) The right of a mortgagor or owner to postpone a foreclosure sale under this section applies to a foreclosure by action taken under chapter 581.

EFFECTIVE DATE. This section is effective August 1, 2025, for judicial foreclosures with the lis pendens recorded on or after the effective date.

Sec. 4. Minnesota Statutes 2024, section 580.10, is amended to read:

580.10 SURPLUS.

Subdivision 1. **Demand for surplus.** In all cases not provided for in section 580.09, and except as required by subdivision 3, if, after sale of any real estate, made as herein prescribed, there remains in the hands of the officer making the sale any surplus money, after satisfying the mortgage, with interest, taxes paid, and costs of sale, the surplus shall be paid over by such officer, on demand, to the mortgagor, the mortgagor's legal representatives or assigns. Any surplus of \$100 or greater shall be held by the sheriff for the duration of the time allowed for redemption under section 580.23 or 582.032, whichever is applicable, and if requested by the owner, applied toward a redemption as described in subdivision 3. If there is no redemption under section 580.23 or 582.032, a surplus of \$100 or greater shall be paid first to junior creditors with liens of record at the time of the sheriff's sale in order of priority, if demanded by a junior creditor within the time allowed for redemption under section 580.23 or 582.032, whichever is applicable, and thereafter to the owner of record at the time of the sheriff's sale, or as provided by court order under section 580.28. A demand by a

187.1 party other than the owner shall be accompanied by an affidavit stating the amount remaining
187.2 unpaid and the interest creating a right to the surplus.

187.3 Subd. 2. **Notice of surplus.** When there is a surplus of \$100 or greater, the sheriff shall
187.4 notify the owner by mail sent to the property address, or, if no street address is assigned for
187.5 the property on the property tax statement, to the taxpayer's address on the property tax
187.6 statement, that a surplus exists and to call the sheriff's office for more information about
187.7 the surplus and how to make a claim to the surplus. The notice shall also include contact
187.8 information for the Minnesota Homeownership Center and a statement to call the Minnesota
187.9 Homeownership Center for information about redemption and surplus.

187.10 Subd. 3. **Request by owner to have surplus applied.** At any time during the owner's
187.11 redemption period, the owner of record at the time of the sheriff's sale may submit a written
187.12 request to the sheriff to have the surplus applied to the redemption amount. The right to
187.13 have the surplus applied to the redemption amount is not transferable to any subsequent
187.14 owner.

187.15 Subd. 4. **Surplus less than \$100.** If a surplus remains under \$100, the sheriff may pay
187.16 the surplus amount to the owner of record at the time of the sheriff's sale.

187.17 Subd. 5. **Resolution of competing claims.** If there are competing claims or if it appears
187.18 to the sheriff that any claim is not meritorious, the sheriff may apply to the court in the
187.19 county in which the sale was made and set forth by petition the facts then known to the
187.20 sheriff, and the names and addresses of the owner and all known claimants to the surplus,
187.21 at no cost to the sheriff. The sheriff shall retain the surplus until further order of the court
187.22 under section 580.28. If a hearing is scheduled, the sheriff may participate in an advisory
187.23 capacity. The sheriff shall be represented by the county attorney. The sheriff shall give
187.24 notice of the opening of the court file to the holders of the claims by service of the petition
187.25 in the manner of a summons under the Rules of Civil Procedure. Failure of an owner to
187.26 participate in the court action does not waive the right of that owner to the surplus.

187.27 Sec. 5. Minnesota Statutes 2024, section 580.225, is amended to read:

187.28 **580.225 SATISFACTION OF ~~JUDGMENT~~ MORTGAGE.**

187.29 The amount received from foreclosure sale under this chapter is full satisfaction of the
187.30 mortgage debt, except as provided in section 582.30.

188.1 Sec. 6. Minnesota Statutes 2024, section 580.24, is amended to read:

188.2 **580.24 REDEMPTION BY CREDITOR.**

188.3 (a) If no redemption is made by the mortgagor, the mortgagor's personal representatives
188.4 or assigns, the most senior creditor having a legal or equitable lien upon the mortgaged
188.5 premises, or some part of it, subsequent to the foreclosed mortgage, may redeem within
188.6 ~~seven~~ 14 days after the expiration of the redemption period determined under section 580.23
188.7 or 582.032, whichever is applicable; and each subsequent creditor having a lien may redeem,
188.8 in the order of priority of their respective liens, within ~~seven~~ 14 days after the time allowed
188.9 the prior lienholder by paying the amount required under this section. However, no creditor
188.10 is entitled to redeem unless, one week or more prior to the expiration of the period allowed
188.11 for redemption by the mortgagor, the creditor:

188.12 (1) records with each county recorder and registrar of titles where the foreclosed mortgage
188.13 is recorded a notice of the creditor's intention to redeem;

188.14 (2) records with each county recorder and registrar of titles where the notice of the
188.15 creditor's intention to redeem is recorded all documents necessary to create the lien on the
188.16 mortgaged premises and to evidence the creditor's ownership of the lien, including a copy
188.17 of any money judgment necessary to create the lien; and

188.18 (3) after complying with clauses (1) and (2), delivers to the sheriff who conducted the
188.19 foreclosure sale or the sheriff's successor in office a copy of each of the documents required
188.20 to be recorded under clauses (1) and (2), with the office, date and time of filing for record
188.21 stated on the first page of each document.

188.22 The sheriff shall maintain for public inspection all documents delivered to the sheriff
188.23 and shall note the date of delivery on each document. The sheriff may charge a fee of \$100
188.24 for the documents delivered to the sheriff relating to each lien. The sheriff shall maintain
188.25 copies of documents delivered to the sheriff for a period of six months after the end of the
188.26 mortgagor's redemption period.

188.27 (b) Saturdays, Sundays, legal holidays, and the first day following the expiration of the
188.28 prior redemption period must be included in computing the ~~seven-day~~ 14-day redemption
188.29 period. When the last day of the period falls on Saturday, Sunday, or a legal holiday, that
188.30 day must be omitted from the computation. The order of redemption by judgment creditors
188.31 subsequent to the foreclosed mortgage shall be determined by the order in which their
188.32 judgments were entered as memorials on the certificate of title for the foreclosed premises
188.33 or docketed in the office of the district court administrator if the property is not registered
188.34 under chapter 508 or 508A, regardless of the homestead status of the property. All mechanic's

189.1 lienholders who have coordinate liens shall have one combined ~~seven-day~~ 14-day period
189.2 to redeem.

189.3 (c) The amount required to redeem from the holder of the sheriff's certificate of sale is
189.4 the amount required under section 580.23. The amount required to redeem from a ~~person~~
189.5 creditor holding a certificate of redemption is:

189.6 (1) the amount paid to redeem as shown on the certificate of redemption; plus

189.7 (2) interest on that amount to the date of redemption at the rates stated on the certificate
189.8 of sale and the affidavit provided by section 580.25, clause (3), or six percent if no rate is
189.9 otherwise stated; plus

189.10 (3) the amount claimed due on the ~~person's~~ creditor's lien, as shown on the affidavit
189.11 under section 580.25, clause (3).

189.12 (d) If the sheriff determines there is a dispute or question of validity about a redemption,
189.13 the sheriff may accept the amount required to redeem, together with documents in support
189.14 of the redemption, from one or more creditors competing for or claiming a right to redeem,
189.15 without executing and delivering a certificate of redemption, and the sheriff may commence
189.16 an action under section 580.28 at no cost to the sheriff. A creditor subject to a dispute or
189.17 question of validity about a redemption may submit the matter for adjudication of the court
189.18 under section 580.28. If the sheriff does not execute and deliver a certificate of redemption
189.19 under this section, all further junior creditor redemption periods are stayed until determined
189.20 by the court, and all junior creditors who have recorded notices of intent to redeem should
189.21 be included in the action under section 580.28. The amount required to redeem may be paid
189.22 to the holder of the sheriff's certificate of sale or the certificate of redemption, as the case
189.23 may be, or to the sheriff for the holder.

189.24 **EFFECTIVE DATE.** This section is effective for redemptions occurring after January
189.25 1, 2026.

189.26 Sec. 7. Minnesota Statutes 2024, section 580.25, is amended to read:

189.27 **580.25 CREDITOR REDEMPTION, HOW MADE.**

189.28 Redemption shall be made as provided in this section.

189.29 The ~~person~~ creditor desiring to redeem shall pay the amount required by law for the
189.30 redemption, and shall produce to the person or officer receiving the redemption payment:

190.1 (1) a copy of the docket of the judgment, or of the recorded deed or mortgage, or of the
190.2 record or files evidencing any other lien under which the ~~person~~ creditor claims a right to
190.3 redeem;

190.4 (2) a copy of any recorded assignment necessary to evidence the ~~person's~~ creditor's
190.5 ownership of the lien. If the redemption is under an assignment of a judgment, the assignment
190.6 shall be filed in the court entering the judgment, as provided by law, and the ~~person~~ creditor
190.7 so redeeming shall produce a copy of it and of the record of its filing, and the copy of the
190.8 docket shall show that the proper entry was made upon the docket. No further evidence of
190.9 the assignment of the judgment is required unless the mortgaged premises or part of it is
190.10 registered property, in which case the judgment and all assignments of the judgment must
190.11 be entered as a memorial upon the certificate of title to the mortgaged premises and a copy
190.12 of the judgment and each assignment with the certificate of record endorsed on it must be
190.13 produced; and

190.14 (3) an affidavit of the ~~person~~ creditor or the ~~person's~~ creditor's agent, ~~showing the amount~~
190.15 ~~then actually claimed due on the person's~~ identifying the lien and required to be paid on the
190.16 ~~lien in order to redeem from the person~~ under which the creditor claims a right to redeem
190.17 and stating the amount then actually claimed due and owing on the lien and stating the
190.18 interest rate on the lien. Additional fees and charges may be claimed due only as provided
190.19 in section 582.03. The sheriff receiving the affidavit may furnish a copy of the affidavit to
190.20 any interested party, upon request.

190.21 If redemption is made to the sheriff, the sheriff may charge a fee of \$250 for issuing the
190.22 certificate of redemption and any related service. No other fee may be charged by the sheriff
190.23 for a redemption.

190.24 Within 24 hours after a redemption is made, or as soon as reasonably possible, the person
190.25 redeeming shall cause the documents so required to be produced to be recorded with the
190.26 county recorder, or registrar of titles, or both when appropriate, who may receive fees as
190.27 prescribed in section 357.18 or 508.82. If the redemption is made at any place other than
190.28 the county seat, it is sufficient forthwith to deposit the documents in the nearest post office,
190.29 addressed to the recorder or registrar of titles, with the postage prepaid within 24 hours after
190.30 redemption is made or as soon as reasonably possible. A person recording documents
190.31 produced for redemption shall, on the same day, deliver copies of the documents to the
190.32 sheriff for public inspection. The sheriff may receive a fee of \$20 for the documents delivered
190.33 following a redemption. The sheriff shall note the date of delivery on the documents and
190.34 shall maintain for public inspection all documents delivered to the sheriff for a period of
190.35 six months after the end of the mortgagor's redemption period.

191.1 **EFFECTIVE DATE.** This section is effective for redemptions occurring after January
191.2 1, 2026.

191.3 Sec. 8. Minnesota Statutes 2024, section 580.26, is amended to read:

191.4 **580.26 CERTIFICATE OF REDEMPTION; RECORD.**

191.5 The person or officer from whom such redemption is made shall make and deliver to
191.6 the person redeeming a certificate executed and acknowledged in the same manner as a
191.7 conveyance, containing:

191.8 (1) if redeemed under section 580.23 or 582.032, the name of the ~~person~~ mortgagor or
191.9 the mortgagor's legal representative or assignee redeeming, and if redeemed under section
191.10 580.25, the name of the creditor redeeming, and the amount paid ~~by the person on such~~
191.11 redemption to redeem;

191.12 (2) a description of the sale for which such redemption is made, and of the property
191.13 redeemed;

191.14 (3) a statement of the claim upon which such redemption is made and, if upon a lien,
191.15 the amount claimed to be due thereon at the date of redemption.

191.16 If redemption is made by the owner of the property sold, the owner's heirs, personal
191.17 representatives, or assigns, such certificate shall be recorded within ~~four days~~ one week
191.18 after the expiration of the period allowed by law to the owner for redemption and, if made
191.19 by a creditor holding a lien, the certificate shall be recorded within ~~four days~~ one week after
191.20 such redemption. Unless so recorded, the certificate shall be void ~~as~~ only against any person
191.21 in good faith redeeming from the same person or lien.

191.22 **EFFECTIVE DATE.** This section is effective for redemptions occurring after January
191.23 1, 2026.

191.24 Sec. 9. Minnesota Statutes 2024, section 580.28, is amended to read:

191.25 **580.28 ACTION TO SET ASIDE MORTGAGE; FORECLOSURE; REDEMPTION.**

191.26 When an action is brought wherein it is claimed that any mortgage as to the plaintiff or
191.27 person for whose benefit the action is brought is fraudulent or void, or has been paid or
191.28 discharged, in whole or in part, or the relative priority or the validity of liens, redemption
191.29 rights, or rights to any surplus is disputed, if such mortgage has been foreclosed by
191.30 advertisement, and the time for redemption from the foreclosure sale will expire before final
191.31 judgment in such action, the plaintiff or beneficiary having the right to redeem, for the
191.32 purpose of saving such right in case the action fails, may deposit with the sheriff before the

192.1 time of redemption expires the amount for which the mortgaged premises were sold, with
 192.2 interest thereon to the time of deposit, together with a ~~bond to the holder of the sheriff's~~
 192.3 ~~certificate of sale, in an amount and with sureties to be approved by the sheriff, conditioned~~
 192.4 ~~to pay all interest that may accrue or be allowed on such deposit if the action fail~~ separate
 192.5 deposit with the sheriff of one year's interest on the amount deposited. The person shall, in
 192.6 writing, notify such sheriff that ~~the person claims the mortgage to be fraudulent or void, or~~
 192.7 ~~to have been paid or discharged, in whole or in part, as the case may be, and that such action~~
 192.8 is pending, and direct the sheriff to retain such money ~~and bond~~ until final judgment or
 192.9 other order of the court. ~~In case such action fails~~ If so ordered by the court, such deposit
 192.10 shall operate as a redemption of the premises from such foreclosure sale, and entitle the
 192.11 plaintiff to a certificate thereof. Such foreclosure, deposit, ~~bond,~~ and notice shall be brought
 192.12 to the attention of the court by supplemental complaint in the action, and the judgment shall
 192.13 determine the validity of the foreclosure sale, and the rights of the parties to the moneys
 192.14 ~~and bond~~ so deposited, which shall be paid and delivered by the sheriff as directed by such
 192.15 judgment upon delivery to the sheriff of a certified copy thereof. The remedy herein provided
 192.16 shall be in addition to other remedies now existing.

192.17 **EFFECTIVE DATE.** This section is effective for redemptions occurring after January
 192.18 1, 2026.

192.19 Sec. 10. Minnesota Statutes 2024, section 581.02, is amended to read:

192.20 **581.02 APPLICATION, CERTAIN SECTIONS.**

192.21 (a) The provisions of sections 580.08, 580.09, 580.12, 580.22, 580.25, and 580.27, so
 192.22 far as they relate to the form of the certificate of sale, shall apply to and govern the
 192.23 foreclosure of mortgages by action.

192.24 (b) Section 580.07 applies to actions for the foreclosure of mortgages taken under this
 192.25 chapter.

192.26 **EFFECTIVE DATE.** This section is effective August 1, 2025, for judicial foreclosures
 192.27 with the lis pendens recorded on or after the effective date.

192.28 Sec. 11. Minnesota Statutes 2024, section 582.03, subdivision 1, is amended to read:

192.29 Subdivision 1. **Allowable costs collectable upon redemption.** The holder of any sheriff's
 192.30 certificate of sale, from a foreclosure by advertisement or action of a mortgage or lien or
 192.31 execution, or the holder of any certificate of redemption as a junior creditor during the
 192.32 period of redemption, may pay and claim the following on redemption: any taxes or

193.1 assessments on which any penalty would otherwise accrue, and any costs of a hazard
193.2 insurance policy for the holder's interest in the mortgaged premises incurred for the period
193.3 of holding the sheriff's certificate, any costs incurred when an order to reduce a mortgagor's
193.4 redemption period under section 582.032 is entered, including costs and disbursements
193.5 awarded under section 582.032, subdivision 9, any fees paid to the county recorder, registrar
193.6 of titles, or sheriff to obtain or record the certificates of sale or redemption or notices of
193.7 intention to redeem, any reasonable fees paid to licensed real estate brokers for broker price
193.8 opinions or to licensed appraisers for appraisals, any deed tax paid to file a certificate of
193.9 redemption, reasonable attorney fees incurred after the foreclosure sale not to exceed one-half
193.10 of the amount authorized by section 582.01, any costs incurred under section 582.031, and
193.11 any interest or installment of principal upon any prior or superior mortgage, lien, or contract
193.12 for deed in default or that becomes due during the period of redemption. In all such cases,
193.13 the costs so paid and claimed due, with interest from the date of payment at the rate stated
193.14 in the certificate of sale or at six percent if no rate is stated, shall be a part of the sum required
193.15 to be paid to redeem from such sale. No other costs, fees, interest, or other amount may be
193.16 added to the amount necessary to redeem.

193.17 **EFFECTIVE DATE.** This section is effective for affidavits filed with the sheriff after
193.18 January 1, 2026.

193.19 Sec. 12. Minnesota Statutes 2024, section 582.03, subdivision 2, is amended to read:

193.20 Subd. 2. **Affidavit of allowable costs.** Any payments made and claimed due under
193.21 subdivision 1 shall be proved by the affidavit of the holder of the sheriff's certificate or its
193.22 agent or attorney, itemizing each of the allowable costs and the date of payment and
193.23 describing the premises. The affidavit must be filed with the sheriff of the county in which
193.24 the sale was held at any time prior to expiration of the mortgagor's redemption period. Upon
193.25 written request by the sheriff, the holder of the sheriff's certificate or certificate of redemption
193.26 shall provide an affidavit of allowable costs to the sheriff within seven days of the date of
193.27 the request by the sheriff. If the mortgagor does not redeem within seven days after the
193.28 affidavit is filed, the holder of the sheriff's certificate may file a supplemental affidavit if
193.29 additional allowable costs are incurred during the redemption period. If the holder of the
193.30 sheriff's certificate or certificate of redemption fails to respond to the sheriff's request within
193.31 seven days, the sheriff may calculate a redemption amount pursuant to section 580.23,
193.32 subdivision 1, and issue a certificate of redemption for that amount. If the time allowed to
193.33 redeem is less than seven days from the expiration of the redemption period, the sheriff
193.34 shall make a reasonable effort to request the affidavit of allowable costs in writing from the
193.35 holder of the sheriff's certificate, its agent, or attorney before issuing a certificate of

redemption. If the affidavit of allowable costs is not provided more than one business day before the expiration of the redemption period, at any time one business day or less before the expiration of the redemption period, the sheriff may calculate a redemption amount pursuant to section 580.23, subdivision 1, and issue a certificate of redemption for that amount. The amount calculated by the sheriff, absent malfeasance by the sheriff, binds the holder of the sheriff's certificate even if the amount calculated by the sheriff is less than the actual amount due.

EFFECTIVE DATE. This section is effective for affidavits filed with the sheriff after January 1, 2026.

Sec. 13. Minnesota Statutes 2024, section 582.043, subdivision 6, is amended to read:

Subd. 6. Dual tracking. (a) If the servicer has received a loss mitigation application and the subject mortgage loan has not already been referred to an attorney for foreclosure, a servicer shall not refer the subject mortgage loan to an attorney for foreclosure while the mortgagor's application is pending, unless:

(1) the servicer determines that the mortgagor is not eligible for any loss mitigation option, the servicer informs the mortgagor of the determination in writing, and the applicable appeal period has expired without an appeal or the appeal has been properly denied;

(2) where a written offer is made and a written acceptance is required, the mortgagor fails to accept the loss mitigation offer within the time frame specified in the offer or within 14 days after the date of the offer, whichever is longer; or

(3) the mortgagor declines the loss mitigation offer in writing.

(b) If the servicer receives a loss mitigation application after the subject mortgage loan has been referred to an attorney for foreclosure, but before a foreclosure sale has been scheduled, a servicer shall not move for an order of foreclosure, seek a foreclosure judgment, or conduct a foreclosure sale unless:

(1) the servicer determines that the mortgagor is not eligible for a loss mitigation option, the servicer informs the mortgagor of this determination in writing, and the applicable appeal period has expired without an appeal or the appeal has been properly denied;

(2) where a written offer is made and a written acceptance is required, the mortgagor fails to accept the loss mitigation offer within the time frame specified in the offer or within 14 days after the date of the offer, whichever is longer; or

(3) the mortgagor declines a loss mitigation offer in writing.

195.1 (c) If the servicer receives a loss mitigation application after the foreclosure sale has
195.2 been scheduled, but before midnight of the seventh business day prior to the foreclosure
195.3 sale date, the servicer must halt the foreclosure sale and evaluate the application. If required
195.4 to halt the foreclosure sale and evaluate the application, the servicer may cancel the
195.5 foreclosure sale or postpone the foreclosure sale under section 580.07, subdivision 1, but
195.6 must not move for an order of foreclosure, seek a foreclosure judgment, or conduct a
195.7 foreclosure sale unless 60 days have passed since the occurrence of one of the following,
195.8 whichever is applicable:

195.9 (1) the servicer determines that the mortgagor is not eligible for a loss mitigation option,
195.10 the servicer informs the mortgagor of this determination in writing, and the applicable appeal
195.11 period has expired without an appeal or the appeal has been properly denied;

195.12 (2) where a written offer is made and a written acceptance is required, the mortgagor
195.13 fails to accept the loss mitigation offer within the time frame specified in the offer or within
195.14 14 days after the date of the offer, whichever is longer; or

195.15 (3) the mortgagor declines a loss mitigation offer in writing.

195.16 (d) A servicer shall not move for an order of foreclosure or conduct a foreclosure sale
195.17 under any of the following circumstances:

195.18 (1) the mortgagor is in compliance with the terms of a trial or permanent loan
195.19 modification, or other loss mitigation option; or

195.20 (2) a short sale has been approved by all necessary parties and proof of funds or financing
195.21 has been provided to the servicer.

195.22 **ARTICLE 13**
195.23 **CIVIL LAW**

195.24 Section 1. Minnesota Statutes 2024, section 144.223, is amended to read:

195.25 **144.223 REPORT OF MARRIAGE.**

195.26 Data relating to the number of certificates of marriage registered ~~shall~~ must be reported
195.27 to the state registrar by the local registrar or designee of the county board in each of the 87
195.28 registration districts ~~pursuant to the rules of the commissioner. The information in clause~~
195.29 ~~(1) necessary to compile the report shall be furnished by the applicant prior to the issuance~~
195.30 ~~of the marriage license. The report shall contain the following:~~ in a format and with the
195.31 frequency determined by the state registrar.

195.32 ~~(1) personal information on bride and groom:~~

- 196.1 ~~(i) name;~~
- 196.2 ~~(ii) residence;~~
- 196.3 ~~(iii) date and place of birth;~~
- 196.4 ~~(iv) if previously married, how terminated; and~~
- 196.5 ~~(v) signature of applicant, date signed, and Social Security number; and~~
- 196.6 ~~(2) information concerning the marriage:~~
- 196.7 ~~(i) date of marriage;~~
- 196.8 ~~(ii) place of marriage; and~~
- 196.9 ~~(iii) civil or religious ceremony.~~

196.10 Sec. 2. Minnesota Statutes 2024, section 260C.419, subdivision 2, is amended to read:

196.11 Subd. 2. **Statewide Office of Appellate Counsel and Training; establishment.** (a)

196.12 The Statewide Office of Appellate Counsel and Training is ~~established as an independent~~
196.13 ~~state office~~ created as an agency in the executive branch, with powers and duties established
196.14 by law. The office shall be responsible for:

196.15 (1) establishing and maintaining a system for providing appellate representation to
196.16 parents in juvenile protection matters, as provided in section 260C.163, subdivision 3,
196.17 paragraph (c), and in Tribal court jurisdictions;

196.18 (2) providing training to all parent attorneys practicing in the state on topics relevant to
196.19 their practice and establishing practice standards and training requirements for parent
196.20 attorneys practicing in the state; and

196.21 (3) collaborating with the Minnesota Department of Children, Youth, and Families to
196.22 coordinate and secure federal Title IV-E support for counties and Tribes interested in
196.23 accessing federal funding.

196.24 (b) The office shall be governed by a board as provided in subdivision 3.

196.25 Sec. 3. Minnesota Statutes 2024, section 260C.419, subdivision 3, is amended to read:

196.26 Subd. 3. **State Board of Appellate Counsel and Training; structure; membership.** (a)

196.27 The State Board of Appellate Counsel and Training is established to direct the Statewide
196.28 Office of Appellate Counsel and Training. The board shall consist of seven members,
196.29 including:

197.1 (1) four public members appointed by the governor; and

197.2 (2) three members appointed by the supreme court, at least one of whom must have
197.3 experience representing parents in juvenile court and who include two attorneys admitted
197.4 to practice law in the state and one public member.

197.5 (b) The appointing authorities may not appoint any of the following to be a member of
197.6 the board:

197.7 (1) a person who is a judge;

197.8 (2) a person who is a registered lobbyist;

197.9 (3) a person serving as a guardian ad litem or counsel for a guardian ad litem;

197.10 (4) a person who serves as counsel for children in juvenile court;

197.11 (5) a person under contract with or employed by the Department of Children, Youth,
197.12 and Families or a county department of human or social services; or

197.13 (6) a current city or county attorney or assistant city or county attorney.

197.14 (c) All members shall demonstrate an interest in maintaining a high quality, independent
197.15 appellate defense system for parents in juvenile protection proceedings who are unable to
197.16 obtain adequate representation, a robust program for parent attorneys in Minnesota, and an
197.17 efficient coordination effort, in collaboration with the Department of Children, Youth, and
197.18 Families, to secure and utilize Title IV-E funding. At least one member of the board appointed
197.19 by the governor must be a representative from a federally recognized Indian Tribe. No more
197.20 than five members of the board may belong to the same political party. At least three
197.21 members of the board shall be from judicial districts other than the First, Second, Fourth,
197.22 and Tenth Judicial Districts. To the extent practicable, the membership of the board must
197.23 include persons with disabilities, reflect the ethnic diversity of the state, take into
197.24 consideration race and gender, and include persons from throughout the state. The members
197.25 shall be well acquainted with representing parents in district court and appellate proceedings
197.26 related to child protection matters as well as the law that affects a parent attorney's work,
197.27 including chapter 260C, the Rules of Juvenile Protection Procedure, the Rules of Civil
197.28 Appellate Procedure, the Indian Child Welfare Act, and the Minnesota Indian Family
197.29 Preservation Act. The terms, compensation, and removal of members shall be as provided
197.30 in section 15.0575. The governor shall designate one member to serve as the initial chair.
197.31 Upon the expiration of the initial chair's term, board members shall elect a chair from among
197.32 the membership and the chair shall serve a term of two years.

198.1 Sec. 4. Minnesota Statutes 2024, section 260C.419, subdivision 4, is amended to read:

198.2 Subd. 4. **Head appellate counsel for parents; assistant ~~and contracted~~ attorneys;**
 198.3 **other employees.** (a) Beginning January 1, 2024, and for every four years after that date,
 198.4 the board shall appoint a head appellate counsel in charge of executing the responsibilities
 198.5 of the office who shall provide for sufficient appellate counsel for parents and other personnel
 198.6 necessary to discharge the functions of the office. The head appellate counsel shall serve a
 198.7 four-year term and may be removed only for cause upon the order of the board. The head
 198.8 appellate counsel shall be a full-time ~~qualified~~ attorney, licensed to practice law in this state,
 198.9 and serve in the unclassified service of the state. Vacancies of the office shall be filled by
 198.10 the appointing authority for the unexpired term. The head appellate counsel shall devote
 198.11 full time to the performance of duties and shall not engage in the general practice of law.
 198.12 The ~~compensation~~ salary of the head appellate counsel shall be set ~~by the board and shall~~
 198.13 ~~be commensurate with county attorneys in the state~~ according to section 43A.18, subdivision
 198.14 3.

198.15 (b) ~~Consistent with the decisions of the board,~~ The head appellate counsel shall employ
 198.16 ~~assistants or hire independent contractors~~ or appoint attorneys to serve as assistant appellate
 198.17 counsel for parents. Each assistant appellate counsel ~~and independent contractor~~ serves at
 198.18 the pleasure of the head appellate counsel. The ~~compensation of~~ salary ranges for assistant
 198.19 appellate counsel ~~and independent contractors~~ shall be set ~~by the board and shall be~~
 198.20 ~~commensurate with county attorneys in the state~~ in consultation with Minnesota Management
 198.21 and Budget.

198.22 (c) A person serving as appellate counsel shall be ~~a qualified~~ an attorney licensed to
 198.23 practice law in this state. A person serving as appellate counsel practicing in Tribal court
 198.24 shall be a licensed attorney qualified to practice law in Tribal courts in the state. Assistant
 198.25 appellate counsel and contracted appellate counsel may engage in the general practice of
 198.26 law where not employed or contracted to provide services on a full-time basis.

198.27 (d) The head appellate counsel shall, consistent with the responsibilities under subdivision
 198.28 2, employ or hire the following:

198.29 (1) one managing appellate attorney;

198.30 (2) two staff attorneys;

198.31 (3) one director of training;

198.32 (4) one program administrator to support Title IV-E reimbursement in collaboration
 198.33 with the Department of Children, Youth, and Families; and

199.1 (5) one office administrator.

199.2 (e) ~~Each employee~~ All attorneys identified in paragraph (d) ~~serves~~ serve at the pleasure
199.3 of the head appellate counsel. ~~The~~ Other employees shall serve in the classified service.
199.4 Compensation ~~of each employee~~ for all employees shall be set by the board ~~and shall be~~
199.5 ~~commensurate with county attorneys in the state.~~ in accordance with the collective bargaining
199.6 agreements or compensation plans covering the terms and conditions for executive branch
199.7 employees.

199.8 (f) Any person serving as managing appellate attorney, staff attorney, and director of
199.9 training shall be a qualified attorney licensed to practice law in the state.

199.10 (g) A person serving as the program administrator and office administrator must be
199.11 chosen solely on the basis of training, experience, and qualifications.

199.12 Sec. 5. **[325E.91] PROHIBITION ON NUDIFICATION TECHNOLOGY.**

199.13 Subdivision 1. Definitions. (a) For the purposes of this section, the following terms have
199.14 the meanings given.

199.15 (b) "Intimate part" has the meaning given in section 609.341, subdivision 5.

199.16 (c) "Nudify" or "nudified" means the process by which:

199.17 (1) an image or video is altered or generated to depict an intimate part not depicted in
199.18 an original unaltered image or video of an identifiable individual; and

199.19 (2) the altered or generated image or video is so realistic that a reasonable person would
199.20 believe that the intimate part belongs to the identifiable individual.

199.21 Subd. 2. Nudification prohibited. A person who owns or controls a website, application,
199.22 software, program, or other service that creates, generates, or edits images or videos must
199.23 not:

199.24 (1) allow a user to access, download, or use the website, application, software, program,
199.25 or other service to nudify an image or video; or

199.26 (2) nudify an image on behalf of a user.

199.27 Subd. 3. Civil action; damages. An individual depicted in an image or video that was
199.28 nudified in violation of this section may bring a civil action in district court against the
199.29 person who violated this section for:

199.30 (1) compensatory damages, including mental anguish or suffering, in an amount up to
199.31 three times the actual damages sustained;

200.1 (2) punitive damages;

200.2 (3) injunctive relief;

200.3 (4) reasonable attorney fees, costs, and disbursements; and

200.4 (5) other relief the court deems just and equitable.

200.5 Subd. 4. **Penalties.** (a) The attorney general may enforce this section under section 8.31.

200.6 In addition to other remedies or penalties, a person who violates this section is subject to a

200.7 civil penalty not in excess of \$500,000 for each unlawful access, download, or use under

200.8 subdivision 2.

200.9 (b) Notwithstanding any contrary provision in law, including but not limited to section

200.10 16A.151, any civil penalty recovered under this subdivision must be deposited into the

200.11 general fund. On July 1 of each year, the accumulated balance of civil penalties collected

200.12 in the previous year is appropriated to the commissioner of public safety for the Office of

200.13 Justice Programs to provide grants to organizations to provide direct services and advocacy

200.14 for victims of sexual assault, general crime, domestic violence, and child abuse. Funding

200.15 must support the direct needs of organizations serving victims of crime by providing: direct

200.16 client assistance to crime victims; competitive wages for direct service staff; hotel stays and

200.17 other housing-related supports and services; culturally responsive programming; prevention

200.18 programming, including domestic abuse transformation and restorative justice programming;

200.19 and for other needs of organizations and crime victim survivors. Services funded must

200.20 include services for victims of crime in underserved communities most impacted by violence

200.21 and reflect the ethnic, racial, economic, cultural, and geographic diversity of the state. Up

200.22 to five percent of the appropriation is available for grant administration.

200.23 Subd. 5. **Jurisdiction; venue.** (a) A court has jurisdiction over a civil action filed pursuant

200.24 to this section if the plaintiff or defendant resides in this state.

200.25 (b) A civil action arising under this section may be filed in the county where the plaintiff

200.26 resides.

200.27 Subd. 6. **Immunity.** This section does not alter or amend the liabilities and protections

200.28 granted by United States Code, title 47, section 230, and shall be construed in a manner

200.29 consistent with federal law.

200.30 **EFFECTIVE DATE.** This section is effective August 1, 2025, and applies to causes

200.31 of action accruing on or after that date.

201.1 Sec. 6. Minnesota Statutes 2024, section 504B.385, subdivision 1, is amended to read:

201.2 Subdivision 1. **Escrow of rent.** (a) If a violation exists in a residential building, a
201.3 residential tenant may deposit the amount of rent due to the landlord with the court
201.4 administrator using the procedures described in paragraphs (b) to (d).

201.5 (b) For a violation as defined in section 504B.001, subdivision 14, clause (1), the
201.6 residential tenant may deposit with the court administrator the rent due to the landlord along
201.7 with a copy of the written notice of the code violation as provided in section 504B.185,
201.8 subdivision 2. The residential tenant may not deposit the rent or file the written notice of
201.9 the code violation until the time granted to make repairs has expired without satisfactory
201.10 repairs being made, unless the residential tenant alleges that the time granted is excessive.

201.11 (c) For a violation as defined in section 504B.001, subdivision 14, clause (2) ~~or~~ (3), (4),
201.12 or (5), the residential tenant must give written notice to the landlord specifying the violation.
201.13 The notice must be delivered personally or sent to the person or place where rent is normally
201.14 paid. If the violation is not corrected within 14 days, the residential tenant may deposit the
201.15 amount of rent due to the landlord with the court administrator along with an affidavit
201.16 specifying the violation. The court must provide a simplified form affidavit for use under
201.17 this paragraph.

201.18 (d) The residential tenant need not deposit rent if none is due to the landlord at the time
201.19 the residential tenant files the notice required by paragraph (b) or (c). All rent which becomes
201.20 due to the landlord after that time but before the hearing under subdivision 6 must be
201.21 deposited with the court administrator. As long as proceedings are pending under this section,
201.22 the residential tenant must pay rent to the landlord or as directed by the court and may not
201.23 withhold rent to remedy a violation.

201.24 Sec. 7. Minnesota Statutes 2024, section 504B.395, subdivision 4, is amended to read:

201.25 Subd. 4. **Landlord must be informed.** A landlord must be informed in writing of an
201.26 alleged violation at least 14 days before an action is brought by:

201.27 (1) a residential tenant of a residential building in which a violation as defined in section
201.28 504B.001, subdivision 14, clause (2) ~~or~~ (3), (4), or (5), is alleged to exist; or

201.29 (2) a housing-related neighborhood organization, with the written permission of a
201.30 residential tenant of a residential building in which a violation, as defined in section
201.31 504B.001, subdivision 14, clause (2), (3), (4), or (5), is alleged to exist. The notice
201.32 requirement may be waived if the court finds that the landlord cannot be located despite
201.33 diligent efforts.

202.1 Sec. 8. Minnesota Statutes 2024, section 517.04, is amended to read:

202.2 **517.04 PERSONS AUTHORIZED TO PERFORM CIVIL MARRIAGES.**

202.3 Civil marriages may be solemnized throughout the state by an individual who has attained
202.4 the age of 21 years and ~~is a judge of a court of record, a retired judge of a court of record,~~
202.5 ~~a court administrator, a retired court administrator with the approval of the chief judge of~~
202.6 ~~the judicial district, a former court commissioner who is employed by the court system or~~
202.7 ~~is acting pursuant to an order of the chief judge of the commissioner's judicial district, the~~
202.8 ~~residential school superintendent of the Minnesota State Academy for the Deaf and the~~
202.9 ~~Minnesota State Academy for the Blind, a licensed or ordained minister of any religious~~
202.10 ~~denomination, an individual who registers as a civil marriage officiant with a local registrar~~
202.11 ~~in a county of this state, or by any mode recognized in section 517.18. For purposes of this~~
202.12 ~~section, a court of record includes the Office of Administrative Hearings under section~~
202.13 ~~14.48. The county where the civil marriage officiant is registered must be endorsed upon~~
202.14 and recorded with each certificate of civil marriage.

202.15 Sec. 9. Minnesota Statutes 2024, section 517.08, subdivision 1a, is amended to read:

202.16 Subd. 1a. **Form.** Application for a civil marriage license shall be made by both of the
202.17 parties upon a form provided for the purpose and shall contain the following information:

202.18 (1) the full names of the parties ~~and the sex of each party~~;

202.19 (2) their post office addresses and county and state of residence;

202.20 (3) their full ages and dates of birth;

202.21 (4) if either party has previously been married, the party's married name, ~~and~~ from the
202.22 most recent marriage; the date, place, and court in which the civil marriage was dissolved
202.23 or annulled; or the date and place of death of the former spouse;

202.24 (5) whether the parties are related to each other, and, if so, their relationship;

202.25 (6) the address of the parties after the civil marriage is entered into to which the local
202.26 registrar shall send a certified copy of the civil marriage certificate;

202.27 (7) the full names the parties will have after the civil marriage is entered into and the
202.28 parties' Social Security numbers. The Social Security numbers must be collected for the
202.29 application but must not appear on the civil marriage license. If a party listed on a civil
202.30 marriage application does not have a Social Security number, the party must certify on the
202.31 application, or a supplement to the application, that the party does not have a Social Security
202.32 number;

(8) if one party to the civil marriage license has a felony conviction under Minnesota law or the law of another state or federal jurisdiction, the party may not change the party's name through the marriage application process and must follow the process in section 259.13 to change the party's name; and

(9) notice that a party who has a felony conviction under Minnesota law or the law of another state or federal jurisdiction may not use a different name after a civil marriage except as authorized by section 259.13, and that doing so is a gross misdemeanor.

Sec. 10. Minnesota Statutes 2024, section 517.08, subdivision 1b, is amended to read:

Subd. 1b. Term of license; fee; premarital education. (a) The local registrar shall examine upon oath the parties applying for a license relative to the legality of the contemplated civil marriage. The local registrar may examine the parties upon oath in person, by telephone, remotely using web conferencing technology, or by requiring a verified statement signed by both parties attesting to the legality of the marriage. The local registrar may accept civil marriage license applications signed by both parties that are submitted by mail, facsimile, or electronic filing. Both parties must present proof of age to the local registrar. If one party is unable to appear in person, the party appearing may complete the absent applicant's information. The local registrar shall provide a copy of the civil marriage application to the party who is unable to appear, who must verify the accuracy of the appearing party's information in a notarized statement. The verification statement must be accompanied by a copy of proof of age of the party. The civil marriage license must not be released until the verification statement and proof of age has been received by the local registrar. If the local registrar is satisfied that there is no legal impediment to it, including the restriction contained in section 259.13, the local registrar shall issue the license, containing the full names of the parties before and after the civil marriage, and county and state of residence, with the county seal attached, and make a record of the date of issuance. The license shall be valid for a period of six months. Except as provided in paragraph (b), The local registrar shall collect from the applicant a fee of \$115 for administering the oath, issuing, recording, and filing all papers required, and preparing and transmitting to the state registrar of vital records the reports of civil marriage required by this section. If the license should not be used within the period of six months due to illness or other extenuating circumstances, it may be surrendered to the local registrar for cancellation, and in that case a new license shall issue upon request of the parties of the original license without fee. A local registrar who knowingly issues or signs a civil marriage license in any manner other than as provided in this section shall pay to the parties aggrieved an amount not to exceed \$1,000.

(b) The civil marriage license fee for parties who have completed at least 12 hours of premarital education is \$40. In order to qualify for the reduced license fee, the parties must submit at the time of applying for the civil marriage license a statement that is signed, dated, and notarized or marked with a church seal from the person who provided the premarital education on their letterhead confirming that it was received. The premarital education must be provided by a licensed or ordained minister or the minister's designee, a person authorized to solemnize civil marriages under section 517.18, or a person authorized to practice marriage and family therapy under section 148B.33. The education must include the use of a premarital inventory and the teaching of communication and conflict management skills.

(c) The statement from the person who provided the premarital education under paragraph (b) must be in the following form:

"I, (name of educator), confirm that (names of both parties) received at least 12 hours of premarital education that included the use of a premarital inventory and the teaching of communication and conflict management skills. I am a licensed or ordained minister, a person authorized to solemnize civil marriages under Minnesota Statutes, section 517.18, or a person licensed to practice marriage and family therapy under Minnesota Statutes, section 148B.33."

The names of the parties in the educator's statement must be identical to the legal names of the parties as they appear in the civil marriage license application. Notwithstanding section 138.17, the educator's statement must be retained for seven years, after which time it may be destroyed.

Sec. 11. Minnesota Statutes 2024, section 517.09, subdivision 1, is amended to read:

Subdivision 1. **General.** ~~No particular form is required to solemnize a civil marriage, except the parties~~ Both applicants shall declare in the presence of a person who is not the same individual as the applicant or the witness, authorized to solemnize civil marriages and two attending witnesses that each takes the other as spouse; ~~or the civil marriage shall be solemnized in a manner provided by section 517.18.~~

Sec. 12. Minnesota Statutes 2024, section 517.10, is amended to read:

517.10 CERTIFICATE; WITNESSES.

The person solemnizing a civil marriage shall ~~prepare~~ complete and sign a marriage certificate provided by the local registrar. The certificate shall contain the full names of the parties before and after the civil marriage, the birth dates of the parties, and county and state

205.1 of residences of the parties and the date and place of the civil marriage. The certificate shall
205.2 also contain the signatures of the applicants' legal names after marriage and at least two of
205.3 the witnesses present at the civil marriage who shall be at least 16 years of age. The person
205.4 solemnizing the civil marriage shall immediately make a record of such civil marriage, and
205.5 file such certificate with the local registrar of the county in which the license was issued
205.6 within five days after the ceremony. The local registrar shall record such certificate in the
205.7 county civil marriage records.

205.8 Sec. 13. **[517.103] AMENDMENT OF MARRIAGE RECORDS.**

205.9 (a) To request an amendment of an error in a marriage record, a person must submit the
205.10 following documentation to the local registrar:

205.11 (1) an affidavit stating the reason for an amendment of the marriage record; and

205.12 (2) documentation supporting the amendment.

205.13 (b) A local registrar may amend a marriage record if the local registrar:

205.14 (1) receives an affidavit and documentation supporting the amendment of a marriage
205.15 record; and

205.16 (2) the local registrar determines that the affidavit and supporting documentation establish
205.17 that the marriage record contains an error.

205.18 (c) The local registrar must retain and maintain an affidavit and documentation upon
205.19 which the amendment of a marriage record was based, including the date of the amendment
205.20 and the legal name of the authorized person making the amendment.

205.21 (d) The local registrar must not amend a marriage record if:

205.22 (1) an applicant fails to submit the documentation required for amending a marriage
205.23 record; or

205.24 (2) the local registrar has reason to question the validity or completeness of the applicant's
205.25 affidavit or supporting documentation.

206.1 Sec. 14. Minnesota Statutes 2024, section 524.5-120, is amended to read:

206.2 **524.5-120 BILL OF RIGHTS FOR PERSONS SUBJECT TO GUARDIANSHIP**
206.3 **OR CONSERVATORSHIP.**

206.4 The person subject to guardianship or person subject to conservatorship retains all rights
206.5 not restricted by court order and these rights must be enforced by the court. These rights
206.6 include the right to:

206.7 (1) treatment with dignity and respect;

206.8 (2) due consideration of current and previously stated personal desires and preferences,
206.9 including but not limited to medical treatment preferences, cultural practices, religious
206.10 beliefs, and other preferences and opinions in decisions made by the guardian or conservator;

206.11 (3) participate in decision making about and receive timely and appropriate health care
206.12 and medical treatment that does not violate known preferences or conscientious, religious,
206.13 or moral beliefs of the person subject to guardianship or person subject to conservatorship;

206.14 (4) exercise control of all aspects of life unless delegated specifically to the guardian or
206.15 conservator by court order;

206.16 (5) guardianship or conservatorship services individually suited to the conditions and
206.17 needs of the person subject to guardianship or the person subject to conservatorship;

206.18 (6) petition the court to prevent or initiate a change in abode;

206.19 (7) care, comfort, social and recreational needs, employment and employment supports,
206.20 training, education, habilitation, and rehabilitation care and services, within available
206.21 resources;

206.22 (8) be consulted concerning, and to decide to the extent possible, the reasonable care
206.23 and disposition of the clothing, furniture, vehicles, and other personal property and effects
206.24 of the person subject to guardianship or person subject to conservatorship, to object to the
206.25 disposition of personal property and effects, and to petition the court for a review of the
206.26 guardian's or conservator's proposed disposition;

206.27 (9) personal privacy;

206.28 (10) communicate, visit, or interact with others, including receiving visitors ~~or~~, making
206.29 or receiving telephone calls, sending or receiving personal mail, ~~or sending or receiving~~
206.30 electronic communications including through social media, or participating in social activities,
206.31 unless the guardian has good cause to believe a restriction of communication, visitation, or
206.32 interaction is necessary because interaction with the person poses a substantial risk of

significant physical, psychological, or financial harm to the person subject to guardianship, and there is no other means to avoid or mitigate the significant harm. If the guardian believes a restriction is necessary, the guardian must first seek limited restrictions whenever possible, including supervised visits, phone calls, video calls, written correspondence, or limits on the length, frequency, or content of communication. In all cases, the guardian shall provide written notice of the restrictions imposed to the court;² to the person subject to guardianship; and their attorney, if known; and to the person subject to restrictions within 48 hours of imposing the restriction. The notice shall include a description of the reason the restriction is imposed; a description of any limited restrictions attempted; if applicable, the reason the limited restrictions were not sufficient; and instructions on how to seek a modification of the restrictions. The person subject to guardianship or the person subject to restrictions may petition the court to remove or modify the restrictions;

(11) marry and procreate, unless court approval is required;

(12) elect or object to sterilization as provided in section 524.5-313, paragraph (c), clause (4), item (iv);

(13) at any time, petition the court for termination or modification of the guardianship or conservatorship, and any decisions made by the guardian or conservator in relation to powers granted, or for other appropriate relief;

(14) be represented by an attorney in any proceeding or for the purpose of petitioning the court;

(15) vote, unless restricted by the court;

(16) be consulted concerning, and make decisions to the extent possible, about personal image and name, unless restricted by the court; and

(17) execute a health care directive, including both health care instructions and the appointment of a health care agent, if the court has not granted a guardian any of the powers or duties under section 524.5-313, paragraph (c), clause (1), (2), or (4).

Sec. 15. Minnesota Statutes 2024, section 524.5-311, is amended to read:

524.5-311 EMERGENCY GUARDIAN.

(a) If the court finds that compliance with the procedures of this article will likely result in substantial harm to the respondent's health, safety, or welfare, and that no other person appears to have authority and willingness to act in the circumstances, the court, on petition by a person interested in the respondent's welfare, may appoint an emergency guardian

whose authority may not exceed 60 days and who may exercise only the powers specified in the order. A county that is acting under section 626.557, subdivision 10, by petitioning for appointment of an emergency guardian on behalf of a vulnerable adult may be granted authority to act for a period not to exceed 90 days. An emergency guardian's appointment under this section may only be extended once for a period not to exceed 60 days if the court finds good cause for the continuation of the guardianship. Immediately upon receipt of the petition for an emergency guardianship, the court shall appoint a lawyer to represent the respondent in the proceeding. Except as otherwise provided in paragraph (b), reasonable notice of the time and place of a hearing on the petition must be given to the respondent; interested parties, if known; and any other persons as the court directs.

(b) An emergency guardian may be appointed without notice to the respondent and the respondent's lawyer only if the court finds from affidavit or other sworn testimony that the respondent will be substantially harmed before a hearing on the appointment can be held and the petitioner made good faith efforts to provide notice to the respondent or the respondent's lawyer. If the court appoints an emergency guardian without notice to the respondent, the respondent must be given notice of the appointment within 48 hours after the appointment. The court shall hold a hearing on the appropriateness of the appointment within five days after the appointment.

(c) Appointment of an emergency guardian, with or without notice, is not a determination of the respondent's incapacity.

(d) The court may remove an emergency guardian at any time. An emergency guardian shall make any report the court requires. In other respects, the provisions of this article concerning guardians apply to an emergency guardian.

(e) Any documents or information disclosing or pertaining to health or financial information shall be filed as confidential documents, consistent with the bill of particulars under section 524.5-121.

(f) The mere fact that the respondent is a patient in a hospital or a resident of a facility is not in and of itself sufficient evidence to support a risk of substantial harm to the respondent's health, safety, or welfare.

Sec. 16. Minnesota Statutes 2024, section 524.5-313, is amended to read:

524.5-313 POWERS AND DUTIES OF GUARDIAN.

(a) A guardian shall be subject to the control and direction of the court at all times and in all things.

(b) The court shall grant to a guardian only those powers necessary to provide for the demonstrated needs of the person subject to guardianship.

(c) The court may appoint a guardian if it determines that all the powers and duties listed in this section are needed to provide for the needs of the incapacitated person. The court may also appoint a guardian if it determines that a guardian is needed to provide for the needs of the incapacitated person through the exercise of some, but not all, of the powers and duties listed in this section. The duties and powers of a guardian or those which the court may grant to a guardian include, but are not limited to:

(1) the power to have custody of the person subject to guardianship and the power to establish a place of abode within or outside the state, except as otherwise provided in this clause. The person subject to guardianship or any interested person may petition the court to prevent or to initiate a change in abode. A person subject to guardianship may not be admitted to a regional treatment center by the guardian except:

(i) after a hearing under chapter 253B;

(ii) for outpatient services; or

(iii) for the purpose of receiving temporary care for a specific period of time not to exceed 90 days in any calendar year;

(2) the duty to provide for the care, comfort, and maintenance needs of the person subject to guardianship, including food, clothing, shelter, health care, social and recreational requirements, and, whenever appropriate, training, education, and habilitation or rehabilitation. The guardian has no duty to pay for these requirements out of personal funds. Whenever possible and appropriate, the guardian should meet these requirements through governmental benefits or services to which the person subject to guardianship is entitled, rather than from the estate of the person subject to guardianship;

(3) the duty to take reasonable care of the clothing, furniture, vehicles, and other personal effects of the person subject to guardianship, and, if other property requires protection, the power to seek appointment of a conservator of the estate. The guardian must give notice by mail to interested persons prior to the disposition of the clothing, furniture, vehicles, or other personal effects of the person subject to guardianship. The notice must inform the person of the right to object to the disposition of the property within ten days of the date of mailing and to petition the court for a review of the guardian's proposed actions. Notice of the objection must be served by mail or personal service on the guardian and the person subject to guardianship unless the person subject to guardianship is the objector. The guardian

210.1 served with notice of an objection to the disposition of the property may not dispose of the
210.2 property unless the court approves the disposition after a hearing;

210.3 (4)(i) the power to give any necessary consent to enable the person subject to guardianship
210.4 to receive necessary medical or other professional care, counsel, treatment, or service, except
210.5 that no guardian may give consent for psychosurgery, electroshock, sterilization, or
210.6 experimental treatment of any kind unless the procedure is first approved by order of the
210.7 court as provided in this clause. The guardian shall not consent to any medical care for the
210.8 person subject to guardianship which violates the known conscientious, religious, or moral
210.9 belief of the person subject to guardianship;

210.10 (ii) a guardian who believes a procedure described in item (i) requiring prior court
210.11 approval to be necessary for the proper care of the person subject to guardianship, shall
210.12 petition the court for an order and, in the case of a public guardianship under chapter 252A,
210.13 obtain the written recommendation of the commissioner of human services. The court shall
210.14 fix the time and place for the hearing and shall give notice to the person subject to
210.15 guardianship in such manner as specified in section 524.5-308 and to interested persons.
210.16 The court shall appoint an attorney to represent the person subject to guardianship who is
210.17 not represented by counsel, provided that such appointment shall expire upon the expiration
210.18 of the appeal time for the order issued by the court under this section or the order dismissing
210.19 a petition, or upon such other time or event as the court may direct. In every case the court
210.20 shall determine if the procedure is in the best interest of the person subject to guardianship.
210.21 In making its determination, the court shall consider a written medical report which
210.22 specifically considers the medical risks of the procedure, whether alternative, less restrictive
210.23 methods of treatment could be used to protect the best interest of the person subject to
210.24 guardianship, and any recommendation of the commissioner of human services for a public
210.25 person subject to guardianship. The standard of proof is that of clear and convincing evidence;

210.26 (iii) in the case of a petition for sterilization of a person with developmental disabilities
210.27 subject to guardianship, the court shall appoint a licensed physician, a psychologist who is
210.28 qualified in the diagnosis and treatment of developmental disability, and a social worker
210.29 who is familiar with the social history and adjustment of the person subject to guardianship
210.30 or the case manager for the person subject to guardianship to examine or evaluate the person
210.31 subject to guardianship and to provide written reports to the court. The reports shall indicate
210.32 why sterilization is being proposed, whether sterilization is necessary and is the least intrusive
210.33 method for alleviating the problem presented, and whether it is in the best interest of the
210.34 person subject to guardianship. The medical report shall specifically consider the medical
210.35 risks of sterilization, the consequences of not performing the sterilization, and whether

211.1 alternative methods of contraception could be used to protect the best interest of the person
211.2 subject to guardianship;

211.3 (iv) any person subject to guardianship whose right to consent to a sterilization has not
211.4 been restricted under this section or section 252A.101 may be sterilized only if the person
211.5 subject to guardianship consents in writing or there is a sworn acknowledgment by an
211.6 interested person of a nonwritten consent by the person subject to guardianship. The consent
211.7 must certify that the person subject to guardianship has received a full explanation from a
211.8 physician or registered nurse of the nature and irreversible consequences of the sterilization;

211.9 (v) a guardian or the public guardian's designee who acts within the scope of authority
211.10 conferred by letters of guardianship under section 252A.101, subdivision 7, and according
211.11 to the standards established in this chapter or in chapter 252A shall not be civilly or criminally
211.12 liable for the provision of any necessary medical care, including, but not limited to, the
211.13 administration of psychotropic medication or the implementation of aversive and deprivation
211.14 procedures to which the guardian or the public guardian's designee has consented;

211.15 (5) in the event there is no duly appointed conservator of the estate of the person subject
211.16 to guardianship, the guardian shall have the power to approve or withhold approval of any
211.17 contract, except for necessities, which the person subject to guardianship may make or wish
211.18 to make;

211.19 (6) the duty and power to exercise supervisory authority over the person subject to
211.20 guardianship in a manner which limits civil rights and restricts personal freedom only to
211.21 the extent necessary to provide needed care and services. A guardian may not restrict the
211.22 ~~ability right~~ of the person subject to guardianship to communicate, visit, or interact with
211.23 others pursuant to section 524.5-120, clause (10), including receiving visitors ~~or~~, making
211.24 or receiving telephone calls, sending or receiving personal mail, ~~or sending or receiving~~
211.25 electronic communications including through social media, or participating in social activities,
211.26 unless the guardian has good cause to believe a restriction of communication, visitation, or
211.27 interaction is necessary because interaction with the person poses a substantial risk of
211.28 significant physical, psychological, or financial harm to the person subject to guardianship,
211.29 and there is no other means to avoid or mitigate such significant harm. If the guardian
211.30 believes a restriction is necessary, the guardian must first seek limited restrictions whenever
211.31 possible, including supervised visits, phone calls, video calls, written correspondence, or
211.32 limits on the length, frequency, or content of communication. In all cases, the guardian shall
211.33 provide written notice of the restrictions imposed to the court;₂ to the person subject to
211.34 guardianship; and their attorney, if known; and to the person subject to restrictions within
211.35 48 hours of imposing the restriction. The notice shall include a description of the reason

212.1 the restriction is imposed; a description of any limited restrictions attempted; if applicable,
 212.2 the reason the limited restrictions were not sufficient; and instructions on how to seek a
 212.3 modification of the restrictions. The person subject to guardianship or the person subject
 212.4 to restrictions may petition the court to remove or modify the restrictions;

212.5 (7) if there is no acting conservator of the estate for the person subject to guardianship,
 212.6 the guardian has the power to apply on behalf of the person subject to guardianship for any
 212.7 assistance, services, or benefits available to the person subject to guardianship through any
 212.8 unit of government;

212.9 (8) unless otherwise ordered by the court, the person subject to guardianship retains the
 212.10 right to vote;

212.11 (9) the power to establish an ABLE account for a person subject to guardianship or
 212.12 conservatorship. By this provision a guardian only has the authority to establish an ABLE
 212.13 account, but may not administer the ABLE account in the guardian's capacity as guardian.
 212.14 The guardian may appoint or name a person to exercise signature authority over an ABLE
 212.15 account, including the individual selected by the eligible individual or the eligible individual's
 212.16 agent under a power of attorney; conservator; spouse; parent; sibling; grandparent; or
 212.17 representative payee, whether an individual or organization, appointed by the SSA, in that
 212.18 order; and

212.19 (10) if there is no conservator appointed for the person subject to guardianship, the
 212.20 guardian has the duty and power to institute suit on behalf of the person subject to
 212.21 guardianship and represent the person subject to guardianship in expungement proceedings,
 212.22 harassment proceedings, and all civil court proceedings, including but not limited to
 212.23 restraining orders, orders for protection, name changes, conciliation court, housing court,
 212.24 family court, probate court, and juvenile court, provided that a guardian may not settle or
 212.25 compromise any claim or debt owed to the estate without court approval.

212.26 Sec. 17. **[604.33] CAUSE OF ACTION; NONCONSENSUAL REMOVAL OF A**
 212.27 **SEXUALLY PROTECTIVE DEVICE.**

212.28 Subdivision 1. Definitions. (a) For purposes of this section, the following terms have
 212.29 the meanings given.

212.30 (b) "Intimate part" means the sexual organ, anus, groin, or buttocks of any person, or
 212.31 the breast of a female.

212.32 (c) "Sexually protective device" means an internal or external condom, spermicide,
 212.33 diaphragm, cervical cap, contraceptive sponge, dental dam, or any other physical barrier

213.1 device intended to prevent pregnancy or sexually transmitted infection. Sexually protective
213.2 device does not include an intrauterine device or any hormonal birth control method.

213.3 Subd. 2. **Cause of action.** A cause of action for nonconsensual removal of a sexually
213.4 protective device exists against the following:

213.5 (1) a person who intentionally removed a sexually protective device and caused contact
213.6 between the sexual organ from which the sexually protective device was removed and the
213.7 intimate part of another person who did not consent to the removal of the sexually protective
213.8 device; or

213.9 (2) a person who intentionally removed a sexually protective device from another person's
213.10 sexual organ without the other person's consent and caused contact between the sexual organ
213.11 from which the sexually protective device was removed and their own intimate part.

213.12 Subd. 3. **Damages.** The court may award the following damages to a prevailing plaintiff
213.13 from a person found liable under subdivision 2:

213.14 (1) general and special damages, including damages for mental anguish;

213.15 (2) punitive damages;

213.16 (3) statutory damages in an amount up to \$10,000;

213.17 (4) injunctive relief and any other equitable relief the court deems just and appropriate;
213.18 and

213.19 (5) costs, disbursements, and reasonable attorney fees.

213.20 Subd. 4. **Confidentiality.** The court shall allow confidential filings to protect the privacy
213.21 of the plaintiff in cases filed under this section.

213.22 Subd. 5. **Other laws and remedies.** (a) The rights and remedies provided in this section
213.23 are in addition to any other rights and remedies provided by law.

213.24 (b) Nothing in this section affects or modifies the rights and obligations under chapter
213.25 518A.

213.26 **EFFECTIVE DATE.** This section is effective August 1, 2025, and applies to causes
213.27 of action accruing on or after that date.

213.28 Sec. 18. **[626.5574] ORDER FOR PROTECTION AGAINST FINANCIAL**
213.29 **EXPLOITATION OF A VULNERABLE ADULT.**

213.30 Subdivision 1. **Definitions.** (a) For the purposes of this section, the following terms have
213.31 the meanings given.

- 214.1 (b) "Conservator" has the meaning given in section 524.5-102, subdivision 3.
- 214.2 (c) "Financial exploitation" has the meaning given in section 626.5572, subdivision 9.
- 214.3 (d) "Guardian" has the meaning given in section 524.5-102, subdivision 5.
- 214.4 (e) "Lead investigative agency" has the meaning given in section 626.5572, subdivision
- 214.5 13.
- 214.6 (f) "Petitioner" means any of the following:
- 214.7 (1) a vulnerable adult currently experiencing or in imminent danger of financial
- 214.8 exploitation;
- 214.9 (2) the guardian or conservator of a vulnerable adult currently experiencing or in imminent
- 214.10 danger of financial exploitation;
- 214.11 (3) a person or organization acting on behalf of the vulnerable adult with the consent of
- 214.12 the vulnerable adult or his or her guardian or conservator;
- 214.13 (4) an agent under a validly executed power of attorney with the authority specifically
- 214.14 granted in the power of attorney; or
- 214.15 (5) a person who simultaneously files a petition under section 524.5-409, subdivision
- 214.16 2, for appointment of an emergency conservator with respect to the vulnerable adult.
- 214.17 (g) "Vulnerable adult" has the meaning given in section 626.5572, subdivision 21.
- 214.18 Subd. 2. **Jurisdiction; petition.** (a) A petitioner may petition the court for an order for
- 214.19 protection against financial exploitation of a vulnerable adult seeking injunctive relief and
- 214.20 any other equitable remedy the court deems appropriate with the court located in the county
- 214.21 where the petitioner, respondent, or the vulnerable adult resides. There are no residency
- 214.22 requirements that apply to a petition filed under this section. Actions under this section shall
- 214.23 be given docket priorities by the court.
- 214.24 (b) A petition for relief under this section must:
- 214.25 (1) allege the existence of financial exploitation, or the imminent danger of financial
- 214.26 exploitation, of the vulnerable adult;
- 214.27 (2) include the specific facts and circumstances for which relief is sought, including the
- 214.28 relationship between the vulnerable adult and respondent;
- 214.29 (3) state whether the vulnerable adult has ever applied for or received an order for
- 214.30 protection under this section or section 518B.01, or a restraining order under section 609.748;
- 214.31 and

215.1 (4) state whether there are any pending actions between the vulnerable adult and the
215.2 respondent.

215.3 (c) A person temporarily or permanently vacating a residence or household in an attempt
215.4 to avoid financial exploitation does not affect the person's right to petition for an order under
215.5 this section.

215.6 (d) The court shall provide simplified forms and clerical assistance to help with the
215.7 writing and filing of a petition under this section.

215.8 Subd. 3. **Filing fee.** The filing fees for an order for protection against financial
215.9 exploitation for a vulnerable adult under this section are waived for the petitioner and
215.10 respondent.

215.11 Subd. 4. **Hearing.** Upon receipt of the petition, the court shall order a hearing which
215.12 shall be held no later than 14 days from the date of the order for the hearing unless a
215.13 temporary ex parte order is issued under subdivision 8. If the court issues a temporary ex
215.14 parte order, the hearing must be held as provided under subdivision 8.

215.15 Subd. 5. **Service.** (a) Except as provided in paragraph (b), the petition and any order
215.16 issued under this section must be served on the respondent as provided in section 518B.01,
215.17 subdivisions 8, 8a, and 9a. If the petitioner is not the vulnerable adult, the petitioner must
215.18 serve the vulnerable adult with a copy of the petition, notice of any hearing, and any orders
215.19 issued under this section. If any assets or lines of credit are ordered to be frozen, the petitioner
215.20 must serve the depository or financial institution with the order.

215.21 (b) If service on the respondent is not possible as provided in paragraph (a), the petitioner
215.22 may serve the respondent through the method used to contact the vulnerable adult. The
215.23 petitioner must provide to the court the reasons that service was not possible under section
215.24 518B.01, subdivision 8, 8a, or 9a.

215.25 Subd. 6. **Maltreatment report required.** Unless a report was made before a petition
215.26 was filed under this section, the petitioner must file a report pursuant to section 626.557
215.27 within 24 hours of filing a petition under this section. This section does not modify or
215.28 supersede mandated reporting requirements under section 626.557.

215.29 Subd. 7. **Factors.** In determining whether to award relief to the petitioner, the court may
215.30 consider and evaluate all relevant factors, including any of the following:

215.31 (1) the existence of a current or previous order for protection issued under this section
215.32 or section 518B.01, a current or previous harassment restraining order issued under section
215.33 609.748, or any previous or current similar order issued by another jurisdiction;

216.1 (2) any history of financial exploitation by the respondent upon the vulnerable adult
216.2 identified in the petition or any other vulnerable adult;

216.3 (3) any history of the vulnerable adult's previous financial exploitation by the respondent
216.4 or any other person;

216.5 (4) the capacity of the vulnerable adult to make decisions related to their finances and
216.6 property;

216.7 (5) the susceptibility of the vulnerable adult to undue influence; or

216.8 (6) the respondent's criminal history.

216.9 Subd. 8. **Temporary ex parte order.** (a) The court may issue a temporary order for
216.10 protection ex parte if the court finds that:

216.11 (1) there is an immediate and present danger of financial exploitation of the vulnerable
216.12 adult;

216.13 (2) there is a likelihood of irreparable harm and nonavailability of an adequate remedy
216.14 at law;

216.15 (3) there is a substantial likelihood of success on the merits;

216.16 (4) the threatened injury to the vulnerable adult outweighs possible harm to the
216.17 respondent; and

216.18 (5) a temporary order protects the vulnerable adult's financial security.

216.19 (b) A denial of a petition for an ex parte order must be by written order and must note
216.20 the grounds for denial. When the only ground for denial is failure to demonstrate the
216.21 immediate and present danger of financial exploitation of a vulnerable adult, the court must
216.22 set a full hearing on the petition for an order for protection at the earliest possible date and
216.23 within 14 days of the date of the court's denial order. Nothing in this paragraph limits a
216.24 petitioner's right to promptly amend a petition consistent with court rules.

216.25 (c) An ex parte temporary order may be effective for a fixed period not to exceed 14
216.26 days unless good cause is shown to extend the order. The ex parte temporary order may be
216.27 extended once for up to an additional 14 days. A full hearing, as provided by this section,
216.28 must be set for a date no later than the date when the ex parte temporary order expires.

216.29 Subd. 9. **Relief.** (a) The court may grant relief as provided under this section, if upon
216.30 notice and hearing and consideration of all relevant factors, the court finds that:

217.1 (1) the vulnerable adult is the victim of financial exploitation or the vulnerable adult is
217.2 in imminent danger of becoming a victim of financial exploitation;

217.3 (2) there is a likelihood of irreparable harm and nonavailability of an adequate remedy
217.4 at law;

217.5 (3) the threatened injury to the vulnerable adult outweighs possible harm to the
217.6 respondent; and

217.7 (4) an order protects the vulnerable adult's financial security.

217.8 (b) In addition to any other injunctive or equitable relief the court deems appropriate,
217.9 the court may grant any or all of the following relief in either a temporary ex parte or final
217.10 order issued under this section:

217.11 (1) prohibit the respondent from direct or indirect contact with the vulnerable adult;

217.12 (2) restrain the respondent from committing any acts of financial exploitation against
217.13 the vulnerable adult;

217.14 (3) hold financial accounts in accordance with chapter 45A or freeze any assets of the
217.15 vulnerable adult in any depository or financial institution whether titled solely in the
217.16 vulnerable adult's name, solely in the respondent's name, jointly with the respondent, in
217.17 conservatorship, or in a trust, provided that:

217.18 (i) assets held by a conservator for the vulnerable adult may be frozen only by an order
217.19 entered by the court overseeing the conservatorship proceeding;

217.20 (ii) assets held by a trust may be frozen only by an order of the court if all the trustees
217.21 of the trust are served with process and are given reasonable notice before any hearing on
217.22 the petition; and

217.23 (iii) assets held solely in the name of the respondent may only be frozen on an ex parte
217.24 basis if the petition and affidavit demonstrate to the court probable cause that such assets
217.25 are traceable to the financial exploitation of the vulnerable adult, that such assets are likely
217.26 to be returned to the vulnerable adult after a final evidentiary hearing, and that no other
217.27 adequate remedy at law is reasonably available;

217.28 (4) freeze any line of credit of the vulnerable adult at any depository or financial
217.29 institution whether listed solely in the vulnerable adult's name or jointly with the respondent,
217.30 provided that:

217.31 (i) lines of credit held by a conservator for the vulnerable adult may be frozen only by
217.32 an order entered by the court overseeing the conservatorship proceeding; and

218.1 (ii) lines of credit held by a trust may be frozen only by an order of the court if all the
218.2 trustees of the trust are served with process and are given reasonable notice before any
218.3 hearing on the petition;

218.4 (5) if the court has ordered an asset and credit freeze, ordering that living expenses of
218.5 the vulnerable adult continue to be paid;

218.6 (6) award to the vulnerable adult the temporary exclusive use and possession of the
218.7 dwelling that the vulnerable adult and the respondent share or bar the respondent from the
218.8 residence of the vulnerable adult;

218.9 (7) provide necessary directives to law enforcement agencies; and

218.10 (8) provide any terms the court deems necessary for the protection of the vulnerable
218.11 adult or the vulnerable adult's assets.

218.12 Subd. 10. **Modifying or vacating an order; extensions and subsequent orders.** Upon
218.13 application and notice to all parties as required under this section, the court may vacate an
218.14 order, modify the terms of an existing order for protection, extend relief granted in an
218.15 existing order for protection, or, if an order for protection has expired, issue a new order.

218.16 Subd. 11. **Copy to law enforcement agency; lead investigative agency.** Within 24
218.17 hours of issuance of an order or continuance of an order under this section, the court
218.18 administrator must forward the order for protection and any continuance of the order for
218.19 protection to the local law enforcement agency with jurisdiction over the residence of the
218.20 vulnerable adult and the lead investigative agency that received the report pursuant to
218.21 subdivision 6. Section 518B.01, subdivision 13, applies to orders granted under this section.

218.22 Subd. 12. **Title to real property.** Nothing in this section affects title to real property.

218.23 Subd. 13. **Violation of an order for protection.** (a) A person is guilty of a misdemeanor
218.24 if the person:

218.25 (1) knows of the existence of an order for protection issued under this section;

218.26 (2) is prohibited from direct or indirect contact with a vulnerable adult or restrained from
218.27 committing any acts of financial exploitation against a vulnerable adult as provided in
218.28 subdivision 9, paragraph (b); and

218.29 (3) violates the order by committing such conduct.

218.30 (b) A person who violates paragraph (a) within ten years of a previous conviction or
218.31 adjudication of delinquency for a violation of this subdivision or section 609.2335, is guilty
218.32 of a gross misdemeanor.

219.1 (c) A person who violates paragraph (a) within ten years of the first of two or more
219.2 previous convictions or adjudications of delinquency for a violation of this subdivision or
219.3 section 609.2335, is guilty of a felony and may be sentenced to imprisonment for not more
219.4 than five years or to payment of a fine of not more than \$10,000, or both.

219.5 Subd. 14. **Admissibility of testimony in criminal proceeding.** Any testimony offered
219.6 by a respondent in a hearing pursuant to this section is inadmissible in a criminal proceeding.

219.7 Subd. 15. **Other remedies available.** Any proceeding under this section shall be in
219.8 addition to other civil or criminal remedies.

219.9 Sec. 19. Laws 2023, chapter 52, article 19, section 90, is amended to read:

219.10 Sec. 90. **EFFECTIVE DATE.**

219.11 Sections 83 to 89 are effective January 1, 2024, and apply to leases ~~signed~~ entered into,
219.12 renewed, or extended on or after that date. For the purposes of this section, estates at will
219.13 shall be deemed to be renewed or extended at the commencement of each rental period.

219.14 **EFFECTIVE DATE.** This section is effective July 1, 2025, and applies to leases entered
219.15 into, renewed, or extended on or after that date.

219.16 Sec. 20. Laws 2023, chapter 52, article 19, section 102, is amended to read:

219.17 Sec. 102. **EFFECTIVE DATE.**

219.18 Sections 97, 98, and 100 are effective January 1, 2024, and apply to leases entered into
219.19 ~~or,~~ renewed, or extended on or after January 1, 2024. For the purposes of this section, estates
219.20 at will shall be deemed to be renewed or extended at the commencement of each rental
219.21 period.

219.22 **EFFECTIVE DATE.** This section is effective July 1, 2025, and applies to leases entered
219.23 into, renewed, or extended on or after that date.

219.24 Sec. 21. **EVICITION PROCEEDINGS DELAYED; SECTION 8 HOUSING.**

219.25 (a) The definitions in Minnesota Statutes, section 504B.001, apply to this section.

219.26 (b) Notwithstanding any law to the contrary, a landlord must not file an eviction action
219.27 against a tenant based on nonpayment of rent until at least three months following the date
219.28 of the first delinquent rent payment if:

220.1 (1) the tenant is residing in housing subsidized by the United States Department of
220.2 Housing and Urban Development under Section 8 of the United States Housing Act of 1937;
220.3 and

220.4 (2) the United States Department of Housing and Urban Development withholds the
220.5 tenant's rental assistance payments.

220.6 (c) Paragraph (b) does not apply to an eviction action based on a tenant's failure to pay
220.7 the tenant's portion of rent.

220.8 (d) Nothing in this section supersedes or modifies obligations imposed upon the landlord
220.9 by other law or contract and rights and remedies available to a tenant under other law or
220.10 contract.

220.11 (e) This section expires on November 1, 2025.

220.12 **EFFECTIVE DATE.** This section is effective only upon enactment in the 2025 regular
220.13 session of a bill styled as S.F. No. 2298, the third engrossment, article 1, section 2.

220.14 Sec. 22. **LANDLORD REIMBURSEMENT; CONTINGENT REDUCTION AND**
220.15 **APPROPRIATION.**

220.16 (a) If the condition under article 13, section 17, paragraph (b), clause (2), becomes
220.17 effective:

220.18 (1) the commissioner of management and budget must reduce the fiscal year 2026
220.19 appropriation in 2025 S.F. No. 2298, the third engrossment, article 1, section 2, if enacted
220.20 during the 2025 regular legislative session, by \$66,500,000. The commissioner must
220.21 proportionally allocate the appropriation reduction among the appropriations and riders in
220.22 2025 S.F. No. 2298, the third engrossment, article 1, section 2, subdivisions 2 to 19. This
220.23 section applies regardless of order of enactment; and

220.24 (2) \$66,500,000 is appropriated in fiscal year 2026 from the general fund to the
220.25 commissioner of the Housing Finance Agency to reimburse landlords for lost income due
220.26 to the United States Department of Housing and Urban Development withholding a tenant's
220.27 rental assistance payments.

220.28 (b) This section does not permit reimbursements to a landlord for lost income based on
220.29 a tenant's failure to pay the tenant's portion of rent.

220.30 **EFFECTIVE DATE.** This section is effective only upon enactment in the 2025 regular
220.31 session of a bill styled as S.F. No. 2298, the third engrossment, article 1, section 2.

- 221.1 Sec. 23. **REPEALER.**
- 221.2 Minnesota Statutes 2024, sections 517.05; and 517.18, are repealed.

APPENDIX
Article locations for UEH2432-1

ARTICLE 1 JUDICIARY APPROPRIATIONS..... Page.Ln 2.39

ARTICLE 2 PUBLIC SAFETY APPROPRIATIONS..... Page.Ln 9.1

ARTICLE 3 FINANCIAL CRIMES AND FRAUD INVESTIGATIONS..... Page.Ln 43.22

ARTICLE 4 CRIMINAL PROVISIONS..... Page.Ln 63.4

ARTICLE 5 PUBLIC SAFETY PROVISIONS..... Page.Ln 89.6

ARTICLE 6 CRIMINAL JUSTICE-RELATED JUDICIAL PROVISIONS..... Page.Ln 103.14

ARTICLE 7 CRIME VICTIMS PROVISIONS..... Page.Ln 116.12

ARTICLE 8 CORRECTIONAL PROVISIONS..... Page.Ln 121.13

ARTICLE 9 CIVIL COMMITMENT COORDINATING DIVISION..... Page.Ln 152.10

ARTICLE 10 COURTS..... Page.Ln 157.1

ARTICLE 11 DATA PRACTICES..... Page.Ln 160.26

ARTICLE 12 MORTGAGE FORECLOSURE..... Page.Ln 183.21

ARTICLE 13 CIVIL LAW..... Page.Ln 195.22

45.0135 COMMERCE FRAUD BUREAU.

Subd. 2a. **Authorization.** (a) The commissioner may appoint peace officers, as defined in section 626.84, subdivision 1, paragraph (c), and establish a law enforcement agency, as defined in section 626.84, subdivision 1, paragraph (f), known as the Commerce Fraud Bureau, to conduct investigations, and to make arrests under sections 629.30 and 629.34. The primary jurisdiction of the law enforcement agency is limited to offenses with a nexus to insurance-related crimes or financial crimes.

(b) Upon request and at the commissioner's discretion, the Commerce Fraud Bureau may respond to a law enforcement agency's request to exercise law enforcement duties in cooperation with the law enforcement agency that has jurisdiction over the particular matter.

(c) The Commerce Fraud Bureau must allocate at least 70 percent of its work to insurance fraud, as defined in sections 60A.951, subdivision 4, and 609.611.

Subd. 2c. **Arrests and investigations.** The initial processing of a person arrested by the Commerce Fraud Bureau for an offense within its jurisdiction is the responsibility of the bureau unless otherwise directed by the law enforcement agency with primary jurisdiction. Subsequent investigation shall be the responsibility of the bureau unless otherwise directed by the law enforcement agency with primary jurisdiction. At the request of the primary jurisdiction, the bureau may assist in a subsequent investigation being carried out by the primary jurisdiction.

Subd. 2d. **Policy for notice of investigations.** The Commerce Fraud Bureau must develop a policy for notifying the law enforcement agency with primary jurisdiction when it has initiated investigation of any person within the jurisdiction of that agency.

Subd. 2e. **Chief law enforcement officer.** The commissioner shall appoint a peace officer employed full time to be the chief law enforcement officer and to be responsible for the management of the Commerce Fraud Bureau. The chief law enforcement officer shall possess the necessary police and management experience to manage a law enforcement agency. The chief law enforcement officer may appoint, discipline, and discharge all employees of the bureau. All police managerial and supervisory personnel must be full-time employees of the bureau. Supervisory personnel must be on duty and available any time peace officers of the bureau are on duty.

Subd. 2f. **Compliance.** Except as otherwise provided in this section, the Commerce Fraud Bureau shall comply with all statutes and administrative rules relating to the operation and management of a law enforcement agency.

Subd. 3. **Evidence, documentation, and related materials.** If the bureau seeks evidence, documentation, and related materials pertinent to an investigation, and the matter is located outside of this state, the bureau may designate representatives, including officials of the state where the matter is located, to secure the matter or inspect the matter on its behalf.

Subd. 4. **Confidentiality and immunity.** The provisions of chapter 13, including, but not limited to, section 13.82, apply to the classification, disclosure, and collection of data relating to the Commerce Fraud Bureau.

Subd. 5. **Annual report on activities and cost-effectiveness.** The Commerce Fraud Bureau shall maintain records and information in order to produce an annual report of its activities as may be prescribed by the commissioner of commerce. The commissioner shall report annually to the house of representatives and senate standing committees with jurisdiction over insurance issues as to the activities of the bureau and the cost-effectiveness of the programs established by the bureau.

243.58 ISSUING WARRANT FOR ESCAPED INMATE OR CONVICTED DEFENDANT.

If an inmate escapes from any state correctional facility under the control of the commissioner of corrections, the commissioner shall issue a warrant directed to any peace officer requiring that the fugitive be taken into immediate custody and returned to any state correctional facility designated by the commissioner. The commissioner may also issue such a warrant when a convicted defendant fails to report postsentencing to their county authority or to a state correctional facility. The chief executive officer of the facility from which the escape occurred shall use all proper means to apprehend and return the escapee, which may include the offer of a reward of not more than \$100 to be paid from the state treasury, for information leading to the arrest and return to custody of the escapee.

244.065 PRIVATE EMPLOYMENT OF INMATES OR SPECIALIZED PROGRAMMING FOR PREGNANT INMATES OF STATE CORRECTIONAL INSTITUTIONS IN COMMUNITY.

Subdivision 1. **Work.** When consistent with the public interest and the public safety, the commissioner of corrections may conditionally release an inmate to work at paid employment, seek employment, or participate in a vocational training or educational program, as provided in section 241.26, if the inmate has served at least one half of the term of imprisonment.

253.21 COMMITMENT OF PRISONERS; PROCEEDINGS; RESTORATION OF MENTAL HEALTH.

Subdivision 1. **Initiation of commitment proceedings involving prisoners.** When any person confined in the Minnesota Correctional Facility-Stillwater or the Minnesota Correctional Facility-St. Cloud is alleged to be mentally ill, the chief executive officer or other person in charge of the correctional facility shall notify the executive board, which shall cause the prisoner to be examined by the court exercising probate jurisdiction of the county where the prisoner is confined, as in the case of other persons who are mentally ill.

Subd. 2. **Transfer of committed prisoners.** In case the prisoner is found to be mentally ill, the prisoner must be transferred by the order of the court to the Minnesota Security Hospital or to a state hospital for people who are mentally ill in the discretion of the court, there to be kept and maintained as in the case of other persons who are mentally ill.

Subd. 3. **Return of prisoners following restoration of mental health.** If, in the judgment of the chief executive officer of the correctional facility the prisoner came from, the prisoner's mental health is restored before the period of commitment to the correctional facility has expired, upon the certificate of the chief executive officer, the executive board shall remove the prisoner from the secure treatment facility and transfer the prisoner to the correctional institution the prisoner came from to complete the sentence.

253.23 PRISONER TRANSFER PROCEEDINGS.

When any prisoner is transferred to the Minnesota Security Hospital, the original warrant of commitment to the correctional facility must be sent with the prisoner and returned to the correctional facility upon return or discharge of the prisoner. A certified copy of the warrant of commitment to the correctional facility must be preserved at the correctional facility.

325E.21 DEALERS IN SCRAP METAL; RECORDS, REPORTS, AND REGISTRATION.

Subd. 2b. **Catalytic converter theft prevention pilot project.** (a) The catalytic converter theft prevention pilot project is created to deter the theft of catalytic converters by marking them with vehicle identification numbers or other unique identifiers.

(b) The commissioner shall establish a procedure to mark the catalytic converters of vehicles most likely to be targeted for theft with unique identification numbers using labels, engraving, theft deterrence paint, or other methods that permanently mark the catalytic converter without damaging its function.

(c) The commissioner shall work with law enforcement agencies, insurance companies, and scrap metal dealers to identify vehicles that are most frequently targeted for catalytic converter theft and to establish the most effective methods for marking catalytic converters.

(d) Materials purchased under this program may be distributed to dealers, as defined in section 168.002, subdivision 6, automobile repair shops and service centers, law enforcement agencies, and community organizations to arrange for the marking of the catalytic converters of vehicles most likely to be targeted for theft at no cost to the vehicle owners.

(e) The commissioner may prioritize distribution of materials to areas experiencing the highest rates of catalytic converter theft.

(f) The commissioner must make educational information resulting from the pilot program available to law enforcement agencies and scrap metal dealers and is encouraged to publicize the program to the general public.

(g) The commissioner shall include a report on the pilot project in the report required under section 65B.84, subdivision 2. The report must describe the progress, results, and any findings of the pilot project including the total number of catalytic converters marked under the program, and,

to the extent known, whether any catalytic converters marked under the pilot project were stolen and the outcome of any criminal investigation into the thefts.

325F.02 MANUFACTURE, STORAGE, OR SALE OF MATCHES.

Subdivision 1. **Safety matches.** No person, association, or corporation shall manufacture, store, offer for sale, sell, or otherwise dispose of, or distribute, white phosphorus, single-dipped, strike-anywhere matches of the type popularly known as "parlor matches", or any type of double-dipped matches, unless the bulb or first dip of such match is composed of a so-called safety or inert composition, nonignitable on an abrasive surface. No person, association, or corporation shall manufacture, store, sell, offer for sale, or otherwise dispose of, or distribute, matches which will ignite in a laboratory oven at a temperature of less than 200 degrees Fahrenheit when subjected in such laboratory oven to a gradually increasing heat and maintained at the before stated continuous temperature for a period of not less than eight hours, or blazer or so-called wind matches, whether of the so-called safety or strike-anywhere type.

Subd. 2. **Brands and trademarks.** No person, association, or corporation shall offer for sale, sell or otherwise dispose of, or distribute, any matches, unless the package or container in which such matches are packed bears, plainly marked on the outside thereof, the name of the manufacturer and the brand or trademark under which such matches are sold, disposed of, or distributed.

Subd. 3. **How kept in retail stores.** Not more than one case of each brand of matches of any type or manufacture shall be opened at any one time in any retail store where matches are sold or otherwise disposed of; nor shall loose boxes, or paper-wrapped packages, of matches be kept on shelves or stored in retail stores at a height exceeding five feet from the floor.

Subd. 4. **Storage in warehouses.** All matches stored in warehouses, excepting manufacturer's warehouse at place of manufacture, which contain automatic sprinkler equipment, must be kept only in properly secured cases, and not piled to a height exceeding ten feet from the floor; nor be stored within a horizontal distance of ten feet from any boiler, furnace, stove, or other like heating apparatus, nor within a horizontal distance of 25 feet from any explosive material kept or stored on the same floor.

Subd. 5. **Boxes, how made.** All matches shall be packed in boxes or suitable packages, containing not more than 700 matches in any one box or package; provided, that when more than 300 matches are packed in any one box or package, the matches shall be arranged in two nearly equal portions, the heads of the matches in the two portions shall be placed in opposite directions; and all boxes containing 350 or more matches shall have placed over the matches a center holding or protecting strip, made of chipboard, not less than 1-1/4 inches wide, which shall be flanged down to hold the matches in position when the box is nested into the shuck or withdrawn from it.

Subd. 6. **Containers or cases; number of boxes or packages; how marked.** All match boxes or packages shall be packed in strong shipping containers or cases; maximum number of match boxes or packages contained in any one shipping container or case shall not exceed the following number:

Number of boxes	Numerical number of matches per box
1/2 gross	700
1 gross	500
2 gross	400
3 gross	300
5 gross	200
12 gross	100
20 gross	Over 50 and under 100
25 gross	Under 50

No shipping container or case constructed of fiberboard, corrugated fiberboard, or wood, nailed or wire-bound, containing matches, shall have a weight, including its contents, exceeding 75 pounds; and no lock-cornered wood case containing matches shall have a weight, including its contents, exceeding 85 pounds; nor shall any other article or commodity be packed with matches in any

container or case; and all shipping containers or cases containing strike-anywhere matches shall have plainly marked on the outside thereof the words "strike-anywhere matches," and all shipping containers or cases containing "strike on box" matches shall have plainly marked on the outside thereof the words "strike on box matches."

Subd. 7. **Violations; penalties.** Any person, association, or corporation violating any of the provisions of this section shall be fined, for the first offense, not less than \$5 nor more than \$25 and for each subsequent violation, not less than \$25.

325F.03 FLAME RESISTANT PUBLIC ASSEMBLY TENTS.

No person, firm or corporation shall establish, maintain or operate any circus, side show, carnival, tent show, theater, skating rink, dance hall, or a similar exhibition, production, engagement or offering or other place of assemblage in or under which 15 or more persons may gather for any lawful purpose in any tent, awning or other fabric enclosure unless such tent, awning or other fabric enclosure, and all auxiliary tents, curtains, drops, awnings and all decorative materials, are made from a nonflammable material or are treated and maintained in a flame resistant condition. This section does not apply to tents designed or manufactured for camping, backpacking, mountaineering, or children's play; tents used to conduct committal services on the grounds of a cemetery; nor to tents, awnings or other fabric enclosures erected and used within a sound stage, or other similar structural enclosure which is equipped with an overhead automatic sprinkler system.

325F.04 FLAME RESISTANT TENTS.

No person, firm, or corporation may sell or offer for sale or manufacture for sale in this state any tent subject to section 325F.03 unless all fabrics or pliable materials in the tent are durably flame resistant. Tents subject to section 325F.03 shall be conspicuously labeled as being durably flame resistant.

325F.05 RULES.

The commissioner of public safety shall act so as to have effective rules concerning standards for durably flame resistant materials and for labeling requirements under sections 325F.03 and 325F.04. In order to comply with sections 325F.03 and 325F.04, all materials and labels must comply with the rules adopted by the commissioner. The commissioner has general rulemaking power to otherwise implement sections 325F.03 to 325F.07.

325F.06 CIVIL PENALTIES.

Any firm or corporation who violates sections 325F.03 to 325F.05 shall be strictly liable for any damage which occurs to any person as a result of such violation. In addition, any seller shall refund the full purchase price of any item sold in violation of section 325F.04 upon return of the item by the buyer.

325F.07 CRIMINAL PENALTY.

Any person, firm or corporation which violates sections 325F.03 to 325F.05 is guilty of a misdemeanor.

517.05 CREDENTIALS OF MINISTER.

Ministers of any religious denomination, before they are authorized to solemnize a civil marriage, shall file a copy of their credentials of license or ordination or, if their religious denomination does not issue credentials, authority from the minister's spiritual assembly, with the local registrar of a county in this state, who shall record the same and give a certificate of filing thereof. The place where the credentials are recorded shall be endorsed upon and recorded with each certificate of civil marriage granted by a minister.

517.18 CIVIL MARRIAGE SOLEMNIZATION.

Subdivision 1. **Friends or Quakers.** All civil marriages solemnized among the people called Friends or Quakers, in the form heretofore practiced and in use in their meetings, shall be valid and not affected by any of the foregoing provisions. The clerk of the meeting in which such civil marriage is solemnized, within one month after any such civil marriage, shall deliver a certificate of the same to the local registrar of the county where the civil marriage took place, under penalty of not more than \$100. Such certificate shall be filed and recorded by the court administrator under a like penalty. If such civil marriage does not take place in such meeting, such certificate shall be signed by the parties and at least six witnesses present, and shall be filed and recorded as above provided under a like penalty.

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Subd. 2. **Baha'i.** Civil marriages may be solemnized among members of the Baha'i faith by the chair of an incorporated local Spiritual Assembly of the Baha'is, according to the form and usage of such society.

Subd. 3. **Hindus; Muslims.** Civil marriages may be solemnized among Hindus or Muslims by the person chosen by a local Hindu or Muslim association, according to the form and usage of their respective religions.

Subd. 4. **American Indians.** Civil marriages may be solemnized among American Indians according to the form and usage of their religion by an Indian Mide' or holy person chosen by the parties to the civil marriage.

Subd. 5. **Construction of section.** Nothing in subdivisions 2 to 4 shall be construed to alter the requirements of section 517.01, 517.09 or 517.10.

2940.0100 DEFINITIONS.

Subpart 1. **Scope.** As used in this chapter, the following terms have the meanings given them in this part.

Subp. 2. **Availability.** "Availability" means the date on which the offender has made bail, bond, or has been released on personal recognizance or no bail required; or completed any local incarceration time which results from a misdemeanor, gross misdemeanor, or felony stayed sentence.

Subp. 3. **Board of Pardons.** "Board of Pardons" means the Board of Pardons established by Minnesota Statutes, chapter 638.

Subp. 4. **Bookslip.** "Bookslip" means the form issued by the central office records clerk which designates the agent of record.

Subp. 5. **Case management.** "Case management" means the total system employed in the management of an inmate's case, including but not limited to the development of needs assessments and program plans; conducting progress and reentry reviews; and developing recommendations for conditions of release.

Subp. 6. **Commissioner.** "Commissioner" means the commissioner of corrections.

Subp. 7. **District supervisor.** "District supervisor" means a Department of Corrections field supervisor.

Subp. 8. **Executive officer of hearings and release.** "Executive officer of hearings and release" means the person to whom the commissioner of corrections has delegated the authority for granting parole and work release; for revoking parole, work release, and supervised release; and for granting discharge from an indeterminate sentence.

Subp. 9. **Expiration of the determinate sentence.** "Expiration of the determinate sentence" means the date on which the maximum sentence pronounced by the court occurs.

Subp. 10. **Expiration of the indeterminate sentence.** "Expiration of the indeterminate sentence" means the date on which the maximum sentence pronounced by the court less good time reduction occurs.

Subp. 12. **Guidelines.** "Guidelines" mean a sentence under Minnesota sentencing guidelines.

Subp. 13. **Inmate.** "Inmate" means a person committed to the jurisdiction of the commissioner who is imprisoned in a correctional facility or other place designated by the commissioner.

Subp. 14. **Institution caseworker.** "Institution caseworker" means the institution's staff person assigned the responsibility of coordinating the development of needs assessment, program plans, progress review, and reentry reviews for those inmates assigned to their caseloads.

Subp. 16. **Near the site.** "Near the site" means a place not to exceed 50 miles from the site of the alleged violation.

Subp. 17. **Parole.** "Parole" means that portion of an indeterminate sentence served by an inmate in the community under supervision and subject to prescribed rules.

Subp. 18. **Probable cause.** "Probable cause" means a finding by a court in an omnibus hearing or by a hearing officer in a probable cause hearing.

Subp. 19. **Probable cause hearing.** "Probable cause hearing" means a hearing held to determine if there are reasonable grounds for belief that one or more conditions of release may have been violated.

Subp. 20. **Program review team.** "Program review team" means a group of Department of Corrections employees in a correctional facility whose assigned function is to develop

needs assessments and program plans and to conduct progress reviews for those inmates assigned to them.

Subp. 21. **Projected release date.** "Projected release date" means a date in the future at which an inmate will be released providing the inmate's behavior is satisfactory, the release date was based on complete and accurate information, and the inmate is not considered to be a risk to the public at the time of release.

Subp. 22. **Projected release plan.** "Projected release plan" means a proposed plan for an inmate when released to the community, including a place of residence and employment as well as any special or standard conditions which may be imposed at the time of release.

Subp. 23. **Public interest.** "Public interest" means the interest the public has in maintaining the integrity of legal sanctions and the rights of citizens.

Subp. 24. **Public safety.** "Public safety" means the protection of the public from injury, danger, and violence.

Subp. 25. **Reentry review.** "Reentry review" means the review which is held in order to establish conditions of release.

Subp. 26. **Releasee.** "Releasee" means a person on parole, work release, or supervised release status from a correctional facility who is under sentence to the commissioner.

Subp. 27. **Residential community program.** "Residential community program" means a structured residential program in the community such as a halfway house, chemical dependency treatment center, or another treatment program designed to change the behavior of residents and to protect the public.

Subp. 28. **Revocation hearing.** "Revocation hearing" means a hearing held for the purpose of determining whether cause exists for the revocation of parole, work release, or supervised release and for determining whether parole, work release, or supervised release should be revoked and for setting the term of reimprisonment to be served by the violator.

Subp. 29. **Risk to the public.** "Risk to the public" means the degree to which an individual is likely to cause injury, damage, loss, pain, or peril to the public or to engage in unlawful sexual behavior involving a victim.

Subp. 31. **Supervised release.** "Supervised release" means that portion of a determinate sentence served by an inmate in the community under supervision and subject to prescribed rules, adopted in accordance with Minnesota Statutes, section 244.05.

Subp. 32. **Supervising agent.** "Supervising agent" means the parole and probation agent who is assigned to the individual on parole, work release, or supervised release status.

Subp. 33. **Working days.** "Working days" means all working days exclusive of legal holidays and weekends.

Subp. 34. **Work release.** "Work release" means an extension of confinement in which inmates are conditionally released to work at gainful employment, seek employment, or participate in vocational or educational training in the community while serving their sentence in accordance with Minnesota Statutes, section 241.26.

2940.0200 PURPOSE.

The purpose of this chapter is to establish the policies, procedures, rules, regulations, and guidelines which will govern the operation of the hearings and release unit established within the Department of Corrections by the commissioner in order to discharge the responsibilities established by law.

2940.0300 ADMINISTRATION.

For the purpose of coordinating, monitoring, and assuring uniformity and objectivity in the decisions of parole, supervised release, and work release, the commissioner has established the hearings and release unit and appointed an executive officer of hearings and release. The commissioner has delegated to the executive officer of hearings and release the authority to grant parole and work release; to revoke parole, work release, and supervised release; to discharge persons under indeterminate sentences; and to approve the conditions of parole, work release, and supervised release.

The executive officer of hearings and release shall be independent from the administration of the institutions and community services division.

One or more Department of Corrections staff approved by the commissioner may assist the executive officer of hearings and release in carrying out the officer's responsibilities.

2940.0400 EXECUTIVE OFFICER OF HEARINGS AND RELEASE.

The executive officer of hearings and release shall have the authority, under the guidelines prescribed in this chapter, with the exception of those inmates under life sentences, to:

- A. grant parole and work release and discharge inmates with indeterminate sentences;
- B. approve or modify conditions of parole or supervised release as developed by the program review teams;
- C. restructure conditions of parole or supervised release;
- D. revoke parole, supervised release, and work release status;
- E. issue warrants for the apprehension of parolees, supervised releasees, and work releasees;
- F. authorize the extradition of absconders from parole, supervised release, and work release; and
- G. issue revocation orders to stop time on parolees, supervised releasees, and work releasees who have absconded and to start the time running on the inmates' sentences.

2940.0500 PROGRAM REVIEW TEAMS.

In each adult institution there shall be one or more program review teams appointed by the institution superintendent or warden. One member of each team shall be designated as the chair.

2940.0600 TEAM FUNCTIONS.

A program review team shall perform the following functions regarding each inmate:

- A. develop a needs assessment;
- B. develop a program plan;
- C. develop projected release plans;
- D. develop institutional transfer recommendations;
- E. develop recommendations for work release for prerelease purposes;
- F. develop recommendations for work release;
- G. conduct program plan progress reviews at least once every 12 months;
- H. modify needs assessment or program plans as required;

I. develop conditions of parole or supervised release jointly with the inmate's assigned field agent; and

J. conduct reentry reviews.

2940.0700 PLANS.

All needs assessments, program, and projected release plans must be in writing and the central office file copy must be forwarded to the hearings and release unit for informational purposes. All conditions of parole or supervised release shall be imposed by the executive officer of hearings and release.

2940.0800 NEEDS ASSESSMENTS, PROGRAM, AND PROJECTED RELEASE PLANS.

Subpart 1. **60-day limit.** Each inmate shall have a needs assessment, program plan, and projected release plan developed within 60 days of admission.

Subp. 2. **General content.** The needs assessment must specify the inmate's needs as identified by the program review committee regarding chemical dependency, sexual deviancy, psychological disorder, and other.

The projected release plan shall be based on the inmate's needs and shall contain the conditions required to meet the department's objective of public protection.

Subp. 3. **Developed by team.** The needs assessment, program plan, and projected release plan shall be developed by the program review team, and the central office copy shall be forwarded to the hearings and release unit for information purposes.

2940.0900 PROGRESS REVIEWS.

Subpart 1. **Times of review.** The progress of each inmate under the jurisdiction of the commissioner shall be reviewed at least annually by the program review team. Progress reviews may occur in conjunction with custody status changes and as individual program needs require.

Subp. 2. **Application.** The inmate's progress reviews may result in the modification of the inmate's needs assessment, modification of program plan, recommendations for institutional transfer, work release recommendations, and the development of conditions of parole or supervised release.

Subp. 3. **Copies forwarded.** The central office copy of the inmate's progress reviews shall be forwarded to the hearings and release unit for information purposes.

2940.1000 WORK RELEASE FOR PRERELEASE PURPOSES.

Subpart 1. **Housing facility.** Inmates on prerelease status shall be housed at the Minnesota Correctional Facility-Lino Lakes. Requests for this status shall be coordinated through the work release director at least 90 days prior to the inmate's release date. These inmates will be housed in facilities appropriate to provide the necessary services.

Subp. 2. **Recommendations reviewed.** The recommendations of the program review teams shall be reviewed by the executive officer for granting prerelease status. The executive officer of hearings and release shall make the decision to grant or deny work release status for placement in the prerelease program.

2940.1100 WORK RELEASE.

Applications for work release must be forwarded to the director of work release for approval. If approved by the director of work release, the application must be considered by the program review team. If approved by the program review team, the recommendation of the program review team must be reviewed by the executive officer of hearings and release for the granting or denial of work release.

2940.1200 REENTRY REVIEWS.

Subpart 1. **Projected release plan.** The institution caseworker and the inmate must complete the projected release plan 105 to 120 days prior to the inmate's established release date. The projected release plan, current case summary, annual progress reviews, and psychological evaluation must be forwarded to the district supervisor or Community Corrections Act contact person of the county in which the offender intends to reside. A copy of that request shall also be forwarded to the district supervisor or Community Corrections Act contact person of the county of commitment.

Subp. 2. **Supervising agent.** The district supervisor or Community Corrections Act contact person shall assign a supervising agent within 90 days of the offender's release. The name and telephone number of the supervising agent assigned must be sent to the institution caseworker as notification of the supervising agent assignment.

Subp. 3. **Plan concurrence.** The supervising agent shall verify the appropriateness of the release plan. If the supervising agent concurs with the plan, the supervising agent must submit a prerelease report within 65 days of the inmate's release date. If the supervising agent does not concur, he or she must call the institution caseworker. The institution caseworker and the supervising agent shall confer to resolve the difference.

Subp. 4. **Review scheduled.** Within 45 to 60 days of the inmate's release date the institution caseworker or parole unit shall schedule the inmate for a review before the program review team. The program review team shall conduct a reentry review and finalize the projected release plan.

Subp. 5. **Bookslip.** The district supervisor shall request the central office records clerk to issue a bookslip. Upon receipt of a copy of the signed conditions of parole or supervised release by the central office records clerk, a bookslip must be issued.

2940.1300 FINAL PLAN RECOMMENDATIONS.

Subpart 1. **Final review.** The final recommendations regarding release plans which have been developed jointly with the supervising agent, the institution caseworker, and forwarded by the program review team shall be reviewed by the executive officer of the hearings and release unit at least 30 days prior to the inmate's established release date. These reviews shall take place at each Minnesota correctional facility as follows:

A. at least every ten working days at Minnesota Correctional Facility-Stillwater and Minnesota Correctional Facility-St. Cloud; and

B. at least every 15 working days at Minnesota Correctional Facility-Shakopee, Minnesota Correctional Facility-Oak Park Heights, and Minnesota Correctional Facility-Lino Lakes.

Subp. 2. **Final decision.** The executive officer of hearings and release shall make the final decision regarding the conditions of parole, supervised release, or work release, with the exception of those inmates under life sentences.

2940.1400 NOTICE TO INMATES.

At least 30 days prior to the reentry review, the inmate shall receive written notice of the date and time of the review. The notice shall state the purpose of the review, the material to be covered, and the right to review the files, records, and other documents which will be considered at that time. The notice shall also inform the inmate of the right to submit written documentation and to appear and speak on his or her own behalf during the hearing. All inmates shall be notified, in writing, of any decisions which affect their program plans, conditions of release, or release date which occur as a result of program team reviews or through the disciplinary process.

2940.1500 INMATES WITH INDETERMINATE SENTENCES.

Subpart 1. **Concurrent sentences.** When an inmate is under sentence for a pre-May 1, 1980, offense and a guideline sentence concurrently, and the sentence for the pre-May 1, 1980, offense exceeds the guidelines sentence, release shall be considered under Minnesota Statutes 1983 Supplement, section 243.05.

Subp. 2. **Review of release dates.** Incarcerated inmates with indeterminate sentences governing their release dates which were established prior to July 1, 1982, shall be handled as follows in items A to C.

A. All release dates established by the Minnesota Corrections Board will be left in full force and effect by the commissioner.

B. Special reviews for the purpose of modifying release dates established by the Minnesota Corrections Board shall be considered by the executive officer of hearings and release for the following reasons:

- (1) correcting mathematical, data entry, or computational errors; and
- (2) policy changes established by the commissioner which affect the term of imprisonment.

C. The program review team shall determine if the criteria for a special review have been met. If the criteria have been met, the program review team shall forward the information and a recommendation to the executive officer of hearings and release. The executive officer of hearings and release shall make the final decision regarding the requested adjustment in the release date.

Subp. 3. **Application of guidelines.** Minnesota sentencing guidelines policies and procedures must be utilized in determining the term of imprisonment and projected release date of each inmate with an indeterminate sentence whose new admission review occurs after July 1, 1982.

The criminal history score shall be based on the inmate's status on the date the indeterminate offense occurred.

A. To be assigned a juvenile point, the offender must have been under 21 years of age at the time of the offense. If so, standard guidelines policies apply.

B. To be assigned a custody status point, the offender must have been under applicable Minnesota state guidelines policy custody status at the time the indeterminate offense occurred. If so, standard guidelines policies apply.

C. The only misdemeanor, gross misdemeanor, or felony convictions which shall be utilized to compute the criminal history score shall be those for which the offender had received a stayed or imposed sentence prior to the date on which the indeterminate offense occurred.

The program review team shall complete a Minnesota sentencing guidelines worksheet on such inmates and forward the worksheet to the executive officer of hearings and release for approval. If the program review team recommends departure from the guidelines grid, the written reasons for the departure must accompany the worksheet.

2940.1600 GOOD TIME LOST; EXTENSION OF TERM OF IMPRISONMENT.

All inmates shall be subject to the loss of good time or extension of term of imprisonment for institutional disciplinary infractions as follows in items A to E.

A. All inmates with indeterminate sentences and established release dates shall have their release date and expiration date extended by one day for each day of good time lost, not to exceed the maximum sentence imposed by the court.

B. All inmates with indeterminate sentences who have their expiration date as their assigned release date shall have their expiration date extended by one day for each day of good time lost, not to exceed the maximum sentence imposed by the court.

C. All inmates with guidelines sentences shall have their supervised release date extended by one day for each day of good time lost or disciplinary confinement time added.

D. All parole violators shall have their release date extended by one day for each day of good time lost.

E. All violators of supervised release shall have their projected release date extended by one day for each three days of segregation time served.

2940.1700 OFFENDERS ON PAROLE OR SUPERVISED RELEASE STATUS.

Progress reviews shall be completed annually on all offenders on parole or supervised release status by the supervising agent. Unless the expiration date occurs earlier, offenders on parole status shall be considered for discharge when consistent with public safety.

2940.1800 INMATES WITH LIFE SENTENCES.

Subpart 1. **Advisory panel.** The commissioner shall convene an advisory panel of Department of Corrections employees, which shall consist of, but not be limited to, the following:

- A. the deputy commissioner for institutions;
- B. the deputy commissioner for community services;
- C. the superintendent or warden of the institution of the inmate's residence; and
- D. the executive officer of the hearings and release unit.

The commissioner shall serve as the chair of the advisory panel.

Subp. 2. **Duties of panel.** The advisory panel shall review each inmate who is serving a life sentence three years prior to the inmate's parole or supervised release eligibility date in order to establish a projected release date or a future review date. The advisory panel shall assist the commissioner in thoroughly considering the inmate's entire case history, including the facts and circumstances of the offense for which the life sentence is being served; past criminal history, institutional adjustment, program team reports, psychological and psychiatric reports where pertinent; and the results of community investigations.

The program review team of the inmate's residence shall prepare appropriate reports and recommendations as requested by the institution superintendent or warden.

Subp. 3. **Inmate's rights.** The inmate shall be given 60 days notice prior to the date of review; shall be entitled to submit written documentation in support of his or her position; and shall have the choice to be present at the review hearing.

An attorney representing the inmate or an advocate of the inmate's choice shall be allowed at the review hearing.

A representative of the ombudsman's office may be present at the review hearing.

Subp. 4. **Duties of officials.** The commissioner may initiate inquiries and take testimony as authorized by Minnesota Statutes, section 243.05.

The executive officer of hearings and release shall assist the commissioner in interviewing interested parties and prepare a summary of community input for presentation to the advisory panel.

During the deliberative process only members of the advisory panel shall be present unless determined otherwise by the commissioner.

Subp. 5. **Projected release date.** The commissioner shall establish a projected release date for each inmate or continue the case to a future review date. The decision of the commissioner shall be communicated to the inmate in writing within 30 days of the review and shall contain the following:

- A. the factors utilized in arriving at the projected release date or a future review date;
- B. the future review or projected release date; and
- C. actions by the inmate which could cause the projected release or review date to be changed.

The projected release date, once established shall not be modified without a review incorporating the elements of the initial review referred to in subpart 3 with the exception of changes caused by a loss of good time.

2940.1900 OBJECTIVE OF PUBLIC SAFETY.

Conditions of parole or supervised release shall be based on the need for public safety. Surveillance with optional treatment programming shall be utilized when consistent with case planning in order to achieve maximum public safety.

2940.2000 REQUIREMENTS AND PROHIBITIONS OF RELEASE.

Subpart 1. **Compliance.** All offenders on parole or supervised release shall be required to comply with the standard conditions of parole or supervised release in subparts 2 to 10.

Subp. 2. **Report.** Releasees upon leaving the institution shall report immediately at the destination specified by the supervising agent.

Subp. 3. **Inform.** Releasees shall at all times follow the instructions of their supervising agent and keep the supervising agent informed of their residence and activities. Releasees shall advise their supervising agent within 24 hours if they are arrested.

Subp. 4. **Contact.** Releasees shall maintain contact with the supervising agent in the manner prescribed by that supervising agent.

Subp. 5. **Submit reports and respond.** Releasees shall submit reports as required by the supervising agent and shall respond promptly to any communication from their supervising agent.

Subp. 6. **Intoxicants and drugs.** Releasees shall follow the supervising agent's instructions with respect to the use of intoxicants and shall not possess or use narcotics or other drugs, preparations, or substances as defined by Minnesota Statutes, chapter 152, except those prescribed for the releasee by a licensed physician.

Subp. 7. **Firearms.** Releasees shall not purchase or otherwise obtain or have in their possession any type of firearm or dangerous weapon as defined by Minnesota Statutes, section 609.02, subdivision 6.

Subp. 8. **Leaving the state.** Releasees shall not leave the state without the written permission of the supervising agent specifying the terms and conditions under which permission is granted.

Subp. 9. **Subsequent convictions.** Releasees shall not be convicted of any felony, gross misdemeanor, or any misdemeanor punishable by imprisonment as defined in Minnesota Statutes, section 609.02, or of repeated traffic offenses other than parking violations. Acknowledgment in the form of a confession under oath in open court before a judge may be considered a conviction for the purpose of this condition.

Subp. 10. **Probable cause to hold.** A finding of probable cause by a court of competent jurisdiction or grand jury indictment shall be considered grounds to hold a releasee in custody unless and until the releasee is found not guilty.

2940.2100 SPECIAL CONDITIONS OF RELEASE.

Special conditions of release mean any conditions on the release form other than the standard conditions, setting forth individual specified requirements to be followed by a releasee. These special conditions include:

A. special conditions which set forth limits regarding contact with specified persons, travel from or to specified locations or areas, or increased contact with the supervising agent beyond that which is considered standard;

B. participation conditions which require the releasee to be involved in nonresidential therapy or counseling programs; and

C. residential conditions which require the releasee to be involved in a residential program.

2940.2200 DEVELOPMENT OF SPECIAL CONDITIONS OF RELEASE.

Special conditions of parole or supervised release shall be developed jointly by the program review team and the supervising agent.

2940.2300 APPROVAL OF CONDITIONS OF RELEASE.

All conditions of parole or supervised release shall be subject to the approval of the executive officer of hearings and release.

2940.2400 PLACEMENT IN RESIDENTIAL COMMUNITY PROGRAM.

If placement in a residential community program is prescribed as a special condition of supervised release, failure to enter and complete such a program is grounds for revocation of release. If no community program is available at the time of release, the matter shall be referred to the executive officer of the hearings and release unit for approval of an alternative program or plan.

2940.2500 NOTICE OF CONDITIONS OF RELEASE.

At the time of release from a correctional facility each inmate shall have read to him or her the conditions of parole or supervised release, and the inmate shall sign the conditions of parole or supervised release. The inmate's signature shall be witnessed by the staff member who read the conditions of parole or supervised release to the inmate.

2940.2600 COOPERATION OF INMATE REQUIRED.

Refusal to cooperate in determining place of residence, employment plans, or conditions of release shall result in an extension of the inmate's term of imprisonment through the institutional disciplinary process. Inmates serving indeterminate sentences will not be allowed to leave the institution without an approved release plan.

2940.2700 RESTRUCTURE OF CONDITIONS OF PAROLE OR SUPERVISED RELEASE.

Subpart 1. **Request by offender.** Offenders on parole or supervised release may at any time during their term of release request that the standard or special conditions of release be modified. Their request must be made in writing through their supervising agent who shall submit the request and the supervising agent's recommendation to the hearings and release unit within ten days of its receipt. The executive officer of hearings and release shall review the request and respond in writing within 30 days of the receipt of the request for the modification of the standard or special conditions of release.

Subp. 2. **Request by supervising agent.** Supervising agents, after consultation with their supervisor, may request a restructure of a client's standard or special conditions of release.

Subp. 3. **Granting of modification.** The executive officer of hearings and release may authorize the supervising agent to modify the standard or special conditions of release or cause the releasee to be brought before the executive officer of hearings and release for a review of the matter of modification. Any modification of the standard or special conditions of release shall be in writing and executed with the same formality as the original conditions.

2940.2800 WORK RELEASE STATUS.

Subpart 1. **Participation.** Participation in the work release program is voluntary on the part of the inmate. Consideration for work release status shall be given to those offenders who have met the Department of Corrections eligibility requirements, have been accepted by the director of work release and recommended by the program review team. The executive officer of hearings and release shall make the decision for the granting or denial of work release.

Subp. 2. **Violations; revocations.** All violations of work release rules shall be handled according to the approved discipline plan. Revocation of work release status shall be the decision of the executive officer of hearings and release after an appropriate due process hearing.

2940.2900 WORK RELEASE FOR PRERELEASE PURPOSES.

Subpart 1. **Participation.** Participation in the prerelease program is voluntary on the part of the inmate. The procedure for granting work release for placement in the prerelease program shall be for the program review team to make the referral to the executive officer of the hearings and release unit. The executive officer of the hearings and release unit shall make the final decision regarding the granting of work release status for placement in the prerelease program.

Subp. 2. **Violations.** Violations of work release or prerelease shall be handled through the institutional disciplinary process.

2940.3000 GROUNDS FOR WARRANTS.

Warrants may be issued for the apprehension and detention of parolees, supervised releasees, and work releasees who are:

- A. alleged to have violated the conditions of their release;
- B. convicted of a new felony and who represent a risk either by absconding or who have a probability of committing acts which are dangerous to the community; or
- C. the subject of detainers in appropriate cases.

When warrants have been issued as detainers for releasees who are being prosecuted for new charges, including violations which are misdemeanors, gross misdemeanors, or felonies, the revocation process shall not begin until the court process has concluded. The court process will be considered concluded by dismissal of charges, a finding of not guilty, or the completion of any local incarceration time imposed by the court.

2940.3100 WARRANTS; FORMAL RECOMMENDATION REQUIREMENT.

At any time the releasee is prepared to make bail or has been sentenced by the court, the supervising agent shall submit a written formal recommendation to the executive officer of hearings and release regarding whether to:

- A. maintain the warrant or allow the releasee to make bail; or
- B. cancel the warrant and allow the local sentence imposed to satisfy the violation time. If this is done, a notice of release will be filed by the fugitive unit which provides that the supervising agent be notified 30 or 60 days prior to release.

2940.3200 ISSUANCE OF WARRANTS.

The executive officer of hearings and release shall have the authority to issue nationwide or statewide warrants on a case-by-case basis in accordance with the procedures in items A to D.

A. After consultation with his or her supervisor, the supervising agent shall submit a violation report to the executive officer of hearings and release who shall make the final decision regarding the issuance of a warrant.

B. In emergency situations, the supervising agent shall request authorization for the warrant by telephone. The supervising agent shall call the hearings and release unit and provide the necessary information for warrant authorization.

C. Upon approval of the emergency warrant, the hearings and release unit shall provide the fugitive unit with the necessary information, and instruct the fugitive unit to issue the warrant.

D. If an emergency warrant is issued, a written violation report must be received by the hearings and release unit within five working days.

2940.3300 OTHER ORDERS.

The executive officer of hearings and release shall have the authority to issue orders revoking parole, supervised release, or work release; to stop the time from running on the sentences of releasees who have absconded, and to start the running of the time on the inmate's sentence.

2940.3400 HOLD ORDERS.

Apprehension and detention orders may be issued by the executive officer of the hearings and release unit or a district supervisor upon written reasons submitted by a supervising agent under authority of Minnesota Statutes, section 243.05. No releasee shall be detained under an apprehension and detention order for more than 72 hours unless revocation proceedings have been initiated by the supervising agent.

2940.3500 REVOCATION HEARING.

Subpart 1. **Location.** Revocation hearings whenever possible must be held in the community where the conviction of the violation of a standard or condition occurred. Separate probable cause hearings may be held if circumstances warrant.

Subp. 2. **When held.** All revocation or separate probable cause hearings must be held within 12 working days of the releasee's availability to Department of Corrections.

Subp. 3. **Outside metropolitan area.** Outside the metropolitan area, as defined by Minnesota Statutes, section 473.121, revocation or separate probable cause hearings shall be conducted by a Department of Corrections district supervisor other than the supervising agent's supervisor. In cases of special need, the executive officer of hearings and release may conduct the revocation or separate probable cause hearings outside the metropolitan area.

Subp. 4. **Within metropolitan area.** Within the metropolitan area the hearings shall be conducted by the executive officer of hearings and release.

2940.3600 REVOCATION GROUNDS.

Grounds for the revocation of parole, work release, or supervised release are as follows in items A to C.

A. Conviction of a felony, gross misdemeanor, any misdemeanor punishable by imprisonment as defined in Minnesota Statutes, section 609.02, or repeated traffic offenses

other than parking violations. Acknowledgment in the form of a confession under oath in open court before a judge may be considered a conviction for the purpose of revocation.

B. A finding of probable cause by a court of competent jurisdiction or a grand jury indictment shall be considered grounds to hold the offender in custody unless and until the releasee is found not guilty.

C. Violation of any standard or special condition of parole or supervised release.

2940.3700 ACTIONS.

If the executive officer of hearings and release or a district supervisor finds that releasees are in violation of their parole, work release, or supervised release, the following actions may be taken:

A. counsel the releasee and continue parole, work release, supervised release without modification;

B. modify and enlarge the conditions of release; or

C. revoke parole, work release, or supervised release and return the releasee to imprisonment for an appropriate period of time not to exceed the time remaining on the releasee's sentence.

2940.3800 REIMPRISONMENT.

Offenders who have violated the conditions of parole or supervised release and who have been returned to institutional status shall be assigned a release date and a term of reimprisonment, as follows:

A. up to six months inclusive of any time spent in jail in connection with the violation, for violations of conditions of parole or supervised release other than convictions of or involvement in criminal activity;

B. up to six months for convictions of misdemeanors or gross misdemeanors;

C. six months to expiration of sentence for conviction of a felony; and

D. depending on the time remaining to be served on the sentence, the type of violation, and the needs of the offender, up to expiration of the sentence may be assigned as the term of reimprisonment if there is a finding of risk to the public or if repeated violations of the conditions of release occur and the releasee is determined to be unamenable to supervision by the executive officer of hearings and release.

The term of reimprisonment under items A to C may be either concurrent or consecutive to incarceration time imposed by a court of law and served locally.

2940.3900 REVOCATION PROCEDURES; INVESTIGATION AND REPORT.

Supervising agents shall investigate all alleged violations of release and after consultation with their supervisor determine whether grounds exist to begin revocation procedures. If grounds are found to exist justifying the initiation of revocation procedures, a violation report must be submitted to the executive officer of hearings and release together with a recommendation as to the issuance of a warrant directing the apprehension and detention of the releasee pending a hearing.

2940.4000 EMERGENCY SITUATIONS.

In emergency situations supervising agents after consultation with their supervisor, may call the hearings and release unit to request an emergency warrant. The procedure indicated in parts 2940.3000 to 2940.3400 governs the issuance of emergency warrants.

2940.4100 INITIATION OF REVOCATION PROCEEDINGS.

If the executive officer of the hearings and release unit determines that revocation proceedings shall be initiated, the supervising agent shall be notified in writing. The executive officer of the hearings and release unit shall send a copy of the violation report to the State Public Defender's Office at the same time that agent is notified to begin revocation proceedings.

2940.4200 DUTIES OF SUPERVISING AGENT.

Upon receipt of the notice to begin revocation proceedings, the supervising agent shall have the duties in items A to F.

A. The agent shall give the releasee a copy of the violation report.

B. The supervising agent shall advise the releasee of the purpose of the hearing; the right to a hearing; the right to the assistance of counsel of choice or the services of the State Public Defender; the right to present evidence and to confront and cross-examine witnesses; and the right to admit the violations of release.

C. If the releasee signs the admission of violations form, the supervising agent shall notify the fugitive unit to transport the violator to a correctional facility designated by the commissioner.

D. Upon return to the correctional facility, the releasee shall be provided with a dispositional hearing within 15 working days at which the supervising agent is not required to be present.

E. If the releasee requests a revocation hearing, the supervising agent shall call the hearings and release unit to coordinate a date and time for the hearing.

F. Upon receiving the date and time for the hearing, the supervising agent shall prepare a notice of hearing form, make six copies of the rules of release, six copies of any written evidence, and distribute one set of each according to the distribution indicated on the notice of revocation hearing form.

If the releasee is in custody pursuant to a warrant issued by the hearings and release unit, the hearing shall be held within 15 working days immediately after detention, unless good cause is shown for a continuance. At the time notice is given to the releasee, notice shall be sent to the State Public Defender or private counsel.

2940.4300 REVOCATION HEARING.

The revocation hearing shall be held near the site of the alleged violation, and conducted by the executive officer of hearings and release or a district supervisor who does not directly supervise the supervising agent alleging the violation. If parole, supervised release, or work release is revoked, the releasee shall be imprisoned in a place determined by the commissioner. Releasees may admit the alleged violations any time prior to the hearing. The admission must be in writing, and releasees must have been notified of the consequences of their admission, including that they may be returned to a correctional facility for a term of imprisonment specified by the executive officer of hearings and release or a district supervisor.

2940.4400 WARRANTS.

Subpart 1. **General requirement.** Unless taken into custody by a supervising agent under the authority of Minnesota Statutes 1983 Supplement, section 243.05, a releasee shall not be taken into custody unless a warrant is issued by the executive officer of hearings and release.

Subp. 2. **Content.** Requests for hold orders or warrants must allege the specific facts upon which the alleged violation is based, indicate the sources of information, and cite reasons why detention pending the hearing is necessary.

Subp. 3. **Absconding from supervision.** Warrants may be issued in all cases where a releasee has absconded from supervision. Issuance of warrant under these circumstances and the revocation of parole, supervised release, or work release shall stop the time from running on the sentence until the releasee is returned to custody. In all cases where a releasee is returned from out of state, whether by extradition proceedings or waiver of extradition, the hearing shall be held at a location determined by the executive officer of hearings and release.

2940.4500 FAILURE TO APPEAR.

Failure of a releasee to appear at a revocation or probable cause hearing after having been duly notified will result in the issuance of a warrant for their apprehension and detention and return to custody pending a hearing at a place to be determined by the executive officer of hearings and release.

2940.5700 REQUEST FOR INTERSTATE SUPERVISION OF MINNESOTA RELEASEE.

Subpart 1. **Request for transfer.** Transfer requests for interstate supervision of a Minnesota releasee must be submitted to the deputy compact administrator, in the central office, at least 60 days but not more than 90 days prior to the established release date. The request shall be submitted on correction form 245, and must include in specific terms the placement offer and employment, as well as the institution caseworker's evaluation and recommendation.

Subp. 2. **Material to be submitted.** The following material shall be submitted to the compact administrator:

- A. three copies of the transfer request correction form 245 (interstate transfer request);
- B. three copies of correction form 312 (application for compact services);
- C. three copies of correction form 248 (agreement to return form) signed, dated, and witnessed; and
- D. three copies of case management progress reports, fingerprints, and photos.

On cases already under field services supervision the deputy compact administrator will request the photos, fingerprints, and progress reports from the releasing institution.