

HOUSE OF REPRESENTATIVES

NINETY-FOURTH SESSION

H. F. No. 2781

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

- 1.1 A bill for an act
- 1.2 relating to public safety; modifying the definition of custodian for purposes of
- 1.3 orders of protection; amending Minnesota Statutes 2024, section 518B.01,
- 1.4 subdivision 2.
- 1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
- 1.6 Section 1. Minnesota Statutes 2024, section 518B.01, subdivision 2, is amended to read:
- 1.7 Subd. 2. **Definitions.** As used in this section, the following terms ~~shall~~ have the meanings
- 1.8 given ~~them~~:
- 1.9 (a) "Domestic abuse" means the following, if committed against a family or household
- 1.10 member by a family or household member:
- 1.11 (1) physical harm, bodily injury, or assault;
- 1.12 (2) the infliction of fear of imminent physical harm, bodily injury, or assault; or
- 1.13 (3) terroristic threats, within the meaning of section 609.713, subdivision 1; criminal
- 1.14 sexual conduct, within the meaning of section 609.342, 609.343, 609.344, 609.345, or
- 1.15 609.3451; sexual extortion within the meaning of section 609.3458; or interference with an
- 1.16 emergency call within the meaning of section 609.78, subdivision 2.
- 1.17 (b) "Family or household members" means:
- 1.18 (1) spouses and former spouses;
- 1.19 (2) parents and children;
- 1.20 (3) persons related by blood;
- 1.21 (4) persons who are presently residing together or who have resided together in the past;

2.1 (5) persons who have a child in common regardless of whether they have been married
2.2 or have lived together at any time;

2.3 (6) a man and woman if the woman is pregnant and the man is alleged to be the father,
2.4 regardless of whether they have been married or have lived together at any time; and

2.5 (7) persons involved in a significant romantic or sexual relationship.

2.6 Issuance of an order for protection on the ground in clause (6) does not affect a
2.7 determination of paternity under sections 257.51 to 257.74. In determining whether persons
2.8 are or have been involved in a significant romantic or sexual relationship under clause (7),
2.9 the court shall consider the length of time of the relationship; type of relationship; frequency
2.10 of interaction between the parties; and, if the relationship has terminated, length of time
2.11 since the termination.

2.12 (c) "Qualified domestic violence-related offense" has the meaning given in section
2.13 609.02, subdivision 16.

2.14 (d) "Custodian" means any person other than the petitioner or respondent who ~~is under~~
2.15 ~~a legal obligation to provide care and support for a minor child of a petitioner or who is in~~
2.16 ~~fact providing care and support for a minor child of a petitioner. Custodian does not include~~
2.17 ~~any person caring for a minor child if the petitioner's parental rights have been terminated.~~
2.18 has:

2.19 (1) physical or legal custody under section 257.541, subdivision 1, physical or legal
2.20 custody pursuant to any court order, or physical custody with the consent of a custodial
2.21 parent; or

2.22 (2) court-ordered parenting time.