

SENATE
STATE OF MINNESOTA
NINETY-FOURTH SESSION

S.F. No. 1417

(SENATE AUTHORS: LATZ)		
DATE	D-PG	OFFICIAL STATUS
02/13/2025	390	Introduction and first reading Referred to Judiciary and Public Safety
04/22/2025	2664a	Comm report: To pass as amended and re-refer to Finance
04/25/2025	4061a	Comm report: To pass as amended
	4067	Second reading Referred to for comparison with HF2432

1.1A bill for an act

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

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

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

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

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

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

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

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

1.10related judicial policy; modifying restorative practice policy; modifying criminal

1.11victims policy; establishing policy for corrections warrant and stop orders; clarifying

1.12Tribal Nation access and use of community services subsidy; providing for civil

1.13commitment coordinating division in Office of Attorney General; modifying

1.14Minnesota Business Corporation Act; providing for civil law; modifying marriage

1.15policy; establishing a civil cause of action for nonconsensual removal of sexually

1.16protective device; providing for order for protection against financial exploitation

1.17of vulnerable adult; modifying statutory forms for garnishment; providing for task

1.18forces and work groups; providing for reports; exempting Department of

1.19Corrections from certain administrative rulemaking; appropriating money for

1.20judiciary, public safety, corrections, Board of Civil Legal Aid, Guardian ad Litem

1.21Board, Tax Court, Uniform Laws Commission, Board on Judicial Standards, Board

1.22of Public Defense, Human Rights, Office of Appellate Counsel and Training,

1.23Minnesota Attainment Competency Board, Cannabis Expungement Board, Attorney

1.24General, Secretary of State, Sentencing Guidelines, Peace Officer Standards and

1.25Training (POST) Board, Private Detective Board, Ombudsperson for Corrections,

1.26and Clemency Review Commission; amending Minnesota Statutes 2024, sections

1.2713.03, subdivision 6; 13.04, subdivision 4; 13.05, subdivision 5; 13.356; 13.40,

1.28subdivision 2; 13.43, subdivision 2; 13.82, subdivisions 1, 7; 13.821; 13.825,

1.29subdivision 4; 13.991; 14.03, subdivision 3; 15.17, subdivision 1; 43A.17,

1.30subdivision 13; 45.0135, subdivisions 2b, 6, 7, 8, 9, by adding a subdivision;

1.3160A.951, subdivision 2; 60A.952, subdivisions 2, 4, 5; 60A.954, subdivision 2;

1.3260A.956; 65B.84; 138.17, subdivision 1; 142A.76, subdivision 8; 144.223; 144.296;

1.33145.4718; 152.021, subdivision 2; 152.022, subdivision 2; 152.023, subdivision

1.342; 152.025, subdivision 2; 152.137, subdivision 2; 201.014, subdivision 2a; 241.26,

1.35subdivisions 1, 3, 4, 5, by adding a subdivision; 241.80; 242.10; 242.19, subdivision

1.363; 242.44; 243.05, subdivisions 1, 2, 4; 243.166, subdivision 1b; 243.88,

1.37subdivisions 2, 5, by adding a subdivision; 244.04, subdivisions 1, 2, by adding a

1.38subdivision; 244.05, subdivisions 1b, 2; 244.0513, subdivisions 1, 7, 8; 244.07,

subdivision 1, by adding 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.41, subdivisions 3, 4; 299A.477, subdivision 2; 299C.40, subdivision 1; 299C.52, subdivision 1; 299C.80, subdivision 6; 299F.47, subdivision 2; 302A.011, subdivision 41, by adding subdivisions; 302A.111, subdivision 2; 302A.161, by adding a subdivision; 302A.181, by adding a subdivision; 302A.201, subdivision 1; 302A.237, by adding a subdivision; 302A.361; 302A.461, subdivision 4; 302A.471, subdivisions 1, 3; 302A.611, by adding a subdivision; 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; 501A.01; 501C.0301; 501C.0302; 501C.0407; 501C.0411; 501C.0414; 501C.0602; 501C.0605; 501C.0701; 501C.0808, subdivisions 1, 2, 3, 4, 5, 6, 8, by adding a subdivision; 501C.1013, subdivision 4; 501C.1014, by adding a subdivision; 501C.1105, subdivision 1, by adding a subdivision; 502.851, subdivisions 1, 2, 3, 4, 11, 15, 16; 517.04; 517.08, subdivisions 1a, 1b; 517.09, subdivision 1; 517.10; 518.68, subdivision 1; 524.2-114; 524.2-804, subdivision 1; 524.5-120; 524.5-311; 524.5-313; 524.5-420; 550.136, subdivisions 6, 9; 550.143, subdivisions 2, 3a, 3b, 3c; 551.05, subdivisions 1b, 1c, 1d; 551.06, subdivisions 6, 9; 571.72, subdivisions 8, 10; 571.74; 571.75, subdivision 2; 571.912; 571.914, subdivision 2; 571.925; 571.931, subdivision 6; 571.932, subdivision 2; 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, by adding a subdivision; 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; 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, sections 3, subdivisions 2, 8, as amended; 6, as amended; article 11, section 31; Laws 2023, chapter 68, article 1, section 4, subdivision 2; Laws 2024, chapter 114, article 3, section 101; proposing coding for new law in Minnesota Statutes, chapters 8; 13; 243; 299A; 299C; 302A; 325E; 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>
Sec. 2. <u>SUPREME COURT</u>	\$	<u>51,110,000</u>	\$ <u>52,319,000</u>
<u>(a) Contingent Account</u>			
<u>\$5,000 each year is for a contingent account for expenses necessary for the normal operation of the court for which no other reimbursement is provided.</u>			
<u>(b) Justices' Compensation</u>			
<u>Justices' compensation is increased by one and one-half percent each year.</u>			
<u>(c) Digital Accessibility</u>			
<u>\$828,000 each year is for digital accessibility. This is a onetime appropriation.</u>			
Sec. 3. <u>BOARD OF CIVIL LEGAL AID</u>	\$	<u>34,941,000</u>	\$ <u>35,467,000</u>
<u>The base for the Board of Civil Legal Aid is \$35,519,000 in fiscal year 2028 and \$35,520,000 in fiscal year 2029.</u>			
Sec. 4. <u>COURT OF APPEALS</u>	\$	<u>15,612,000</u>	\$ <u>15,969,000</u>
<u>Judges' Compensation</u>			
<u>Judges' compensation is increased by one and one-half percent each year.</u>			
Sec. 5. <u>DISTRICT COURTS</u>	\$	<u>394,877,000</u>	\$ <u>403,781,000</u>

4.1 **(a) Forensic Examiner Rate Increase**

4.2 \$2,685,000 each year is to increase the hourly
 4.3 rate paid to forensic examiners.

4.4 **(b) Judges' Compensation**

4.5 Judges' compensation is increased by one and
 4.6 one-half percent each year.

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

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

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

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

4.11 **(a) Availability of Appropriation**

4.12 If the appropriation for either year is
 4.13 insufficient, the appropriation for the other
 4.14 fiscal year is available.

4.15 **(b) Major Disciplinary Actions**

4.16 \$125,000 each year is for special investigative
 4.17 and hearing costs for major disciplinary
 4.18 actions undertaken by the board. This
 4.19 appropriation does not cancel. Any
 4.20 unencumbered and unspent balances remain
 4.21 available for these expenditures through June
 4.22 30, 2027.

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

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

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

4.27 Sec. 13. **MINNESOTA ATTAINMENT**
 4.28 **COMPETENCY BOARD** \$ **11,017,000** \$ **11,137,000**

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

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

4.31 **Civil Commitment Coordinating Division**

5.1 \$438,000 each year is for the Civil
5.2 Commitment Coordinating Division under
5.3 Minnesota Statutes, section 8.37.

5.4	Sec. 16. <u>SECRETARY OF STATE</u>	<u>\$</u>	<u>18,000</u>	<u>\$</u>	<u>-0-</u>
5.5	<u>\$18,000 the first year is to implement</u>				
5.6	<u>Minnesota Statutes, section 480.50, relating</u>				
5.7	<u>to judicial official data privacy for real</u>				
5.8	<u>property records.</u>				

5.9 Sec. 17. Minnesota Statutes 2024, section 357.021, subdivision 1a, is amended to read:

5.10 Subd. 1a. **Transmittal of fees to commissioner of management and budget.** (a) Every
5.11 person, including the state of Minnesota and all bodies politic and corporate, who shall
5.12 transact any business in the district court, shall pay to the court administrator of said court
5.13 the sundry fees prescribed in subdivision 2. Except as provided in paragraph (d), the court
5.14 administrator shall transmit the fees monthly to the commissioner of management and budget
5.15 for deposit in the state treasury and credit to the general fund. ~~\$30~~ \$60 of each fee collected
5.16 in a dissolution action under subdivision 2, clause (1), must be deposited by the commissioner
5.17 of management and budget in the special revenue fund and is appropriated to the
5.18 commissioner of employment and economic development for the Minnesota Family
5.19 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.

5.31 (c) No fee is required under this section from the public authority or the party the public
5.32 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. 18. 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 copies of any papers so filed or proceedings under chapter 103E, except the provisions therein as to appeals.

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

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

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

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

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

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

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

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

- (10) For the filing of each partial, final, or annual account in all trusteeships, \$55.
- (11) For the deposit of a will, \$27.
- (12) For recording notary commission, \$20.
- (13) Filing a motion or response to a motion for modification of child support, a fee of \$50.
- (14) All other services required by law for which no fee is provided, such fee as compares favorably with those herein provided, or such as may be fixed by rule or order of the court.
- (15) In addition to any other filing fees under this chapter, a surcharge in the amount of \$75 must be assessed in accordance with section 259.52, subdivision 14, for each adoption petition filed in district court to fund the fathers' adoption registry under section 259.52.
- The fees in clauses (3) and (5) need not be paid by a public authority or the party the public authority represents. No fee may be charged to view or download a publicly available instrument from a civil or criminal proceeding or for an uncertified copy of that instrument.

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>282,501,000</u>	\$	<u>269,313,000</u>

9.1	<u>Appropriations by Fund</u>		
9.2		<u>2026</u>	<u>2027</u>
9.3	<u>General</u>	<u>175,148,000</u>	<u>176,057,000</u>
9.4	<u>Special Revenue</u>	<u>21,879,000</u>	<u>21,779,000</u>
9.5	<u>State Government</u>		
9.6	<u>Special Revenue</u>	<u>103,000</u>	<u>103,000</u>
9.7	<u>Environmental</u>	<u>130,000</u>	<u>133,000</u>
9.8	<u>Trunk Highway</u>	<u>2,429,000</u>	<u>2,429,000</u>
9.9	<u>911 Fund</u>	<u>82,597,000</u>	<u>68,597,000</u>
9.10	<u>Workers'</u>		
9.11	<u>Compensation Fund</u>	<u>215,000</u>	<u>215,000</u>

9.12 The amounts that may be spent for each
9.13 purpose are specified in the following
9.14 subdivisions.

9.15	<u>Subd. 2. Emergency Management</u>	<u>5,165,000</u>	<u>5,555,000</u>
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9.16	<u>Appropriations by Fund</u>		
9.17	<u>General</u>	<u>5,035,000</u>	<u>5,422,000</u>
9.18	<u>Environmental</u>	<u>130,000</u>	<u>133,000</u>

9.19 Subd. 3. **Supplemental Nonprofit Security**
9.20 **Grants**

9.21 \$125,000 each year is for supplemental
9.22 nonprofit security grants under this
9.23 subdivision. Nonprofit organizations whose
9.24 applications for funding through the Federal
9.25 Emergency Management Agency's nonprofit
9.26 security grant program have been approved
9.27 by the Division of Homeland Security and
9.28 Emergency Management are eligible for grants
9.29 under this subdivision. No additional
9.30 application shall be required for grants under
9.31 this subdivision, and an application for a grant
9.32 from the federal program is also an application
9.33 for funding from the state supplemental
9.34 program. Eligible organizations may receive
9.35 grants of up to \$75,000, except that the total
9.36 received by any individual from both the

10.1

federal nonprofit security grant program and

10.2

the state supplemental nonprofit security grant

10.3

program shall not exceed \$75,000. Grants shall

10.4

be awarded in an order consistent with the

10.5

ranking given to applicants for the federal

10.6

nonprofit security grant program. No grants

10.7

under the state supplemental nonprofit security

10.8

grant program shall be awarded until the

10.9

announcement of the recipients and the

10.10

amount of the grants awarded under the federal

10.11

nonprofit security grant program. The

10.12

commissioner may use up to one percent of

10.13

the appropriation received under this

10.14

subdivision to pay costs incurred by the

10.15

department in administering the supplemental

10.16

nonprofit security grant program. This is a

10.17

onetime appropriation.

10.18

Subd. 4. Criminal Apprehension

112,438,000

112,950,000

10.19

Appropriations by Fund

10.20	<u>General</u>	<u>109,787,000</u>	<u>110,299,000</u>
10.21	<u>State Government</u>		
10.22	<u>Special Revenue</u>	<u>7,000</u>	<u>7,000</u>
10.23	<u>Trunk Highway</u>	<u>2,429,000</u>	<u>2,429,000</u>
10.24	<u>Workers'</u>		
10.25	<u>Compensation Fund</u>	<u>215,000</u>	<u>215,000</u>

10.26

(a) DWI Lab Analysis; Trunk Highway

10.27

Fund

10.28

Notwithstanding Minnesota Statutes, section

10.29

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

10.30

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

10.31

the trunk highway fund for staff and operating

10.32

costs for laboratory analysis related to

10.33

driving-while-impaired cases.

10.34

(b) Fraud and Financial Crime Unit

11.1 \$1,115,000 each year from the general fund
 11.2 and \$215,000 each year from the workers'
 11.3 compensation fund are for the Financial
 11.4 Crimes and Fraud Section in Minnesota
 11.5 Statutes, section 299C.061, and may not be
 11.6 used for any other purpose.

11.7 **Subd. 5. Fire Marshal**

20,117,000

20,017,000

11.8 Appropriations by Fund

11.9 <u>General</u>	<u>4,190,000</u>	<u>4,190,000</u>
11.10 <u>Special Revenue</u>	<u>15,927,000</u>	<u>15,827,000</u>

11.11 The special revenue fund appropriation is from
 11.12 the fire safety account in the special revenue
 11.13 fund and is for activities under Minnesota
 11.14 Statutes, section 299F.012. The base
 11.15 appropriation for this account is \$15,927,000
 11.16 in fiscal year 2028 and \$15,827,000 in fiscal
 11.17 year 2029.

11.18 **(a) Hazardous Materials and Emergency**
 11.19 **Response Teams**

11.20 \$2,170,000 the first year and \$2,070,000 the
 11.21 second year are from the fire safety account
 11.22 for hazardous materials and emergency
 11.23 response teams. The base for these purposes
 11.24 is \$2,170,000 in the first year of future biennia
 11.25 and \$2,070,000 in the second year of future
 11.26 biennia.

11.27 **(b) Bomb Squad Reimbursements**

11.28 \$250,000 from the fire safety account and
 11.29 \$50,000 from the general fund each year are
 11.30 for reimbursements to local governments for
 11.31 bomb squad services.

11.32 **(c) Nonresponsible Party Reimbursements**

12.1 \$750,000 each year from the fire safety
12.2 account is for nonresponsible party hazardous
12.3 material and bomb squad incident
12.4 reimbursements. Money appropriated for this
12.5 purpose is available for one year.

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

12.7 \$4,000,000 each year from the general fund
12.8 is for grants to the Minnesota Firefighter
12.9 Initiative to fund the hometown heroes
12.10 assistance program established in Minnesota
12.11 Statutes, section 299A.477.

12.12 **(e) Task Force 1**

12.13 \$1,425,000 each year from the fire safety
12.14 account is for the Minnesota Task Force 1.

12.15 **(f) Task Force 2**

12.16 \$300,000 each year from the fire safety
12.17 account is for the Minnesota Task Force 2.

12.18 **(g) Air Rescue**

12.19 \$500,000 each year from the fire safety
12.20 account is for the Minnesota Air Rescue Team.

12.21 **(h) Fire Service Assessment**

12.22 The state fire marshal shall conduct or contract
12.23 with a third party to conduct a comprehensive
12.24 assessment of how firefighting services are
12.25 provided in Minnesota and make
12.26 recommendations for any proposed changes.
12.27 At a minimum, the assessment must include:

12.28 (1) a macro-level review and analysis of
12.29 incidents; incident types; response metrics;
12.30 geographical distribution; life, safety, and
12.31 property damage impacts; and trend projection
12.32 analysis, benchmarked against national

- 13.1 standards and best practices, including those
13.2 of the National Fire Protection Association;
- 13.3 (2) an analysis of the number of fire
13.4 departments and types of staffing in Minnesota
13.5 compared to other states regionally and
13.6 nationally, including staff response by time of
13.7 day and day of the week;
- 13.8 (3) an analysis of the available data sets to
13.9 determine what data is incomplete, inaccurate,
13.10 or missing to make informed decisions in the
13.11 future;
- 13.12 (4) an analysis of the effective response force
13.13 of firefighters across the state, identifying any
13.14 trends and patterns impacting the delivery of
13.15 fire and life safety services;
- 13.16 (5) an analysis of the training, certification,
13.17 and licensing of Minnesota firefighters,
13.18 including initial and annual training, officers,
13.19 inspectors, investigators, and specialty
13.20 disciplines such as technical rescue and
13.21 hazardous materials;
- 13.22 (6) an analysis of the recruitment and retention
13.23 of fire department staff including volunteer,
13.24 paid-on-call, part-time, contract, and full-time
13.25 firefighters;
- 13.26 (7) a macro-level evaluation of fire department
13.27 equipment, including personal protective
13.28 equipment, apparatus equipment,
13.29 communications equipment, and infrastructure,
13.30 benchmarked against national standards and
13.31 best practices, including those of the National
13.32 Fire Protection Association; and

14.1

(8) a macro-level evaluation of the funding

14.2

for firefighting services in Minnesota and how

14.3

it compares to other states.

14.4

In conducting the assessment, the fire marshal

14.5

shall hold in-person and virtual stakeholder

14.6

listening sessions with the Minnesota State

14.7

Fire Chiefs Association, the Minnesota State

14.8

Fire Department Association, the Minnesota

14.9

Professional Firefighters Association, the

14.10

League of Minnesota Cities, the Minnesota

14.11

Association of Townships, and other statewide

14.12

and regional associations identified by the

14.13

commissioner of public safety. In conducting

14.14

the assessment and making recommendations

14.15

for proposed changes, the fire marshal shall

14.16

consider the current diverse nature of the fire

14.17

service in Minnesota, including the various

14.18

staffing models employed and the

14.19

geographical makeup of the state.

14.20

The fire marshal may request onetime funding

14.21

to complete this assessment through the Fire

14.22

Service Advisory Committee.

14.23

By December 31, 2026, the fire marshal shall

14.24

report on the assessment conducted and any

14.25

recommendations for changes to the chairs

14.26

and ranking minority members of the

14.27

legislative committees with jurisdiction over

14.28

public safety and commerce.

14.29

Subd. 6. **Firefighter Training and Education**

14.30

Board

5,500,000

5,500,000

14.31

Appropriations by Fund

14.32

Special Revenue

5,500,000

5,500,000

14.33

The special revenue fund appropriation is from

14.34

the fire safety account in the special revenue

15.1 fund and is for activities under Minnesota
15.2 Statutes, section 299F.012.

15.3 **(a) Firefighter Training and Education**

15.4 \$5,500,000 each year from the fire safety
15.5 account is for firefighter training and
15.6 education.

15.7 **(b) Unappropriated Revenue**

15.8 Any additional unappropriated money
15.9 collected in fiscal year 2025 is appropriated
15.10 to the commissioner of public safety for the
15.11 purposes of Minnesota Statutes, section
15.12 299F.012. The commissioner may transfer
15.13 appropriations and base amounts between
15.14 activities in this subdivision.

15.15	<u>Subd. 7. Alcohol and Gambling</u>		
15.16	<u>Enforcement</u>	<u>3,949,000</u>	<u>3,954,000</u>

15.17	<u>Appropriations by Fund</u>		
15.18	<u>General</u>	<u>3,879,000</u>	<u>3,884,000</u>
15.19	<u>Special Revenue</u>	<u>70,000</u>	<u>70,000</u>

15.20 \$70,000 each year is from the lawful gambling
15.21 regulation account in the special revenue fund.

15.22	<u>Subd. 8. Office of Justice Programs</u>	<u>52,353,000</u>	<u>52,358,000</u>
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15.23	<u>Appropriations by Fund</u>		
15.24	<u>General</u>	<u>52,257,000</u>	<u>52,262,000</u>
15.25	<u>State Government</u>		
15.26	<u>Special Revenue</u>	<u>96,000</u>	<u>96,000</u>

15.27 **(a) Violence Prevention Project Research**
15.28 **Center**

15.29 \$250,000 each year is to fund a violence
15.30 prevention project research center that operates
15.31 as a nonprofit, nonpartisan research center
15.32 dedicated to reducing violence in society and
15.33 using data and analysis to improve
15.34 criminal-justice-related policy and practice in

16.1 Minnesota. The research center must place an
16.2 emphasis on issues related to gun violence.
16.3 This is a onetime appropriation.

16.4 **(b) Legal Representation for Children**

16.5 \$100,000 each year is for a grant to an
16.6 organization that provides legal representation
16.7 for children in need of protection or services
16.8 and children in out-of-home placement. The
16.9 grant is contingent upon a match in an equal
16.10 amount from nonstate funds. The match may
16.11 be in kind, including the value of volunteer
16.12 attorney time, in cash, or a combination of the
16.13 two. This is a onetime appropriation and is in
16.14 addition to any other appropriations for the
16.15 legal representation of children.

16.16 **(c) MSOP; Moose Lake-Related Costs**

16.17 \$50,000 each year is for a grant to Carlton
16.18 County to be used for law enforcement,
16.19 prosecution, and litigation expenses arising
16.20 from the actions of clients at the Minnesota
16.21 Sex Offender Program facility at Moose Lake.
16.22 This is a onetime appropriation.

16.23 **(d) At-Risk Youth in Rochester, St. Cloud,**
16.24 **and Excelsior**

16.25 \$150,000 each year is for grants in equal
16.26 amounts to 180 Degrees in the Rochester
16.27 regional area, St. Cloud regional area, and
16.28 central Minnesota region west of the Twin
16.29 Cities to address racial disparities of youth
16.30 using shelter services. The 180 Degrees
16.31 shelters in each region shall establish and
16.32 operate a program connected to shelter
16.33 services to engage in community outreach,
16.34 mobile case management, family reunification,

17.1 aftercare, and follow up when family members
17.2 are released from shelter services. This
17.3 program shall specifically address the large
17.4 geographic rural areas served where at-risk
17.5 youth enter shelters in Rochester, St. Cloud,
17.6 and Excelsior. This is a onetime appropriation.

17.7 **(e) Prosecutorial and Law Enforcement**
17.8 **Training**

17.9 \$100,000 each year is for a grant to the
17.10 Minnesota County Attorneys Association to
17.11 be used for prosecutorial and law enforcement
17.12 training, including trial school training and
17.13 train-the-trainer courses. This is a onetime
17.14 appropriation.

17.15	<u>Subd. 9. Emergency Communication Networks</u>	<u>82,597,000</u>	<u>68,597,000</u>
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17.16	<u>Appropriations by Fund</u>		
17.17	<u>911 Fund</u>	<u>82,597,000</u>	<u>68,597,000</u>

17.18 This appropriation is from the state
17.19 government special revenue fund for 911
17.20 emergency telecommunications services unless
17.21 otherwise indicated.

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

17.23 \$28,011,000 the first year and \$28,011,000
17.24 the second year shall be distributed as
17.25 provided under Minnesota Statutes, section
17.26 403.113, subdivision 2.

17.27 Each eligible entity receiving these funds must
17.28 provide a detailed report on how the funds
17.29 were used to the commissioner of public safety
17.30 by August 1, 2027.

17.31 **(b) ARMER State Backbone Operating**
17.32 **Costs**

18.1 \$10,384,000 each year is transferred to the
 18.2 commissioner of transportation for costs of
 18.3 maintaining and operating the statewide radio
 18.4 system backbone.

18.5 **(c) Statewide Emergency Communications**
 18.6 **Board**

18.7 \$1,000,000 each year is to the Statewide
 18.8 Emergency Communications Board. Funds
 18.9 may be used for operating costs, to provide
 18.10 competitive grants to local units of
 18.11 government to fund enhancements to a
 18.12 communication system, technology, or support
 18.13 activity that directly provides the ability to
 18.14 deliver the 911 call between the entry point to
 18.15 the 911 system and the first responder, and to
 18.16 further the strategic goals set forth by the
 18.17 SECB Statewide Communication
 18.18 Interoperability Plan.

18.19 **(d) ARMER Critical Infrastructure**

18.20 \$14,000,000 the first year is transferred to the
 18.21 commissioner of transportation for costs of
 18.22 maintaining and operating the statewide radio
 18.23 system backbone. This is a onetime
 18.24 appropriation and is available until June 30,
 18.25 2029.

18.26 **Subd. 10. Driver and Vehicle Services**

382,000

382,000

18.27 **Ignition Interlock**

18.28 \$382,000 each year is from the driver and
 18.29 vehicle services operating account in the
 18.30 special revenue fund for staffing costs related
 18.31 to the modifications to the ignition interlock
 18.32 device program proposed in 2025 Senate File
 18.33 2068.

19.1	<u>Sec. 4. PEACE OFFICER STANDARDS AND</u>			
19.2	<u>TRAINING (POST) BOARD</u>			
		\$	<u>7,749,000</u>	\$ <u>7,797,000</u>
19.3	<u>(a) Peace Officer Training Reimbursements</u>			
19.4	<u>\$2,949,000 each year is for reimbursements</u>			
19.5	<u>to local governments for peace officer training</u>			
19.6	<u>costs.</u>			
19.7	<u>(b) Philando Castile Memorial Training</u>			
19.8	<u>Fund</u>			
19.9	<u>\$1,000,000 each year is to support and</u>			
19.10	<u>strengthen law enforcement training and</u>			
19.11	<u>implement best practices. These funds may</u>			
19.12	<u>only be used to reimburse costs related to</u>			
19.13	<u>training courses that qualify for reimbursement</u>			
19.14	<u>under Minnesota Statutes, sections 626.8452,</u>			
19.15	<u>626.8469, and 626.8474. This is a onetime</u>			
19.16	<u>appropriation.</u>			
19.17	<u>Sec. 5. PRIVATE DETECTIVE BOARD</u>	\$	<u>697,000</u>	\$ <u>706,000</u>
19.18	<u>Sec. 6. CORRECTIONS</u>			
19.19	<u>Subdivision 1. Total</u>			
19.20	<u>Appropriation</u>	\$	<u>9,091,000</u>	\$ <u>824,336,000</u> \$ <u>835,273,000</u>
19.21	<u>The amounts that may be spent for each</u>			
19.22	<u>purpose are specified in the following</u>			
19.23	<u>subdivisions.</u>			
19.24	<u>Subd. 2. Incarceration and</u>			
19.25	<u>Prerelease Services</u>	\$	<u>9,091,000</u>	\$ <u>571,289,000</u> \$ <u>579,340,000</u>
19.26	<u>(a) Operating Deficiency</u>			
19.27	<u>\$9,091,000 in fiscal year 2025 is to meet</u>			
19.28	<u>financial obligations in fiscal year 2025. This</u>			
19.29	<u>is a onetime appropriation.</u>			
19.30	<u>(b) Task Force on Mandatory Minimum</u>			
19.31	<u>Sentences</u>			
19.32	<u>\$133,000 the first year is for the task force on</u>			
19.33	<u>mandatory minimum sentences.</u>			

20.1 **(c) Incarceration and Prerelease Services**

20.2 **Base Budget**

20.3 The base for incarceration and prerelease

20.4 services is \$579,583,000 in fiscal year 2028

20.5 and \$579,638,000 in fiscal year 2029.

20.6 Subd. 3. **Community**

20.7 **Supervision and Postrelease**

20.8 **Services**

193,304,000

195,647,000

20.9 **(a) Community Supervision Funding**

20.10 \$143,378,000 each year is for community

20.11 supervision services. This appropriation shall

20.12 be distributed according to the community

20.13 supervision formula in Minnesota Statutes,

20.14 section 401.10.

20.15 **(b) Tribal Nation Supervision**

20.16 \$2,750,000 each year is for Tribal Nations to

20.17 provide supervision or supportive services

20.18 pursuant to Minnesota Statutes, section

20.19 401.10.

20.20 **(c) Housing Initiatives**

20.21 \$1,685,000 each year is for housing initiatives

20.22 to support stable housing of incarcerated

20.23 individuals upon release.

20.24 **(d) Sentence to Service Programs**

20.25 \$1,773,000 each year is for sentence to service

20.26 programs.

20.27 **(e) Community Supervision and Postrelease**

20.28 **Services Base Budget**

20.29 The base for community supervision and

20.30 postrelease services is \$195,647,000 in fiscal

20.31 year 2028 and \$195,647,000 in fiscal year

20.32 2029.

21.1	Subd. 4. <u>Organizational, Regulatory, and</u>		
21.2	<u>Administrative Services</u>	<u>59,743,000</u>	<u>60,286,000</u>
21.3	<u>Organizational, Regulatory, and</u>		
21.4	<u>Administrative Services Base Budget</u>		
21.5	<u>The base for organizational, regulatory, and</u>		
21.6	<u>administrative services is \$60,286,000 in fiscal</u>		
21.7	<u>year 2028 and \$60,286,000 in fiscal year 2029.</u>		
21.8	Sec. 7. <u>OMBUDSPERSON FOR</u>		
21.9	<u>CORRECTIONS</u>	<u>\$ 1,118,000</u>	<u>\$ 1,137,000</u>
21.10	Sec. 8. <u>CLEMENCY REVIEW COMMISSION</u>	<u>\$ 995,000</u>	<u>\$ 1,005,000</u>
21.11	Sec. 9. <u>GENERAL FUND TRANSFER; MINNESOTA VICTIMS OF CRIME</u>		
21.12	<u>ACCOUNT.</u>		
21.13	<u>\$3,000,000 the first year is transferred from the general fund to the Minnesota victims</u>		
21.14	<u>of crime account in the special revenue fund under Minnesota Statutes, section 299A.708.</u>		
21.15	Sec. 10. Minnesota Statutes 2024, section 299A.41, subdivision 3, is amended to read:		
21.16	Subd. 3. Killed in the line of duty. (a) "Killed in the line of duty" does not include <u>any</u>		
21.17	deaths from natural causes, except as <u>expressly</u> provided in this subdivision. In the case of		
21.18	a public safety officer, killed in the line of duty includes the death of a public safety officer		
21.19	caused by accidental means while the public safety officer is acting in the course and scope		
21.20	of duties as a public safety officer. Killed in the line of duty also means if a public safety		
21.21	officer dies as the direct and proximate result of a heart attack, stroke, or vascular rupture,		
21.22	that officer shall be presumed to have died as the direct and proximate result of a personal		
21.23	injury sustained in the line of duty if:		
21.24	(1) that officer, while on duty:		
21.25	(i) engaged in a situation, and that engagement involved nonroutine stressful or strenuous		
21.26	physical law enforcement, fire suppression, rescue, hazardous material response, emergency		
21.27	medical services, prison security, disaster relief, or other emergency response activity; or		
21.28	(ii) participated in a training exercise, and that participation involved nonroutine stressful		
21.29	or strenuous physical activity;		
21.30	(2) that officer died as a result of a heart attack, stroke, or vascular rupture suffered:		
21.31	(i) while engaging or participating under clause (1);		

- 22.1 (ii) while still on duty after engaging or participating under clause (1); or
- 22.2 (iii) not later than 24 hours after engaging or participating under clause (1); and
- 22.3 (3) the presumption is not overcome by competent medical evidence to the contrary.

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

22.5 (1) secondary to a diagnosis of posttraumatic stress disorder as described in the most

22.6 recent edition of the Diagnostic and Statistical Manual of Mental Disorders published by

22.7 the American Psychiatric Association; or

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

22.9 (c) "Killed in the line of duty" also means that the officer died as a result of complications

22.10 caused by exposure sustained in the line of duty to any of the following infectious diseases,

22.11 viruses, or bacteria, if medical records identify the disease, virus, or bacteria as a cause of

22.12 or contributing factor to the death: COVID-19; influenza; hepatitis B; hepatitis C;

22.13 tuberculosis; HIV/AIDS; meningitis; MRSA; whooping cough; or streptococcus pneumoniae.

22.14 **EFFECTIVE DATE; RETROACTIVE APPLICATION.** This section is effective

22.15 the day following final enactment and applies retroactively from February 1, 2020.

22.16 Sec. 11. Minnesota Statutes 2024, section 299A.41, subdivision 4, is amended to read:

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

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

22.19 (2) a correction officer employed at a correctional facility and charged with maintaining

22.20 the safety, security, discipline, and custody of inmates at the facility;

22.21 (3) a corrections staff person working in a public agency and supervising offenders in

22.22 the community as defined in sections 243.05, subdivision 6; 244.19, subdivision 1; and

22.23 401.01, subdivision 2;

22.24 (4) an individual employed on a full-time or part-time basis by the state or by a fire

22.25 department of a governmental subdivision of the state, who is engaged in any of the following

22.26 duties:

22.27 (i) firefighting;

22.28 (ii) emergency motor vehicle operation;

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

22.30 (iv) the provision of emergency medical services; or

23.1 (v) hazardous material responder;

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

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

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

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

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

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

23.19 (11) a person formerly employed as a public safety officer under clauses (1) to (5) or
23.20 (7) to (10), if the person separated from service due to a duty disability as defined in section
23.21 353.01, subdivision 41.

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

23.24 Sec. 12. **[299A.708] MINNESOTA VICTIMS OF CRIME ACCOUNT.**

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

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

23.28 (1) general fund transfers;

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

23.30 (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. 13. **[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;

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

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

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

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

25.6 Sec. 14. **[626.5536] LAW ENFORCEMENT REQUIRED TO REGISTER FOR**
25.7 **ETRACE SYSTEM AND TRACE AND REPORT ON RECOVERED OR**
25.8 **CONFISCATED FIREARMS.**

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

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

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

25.13 (ii) seized by a law enforcement agency;

25.14 (iii) forfeited to a law enforcement agency;

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

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

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

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

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

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

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

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

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

26.1

Sec. 15. Laws 2023, chapter 52, article 2, section 3, subdivision 2, is amended to read:

26.2	Subd. 2. Public Safety			
26.3	Administration	1,000,000	2,250,000	2,000,000

26.4

(a) **Public Safety Officer Survivor Benefits**

26.5

\$1,000,000 in fiscal year 2023, \$1,000,000 in

26.6

fiscal year 2024, and \$1,000,000 in fiscal year

26.7

2025 are for payment of public safety officer

26.8

survivor benefits under Minnesota Statutes,

26.9

section 299A.44. If the appropriation for either

26.10

year is insufficient, the appropriation for the

26.11

other year is available. This appropriation is

26.12

available until June 30, 2027.

26.13

(b) **Soft Body Armor Reimbursements**

26.14

\$1,000,000 each year is for increases in the

26.15

base appropriation for soft body armor

26.16

reimbursements under Minnesota Statutes,

26.17

section 299A.38. This is a onetime

26.18

appropriation.

26.19

(c) **Firearm Storage Grants**

26.20

\$250,000 the first year is for grants to local or

26.21

state law enforcement agencies to support the

26.22

safe and secure storage of firearms owned by

26.23

persons subject to extreme risk protection

26.24

orders. The commissioner must apply for a

26.25

grant from the Byrne State Crisis Intervention

26.26

Program to supplement the funds appropriated

26.27

by the legislature for implementation of

26.28

Minnesota Statutes, sections 624.7171 to

26.29

624.7178 and 626.8481. Of the federal funds

26.30

received, the commissioner must dedicate at

26.31

least an amount that is equal to this

26.32

appropriation to fund safe and secure firearms

26.33

storage grants provided for under this

26.34

paragraph.

27.1 Sec. 16. Laws 2023, chapter 52, article 2, section 3, subdivision 8, as amended by Laws
27.2 2023, chapter 69, section 12, and Laws 2024, chapter 123, article 1, section 11, and Laws
27.3 2024, chapter 123, article 9, section 3, is amended to read:

27.4	Subd. 8. Office of Justice Programs	94,758,000	80,434,000
27.5	Appropriations by Fund		
27.6	General	94,662,000	80,338,000
27.7	State Government		
27.8	Special Revenue	96,000	96,000

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

27.10 \$1,500,000 each year is to establish a
27.11 Domestic Violence Housing First grant
27.12 program to provide resources for survivors of
27.13 violence to access safe and stable housing and
27.14 for staff to provide mobile advocacy and
27.15 expertise in housing resources in their
27.16 community and a Minnesota Domestic and
27.17 Sexual Violence Transitional Housing
27.18 program to develop and support medium to
27.19 long term transitional housing for survivors
27.20 of domestic and sexual violence with
27.21 supportive services. The base for this
27.22 appropriation is \$1,000,000 beginning in fiscal
27.23 year 2026.

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

27.25 \$11,000,000 each year is to fund services for
27.26 victims of domestic violence, sexual assault,
27.27 child abuse, and other crimes. This is a
27.28 onetime appropriation.

27.29 **(c) Office for Missing and Murdered Black**
27.30 **Women and Girls**

27.31 \$1,248,000 each year is to establish and
27.32 maintain the Minnesota Office for Missing
27.33 and Murdered Black Women and Girls.

27.34 **(d) Increased Staffing**

28.1 \$667,000 the first year and \$1,334,000 the
28.2 second year are to increase staffing in the
28.3 Office of Justice Programs for grant
28.4 monitoring and compliance; provide training
28.5 and technical assistance to grantees and
28.6 potential grantees; conduct community
28.7 outreach and engagement to improve the
28.8 experiences and outcomes of applicants, grant
28.9 recipients, and crime victims throughout
28.10 Minnesota; expand the Minnesota Statistical
28.11 Analysis Center; and increase staffing for the
28.12 crime victim reimbursement program and the
28.13 Crime Victim Justice Unit.

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

28.15 \$500,000 each year is to establish and
28.16 maintain the Office of Restorative Practices.

28.17 **(f) Crossover and Dual-Status Youth Model**
28.18 **Grants**

28.19 \$1,000,000 each year is to provide grants to
28.20 local units of government to initiate or expand
28.21 crossover youth practices model and
28.22 dual-status youth programs that provide
28.23 services for youth who are involved with or
28.24 at risk of becoming involved with both the
28.25 child welfare and juvenile justice systems, in
28.26 accordance with the Robert F. Kennedy
28.27 National Resource Center for Juvenile Justice
28.28 model. This is a onetime appropriation.

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

28.30 \$4,000,000 each year is for grants to establish
28.31 and support restorative practices initiatives
28.32 pursuant to Minnesota Statutes, section
28.33 299A.95, subdivision 6, and for a restitution
28.34 grant program under Minnesota Statutes,

29.1 section 299A.955. This appropriation is
29.2 available until June 30, 2026. The base for this
29.3 appropriation is \$2,500,000 beginning in fiscal
29.4 year 2026.

29.5 **(h) Ramsey County Youth Treatment**
29.6 **Homes Acquisition and Betterment**

29.7 \$5,000,000 the first year is for a grant to
29.8 Ramsey County to establish, with input from
29.9 community stakeholders, including impacted
29.10 youth and families, up to seven intensive
29.11 trauma-informed therapeutic treatment homes
29.12 in Ramsey County that are licensed by the
29.13 Department of Human Services, that are
29.14 culturally specific, that are community-based,
29.15 and that can be secured. These residential
29.16 spaces must provide intensive treatment and
29.17 intentional healing for youth as ordered by the
29.18 court as part of the disposition of a case in
29.19 juvenile court. This appropriation is available
29.20 through June 30, ~~2026~~ 2027.

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

29.22 \$5,000,000 the first year is for a grant to
29.23 Ramsey County to award grants to develop
29.24 new and further enhance existing
29.25 community-based organizational support
29.26 through violence prevention and community
29.27 wellness grants. Grantees must use the money
29.28 to create family support groups and resources
29.29 to support families during the time a young
29.30 person is placed out of home following a
29.31 juvenile delinquency adjudication and support
29.32 the family through the period of postplacement
29.33 reentry; create community-based respite
29.34 options for conflict or crisis de-escalation to
29.35 prevent incarceration or further systems

30.1 involvement for families; or establish
30.2 additional meaningful employment
30.3 opportunities for systems-involved youth. This
30.4 appropriation is available through June 30,
30.5 2027.

30.6 **(j) Office for Missing and Murdered**
30.7 **Indigenous Relatives**

30.8 \$274,000 each year is for increased staff and
30.9 operating costs of the Office for Missing and
30.10 Murdered Indigenous Relatives, the Missing
30.11 and Murdered Indigenous Relatives Advisory
30.12 Board, and the Gaagige-Mikwendaagoziwag
30.13 reward advisory group.

30.14 **(k) Youth Intervention Programs**

30.15 \$3,525,000 the first year and \$3,526,000 the
30.16 second year are for youth intervention
30.17 programs under Minnesota Statutes, section
30.18 299A.73. The base for this appropriation is
30.19 \$3,526,000 in fiscal year 2026 and \$3,525,000
30.20 in fiscal year 2027.

30.21 **(l) Community Crime Intervention and**
30.22 **Prevention Grants**

30.23 \$750,000 each year is for community crime
30.24 intervention and prevention program grants,
30.25 authorized under Minnesota Statutes, section
30.26 299A.296. This is a onetime appropriation.

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

30.28 \$1,000,000 each year is for general crime
30.29 victim grants to meet the needs of victims of
30.30 crime not covered by domestic violence,
30.31 sexual assault, or child abuse services. This is
30.32 a onetime appropriation.

30.33 **(n) Prosecutor Training**

31.1 \$100,000 each year is for a grant to the
31.2 Minnesota County Attorneys Association to
31.3 be used for prosecutorial and law enforcement
31.4 training, including trial school training and
31.5 train-the-trainer courses. All training funded
31.6 with grant proceeds must contain blocks of
31.7 instruction on racial disparities in the criminal
31.8 justice system, collateral consequences to
31.9 criminal convictions, and trauma-informed
31.10 responses to victims. This is a onetime
31.11 appropriation.

31.12 The Minnesota County Attorneys Association
31.13 must report to the chairs and ranking minority
31.14 members of the legislative committees with
31.15 jurisdiction over public safety policy and
31.16 finance on the training provided with grant
31.17 proceeds, including a description of each
31.18 training and the number of prosecutors and
31.19 law enforcement officers who received
31.20 training. The report is due by February 15,
31.21 2025. The report may include trainings
31.22 scheduled to be completed after the date of
31.23 submission with an estimate of expected
31.24 participants.

31.25 **(o) Minnesota Heals**

31.26 \$500,000 each year is for the Minnesota Heals
31.27 grant program. This is a onetime
31.28 appropriation.

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

31.30 \$3,967,000 the first year and \$3,767,000 the
31.31 second year are to reimburse qualified health
31.32 care providers for the expenses associated with
31.33 medical examinations administered to victims
31.34 of criminal sexual conduct as required under

32.1 Minnesota Statutes, section 609.35, and for
32.2 costs to administer the program. The base for
32.3 this appropriation is \$3,771,000 in fiscal year
32.4 2026 and \$3,776,000 in fiscal year 2027.

32.5 **(q) First Responder Mental Health**
32.6 **Curriculum**

32.7 \$75,000 each year is for a grant to the Adler
32.8 graduate school. The grantee must use the
32.9 grant to develop a curriculum for a 24-week
32.10 certificate to train licensed therapists to
32.11 understand the nuances, culture, and stressors
32.12 of the work environments of first responders
32.13 to allow those therapists to provide effective
32.14 treatment to first responders in distress. The
32.15 grantee must collaborate with first responders
32.16 who are familiar with the psychological,
32.17 cultural, and professional issues of their field
32.18 to develop the curriculum and promote it upon
32.19 completion.

32.20 The grantee may provide the program online.

32.21 The grantee must seek to recruit additional
32.22 participants from outside the 11-county
32.23 metropolitan area.

32.24 The grantee must create a resource directory
32.25 to provide law enforcement agencies with
32.26 names of counselors who complete the
32.27 program and other resources to support law
32.28 enforcement professionals with overall
32.29 wellness. The grantee shall collaborate with
32.30 the Department of Public Safety and law
32.31 enforcement organizations to promote the
32.32 directory. This is a onetime appropriation.

32.33 **(r) Pathways to Policing**

33.1 \$400,000 each year is for reimbursement
33.2 grants to state and local law enforcement
33.3 agencies that operate pathway to policing
33.4 programs. Applicants for reimbursement
33.5 grants may receive up to 50 percent of the cost
33.6 of compensating and training program
33.7 participants. Reimbursement grants shall be
33.8 proportionally allocated based on the number
33.9 of grant applications approved by the
33.10 commissioner. This is a onetime appropriation.

33.11 **(s) Direct Assistance to Crime Victim**

33.12 **Survivors**

33.13 \$5,000,000 each year is to provide grants for
33.14 direct services and advocacy for victims of
33.15 sexual assault, general crime, domestic
33.16 violence, and child abuse. Funding must
33.17 support the direct needs of organizations
33.18 serving victims of crime by providing: direct
33.19 client assistance to crime victims; competitive
33.20 wages for direct service staff; hotel stays and
33.21 other housing-related supports and services;
33.22 culturally responsive programming; prevention
33.23 programming, including domestic abuse
33.24 transformation and restorative justice
33.25 programming; and for other needs of
33.26 organizations and crime victim survivors.
33.27 Services funded must include services for
33.28 victims of crime in underserved communities
33.29 most impacted by violence and reflect the
33.30 ethnic, racial, economic, cultural, and
33.31 geographic diversity of the state. The office
33.32 shall prioritize culturally specific programs,
33.33 or organizations led and staffed by persons of
33.34 color that primarily serve communities of
33.35 color, when allocating funds.

34.1 **(t) Racially Diverse Youth**

34.2 \$250,000 each year is for grants to
34.3 organizations to address racial disparity of
34.4 youth using shelter services in the Rochester
34.5 and St. Cloud regional areas. Of this amount,
34.6 \$125,000 each year is to address this issue in
34.7 the Rochester area and \$125,000 each year is
34.8 to address this issue in the St. Cloud area. A
34.9 grant recipient shall establish and operate a
34.10 pilot program connected to shelter services to
34.11 engage in community intervention outreach,
34.12 mobile case management, family reunification,
34.13 aftercare, and follow up when family members
34.14 are released from shelter services. A pilot
34.15 program must specifically address the high
34.16 number of racially diverse youth that enter
34.17 shelters in the regions. This is a onetime
34.18 appropriation.

34.19 **(u) Violence Prevention Project Research**
34.20 **Center**

34.21 \$500,000 each year is for a grant to the
34.22 Violence Prevention Project Research Center,
34.23 operating as a 501(c)(3) organization, for
34.24 research focused on reducing violence in
34.25 society that uses data and analysis to improve
34.26 criminal justice-related policy and practice in
34.27 Minnesota. Research must place an emphasis
34.28 on issues related to deaths and injuries
34.29 involving firearms. This is a onetime
34.30 appropriation.

34.31 Beginning January 15, 2025, the Violence
34.32 Prevention Project Research Center must
34.33 submit an annual report to the chairs and
34.34 ranking minority members of the legislative
34.35 committees with jurisdiction over public safety

35.1 policy and finance on its work and findings.

35.2 The report must include a description of the

35.3 data reviewed, an analysis of that data, and

35.4 recommendations to improve criminal

35.5 justice-related policy and practice in

35.6 Minnesota with specific recommendations to

35.7 address deaths and injuries involving firearms.

35.8 **(v) Report on Approaches to Address Illicit**

35.9 **Drug Use in Minnesota**

35.10 \$118,000 each year is to enter into an

35.11 agreement with Rise Research LLC for a study

35.12 and set of reports on illicit drug use in

35.13 Minnesota describing current responses to that

35.14 use, reviewing alternative approaches utilized

35.15 in other jurisdictions, and making policy and

35.16 funding recommendations for a holistic and

35.17 effective response to illicit drug use and the

35.18 illicit drug trade. The agreement must establish

35.19 a budget and schedule with clear deliverables.

35.20 This appropriation is onetime.

35.21 The study must include a review of current

35.22 policies, practices, and funding; identification

35.23 of alternative approaches utilized effectively

35.24 in other jurisdictions; and policy and funding

35.25 recommendations for a response to illicit drug

35.26 use and the illicit drug trade that reduces and,

35.27 where possible, prevents harm and expands

35.28 individual and community health, safety, and

35.29 autonomy. Recommendations must consider

35.30 impacts on public safety, racial equity,

35.31 accessibility of health and ancillary supportive

35.32 social services, and the intersections between

35.33 drug policy and mental health, housing and

35.34 homelessness, overdose and infectious disease,

35.35 child welfare, and employment.

36.1 Rise Research may subcontract and coordinate
36.2 with other organizations or individuals to
36.3 conduct research, provide analysis, and
36.4 prepare the reports required by this section.

36.5 Rise Research shall submit reports to the
36.6 chairs and ranking minority members of the
36.7 legislative committees with jurisdiction over
36.8 public safety finance and policy, human
36.9 services finance and policy, health finance and
36.10 policy, and judiciary finance and policy. Rise
36.11 Research shall submit an initial report by
36.12 February 15, 2024, and a final report by March
36.13 1, 2025.

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

36.15 \$150,000 each year is for a grant to an
36.16 organization that provides legal representation
36.17 for children in need of protection or services
36.18 and children in out-of-home placement. The
36.19 grant is contingent upon a match in an equal
36.20 amount from nonstate funds. The match may
36.21 be in kind, including the value of volunteer
36.22 attorney time, in cash, or a combination of the
36.23 two. These appropriations are in addition to
36.24 any other appropriations for the legal
36.25 representation of children. This appropriation
36.26 is onetime.

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

36.28 \$250,000 each year are for a grant to the
36.29 Minnesota Justice Research Center to study
36.30 and report on pretrial release practices in
36.31 Minnesota and other jurisdictions, including
36.32 but not limited to the use of bail as a condition
36.33 of pretrial release. This appropriation is
36.34 onetime.

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

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

(z) Youth Services Office

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

Sec. 17. Laws 2023, chapter 52, article 2, section 6, as amended by Laws 2024, chapter 123, article 1, section 12, and Laws 2024, chapter 123, article 1, section 13, is amended to read:

Sec. 6. CORRECTIONS

Subdivision 1. Total Appropriation	\$	12,643,000	\$	797,937,000	\$	825,675,000
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The amounts that may be spent for each purpose are specified in the following subdivisions.

Subd. 2. Incarceration and Prerelease Services	\$	12,643,000	\$	534,412,000	\$	561,421,000
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(a) Operating Deficiency

\$12,643,000 in fiscal year 2023 is to meet financial obligations in fiscal year 2023. This is a onetime appropriation.

(b) Reallocation

Up to \$4,050,000 in fiscal year 2025 may be used for other financial obligations.

~~(b)~~ (c) Body-worn Camera Program

\$1,000,000 each year is to create a body-worn camera program for corrections officers and

38.1 intensive supervised release agents. This
38.2 appropriation is onetime.

38.3 ~~(e)~~ (d) **ARMER Radio System**

38.4 \$1,500,000 each year is to upgrade and
38.5 maintain the ARMER radio system within
38.6 correctional facilities. This is a onetime
38.7 appropriation.

38.8 ~~(d)~~ (e) **Prison Rape Elimination Act**

38.9 \$500,000 each year is for Prison Rape
38.10 Elimination Act (PREA) compliance.

38.11 ~~(e)~~ (f) **State Corrections Safety and Security**

38.12 \$1,932,000 ~~each~~ in fiscal year 2024 and
38.13 \$1,632,000 in fiscal year 2025 is for state
38.14 corrections safety and security investments.
38.15 The base for this appropriation is \$2,625,000
38.16 beginning in fiscal year 2026.

38.17 ~~(f)~~ (g) **Health Services**

38.18 \$2,750,000 each year is for increased health
38.19 care services. The base for this appropriation
38.20 is \$3,400,000 beginning in fiscal year 2026.

38.21 ~~(g)~~ (h) **Educational Programming and**
38.22 **Support Services**

38.23 \$5,600,000 the first year and ~~\$4,000,000~~
38.24 \$1,000,000 the second year are for educational
38.25 programming and support services. The base
38.26 for this purpose is \$2,000,000 beginning in
38.27 fiscal year 2026.

38.28 ~~(h)~~ (i) **Family Support Unit**

38.29 \$480,000 each year is for a family support
38.30 unit.

38.31 ~~(i)~~ (j) **Inmate Phone Calls**

39.1 \$3,100,000 each year is to provide voice
 39.2 communication services for incarcerated
 39.3 persons under Minnesota Statutes, section
 39.4 241.252. Any unencumbered balance
 39.5 remaining at the end of the first year may be
 39.6 carried forward into the second year. If this
 39.7 appropriation is greater than the cost of
 39.8 providing voice communication services,
 39.9 remaining funds must be used to offset the
 39.10 cost of other communication services.

39.11 ~~(j)~~ (k) **Virtual Court Coordination**

39.12 \$500,000 each year is for virtual court
 39.13 coordination and modernization.

39.14 ~~(k)~~ (l) **Supportive Arts for Incarcerated**
 39.15 **Persons**

39.16 \$425,000 the first year is for supportive arts
 39.17 for incarcerated persons grants as provided
 39.18 for in section 17. Of this amount, up to ten
 39.19 percent is for administration, including facility
 39.20 space, access, liaison, and monitoring. Any
 39.21 unencumbered balance remaining at the end
 39.22 of the first year does not cancel but is available
 39.23 for this purpose in the second year.

39.24 ~~(l)~~ (m) **Successful Re-entry**

39.25 \$375,000 the first year and ~~\$875,000~~ \$375,000
 39.26 the second year are for reentry initiatives,
 39.27 including a culturally specific release program
 39.28 for Native American incarcerated individuals.
 39.29 The base for this appropriation beginning in
 39.30 fiscal year 2026 is \$875,000.

39.31 ~~(m)~~ (n) **Evidence-based Correctional**
 39.32 **Practices Unit**

40.1 \$750,000 ~~each~~ in fiscal year 2024 and
40.2 \$500,000 in fiscal year 2025 is to establish
40.3 and maintain a unit to direct and oversee the
40.4 use of evidence-based correctional practices
40.5 across the department and supervision delivery
40.6 systems. The base for this appropriation
40.7 beginning in fiscal year 2026 is \$750,000.

40.8 ~~(n)~~ (o) **Interstate Compact for Adult**
40.9 **Supervision; Transfer Expense**
40.10 **Reimbursement**

40.11 \$250,000 each year is for reimbursements
40.12 under Minnesota Statutes, section 243.1609.
40.13 This is a onetime appropriation.

40.14 ~~(o)~~ (p) **Task Force on Aiding and Abetting**
40.15 **Felony Murder**

40.16 \$25,000 the first year is for costs associated
40.17 with the revival of the task force on aiding and
40.18 abetting felony murder.

40.19 ~~(p)~~ (q) **Incarceration and Prerelease**
40.20 **Services Base Budget**

40.21 The base for incarceration and prerelease
40.22 services is \$552,775,000 in fiscal year 2026
40.23 and \$553,043,000 in fiscal year 2027.

40.24 Subd. 3. **Community**
40.25 **Supervision and Postrelease**
40.26 **Services**

189,939,000

190,953,000

40.27 **(a) Community Supervision Funding**

40.28 \$143,378,000 each year is for community
40.29 supervision services. This appropriation shall
40.30 be distributed according to the community
40.31 supervision formula in Minnesota Statutes,
40.32 section 401.10.

40.33 ~~(b) Tribal Nation Supervision~~

41.1 ~~\$2,750,000 each year is for Tribal Nations to~~
41.2 ~~provide supervision or supportive services~~
41.3 ~~pursuant to Minnesota Statutes, section~~
41.4 ~~401.10.~~

41.5 **(b) Reallocation**

41.6 Up to \$5,750,000 in fiscal year 2025 may be
41.7 used for other financial obligations.

41.8 **(c) Postrelease Sex Offender Program**

41.9 \$1,915,000 each year is for postrelease sex
41.10 offender treatment services and initiatives.

41.11 **(d) Community Supervision Advisory**

41.12 **Committee**

41.13 \$75,000 the first year is to fund the community
41.14 supervision advisory committee under
41.15 Minnesota Statutes, section 401.17.

41.16 **(e) Regional and County Jails Study and**
41.17 **Report**

41.18 \$150,000 the first year is to fund the
41.19 commissioner's study and report on the
41.20 consolidation or merger of county jails and
41.21 alternatives to incarceration for persons
41.22 experiencing mental health disorders.

41.23 **(f) Work Release Programs**

41.24 \$500,000 each year is for work release
41.25 programs.

41.26 **(g) County Discharge Plans**

41.27 \$80,000 each year is to develop model
41.28 discharge plans pursuant to Minnesota
41.29 Statutes, section 641.155. This appropriation
41.30 is onetime.

41.31 **(h) Housing Initiatives**

42.1 \$2,130,000 ~~each~~ in fiscal year 2024 and
42.2 \$880,000 in fiscal year 2025 is for housing
42.3 initiatives to support stable housing of
42.4 incarcerated individuals upon release. The
42.5 base for this purpose beginning in fiscal year
42.6 2026 is \$1,685,000. ~~Of this amount:~~

42.7 ~~(1) \$1,000,000 each year is for housing~~
42.8 ~~stabilization prerelease services and program~~
42.9 ~~evaluation. The base for this purpose~~
42.10 ~~beginning in fiscal year 2026 is \$760,000;~~

42.11 ~~(2) \$500,000 each year is for rental assistance~~
42.12 ~~for incarcerated individuals approaching~~
42.13 ~~release, on supervised release, or on probation~~
42.14 ~~who are at risk of homelessness;~~

42.15 ~~(3) \$405,000 each year is for culturally~~
42.16 ~~responsive trauma-informed transitional~~
42.17 ~~housing. The base for this purpose beginning~~
42.18 ~~in fiscal year 2026 is \$200,000; and~~

42.19 ~~(4) \$225,000 each year is for housing~~
42.20 ~~coordination activities.~~

42.21 **(i) Community Supervision and Postrelease**
42.22 **Services Base Budget**

42.23 The base for community supervision and
42.24 postrelease services is \$189,272,000 in fiscal
42.25 year 2026 and \$189,172,000 in fiscal year
42.26 2027.

42.27 **(j) Naloxone**

42.28 \$2,000 each year is to purchase naloxone for
42.29 supervised release agents to use to respond to
42.30 overdoses.

42.31 **Subd. 4. Organizational, Regulatory, and**
42.32 **Administrative Services**

73,586,000

73,301,000

42.33 **(a) Public Safety Data Infrastructure**

43.1 \$22,914,000 the first year and \$22,915,000
43.2 the second year are for technology
43.3 modernization and the development of an
43.4 information-sharing and data-technology
43.5 infrastructure. The base for this purpose is
43.6 \$4,097,000 beginning in fiscal year 2026. Any
43.7 unspent funds from the current biennium do
43.8 not cancel and are available in the next
43.9 biennium.

43.10 **(b) Reallocation**

43.11 Up to \$200,000 in fiscal year 2025 may be
43.12 used for other financial obligations.

43.13 ~~(b)~~ **(c) Supervised Release Board**

43.14 \$40,000 each year is to establish and operate
43.15 the supervised release board pursuant to
43.16 Minnesota Statutes, section 244.049.

43.17 ~~(c)~~ **(d) Recruitment and Retention**

43.18 \$3,200,000 the first year and \$400,000 the
43.19 second year are for recruitment and retention
43.20 initiatives. Of this amount, \$2,800,000 the first
43.21 year is for staff recruitment, professional
43.22 development, conflict resolution, and staff
43.23 wellness, and to contract with community
43.24 collaborative partners who specialize in trauma
43.25 recovery.

43.26 ~~(d)~~ **(e) Clemency Review Commission**

43.27 \$986,000 the first year is for the clemency
43.28 review commission described in Minnesota
43.29 Statutes, section 638.09. Of this amount,
43.30 \$200,000 each year is for grants to support
43.31 outreach and clemency application assistance.
43.32 Any unencumbered balance remaining in the
43.33 first year does not cancel, but must be

44.1 transferred to the Clemency Review
44.2 Commission by July 30, 2024. Funds
44.3 transferred under this paragraph are available
44.4 until June 30, 2025.

44.5 ~~(e)~~ (f) **Accountability and Transparency**

44.6 \$1,000,000 each in fiscal year 2024 and
44.7 \$800,000 in fiscal year 2025 is for
44.8 accountability and transparency initiatives.
44.9 The base for this appropriation is \$1,480,000
44.10 beginning in fiscal year 2026.

44.11 ~~(f)~~ (g) **Organizational, Regulatory, and**
44.12 **Administrative Services Base Budget**

44.13 The base for organizational, regulatory, and
44.14 administrative services is \$54,863,000 in fiscal
44.15 year 2026 and \$54,663,000 in fiscal year 2027.

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

44.17 Sec. 18. Laws 2023, chapter 68, article 1, section 4, subdivision 2, is amended to read:

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

44.19	(a) Office of Communications	896,000	1,148,000
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44.20 This appropriation is from the general fund.

44.21	(b) Public Safety Support	9,976,000	11,773,000
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44.22 Appropriations by Fund

44.23		2024	2025
44.24	General	5,049,000	6,564,000
44.25	Trunk Highway	4,927,000	5,209,000

44.26 \$1,482,000 in each year is from the general
44.27 fund for staff and operating costs related to
44.28 public engagement activities.

44.29	(c) Public Safety Officer Survivor Benefits	640,000	640,000
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44.30 This appropriation is from the general fund
44.31 for payment of public safety officer survivor

45.1 benefits under Minnesota Statutes, section
45.2 299A.44. If the appropriation for either year
45.3 is insufficient, the appropriation for the other
45.4 year is available for it. This appropriation is
45.5 available until June 30, 2027.

45.6	(d) Public Safety Officer Reimbursements	1,367,000	1,367,000
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45.7 This appropriation is from the general fund
45.8 for transfer to the public safety officer's benefit
45.9 account. This appropriation is available for
45.10 reimbursements under Minnesota Statutes,
45.11 section 299A.465.

45.12	(e) Soft Body Armor Reimbursements	745,000	745,000
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45.13 This appropriation is from the general fund
45.14 for soft body armor reimbursements under
45.15 Minnesota Statutes, section 299A.38.

45.16	(f) Technology and Support Services	6,712,000	6,783,000
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45.17 Appropriations by Fund

45.18		2024	2025
45.19	General	1,645,000	1,684,000
45.20	Trunk Highway	5,067,000	5,099,000

45.21 **Sec. 19. TASK FORCE ON MANDATORY MINIMUM SENTENCES.**

45.22 Subdivision 1. **Definition.** As used in this section, "mandatory minimum" means
45.23 legislatively defined, predetermined sentencing requirements, including but not limited to
45.24 sentencing requirements under Minnesota Statutes, sections 152.021, 152.022, and 609.11,
45.25 that mandate a minimum period of commitment to the commissioner of corrections upon
45.26 conviction for certain offenses.

45.27 Subd. 2. **Establishment.** The Task Force on Mandatory Minimum Sentences is
45.28 established to collect and analyze data on the charging, convicting, and sentencing of persons
45.29 to mandatory minimum sentences; assess whether current laws and practices promote public
45.30 safety and equity in sentencing; and make recommendations to the legislature.

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

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

46.1 (2) the executive director of the Minnesota Sentencing Guidelines Commission, or a
46.2 designee;

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

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

46.5 (5) one defense attorney, appointed by the Minnesota Association of Criminal Defense
46.6 Lawyers;

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

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

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

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

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

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

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

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

46.24 (c) Members shall serve without compensation.

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

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

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

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

47.7 (d) To compile and analyze data, the task force shall request the cooperation and
47.8 assistance of local law enforcement agencies, the Minnesota Sentencing Guidelines
47.9 Commission, the judicial branch, the Bureau of Criminal Apprehension, county attorneys,
47.10 and Tribal governments and may request the cooperation of academics and others with
47.11 experience and expertise in researching the impact of mandatory minimum sentences.

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

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

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

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

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

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

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

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

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

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

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

(i) promote public safety; and

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

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

(i) the collection and reporting of data; and

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

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

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

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

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

Sec. 20. PROCESS FOR RETROACTIVE CLAIMS.

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

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

ARTICLE 3

FINANCIAL CRIMES AND FRAUD INVESTIGATIONS

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

Subdivision 1. **Application.** This section shall apply to agencies which carry on a law enforcement function, including but not limited to municipal police departments, county sheriff departments, fire departments, the Bureau of Criminal Apprehension, the Minnesota State Patrol, the Board of Peace Officer Standards and Training, ~~the Department of Commerce,~~ and county human service agency client and provider fraud investigation, 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
Less than \$10,000,000	\$ 400
\$10,000,000 to \$100,000,000	\$ 1,500
Over \$100,000,000	\$ 4,000

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

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

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

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

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

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

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

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

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

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

52.1 (1) \$20,000 if the funds or the value of the property or services wrongfully obtained
52.2 exceeds \$5,000;

52.3 (2) \$10,000 if the funds or value of the property or services wrongfully obtained exceeds
52.4 \$1,000, but not more than \$5,000;

52.5 (3) \$3,000 if the funds or value of the property or services wrongfully obtained is more
52.6 than \$500, but not more than \$1,000; and

52.7 (4) \$1,000 if the funds or value of the property or services wrongfully obtained is \$500
52.8 or less.

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

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

52.16 (e) For purposes of this subdivision, "insurance fraud" has the meaning given in section
52.17 60A.951, subdivision 4.

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

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

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

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

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

53.2 Subd. 2. **Notice to and cooperation with the ~~Commerce-Fraud~~ Bureau of Criminal**
53.3 **Apprehension**. Any insurer or insurance professional that has reasonable belief that an act
53.4 of insurance fraud will be, is being, or has been committed, shall furnish and disclose all
53.5 relevant information to the ~~Commerce-Fraud~~ Bureau of Criminal Apprehension or to any
53.6 authorized person and cooperate fully with any investigation conducted by the ~~Commerce~~
53.7 ~~Fraud~~ Bureau of Criminal Apprehension. Any person that has a reasonable belief that an
53.8 act of insurance fraud will be, is being, or has been committed, or any person who collects,
53.9 reviews, or analyzes information concerning insurance fraud may furnish and disclose any
53.10 information in its possession concerning the act to the Commerce Fraud Bureau, any
53.11 authorized person, or to an authorized representative of an insurer that requests the
53.12 information for the purpose of detecting, prosecuting, or preventing insurance fraud. The
53.13 insurer may also release relevant information to any person authorized to receive the
53.14 information under section 72A.502, subdivision 2. If disclosure is made to an authorized
53.15 person other than the ~~Commerce-Fraud~~ Bureau of Criminal Apprehension, a copy of the
53.16 disclosure must be sent to the ~~Commerce-Fraud~~ Bureau of Criminal Apprehension.

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

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

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

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

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

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

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

54.14 **60A.956 OTHER LAW ENFORCEMENT AUTHORITY.**

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

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

54.23 **65B.84 AUTOMOBILE THEFT PREVENTION PROGRAM.**

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

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

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

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

55.5 (4) develop a plan of operation including:

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

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

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

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

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

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

55.15 (i) paying the administrative costs of the program;

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

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

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

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

55.25 (vi) providing financial support for neighborhood or community organizations or business
55.26 organizations for programs designed to reduce the incidence of automobile theft and to
55.27 educate people about the common methods of automobile theft, the models of automobiles
55.28 most likely to be stolen, and the times and places automobile theft is most likely to occur;
55.29 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 297L.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:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

58.14 (11) local and state welfare agencies for monitoring the eligibility of the data subject
58.15 for assistance programs, or for any employment or training program administered by those
58.16 agencies, whether alone, in combination with another welfare agency, or in conjunction
58.17 with the department or to monitor and evaluate the statewide Minnesota family investment
58.18 program and other cash assistance programs, the Supplemental Nutrition Assistance Program,
58.19 and the Supplemental Nutrition Assistance Program Employment and Training program by
58.20 providing data on recipients and former recipients of Supplemental Nutrition Assistance
58.21 Program (SNAP) benefits, cash assistance under chapter 256, 256D, 256J, or 256K, child
58.22 care assistance under chapter 142E, or medical programs under chapter 256B or 256L or
58.23 formerly codified under chapter 256D;

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

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

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

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

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

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

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

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

(b) Data on individuals and employers that are collected, maintained, or used by the department in an investigation under section 268.182 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.

(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

61.1 statute or district court order or to a party named in a criminal proceeding, administrative
61.2 or judicial, for preparation of a defense.

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

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

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

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

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

61.16 (b) "Fraud involving state funded or administered programs or services" includes any
61.17 violation of section 609.445, 609.465, 609.466, 609.52, 609.5523, 609.611, 609.651,
61.18 609.7475, or 609.821 involving a state agency or state funded or administered program or
61.19 service.

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

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

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

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

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

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

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

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

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

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

62.11 (iii) wage theft and related crimes; and

62.12 (iv) any other financial crimes; and

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

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

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

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

62.30 (d) Referral to the Section under this subdivision is not required when a state agency is
62.31 required to refer the fraudulent activity to the state Medicaid Fraud Control Unit in

63.1 accordance with Code of Federal Regulations, title 42, section 455.21(A)(1)(a), and section
63.2 256B.04, subdivision 10.

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

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

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

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

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

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

63.25 (1) the number of investigations initiated;

63.26 (2) the number of allegations investigated;

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

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

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

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

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

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

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

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

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

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

64.12 Subd. 9. **Funding allocation.** One hundred percent of the funding allocated to the Bureau
64.13 of Criminal Apprehension for the assessment in subdivision 10 may only be used for the
64.14 investigation of insurance fraud and related crimes, as defined in sections 60A.951,
64.15 subdivision 4, and 609.611, and support of those activities.

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

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

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

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

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

64.23 (c) "Law enforcement agency" means a Minnesota municipal police department, the
64.24 Metropolitan Transit Police, the Metropolitan Airports Police, the University of Minnesota
64.25 Police Department, the Department of Corrections Fugitive Apprehension Unit, a Minnesota
64.26 county sheriff's department, the Enforcement Division of the Department of Natural
64.27 Resources, ~~the Commerce Fraud Bureau,~~ the Bureau of Criminal Apprehension, or the
64.28 Minnesota State Patrol.

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

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

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

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

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

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

65.12 (e) "Appropriate agency" means the Bureau of Criminal Apprehension, ~~the Department~~
65.13 ~~of Commerce Fraud Bureau~~, the Minnesota Division of Driver and Vehicle Services, the
65.14 Minnesota State Patrol, a county sheriff's department, the Three Rivers Park District
65.15 Department of Public Safety, the Department of Natural Resources Division of Enforcement,
65.16 the University of Minnesota Police Department, the Department of Corrections Fugitive
65.17 Apprehension Unit, a city, metropolitan transit, or airport police department; or a
65.18 multijurisdictional entity established under section 299A.642 or 299A.681.

65.19 (f) "Designated offense" includes:

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

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

65.23 (3) for all other purposes: a felony violation of, or a felony-level attempt or conspiracy
65.24 to violate, section 325E.17; 325E.18; 609.185; 609.19; 609.195; 609.2112; 609.2113;
65.25 609.2114; 609.221; 609.222; 609.223; 609.2231; 609.2335; 609.24; 609.245; 609.247;
65.26 609.25; 609.255; 609.282; 609.283; 609.322; 609.342, subdivision 1, or subdivision 1a,
65.27 clauses (a) to (f) and (i); 609.343, subdivision 1, or subdivision 1a, clauses (a) to (f) and (i);
65.28 609.344, subdivision 1, or subdivision 1a, clauses (a) to (e), (h), or (i); 609.345, subdivision
65.29 1, or subdivision 1a, clauses (a) to (e), (h), and (i); 609.352; 609.42; 609.425; 609.466;
65.30 609.485; 609.487; 609.52; 609.525; 609.527; 609.528; 609.53; 609.54; 609.551; 609.561;
65.31 609.562; 609.563; 609.582; 609.59; 609.595; 609.611; 609.631; 609.66, subdivision 1e;
65.32 609.671, subdivisions 3, 4, 5, 8, and 12; 609.687; 609.821; 609.825; 609.86; 609.88; 609.89;
65.33 609.893; 609.895; 617.246; 617.247; or a gross misdemeanor or felony violation of section

66.1 609.891 or 624.7181; or any violation of section 609.324; or a felony violation of, or a
66.2 felony-level attempt or conspiracy to violate, Minnesota Statutes 2012, section 609.21.

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

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

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

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

66.11 Subd. 2. **Peace officer.** The term "peace officer," as used in sections 626.04 to 626.17,
66.12 means a person who is licensed as a peace officer in accordance with section 626.84,
66.13 subdivision 1, and who serves as a sheriff, deputy sheriff, police officer, conservation officer,
66.14 agent of the Bureau of Criminal Apprehension, agent of the Division of Alcohol and
66.15 Gambling Enforcement, ~~peace officer of the Commerce Fraud Bureau~~, University of
66.16 Minnesota peace officer, Metropolitan Transit police officer, Minnesota Department of
66.17 Corrections Fugitive Apprehension Unit member, State Patrol trooper as authorized by
66.18 section 299D.03, or railroad peace officer as authorized by section 219.995 and United
66.19 States Code, title 49, section 28101.

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

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

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

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

66.25 (c) "Peace officer" means:

66.26 (1) an employee or an elected or appointed official of a political subdivision or law
66.27 enforcement agency who is licensed by the board, charged with the prevention and detection
66.28 of crime and the enforcement of the general criminal laws of the state and who has the full
66.29 power of arrest, and shall also include the Minnesota State Patrol, agents of the Division of
66.30 Alcohol and Gambling Enforcement, state conservation officers, Metropolitan Transit police
66.31 officers, Department of Corrections Fugitive Apprehension Unit officers, ~~Department of~~

67.1 ~~Commerce Fraud Bureau Unit officers~~, the statewide coordinator of the Violent Crime
67.2 Coordinating Council, and railroad peace officers as authorized by section 219.995 and
67.3 United States Code, title 49, section 28101; and

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

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

67.14 (e) "Reserve officer" means an individual whose services are utilized by a law
67.15 enforcement agency to provide supplementary assistance at special events, traffic or crowd
67.16 control, and administrative or clerical assistance, and shall include reserve deputies, special
67.17 deputies, mounted or unmounted patrols, and all other employees or volunteers performing
67.18 reserve officer functions. A reserve officer's duties do not include enforcement of the general
67.19 criminal laws of the state, and the officer does not have full powers of arrest or authorization
67.20 to carry a firearm on duty.

67.21 (f) "Law enforcement agency" means:

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

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

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

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

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

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

(2) licensed by the board.

Sec. 24. **REVISOR INSTRUCTION.**

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

Column A

Column B

45.0135, subdivision 6

299C.061, subdivision 9

45.0135, subdivision 7

299C.061, subdivision 10

45.0135, subdivision 8

299C.061, subdivision 11

45.0135, subdivision 9

299C.061, subdivision 12

299C.061, subdivision 9

299C.061, subdivision 13

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;

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

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

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

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

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

72.11 Subd. 2. **Prohibited conduct.** (a) No person may knowingly engage in any of the
72.12 following activities in the presence of a child or vulnerable adult; in the residence of a child
72.13 or a vulnerable adult; in a building, structure, conveyance, or outdoor location where a child
72.14 or vulnerable adult might reasonably be expected to be present; in a room offered to the
72.15 public for overnight accommodation; or in any multiple unit residential building:

72.16 (1) manufacturing or attempting to manufacture methamphetamine;

72.17 (2) storing any chemical substance;

72.18 (3) storing any methamphetamine waste products; or

72.19 (4) storing any methamphetamine paraphernalia.

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

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

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

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

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

72.29 (1) the person was charged with or petitioned for a felony violation of or attempt to
72.30 violate, or aiding, abetting, or conspiracy to commit, any of the following, and convicted

73.1 of or adjudicated delinquent for that offense or another offense arising out of the same set
73.2 of circumstances:

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

73.4 (ii) kidnapping under section 609.25;

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

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

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

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

73.13 (i) criminal abuse in violation of Minnesota Statutes 2020, section 609.2325, subdivision
73.14 1, paragraph (b);

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

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

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

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

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

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

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

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

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

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

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

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

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

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

74.18 (c) A person also shall register under this section if the person was committed pursuant
74.19 to a court commitment order under Minnesota Statutes 2012, section 253B.185, chapter
74.20 253D, Minnesota Statutes 1992, section 526.10, or a similar law of another state or the
74.21 United States, regardless of whether the person was convicted of any offense.

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

74.23 (1) the person was charged with or petitioned for a felony violation or attempt to violate
74.24 any of the offenses listed in paragraph (a), clause (1), or a similar law of another state or
74.25 the United States, or the person was charged with or petitioned for a violation of any of the
74.26 offenses listed in paragraph (a), clause (2), or a similar law of another state or the United
74.27 States;

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

74.31 (3) the person was committed pursuant to a court commitment order under section
74.32 253B.18 or a similar law of another state or the United States.

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

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

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

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

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

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

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

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

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

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

75.29 **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;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(1) causes the death of a human being, without intent to effect the death of any person, while committing or attempting to commit a ~~felony offense other than criminal sexual conduct in the first or second degree with force or violence or a drive-by shooting~~ 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, drive-by shooting, tampering with a witness in the first degree, escape from custody, malicious punishment of a child, domestic assault, domestic assault by strangulation, or a crime to further terrorism; or a felony-level violation of chapter 152 involving the unlawful sale of a controlled substance; or

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

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

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

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

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

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

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

(1) either:

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

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

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

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

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

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

Subdivision 1. **Crime.** (a) A person who knowingly adulterates or alters a controlled substance or drug with fentanyl or substitutes a controlled substance or drug with fentanyl 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.

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

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

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

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

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

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

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

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

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

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

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

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

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

82.1 intentionally deceiving the government entity or third party with a false representation which
82.2 is known to be false, is made with intent to defraud, and does defraud the government entity
82.3 or third party to whom it is made. False representation includes without limitation:

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

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

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

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

82.14 (1) to imprisonment for not more than 24 years or to payment of a fine of not more than
82.15 \$100,000, or both, if the value of the property stolen is more than \$35,000;

82.16 (2) to imprisonment for not more than 12 years or to payment of a fine of not more than
82.17 \$20,000, or both, if the value of the property stolen exceeds \$5,000; or

82.18 (3) to imprisonment for not more than six years or to payment of a fine of not more than
82.19 \$10,000, or both, if the value of the property stolen is more than \$1,000 but not more than
82.20 \$5,000.

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

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

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

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

82.30 (1) any line erected or maintained for the purpose of transmitting electricity for light,
82.31 heat, or power, or any insulator or cross-arm, appurtenance or apparatus connected to the
82.32 line, or any wire, cable, or current of the line; or any component used in the generation,

83.1 transmission, or distribution of electricity, including equipment used for grounding, system
83.2 protection, or personnel protection;

83.3 (2) any pipe or main or hazardous liquid pipeline erected, operated, or maintained for
83.4 the purpose of transporting, conveying, or distributing gas or other hazardous liquids for
83.5 light, heat, power, or any other purpose, or any part of the pipe, main, or pipeline, or any
83.6 valve, meter, holder, compressor, machinery, appurtenance, equipment, or apparatus
83.7 connected with any main or pipeline; or

83.8 (3) any machinery, equipment, or fixtures used in receiving, initiating, amplifying,
83.9 processing, transmitting, retransmitting, recording, switching, or monitoring
83.10 telecommunications services, such as computers, transformers, amplifiers, routers, repeaters,
83.11 multiplexers, and other items performing comparable functions; and machinery, equipment,
83.12 and fixtures used in the transportation of telecommunications services, broadband services,
83.13 cable services, radio transmitters and receivers, satellite equipment, microwave equipment,
83.14 and other transporting media including wire, cable, fiber, poles, and conduit;

83.15 is guilty of a crime and may be sentenced as provided in subdivision 2.

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

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

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

83.24 (1) an elected official;

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

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

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

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

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

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

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

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

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

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

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

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

84.13 (2) sadomasochistic abuse, meaning flagellation, torture, or similar demeaning acts
84.14 inflicted by or upon a person who is nude or clad in undergarments or in a revealing costume,
84.15 or the condition of being fettered, bound or otherwise physically restrained on the part of
84.16 one so clothed;

84.17 (3) masturbation;

84.18 (4) lewd exhibitions of the genitals; or

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

84.23 (f) "Pornographic work" means:

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

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

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

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

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

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

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

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

Sec. 21. **[617.2471] IMMUNITY.**

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

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

(2) for content provided by another person.

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

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

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

Subd. 2. **Dissemination prohibited.** (a) A person who knowingly, or with reason to know, disseminates a child-like sex doll to an adult or a minor, is guilty of a felony and may

86.1 be sentenced to imprisonment for not more than seven years or to payment of a fine of not
86.2 more than \$10,000, or both.

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

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

86.8 (2) the violation occurs when the person is a registered predatory offender under section
86.9 243.166; or

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

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

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

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

86.20 (2) the violation occurs when the person is a registered predatory offender under section
86.21 243.166; or

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

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

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

Subd. 6. **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, 617.246, 617.247, or 617.249, or any similar statute of the United States, this state, or any other 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.

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

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

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

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

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

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

Subd. 2. **Use of minor.** (a) It is unlawful for a person to promote, employ, use, or permit a minor to engage in or assist others to engage minors in the modeling for the creation of a child-like sex doll if the person knows or has reason to know that the conduct intended is to create a child-like sex doll.

(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.

(c) 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, 617.247, or 617.248;

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

88.1 (3) the violation involved a minor under the age of 14 years.

88.2 Subd. 3. **Operation or ownership of business.** (a) It is unlawful for a person who owns
88.3 or operates a business to intentionally disseminate or reproduce a child-like sex doll where
88.4 a minor was used or employed in the modeling for the creation of the child-like sex doll.

88.5 (b) A person who violates paragraph (a) is guilty of a felony and may be sentenced to
88.6 imprisonment for not more than ten years or to payment of a fine of not more than \$10,000,
88.7 or both.

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

88.11 (1) the person has a prior conviction or delinquency adjudication for violating this section
88.12 or section 617.246, 617.247, or 617.248;

88.13 (2) the violation occurs when the person is a registered predatory offender under section
88.14 243.166; or

88.15 (3) the violation involved a minor under the age of 14 years.

88.16 Subd. 4. **Dissemination.** (a) A person who intentionally disseminates for profit to an
88.17 adult or a minor a child-like sex doll that used or employed a minor in the modeling for the
88.18 creation of the child-like sex doll is guilty of a felony and may be sentenced to imprisonment
88.19 for not more than ten years or to payment of a fine of not more than \$10,000, or both.

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

88.23 (1) the person has a prior conviction or delinquency adjudication for violating this section
88.24 or section 617.246, 617.247, or 617.248;

88.25 (2) the violation occurs when the person is a registered predatory offender under section
88.26 243.166; or

88.27 (3) the violation involved a minor under the age of 14 years.

88.28 Subd. 5. **Consent; mistake.** Neither consent to the modeling for the creation of a
88.29 child-like sex doll by a minor or the minor's parent, guardian, or custodian nor mistake as
88.30 to the minor's age is a defense to a charge of violation of this section.

88.31 Subd. 6. **Conditional release term.** Notwithstanding the statutory maximum sentence
88.32 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, 617.246, 617.247, or 617.248, or any similar statute of the United States, this state, or any other 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.

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

Sec. 24. LIABILITY FOR MURDER COMMITTED BY ANOTHER;
RETROACTIVE APPLICATION.

Subdivision 1. **Purpose.** Any person convicted of a violation of Minnesota Statutes, section 609.185, paragraph (a), clause (1), under the theory of liability for crimes of another and who is in the custody of the commissioner of corrections or under court supervision is entitled to petition to have the person's conviction vacated pursuant to this section.

Subd. 2. **Notification.** (a) By September 1, 2026, the commissioner of corrections shall notify individuals convicted of a violation of Minnesota Statutes, section 609.185, paragraph (a), clause (1), of the right to file a preliminary application for relief if the person was convicted of a violation of Minnesota Statutes, section 609.185, paragraph (a), clause (1), and the person:

(1) did not cause the death of a human being; and

(2) did not intentionally aid, advise, hire, counsel, or conspire with or otherwise procure another with premeditation or the intent to cause the death of a human being.

(b) The notice shall include the address of the court administration of the judicial district of conviction.

(c) The commissioner of corrections may coordinate with the judicial branch to establish a standardized notification form.

Subd. 3. **Preliminary application.** (a) An applicant shall submit a preliminary application to the court administration of the judicial district in which the conviction took place. The preliminary application must contain:

(1) the applicant's name and, if different, the name under which the person was convicted;

- 90.1 (2) the applicant's date of birth;
- 90.2 (3) the district court case number of the case for which the person is seeking relief;
- 90.3 (4) a statement as to whether the applicant was convicted following a trial or pursuant
- 90.4 to a plea;
- 90.5 (5) a statement as to whether the person filed a direct appeal from the conviction, a
- 90.6 petition for postconviction relief, or both;
- 90.7 (6) a brief statement, not to exceed 3,000 words, explaining why the applicant is entitled
- 90.8 to relief under this section from a conviction for the death of a human being caused by
- 90.9 another; and
- 90.10 (7) the name and address of any attorney representing the applicant.
- 90.11 (b) The preliminary application may contain:
- 90.12 (1) the name, date of birth, and district court case number of any other person charged
- 90.13 with, or convicted of, a crime arising from the same set of circumstances for which the
- 90.14 applicant was convicted; and
- 90.15 (2) a copy of a criminal complaint or indictment, or the relevant portions of a presentence
- 90.16 investigation or life imprisonment report, describing the facts of the case for which the
- 90.17 applicant was convicted.
- 90.18 (c) The judicial branch may establish a standardized preliminary application form, but
- 90.19 shall not reject a preliminary application for failure to use a standardized form.
- 90.20 (d) Any person seeking relief under this section must submit a preliminary application
- 90.21 no later than October 1, 2027. Submission is complete upon mailing.
- 90.22 (e) Submission of a preliminary application shall be without costs or any fees charged
- 90.23 to the applicant.
- 90.24 **Subd. 4. Review of preliminary application.** (a) Upon receipt of a preliminary
- 90.25 application, the chief judge of the judicial district in which the conviction took place shall
- 90.26 promptly assign the matter to a judge in that district.
- 90.27 (b) Within 90 days of receiving the preliminary application, the reviewing judge shall
- 90.28 determine whether, in the discretion of that judge, there is a reasonable probability that the
- 90.29 application is entitled to relief under this section.

91.1 (c) In making the determination under paragraph (b), the reviewing judge shall consider
91.2 the preliminary application and any materials submitted with the preliminary application
91.3 and may consider relevant records in the possession of the judicial branch.

91.4 (d) The court may summarily deny an application when:

91.5 (1) the application does not contain the information required under subdivision 3,
91.6 paragraph (a);

91.7 (2) the applicant is not in the custody of the commissioner of corrections or under court
91.8 supervision;

91.9 (3) the applicant was not convicted of a violation of Minnesota Statutes, section 609.185,
91.10 paragraph (a), clause (1), for crimes committed before August 1, 2025; or

91.11 (4) the issues raised in the application are not relevant to the relief available under this
91.12 section or have previously been decided by the court of appeals or the supreme court in the
91.13 same case.

91.14 (e) The court may also summarily deny an application if the applicant has filed a second
91.15 or successive preliminary application, any prior application was denied for a reason other
91.16 than that it did not contain the information required under subdivision 3, paragraph (a), and:

91.17 (1) the reviewing judge previously determined that there was a reasonable probability
91.18 that the applicant was entitled to relief, but a court determined that the petitioner did not
91.19 qualify for relief under subdivision 6;

91.20 (2) a previous application was submitted by an attorney representing the applicant; or

91.21 (3) the reviewing judge previously determined that there was not a reasonable probability
91.22 that the applicant is entitled to relief, the second or successive preliminary application does
91.23 not contain any additional information described in subdivision 3, paragraph (b), and the
91.24 second or successive preliminary application was submitted by someone other than an
91.25 attorney representing the applicant.

91.26 (f) If the reviewing judge determines that there is a reasonable probability that the
91.27 applicant is entitled to relief, the judge shall send notice to the applicant and the applicant's
91.28 attorney, if any, and the prosecutorial office responsible for prosecuting the applicant. In
91.29 the event the applicant is without counsel, the reviewing judge shall send notice to the state
91.30 public defender and shall advise the applicant of the referral.

91.31 (g) If the reviewing judge determines that there is not a reasonable probability that the
91.32 applicant is entitled to relief, the judge shall send notice to the applicant and the applicant's

92.1 attorney, if any. The notice must contain a brief statement explaining the reasons the
92.2 reviewing judge concluded that there is not a reasonable probability that the applicant is
92.3 entitled to relief.

92.4 Subd. 5. **Petition for relief; hearing.** (a) Unless extended for good cause, within 60
92.5 days of filing of the notice sent pursuant to subdivision 4, paragraph (f), the individual
92.6 seeking relief shall file and serve a petition to vacate the conviction. The petition must be
92.7 filed in the district court of the judicial district in the county where the conviction took place
92.8 and must contain the information identified in subdivision 3, paragraph (a), and a statement
92.9 of why the petitioner is entitled to relief. The petition may contain any other relevant
92.10 information, including police reports, trial transcripts, and plea transcripts involving the
92.11 petitioner or any other person investigated for, charged with, or convicted of a crime arising
92.12 out of the same set of circumstances for which the petitioner was convicted. The filing of
92.13 the petition and any document subsequent thereto and all proceedings thereon shall be
92.14 without costs or any fees charged to the petitioner.

92.15 (b) Upon filing of the petition, the prosecutor shall make a good faith and reasonable
92.16 effort to notify any person determined to be a victim of the underlying offense that a petition
92.17 has been filed.

92.18 (c) A county attorney representing the prosecutorial office shall respond to the petition
92.19 by answer or motion within 45 days after the filing of the petition pursuant to paragraph (a)
92.20 unless extended for good cause. The response shall be filed with the court administrator of
92.21 the district court and served on the petitioner if unrepresented or on the petitioner's attorney.
92.22 The response may serve notice of the intent to support the petition or include a statement
92.23 explaining why the petitioner is not entitled to relief along with any supporting documents.
92.24 The filing of the response and any document subsequent thereto and all proceedings thereon
92.25 shall be without costs or any fees charged to the county attorney.

92.26 (d) The petitioner may file a reply to the response filed by the county attorney within
92.27 15 days after the response is filed, unless extended for good cause.

92.28 (e) Within 30 days of the filing of the reply from the petitioner or, if no reply is filed,
92.29 within 30 days of the filing of the response from the county attorney, the court shall:

92.30 (1) issue an order and schedule the matter for sentencing or resentencing pursuant to
92.31 subdivision 6 if the county attorney indicates an intent to support the petition;

92.32 (2) issue an order denying the petition if additional information or submissions establish
92.33 that there is not a reasonable probability that the applicant is entitled to relief under this
92.34 section and include a memorandum identifying the additional information or submissions

93.1 and explaining the reasons why the court concluded that there is not a reasonable probability
93.2 that the applicant is entitled to relief; or

93.3 (3) schedule the matter for a hearing and issue any appropriate order regarding submission
93.4 of evidence or identification of witnesses.

93.5 (f) The hearing shall be held in open court and conducted pursuant to Minnesota Statutes,
93.6 section 590.04, except that the petitioner must be present at the hearing, unless excused
93.7 under Rules of Criminal Procedure, rule 26.03, subdivision 1, clause (3). The prosecutor
93.8 shall make a good faith and reasonable effort to notify any person determined to be a victim
93.9 of the hearing.

93.10 Subd. 6. **Determination; order; resentencing.** (a) A petitioner who was convicted of
93.11 a violation of Minnesota Statutes, section 609.185, paragraph (a), clause (1), is entitled to
93.12 relief if the petitioner shows by a preponderance of the evidence that the petitioner:

93.13 (1) did not cause the death of a human being; and

93.14 (2) did not intentionally aid, advise, hire, counsel, or conspire with or otherwise procure
93.15 another with premeditation or the intent to cause the death of a human being.

93.16 (b) If the court determines that the petitioner does not qualify for relief, the court shall
93.17 issue an order denying the petition. If the court determines that the petitioner is entitled to
93.18 relief, the court shall issue an order vacating the conviction for a violation of Minnesota
93.19 Statutes, section 609.185, paragraph (a), clause (1), and:

93.20 (1) resentence the petitioner for a remaining offense for which the petitioner was
93.21 convicted; or

93.22 (2) enter a conviction and impose a sentence for any lesser included offenses as described
93.23 in Minnesota Statutes, section 631.14.

93.24 (c) If the court intends to enter a conviction and impose a sentence for a lesser included
93.25 offense, the court must hold a hearing to determine the appropriate offense.

93.26 (d) If, pursuant to paragraph (b), the court either resentsences a petitioner or imposes a
93.27 sentence, the court shall also resentence the petitioner for any other offense if the sentence
93.28 was announced by a district court of the same county, the sentence was either ordered to
93.29 be served consecutively to the vacated conviction or the criminal history calculation for
93.30 that sentence included the vacated sentence, and the changes made pursuant to paragraph
93.31 (b) would have resulted in a different criminal history score being used at the time of
93.32 sentencing.

(e) The court shall state in writing or on the record the reasons for its decision on the petition.

(f) If the court intends to resentence a petitioner or impose a sentence on a petitioner, the court must hold the hearing at a time that allows any victim an opportunity to submit a statement consistent with Minnesota Statutes, section 611A.038. The prosecutor shall make a good faith and reasonable effort to notify any person determined to be a victim of the hearing and the right to submit or make a statement. A sentence imposed under this subdivision shall not increase the petitioner's total period of confinement or, if the petitioner was serving a stayed sentence, increase the period of supervision. The court may increase the period of confinement for a sentence that was ordered to be served consecutively to the vacated conviction based on a change in the appropriate criminal history score, provided the court does not increase the petitioner's total period of confinement. A person resentenced under this paragraph is entitled to credit for time served in connection with the vacated 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 145.4718, is amended to read:

145.4718 PROGRAM EVALUATION.

(a) The director of child sex trafficking prevention established under section 145.4716 must conduct, or contract for, comprehensive evaluation of the statewide program for safe harbor for sexually exploited youth. ~~The first evaluation must be completed by June 30, 2015, and must be submitted~~ director must submit an updated evaluation to the commissioner of health and to the chairs and ranking minority members of the senate and house of representatives committees with jurisdiction over health and public safety by September 1, ~~2015, and every two years thereafter~~ of each odd-numbered year. The evaluation must consider whether the program is reaching intended victims and whether support services are available, accessible, and adequate for sexually exploited youth, as defined in section 260C.007, subdivision 31.

(b) In conducting the evaluation, the director of child sex trafficking prevention must consider evaluation of outcomes, including whether the program increases identification of sexually exploited youth, coordination of investigations, access to services and housing available for sexually exploited youth, and improved effectiveness of services. The evaluation must also include examination of the ways in which penalties under section 609.3241 are assessed, collected, and distributed to ensure funding for investigation, prosecution, and victim services to combat sexual exploitation of youth.

Sec. 5. 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. 6. 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. 7. 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;

98.1 (3) the person is missing more than 30 days;

98.2 (4) the person is under the age of 21 and at least one other factor in this paragraph is
98.3 applicable;

98.4 (5) there is evidence the person is in need of medical attention or prescription medication
98.5 such that it will have a serious adverse effect on the person's health if the person does not
98.6 receive the needed care or medication;

98.7 (6) the person does not have a pattern of running away or disappearing;

98.8 (7) the person is mentally impaired;

98.9 (8) the person has been diagnosed with dementia, a traumatic brain injury, Alzheimer's
98.10 disease, or other cognitive impairments;

98.11 (9) the person has been diagnosed with autism;

98.12 (10) there is evidence that the person may have been abducted by a noncustodial parent;

98.13 ~~(9)~~ (11) the person has been the subject of past threats or acts of violence;

98.14 ~~(10)~~ (12) there is evidence the person is lost in the wilderness, backcountry, or outdoors
98.15 where survival is precarious and immediate and effective investigation and search and rescue
98.16 efforts are critical; or

98.17 ~~(11)~~ (13) any other factor that the law enforcement agency deems to indicate that the
98.18 person may be at risk of physical injury or death, including a determination by another law
98.19 enforcement agency that the person is missing and endangered.

98.20 (d) "Missing" means the status of a person after a law enforcement agency that has
98.21 received a report of a missing person has conducted a preliminary investigation and
98.22 determined that the person cannot be located.

98.23 (e) "NCIC" means National Crime Information Center.

98.24 Sec. 8. **[299C.77] FEDERAL BACKGROUND CHECKS BY POLITICAL**
98.25 **SUBDIVISIONS.**

98.26 Subdivision 1. **Definition.** As used in this section, "applicant for licensure" means an
98.27 individual or if the applicant is a corporation, limited liability company, partnership, or
98.28 other legal entity, every officer, director, manager, and general partner of the entity, who
98.29 seeks a license issued by a county or city to operate a business:

98.30 (1) that qualifies as an adult entertainment establishment under section 617.242,
98.31 subdivision 1; or

99.1 (2) providing massage services.

99.2 Subd. 2. **Background check authorized.** (a) A county or city may investigate the
99.3 criminal history background of any applicant for licensure.

99.4 (b) The investigation conducted pursuant to paragraph (a) must consist of a criminal
99.5 history check of the state criminal records repository and a national criminal history check.
99.6 The county or city must accept the applicant's signed criminal history records check consent
99.7 form for the state and national criminal history check request, a full set of classifiable
99.8 fingerprints, and required fees. The county or city must submit the applicant's completed
99.9 criminal history records check consent form, full set of classifiable fingerprints, and required
99.10 fees to the Bureau of Criminal Apprehension. After receiving this information, the bureau
99.11 must conduct a Minnesota criminal history records check of the applicant. The bureau may
99.12 exchange an applicant's fingerprints with the Federal Bureau of Investigation to obtain the
99.13 applicant's national criminal history record information. The bureau must return the results
99.14 of the Minnesota and federal criminal history records checks to the county or city. Using
99.15 the criminal history data provided by the bureau, the county or city must determine whether
99.16 the applicant is disqualified from licensure. The applicant's failure to cooperate with the
99.17 county or city in conducting the records check is reasonable cause to deny an application.

99.18 Sec. 9. Minnesota Statutes 2024, section 299F.47, subdivision 2, is amended to read:

99.19 Subd. 2. **Charter school inspections; fees.** The state fire marshal shall charge charter
99.20 schools ~~\$100~~ \$0.014 per square foot for each school building inspected. ~~This rate~~ These
99.21 rates shall include two follow-up inspections or on-site consultations. If additional follow-up
99.22 inspections or consultations are needed, the state fire marshal shall charge ~~\$50~~ \$0.005 per
99.23 square foot for each additional follow-up inspection to each applicable building in which a
99.24 follow-up inspection is needed.

99.25 Sec. 10. Minnesota Statutes 2024, section 609.527, subdivision 3, is amended to read:

99.26 Subd. 3. **Penalties.** A person who violates subdivision 2 may be sentenced as follows:

99.27 (1) if the offense involves a single direct victim and the total, combined loss to the direct
99.28 victim and any indirect victims is \$250 or less, the person may be sentenced as provided in
99.29 section 609.52, subdivision 3, clause (5);

99.30 (2) if the offense involves a single direct victim and the total, combined loss to the direct
99.31 victim and any indirect victims is more than \$250 but not more than \$500, the person may
99.32 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. 11. 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

101.1 a copy of the ~~videotape~~ recording under subdivision 2. Nothing in this section establishes
101.2 a right to obtain access to a ~~videotape~~ recording by any other person nor limits a right of a
101.3 person to obtain access if access is otherwise authorized by law or pursuant to discovery in
101.4 a court proceeding.

101.5 Sec. 12. Minnesota Statutes 2024, section 617.246, is amended to read:

101.6 **617.246 USE OF MINORS IN SEXUAL PERFORMANCE PROHIBITED.**

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

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

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

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

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

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

101.18 (2) sadomasochistic abuse, meaning flagellation, torture, or similar demeaning acts
101.19 inflicted by or upon a person who is nude or clad in undergarments or in a revealing costume,
101.20 or the condition of being fettered, bound or otherwise physically restrained on the part of
101.21 one so clothed;

101.22 (3) masturbation;

101.23 (4) lewd exhibitions of the genitals; or

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

101.28 (f) ~~"Pornographic work"~~ "Child sexual abuse material" means:

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

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

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

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

102.7 (iii) is advertised, promoted, presented, described, or distributed in such a manner that
102.8 conveys the impression that the material is or contains a visual depiction of a minor engaging
102.9 in sexual conduct.

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

102.13 (g) "Material" has the meaning given in section 617.241, subdivision 1, paragraph (e).

102.14 Subd. 2. **Use of minor.** (a) It is unlawful for a person to promote, employ, use or permit
102.15 a minor to engage in or assist others to engage minors in posing or modeling alone or with
102.16 others in any sexual performance or ~~pornographic work~~ child sexual abuse material if the
102.17 person knows or has reason to know that the conduct intended is a sexual performance or
102.18 ~~a pornographic work~~ child sexual abuse material.

102.19 Any person who violates this paragraph is guilty of a felony and may be sentenced to
102.20 imprisonment for not more than ten years or to payment of a fine of not more than \$20,000,
102.21 or both.

102.22 (b) A person who violates paragraph (a) is guilty of a felony and may be sentenced to
102.23 imprisonment for not more than 15 years or to payment of a fine of not more than \$40,000,
102.24 or both, if:

102.25 (1) the person has a prior conviction or delinquency adjudication for violating this section
102.26 or section 617.247;

102.27 (2) the violation occurs when the person is a registered predatory offender under section
102.28 243.166; or

102.29 (3) the violation involved a minor under the age of 14 years.

102.30 Subd. 3. **Operation or ownership of business.** (a) A person who owns or operates a
102.31 business in which ~~a pornographic work~~ child sexual abuse material, as defined in this section,
102.32 is disseminated to an adult or a minor or is reproduced, and who knows the content and

103.1 character of the ~~pornographic work~~ child sexual abuse material disseminated or reproduced,
103.2 is guilty of a felony and may be sentenced to imprisonment for not more than ten years, or
103.3 to payment of a fine of not more than \$20,000, or both.

103.4 (b) A person who violates paragraph (a) is guilty of a felony and may be sentenced to
103.5 imprisonment for not more than 15 years or to payment of a fine of not more than \$40,000,
103.6 or both, if:

103.7 (1) the person has a prior conviction or delinquency adjudication for violating this section
103.8 or section 617.247;

103.9 (2) the violation occurs when the person is a registered predatory offender under section
103.10 243.166; or

103.11 (3) the violation involved a minor under the age of 14 years.

103.12 Subd. 4. **Dissemination.** (a) A person who, knowing or with reason to know its content
103.13 and character, disseminates for profit to an adult or a minor ~~a pornographic work~~ child
103.14 sexual abuse material, as defined in this section, is guilty of a felony and may be sentenced
103.15 to imprisonment for not more than ten years, or to payment of a fine of not more than
103.16 \$20,000, or both.

103.17 (b) A person who violates paragraph (a) is guilty of a felony and may be sentenced to
103.18 imprisonment for not more than 15 years or to payment of a fine of not more than \$40,000,
103.19 or both, if:

103.20 (1) the person has a prior conviction or delinquency adjudication for violating this section
103.21 or section 617.247;

103.22 (2) the violation occurs when the person is a registered predatory offender under section
103.23 243.166; or

103.24 (3) the violation involved a minor under the age of 14 years.

103.25 Subd. 5. **Consent; mistake.** Neither consent to sexual performance by a minor or the
103.26 minor's parent, guardian, or custodian nor mistake as to the minor's age is a defense to a
103.27 charge of violation of this section.

103.28 Subd. 6. **Affirmative defense.** It shall be an affirmative defense to a charge of violating
103.29 this section that the sexual performance or ~~pornographic work~~ child sexual abuse material
103.30 was produced using only persons who were 18 years or older.

103.31 Subd. 7. **Conditional release term.** Notwithstanding the statutory maximum sentence
103.32 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 617.247, 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. 13. 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. 14. 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.

107.1 Sec. 15. Minnesota Statutes 2024, section 624.714, subdivision 7a, is amended to read:

107.2 Subd. 7a. **Change of address or legal name; loss or destruction of permit.** (a) Within
107.3 30 days after changing the permit holder's legal name or permanent address, or within 30
107.4 days of having lost or destroyed the permit card, the permit holder must notify the issuing
107.5 sheriff of the change, loss, or destruction. Failure to provide notification as required by this
107.6 subdivision is a petty misdemeanor. The fine for a first offense must not exceed \$25.
107.7 Notwithstanding section 609.531, a firearm carried in violation of this paragraph is not
107.8 subject to forfeiture.

107.9 (b) After notice is given under paragraph (a), a permit holder may obtain a replacement
107.10 permit card by paying \$10 to the sheriff. The request for a replacement permit card must
107.11 be made on an official, standardized application adopted for this purpose under section
107.12 624.7151, and, except in the case of a legal name or an address change, must include a
107.13 notarized statement that the permit card has been lost or destroyed.

107.14 Sec. 16. Minnesota Statutes 2024, section 626.19, subdivision 3, is amended to read:

107.15 Subd. 3. **Authorized use.** A law enforcement agency may use a UAV:

107.16 (1) during or in the aftermath of an emergency situation that involves the risk of death
107.17 or bodily harm to a person;

107.18 (2) to preserve or protect evidence from the imminent risk of destruction;

107.19 ~~(2)~~ (3) over a public event where there is a heightened risk to the safety of participants
107.20 or bystanders;

107.21 (4) to assist in the lawful pursuit of a suspect who is fleeing law enforcement or who
107.22 the law enforcement agency reasonably believes might flee;

107.23 ~~(3)~~ (5) to counter the risk of a terrorist attack by a specific individual or organization if
107.24 the agency determines that credible intelligence indicates a risk;

107.25 ~~(4)~~ (6) to prevent the loss of life and property in natural or man-made disasters and to
107.26 facilitate operational planning, rescue, and recovery operations in the aftermath of these
107.27 disasters;

107.28 ~~(5)~~ (7) to conduct a threat assessment in anticipation of a specific event;

107.29 ~~(6)~~ (8) to collect information from a public area if there is reasonable suspicion of criminal
107.30 activity;

108.1 ~~(7)~~ (9) to collect information for crash reconstruction purposes after a serious or deadly
108.2 collision occurring on a public road;
108.3 ~~(8)~~ (10) over a private area with the written consent of the occupant or a public area, for
108.4 officer training or public relations purposes; ~~and~~
108.5 ~~(9)~~ (11) for purposes unrelated to law enforcement at the request of a government entity
108.6 provided that the government entity makes the request in writing to the law enforcement
108.7 agency and specifies the reason for the request and proposed period of use; and
108.8 (12) to facilitate the search for a missing person.

108.9 Sec. 17. Minnesota Statutes 2024, section 626A.35, is amended by adding a subdivision
108.10 to read:

108.11 Subd. 2c. **Exception; fleeing motor vehicles.** The prohibition under subdivision 1 does
108.12 not apply to the use of a mobile tracking device on a fleeing motor vehicle. For purposes
108.13 of this subdivision, the term "flee" has the meaning given in section 609.487, subdivision
108.14 1.

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

108.17 Sec. 18. Minnesota Statutes 2024, section 634.35, is amended to read:

108.18 **634.35 VIDEOTAPES RECORDINGS OF CHILD VICTIMS; CONDITIONS OF**
108.19 **DISCLOSURE.**

108.20 (a) If a ~~videotaped~~ recorded interview of a child victim of physical or sexual abuse is
108.21 disclosed by a prosecuting attorney to a defendant or the defendant's attorney, the following
108.22 applies:

108.23 (1) no more than two copies of the ~~tape recording~~ or any portion of the ~~tape recording~~
108.24 may be made by the defendant or the defendant's attorney, investigator, expert, or any other
108.25 representative or agent of the defendant;

108.26 (2) the ~~tapes recordings~~ may not be used for any purpose other than to prepare for the
108.27 defense in the criminal action against the defendant;

108.28 (3) the ~~tapes recordings~~ may not be publicly exhibited, shown, displayed, used for
108.29 educational, research, or demonstrative purposes, or used in any other fashion, except in
108.30 judicial proceedings in the criminal action against the defendant;

(4) the ~~tapes~~ recordings may be viewed only by the defendant, the defendant's attorney, and the attorney's employees, investigators, and experts;

(5) no transcript of the ~~tapes~~ recordings, nor the substance of any portion of the ~~tapes~~ recordings, may be divulged to any person not authorized to view or listen to the tapes 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. 19. **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. 20. **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. **[13.891] RESTORATIVE PRACTICE PARTICIPANT DATA.**

(a) For purposes of this section, "restorative practice participant" has the meaning given in section 595.02, subdivision 1b, paragraph (a), clause (2).

(b) Data collected, created, or maintained by a government entity that identifies an individual as a restorative practice participant is private data on individuals but may be disclosed for the purposes described in section 595.02, subdivision 1b, paragraph (b) or (c). This section does not apply to personnel data, as defined in section 13.43, subdivision 1, or to an individual who receives payment to facilitate a restorative practice, as defined in section 142A.76, subdivision 1.

110.1 Sec. 2. Minnesota Statutes 2024, section 142A.76, subdivision 8, is amended to read:

110.2 Subd. 8. **Report.** By February 15 of each year, the director shall report to the chairs and
110.3 ranking minority members of the legislative committees and divisions with jurisdiction over
110.4 public safety, human services, and education, on the work of the Office of Restorative
110.5 Practices, any grants issued pursuant to this section, and the status of local restorative
110.6 practices initiatives in the state that were reviewed in the previous year. The report on the
110.7 status of local restorative practices initiatives must incorporate data on recidivism, public
110.8 safety impacts, and financial investments in restorative practices.

110.9 Sec. 3. Minnesota Statutes 2024, section 388.23, subdivision 1, is amended to read:

110.10 Subdivision 1. **Authority.** (a) The county attorney, or any deputy or assistant county
110.11 attorney whom the county attorney authorizes in writing, has the authority to subpoena and
110.12 require the production of:

110.13 (1) any records of:

110.14 (i) telephone companies, cellular phone companies, paging companies, and subscribers
110.15 of private computer networks including Internet service providers or computer bulletin
110.16 board systems;

110.17 (ii) electric companies, gas companies, and water utilities;

110.18 (iii) chemical suppliers;

110.19 (iv) hotels and motels;

110.20 (v) pawn shops;

110.21 (vi) airlines, buses, taxis, and other entities engaged in the business of transporting
110.22 people; and

110.23 (vii) freight companies, warehousing companies, self-service storage facilities, package
110.24 delivery companies, and other entities engaged in the businesses of transport, storage, or
110.25 delivery, ~~and~~;

110.26 (2) records of the existence of safe deposit box account numbers and customer savings
110.27 and checking account numbers maintained by financial institutions and safe deposit
110.28 companies;

110.29 (3) insurance records relating to the monetary payment or settlement of claims;

110.30 (4) the banking, credit card, and financial records of a subject of an identity theft
110.31 investigation or a vulnerable adult, whether held in the name of the vulnerable adult or a

111.1 third party, including but not limited to safe deposit, loan and account applications and
111.2 agreements, signature cards, statements, checks, transfers, account authorizations, safe
111.3 deposit access records and documentation of fraud, ~~and~~;

111.4 (5) wage and employment records of an applicant or recipient of public assistance who
111.5 is the subject of a welfare fraud investigation relating to eligibility information for public
111.6 assistance programs; and

111.7 (6) any of the following records of an employer or other person or business entity who
111.8 is the subject of a wage theft investigation:

111.9 (i) accounting and financial records such as books, registers, payrolls, banking records,
111.10 credit card records, securities records, and records of money transfers;

111.11 (ii) records required to be kept pursuant to section 177.30, paragraph (a); and

111.12 (iii) other records that in any way relate to wages or other income paid, hours worked,
111.13 and other conditions of employment of any employee or of work performed by persons
111.14 identified as independent contractors, and records of any payments to contractors, and
111.15 records of workers' compensation insurance.

111.16 (b) Subpoenas may only be issued for records that are relevant to an ongoing legitimate
111.17 law enforcement investigation. Administrative subpoenas may only be issued in welfare
111.18 fraud and identity theft cases if there is probable cause to believe a crime has been committed.

111.19 (c) This ~~provision~~ subdivision applies only to the records of business entities and does
111.20 not extend to private individuals or their dwellings.

111.21 (d) As used in this subdivision, "business entity" has the meaning given in section
111.22 308B.005.

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

111.25 Sec. 4. Minnesota Statutes 2024, section 590.01, is amended to read:

111.26 **590.01 AVAILABILITY, CONDITIONS.**

111.27 Subdivision 1. **Petition.** Except at a time when direct appellate relief is available, a
111.28 person convicted of a crime, or who received a stay of adjudication who claims that:

111.29 (1) the conviction or stay of adjudication obtained, or the sentence or other disposition
111.30 made, violated the person's rights under the Constitution or laws of the United States or of
111.31 the state; or

112.1 (2) scientific evidence not available at trial, obtained pursuant to a motion granted under
112.2 subdivision 1a, establishes the petitioner's actual innocence;
112.3 may commence a proceeding to secure relief by filing a petition in the district court in the
112.4 county in which the conviction or stay of adjudication was had to vacate and set aside the
112.5 judgment and to discharge the petitioner or to resentence the petitioner or grant a new trial
112.6 or correct the sentence or make other disposition as may be appropriate. A petition for
112.7 postconviction relief after a direct appeal has been completed may not be based on grounds
112.8 that could have been raised on direct appeal of the conviction, stay of adjudication, or
112.9 sentence. Nothing contained herein shall prevent the supreme court or the court of appeals,
112.10 upon application by a party, from granting a stay of a case on appeal for the purpose of
112.11 allowing an appellant to apply to the district court for an evidentiary hearing under the
112.12 provisions of this chapter. The proceeding shall conform with sections 590.01 to 590.06.

112.13 Subd. 1a. **Motion for fingerprint or forensic testing not available at trial.** (a) A person
112.14 convicted of a crime, or who received a stay of adjudication, may make a motion for the
112.15 performance of fingerprint or forensic DNA testing to demonstrate the person's actual
112.16 innocence if:

112.17 (1) the testing is to be performed on evidence secured in relation to the trial which
112.18 resulted in the conviction or plea; and

112.19 (2) the evidence was not subject to the testing because either the technology for the
112.20 testing was not available at the time of the trial or the testing was not available as evidence
112.21 at the time of the trial.

112.22 The motion shall be filed before the district court that entered the judgment of conviction
112.23 or stay of adjudication. Reasonable notice of the motion shall be served on the prosecuting
112.24 attorney who represented the state at trial.

112.25 (b) A person who makes a motion under paragraph (a) must present a prima facie case
112.26 that:

112.27 (1) identity was an issue in the trial; and

112.28 (2) the evidence to be tested has been subject to a chain of custody sufficient to establish
112.29 that it has not been substituted, tampered with, replaced, or altered in any material aspect.

112.30 (c) The court shall order that the testing be performed if:

112.31 (1) a prima facie case has been established under paragraph (b);

(2) the testing has the scientific potential to produce new, noncumulative evidence materially relevant to the defendant's assertion of actual innocence; and

(3) the testing requested employs a scientific method generally accepted within the relevant scientific community. The court shall impose reasonable conditions on the testing designed to protect the state's interests in the integrity of the evidence and the testing process.

Subd. 2. **Remedy.** This remedy takes the place of any other common law, statutory or other remedies which may have been available for challenging the validity of a stay of adjudication, conviction, sentence, or other disposition and must be used exclusively in place of them unless it is inadequate or ineffective to test the legality of the stay of adjudication, conviction, sentence or other disposition.

Subd. 3. **Application for relief.** A person who has been convicted or received a stay of adjudication and sentenced for a crime committed before May 1, 1980, may institute a proceeding applying for relief under this chapter upon the ground that a significant change in substantive or procedural law has occurred which, in the interest of justice, should be applied retrospectively, including resentencing under subsequently enacted law.

No petition seeking resentencing shall be granted unless the court makes specific findings of fact that release of the petitioner prior to the time the petitioner would be released under the sentence currently being served does not present a danger to the public and is not incompatible with the welfare of society.

Subd. 4. **Time limit.** (a) No petition for postconviction relief may be filed more than two years after the later of:

(1) the entry of judgment of conviction, stay of adjudication, or sentence if no direct appeal is filed; or

(2) an appellate court's disposition of petitioner's direct appeal.

(b) Notwithstanding paragraph (a), a court may hear a petition for postconviction relief if:

(1) the petitioner establishes that a physical disability or mental disease precluded a timely assertion of the claim;

(2) the petitioner alleges the existence of newly discovered evidence, including scientific evidence, that provides facts necessary to sustain one or more legally cognizable claims for postconviction relief, if such evidence could not have been ascertained by the exercise of due diligence by the petitioner or petitioner's attorney within the two-year time period for

114.1 filing a postconviction petition, is not cumulative to evidence presented at trial, and is not
114.2 for impeachment purposes;

114.3 (3) the petitioner asserts a new interpretation of federal or state constitutional or statutory
114.4 law by either the United States Supreme Court or a Minnesota appellate court and the
114.5 petitioner establishes that this interpretation is retroactively applicable to the petitioner's
114.6 case;

114.7 (4) the petition is brought pursuant to subdivision 3; or

114.8 (5) the petitioner establishes to the satisfaction of the court that the petition is not frivolous
114.9 and is in the interests of justice.

114.10 (c) Any petition invoking an exception provided in paragraph (b) must be filed within
114.11 two years of the date the claim arises.

114.12 Sec. 5. Minnesota Statutes 2024, section 595.02, subdivision 1, is amended to read:

114.13 Subdivision 1. **Competency of witnesses.** Every person of sufficient understanding,
114.14 including a party, may testify in any action or proceeding, civil or criminal, in court or
114.15 before any person who has authority to receive evidence, except as provided in this
114.16 subdivision:

114.17 (a) A husband cannot be examined for or against his wife without her consent, nor a
114.18 wife for or against her husband without his consent, nor can either, during the marriage or
114.19 afterwards, without the consent of the other, be examined as to any communication made
114.20 by one to the other during the marriage. This exception does not apply to a civil action or
114.21 proceeding by one against the other, nor to a criminal action or proceeding for a crime
114.22 committed by one against the other or against a child of either or against a child under the
114.23 care of either spouse, nor to a criminal action or proceeding in which one is charged with
114.24 homicide or an attempt to commit homicide and the date of the marriage of the defendant
114.25 is subsequent to the date of the offense, nor to an action or proceeding for nonsupport,
114.26 neglect, dependency, or termination of parental rights.

114.27 (b) An attorney cannot, without the consent of the attorney's client, be examined as to
114.28 any communication made by the client to the attorney or the attorney's advice given thereon
114.29 in the course of professional duty; nor can any employee of the attorney be examined as to
114.30 the communication or advice, without the client's consent.

114.31 (c) A member of the clergy or other minister of any religion shall not, without the consent
114.32 of the party making the confession, be allowed to disclose a confession made to the member
114.33 of the clergy or other minister in a professional character, in the course of discipline enjoined

115.1 by the rules or practice of the religious body to which the member of the clergy or other
115.2 minister belongs; nor shall a member of the clergy or other minister of any religion be
115.3 examined as to any communication made to the member of the clergy or other minister by
115.4 any person seeking religious or spiritual advice, aid, or comfort or advice given thereon in
115.5 the course of the member of the clergy's or other minister's professional character, without
115.6 the consent of the person.

115.7 (d) A licensed physician or surgeon, dentist, or chiropractor shall not, without the consent
115.8 of the patient, be allowed to disclose any information or any opinion based thereon which
115.9 the professional acquired in attending the patient in a professional capacity, and which was
115.10 necessary to enable the professional to act in that capacity; after the decease of the patient,
115.11 in an action to recover insurance benefits, where the insurance has been in existence two
115.12 years or more, the beneficiaries shall be deemed to be the personal representatives of the
115.13 deceased person for the purpose of waiving this privilege, and no oral or written waiver of
115.14 the privilege shall have any binding force or effect except when made upon the trial or
115.15 examination where the evidence is offered or received.

115.16 (e) A public officer shall not be allowed to disclose communications made to the officer
115.17 in official confidence when the public interest would suffer by the disclosure.

115.18 (f) Persons of unsound mind and persons intoxicated at the time of their production for
115.19 examination are not competent witnesses if they lack capacity to remember or to relate
115.20 truthfully facts respecting which they are examined.

115.21 (g) A registered nurse, psychologist, consulting psychologist, or licensed social worker
115.22 engaged in a psychological or social assessment or treatment of an individual at the
115.23 individual's request shall not, without the consent of the professional's client, be allowed to
115.24 disclose any information or opinion based thereon which the professional has acquired in
115.25 attending the client in a professional capacity, and which was necessary to enable the
115.26 professional to act in that capacity. Nothing in this clause exempts licensed social workers
115.27 from compliance with the provisions of section 626.557 and chapter 260E.

115.28 (h) An interpreter for a person disabled in communication shall not, without the consent
115.29 of the person, be allowed to disclose any communication if the communication would, if
115.30 the interpreter were not present, be privileged. For purposes of this section, a "person disabled
115.31 in communication" means a person who, because of a hearing, speech or other communication
115.32 disorder, or because of the inability to speak or comprehend the English language, is unable
115.33 to understand the proceedings in which the person is required to participate. The presence
115.34 of an interpreter as an aid to communication does not destroy an otherwise existing privilege.

(i) Licensed chemical dependency counselors shall not disclose information or an opinion based on the information which they acquire from persons consulting them in their professional capacities, and which was necessary to enable them to act in that capacity, except that they may do so:

(1) when informed consent has been obtained in writing, except in those circumstances in which not to do so would violate the law or would result in clear and imminent danger to the client or others;

(2) when the communications reveal the contemplation or ongoing commission of a crime; or

(3) when the consulting person waives the privilege by bringing suit or filing charges against the licensed professional whom that person consulted.

(j) A parent or the parent's minor child may not be examined as to any communication made in confidence by the minor to the minor's parent. A communication is confidential if made out of the presence of persons not members of the child's immediate family living in the same household. This exception may be waived by express consent to disclosure by a parent entitled to claim the privilege or by the child who made the communication or by failure of the child or parent to object when the contents of a communication are demanded. This exception does not apply to a civil action or proceeding by one spouse against the other or by a parent or child against the other, nor to a proceeding to commit either the child or parent to whom the communication was made or to place the person or property or either under the control of another because of an alleged mental or physical condition, nor to a 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 and who is not employed by or under the direct supervision of a law enforcement agency, a prosecutor's office, or by a city, county, or state agency.

(m) A person cannot be examined as to any communication or document, including work notes, made or used in the course of or because of mediation pursuant to an agreement to mediate or a collaborative law process pursuant to an agreement to participate in collaborative law. This does not apply to the parties in the dispute in an application to a court by a party to have a mediated settlement agreement or a stipulated agreement resulting from the collaborative law process set aside or reformed. A communication or document otherwise not privileged does not become privileged because of this paragraph. This paragraph is not intended to limit the privilege accorded to communication during mediation or collaborative law by the common law.

(n) A child under ten years of age is a competent witness unless the court finds that the child lacks the capacity to remember or to relate truthfully facts respecting which the child is examined. A child describing any act or event may use language appropriate for a child of that age.

(o) A communication assistant for a telecommunications relay system for persons who have communication disabilities shall not, without the consent of the person making the communication, be allowed to disclose communications made to the communication assistant for the purpose of relaying.

EFFECTIVE DATE. This section is effective July 1, 2025.

Sec. 6. Minnesota Statutes 2024, section 595.02, is amended by adding a subdivision to read:

Subd. 1b. Inadmissibility; exceptions. (a) For purposes of this subdivision:

(1) "restorative practice" has the meaning given in section 142A.76, subdivision 1; and

(2) "restorative practice participant" means a facilitator, a person who has caused harm, a person who has been harmed, a community member, and any other person attending a restorative practice.

(b) Statements made or documents offered in the course of a restorative practice are not subject to discovery or admissible as evidence in a civil or criminal proceeding. This paragraph does not apply:

(1) to statements or documents that are the subject of a report made pursuant to section 626.557 or chapter 260E;

(2) if a restorative practice participant reasonably believed that disclosure of a statement or document was necessary to prevent reasonably certain death, great bodily harm, or commission of a crime; or

(3) if the statement or document constitutes evidence of professional misconduct by a restorative practice participant acting in the capacity of their professional or occupational license.

(c) Notwithstanding paragraph (b), if a court orders a person who caused harm to participate in a restorative practice, a person overseeing the restorative practice may disclose information necessary to demonstrate whether the person who caused harm participated as ordered.

119.1 (d) Evidence that is otherwise admissible or subject to discovery does not become
119.2 inadmissible or protected from discovery solely because it was discussed or used in a
119.3 restorative practice.

119.4 Sec. 7. Minnesota Statutes 2024, section 609A.06, subdivision 3, is amended to read:

119.5 Subd. 3. **Eligibility; cannabis offense.** (a) A person is eligible for an expungement or
119.6 resentencing to a lesser offense if:

119.7 (1) the person was convicted of, or adjudication was stayed for, a violation of ~~any of the~~
119.8 following a first-, second-, third-, fourth-, or fifth-degree controlled substance crime involving
119.9 the sale or possession of marijuana or tetrahydrocannabinols:

119.10 ~~(i) section 152.021, subdivision 1, clause (6);~~

119.11 ~~(ii) section 152.021, subdivision 2, clause (6);~~

119.12 ~~(iii) section 152.022, subdivision 1, clause (5), or clause (7), item (iii);~~

119.13 ~~(iv) section 152.022, subdivision 2, clause (6);~~

119.14 ~~(v) section 152.023, subdivision 1, clause (5);~~

119.15 ~~(vi) section 152.023, subdivision 2, clause (5);~~

119.16 ~~(vii) section 152.024, subdivision (4); or~~

119.17 ~~(viii) section 152.025, subdivision 2, clause (1)~~ under Minnesota Statutes 2023

119.18 Supplement, section 152.021, 152.022, 152.023, 152.024, or 152.025, or a previous version
119.19 of those or any other statutes criminalizing the possession, sale, transportation, or cultivation
119.20 of marijuana or tetrahydrocannabinols;

119.21 (2) the offense did not involve a dangerous weapon, the intentional infliction of bodily
119.22 harm on another, an attempt to inflict bodily harm on another, or an act committed with the
119.23 intent to cause fear in another of immediate bodily harm or death;

119.24 (3) the act on which the charge was based would either be a lesser offense or no longer
119.25 be a crime after August 1, 2023; and

119.26 (4) the person did not appeal the conviction, any appeal was denied, or the deadline to
119.27 file an appeal has expired.

119.28 (b) A person is eligible for an expungement for any other offense charged along with
119.29 the underlying crime described in paragraph (a) if the charge was either dismissed or eligible
119.30 for expungement under section 609A.055.

120.1 (c) For purposes of this subdivision, a "lesser offense" means a nonfelony offense if the
120.2 person was charged with a felony.

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

120.4 Sec. 8. Minnesota Statutes 2024, section 609A.06, subdivision 7, is amended to read:

120.5 Subd. 7. **Review and determination.** (a) The Cannabis Expungement Board shall review
120.6 all available records to determine whether the conviction or stay of adjudication or charge
120.7 is eligible for an expungement or resentencing to a lesser offense. An expungement under
120.8 this section is presumed to be in the public interest unless there is clear and convincing
120.9 evidence that an expungement or resentencing to a lesser offense would create a risk to
120.10 public safety.

120.11 (b) If the Cannabis Expungement Board determines that an expungement is in the public
120.12 interest, the board shall determine whether a person's conviction should be vacated and
120.13 charges should be dismissed.

120.14 (c) If the Cannabis Expungement Board determines that an expungement is in the public
120.15 interest, the board shall determine whether the limitations under section 609A.03, subdivision
120.16 5a, apply.

120.17 (d) If the Cannabis Expungement Board determines that an expungement is in the public
120.18 interest, the board shall determine whether the limitations under section 609A.03, subdivision
120.19 7a, paragraph (b), clause (5), apply.

120.20 (e) If the Cannabis Expungement Board determines that an expungement is not in the
120.21 public interest, the board shall determine whether the person is eligible for resentencing to
120.22 a lesser offense.

120.23 (f) In making a determination under this subdivision, the Cannabis Expungement Board
120.24 shall consider:

120.25 (1) the nature and severity of the underlying crime, including but not limited to the total
120.26 amount of marijuana or tetrahydrocannabinols possessed by the person and whether the
120.27 offense involved a dangerous weapon, the intentional infliction of bodily harm on another,
120.28 an attempt to inflict bodily harm on another, or an act committed with the intent to cause
120.29 fear in another of immediate bodily harm or death;

120.30 (2) whether an expungement or resentencing the person a lesser offense would increase
120.31 the risk, if any, the person poses to other individuals or society;

121.1 (3) if the person is under sentence, whether an expungement or resentencing to a lesser
121.2 offense would result in the release of the person and whether release earlier than the date
121.3 that the person would be released under the sentence currently being served would present
121.4 a danger to the public or would be compatible with the welfare of society;

121.5 (4) aggravating or mitigating factors relating to the underlying crime, including the
121.6 person's level of participation and the context and circumstances of the underlying crime;

121.7 (5) statements from victims and law enforcement, if any;

121.8 (6) if an expungement or resentencing the person to a lesser offense is considered,
121.9 whether there is good cause to restore the person's right to possess firearms and ammunition;

121.10 (7) if an expungement is considered, whether an expunged record of a conviction or stay
121.11 of adjudication may be opened for purposes of a background check required under section
121.12 122A.18, subdivision 8; and

121.13 (8) whether the person was also charged with other offenses in addition to the underlying
121.14 crime, the disposition of those other charges, and other factors deemed relevant by the
121.15 Cannabis Expungement Board.

121.16 (g) In making a determination under this subdivision, the Cannabis Expungement Board
121.17 shall not consider the impact the expungement would have on the offender based on any
121.18 records held by the Department of Health; Department of Children, Youth, and Families;
121.19 or Department of Human Services.

121.20 (h) The affirmative vote of three members is required for action taken at any meeting.

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

121.22 Sec. 9. Minnesota Statutes 2024, section 609A.06, subdivision 10, is amended to read:

121.23 Subd. 10. **Notice to judicial branch and offenders.** (a) The Cannabis Expungement
121.24 Board shall identify any conviction or stay of adjudication or charge that qualifies for an
121.25 order of expungement or resentencing to a lesser offense and notify the judicial branch of:

121.26 (1) the name and date of birth of a person whose conviction or stay of adjudication is
121.27 eligible for an order of expungement or resentencing to a lesser offense;

121.28 (2) the court file number of the eligible conviction or stay of adjudication;

121.29 (3) whether the person is eligible for an expungement;

121.30 (4) if the person is eligible for an expungement, whether the person's conviction should
121.31 be vacated and charges should be dismissed;

122.1 (5) if the person is eligible for an expungement, whether there is good cause to restore
122.2 the offender's right to possess firearms and ammunition;

122.3 (6) if the person is eligible for an expungement, whether the limitations under section
122.4 609A.03, subdivision 7a, paragraph (b), clause (5), apply; ~~and~~

122.5 (7) if the person is eligible for an expungement, whether the expungement should also
122.6 apply to any other offenses charged in addition to the underlying crime; and

122.7 (8) if the person is eligible for resentencing to a lesser offense, the lesser sentence to be
122.8 imposed.

122.9 (b) The Cannabis Expungement Board shall make a reasonable and good faith effort to
122.10 notify any person whose conviction or stay of adjudication qualifies for an order of
122.11 expungement that the offense qualifies and notice is being sent to the judicial branch. Notice
122.12 sent pursuant to this paragraph shall inform the person that, following the order of
122.13 expungement, any records of an arrest, conviction, or incarceration should not appear on
122.14 any background check or study.

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

122.16 Sec. 10. Minnesota Statutes 2024, section 609A.06, subdivision 12, is amended to read:

122.17 Subd. 12. **Order of expungement.** (a) Upon receiving notice that an offense qualifies
122.18 for expungement, the court shall issue an order sealing all records relating to an arrest,
122.19 indictment or information, trial, verdict, or dismissal and discharge for an offense described
122.20 in subdivision 3, and any other offenses charged in addition to the underlying crime if
122.21 identified by the Cannabis Expungement Board as eligible for expungement. In addition,
122.22 the court shall order all records, including those pertaining to probation, incarceration, or
122.23 supervision, held by the Department of Corrections or local correctional officials sealed.
122.24 The courts shall not order the Department of Health; the Department of Children, Youth,
122.25 and Families; or the Department of Human Services to seal records under this section. If
122.26 the Cannabis Expungement Board determined that the person's conviction should be vacated
122.27 and charges should be dismissed, the order shall vacate and dismiss the charges.

122.28 (b) If the Cannabis Expungement Board determined that there is good cause to restore
122.29 the person's right to possess firearms and ammunition, the court shall issue an order pursuant
122.30 to section 609.165, subdivision 1d.

122.31 (c) If the Cannabis Expungement Board determined that an expunged record of a
122.32 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.

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

125.1 and information on rights and procedures available under sections 524.2-803, 524.3-614,
125.2 and 524.3-615.

125.3 ~~(e)~~ (d) A supplemental notice of the rights of crime victims must be distributed by the
125.4 city or county attorney's office to each victim, within a reasonable time after the offender
125.5 is charged or petitioned. This notice must inform a victim of all the rights of crime victims
125.6 under this chapter.

125.7 Subd. 3. **Notice of rights of victims in juvenile court.** ~~(a) The Office of Justice Programs~~
125.8 ~~in the Department of Public Safety shall update the notice of the rights of victims in juvenile~~
125.9 ~~court that explains~~ A supplemental notice shall be distributed by the prosecutor's office to
125.10 each victim of an offense committed by a juvenile within a reasonable time after the petition
125.11 is filed. This notice must notify the victim of:

125.12 (1) the rights of victims in the juvenile court;

125.13 (2) when a juvenile matter is public;

125.14 (3) the procedures to be followed in juvenile court proceedings; ~~and~~

125.15 (4) the right to attend certain juvenile court proceedings;

125.16 (5) the information related to the juvenile case that is available to victims; and

125.17 ~~(4)~~ (6) other relevant matters.

125.18 ~~(b) The juvenile court shall distribute a copy of the notice to each victim of juvenile~~
125.19 ~~crime who attends a juvenile court proceeding, along with a notice of services for victims~~
125.20 ~~available in that judicial district.~~

125.21 Sec. 3. Minnesota Statutes 2024, section 611A.0315, is amended to read:

125.22 **611A.0315 VICTIM NOTIFICATION; DOMESTIC ASSAULT; CRIMINAL**
125.23 **SEXUAL CONDUCT; HARASSMENT; STALKING.**

125.24 Subdivision 1. **Notice of decision not to prosecute.** (a) A prosecutor shall make every
125.25 reasonable effort to notify a victim of domestic assault, a criminal sexual conduct offense,
125.26 ~~or~~ harassment or stalking, or a violation of an order for protection; domestic abuse no contact
125.27 order; or harassment restraining order that the prosecutor has decided to decline prosecution
125.28 of the case or to dismiss the criminal charges filed against the defendant. Efforts to notify
125.29 the victim should include, in order of priority: (1) contacting the victim or a person designated
125.30 by the victim by telephone; and (2) contacting the victim by email or mail. If a suspect is
125.31 still in custody, ~~the~~ a telephone or email notification attempt shall be made before the suspect
125.32 is released from custody.

(b) Whenever a prosecutor dismisses criminal charges against a person accused of domestic assault, a criminal sexual conduct offense, ~~or~~ harassment or stalking, a violation of an order for protection, or a violation of a harassment restraining order, a record shall be made of the specific reasons for the dismissal. If the dismissal is due to the unavailability of the witness, the prosecutor shall indicate the specific reason that the witness is unavailable.

(c) Whenever a prosecutor notifies a victim of domestic assault, criminal sexual conduct, or harassment or stalking under this section, the prosecutor shall also inform the victim of the method and benefits of seeking an order for protection under section 518B.01 or a restraining order under section 609.748 and that the victim may seek an order without paying a fee.

Subd. 2. **Definitions.** For the purposes of this section, the following terms have the meanings given them.

(a) "Assault" has the meaning given it in section 609.02, subdivision 10.

(b) "Domestic assault" means an assault committed by the actor against a family or household member.

(c) "Family or household member" has the meaning given it in section 518B.01, subdivision 2.

(d) "Harassment" or "stalking" means a violation of section 609.749.

(e) "Criminal sexual conduct offense" means a violation of sections 609.342 to 609.3453.

(f) "Violation of an order for protection" has the meaning given in section 518B.01, subdivision 14.

(g) "Violation of a harassment restraining order" has the meaning given in section 609.748, subdivision 6.

Sec. 4. Minnesota Statutes 2024, section 611A.06, is amended by adding a subdivision to read:

Subd. 3b. Notice of submission of apology letter. (a) The commissioner of corrections or other custodial authority shall make a good faith effort to notify the victim that the offender has submitted a letter of apology. Notices shall only be provided to victims who have submitted a written request for notification to the head of the county correctional facility in which the offender is confined, or if committed to the Department of Corrections, submitted a written request for the notice to the commissioner of corrections or an electronic request through the Department of Corrections electronic victim notification system. The

127.1 good faith effort to notify the victim must occur within 90 days of the filing of the apology
127.2 letter.

127.3 (b) Upon request, the commissioner of corrections or other custodial authority shall
127.4 notify the Board of Pardons, the Clemency Review Commission, or a court that the offender
127.5 submitted a letter of apology.

127.6 (c) The content of a letter of apology submitted by an offender is private data on
127.7 individuals, as defined in section 13.02, subdivision 12, or nonpublic data, as defined in
127.8 section 13.02, subdivision 9, except that the letter may be provided to the intended recipient
127.9 upon request.

127.10 Sec. 5. Minnesota Statutes 2024, section 629.341, subdivision 3, is amended to read:

127.11 Subd. 3. **Notice of rights.** The peace officer shall ~~tell~~ orally notify the victim ~~whether~~
127.12 ~~a~~ about shelter or other services ~~are~~ available in the community and give the victim immediate
127.13 written notice of the legal ~~rights and~~ remedies and resources available. The written notice
127.14 must include ~~furnishing the victim a copy of~~ the following statement:

127.15 ~~"IF YOU ARE THE VICTIM OF DOMESTIC VIOLENCE, you can ask the city or~~
127.16 ~~county attorney to file a criminal complaint. You also have the right to go to court and file~~
127.17 ~~a petition requesting an order for protection from domestic abuse. The order could include~~
127.18 ~~the following:~~

127.19 ~~(1) an order restraining the abuser from further acts of abuse;~~

127.20 ~~(2) an order directing the abuser to leave your household;~~

127.21 ~~(3) an order preventing the abuser from entering your residence, school, business, or~~
127.22 ~~place of employment;~~

127.23 ~~(4) an order awarding you or the other parent custody of or parenting time with your~~
127.24 ~~minor child or children; or~~

127.25 ~~(5) an order directing the abuser to pay support to you and the minor children if the~~
127.26 ~~abuser has a legal obligation to do so."~~

127.27 "IF YOU ARE A VICTIM OF DOMESTIC VIOLENCE, you can file a petition with
127.28 the court for an order for protection and ask that the person responsible for the domestic
127.29 violence:

127.30 (1) Be restrained from further acts of abuse;

127.31 (2) Leave your household;

128.1 (3) Stay away from your residence, school, business, or place of employment; and

128.2 (4) Pay temporary support to you and for the minor child if the person is legally obligated
128.3 to do so.

128.4 In your petition, you can request a custody and parenting time order for a child in common
128.5 with the person."

128.6 The notice must include the ~~resource listing, including telephone number, for the area~~
128.7 ~~program that provides~~ statewide domestic abuse help line and contact information for area
128.8 organizations providing services to victims of domestic abuse as ~~shelter~~, designated by the
128.9 Office of Justice Programs in the Department of Public Safety.

128.10 Sec. 6. USE OF EXISTING SUPPLY.

128.11 A law enforcement agency, city attorney's office, or county attorney's office may exhaust
128.12 existing notices before producing materials with the modifications required under Minnesota
128.13 Statutes, sections 611A.02, subdivision 2, and 629.341, subdivision 3.

128.14 ARTICLE 8

128.15 CORRECTIONAL PROVISIONS

128.16 Section 1. Minnesota Statutes 2024, section 14.03, subdivision 3, is amended to read:

128.17 Subd. 3. **Rulemaking procedures.** (a) The definition of a rule in section 14.02,
128.18 subdivision 4, does not include:

128.19 (1) rules concerning only the internal management of the agency or other agencies that
128.20 do not directly affect the rights of or procedures available to the public;

128.21 (2) an application deadline on a form; and the remainder of a form and instructions for
128.22 use of the form to the extent that they do not impose substantive requirements other than
128.23 requirements contained in statute or rule;

128.24 (3) the curriculum adopted by an agency to implement a statute or rule permitting or
128.25 mandating minimum educational requirements for persons regulated by an agency, provided
128.26 the topic areas to be covered by the minimum educational requirements are specified in
128.27 statute or rule;

128.28 (4) procedures for sharing data among government agencies, provided these procedures
128.29 are consistent with chapter 13 and other law governing data practices.

128.30 (b) The definition of a rule in section 14.02, subdivision 4, does not include:

- 129.1 (1) rules of the commissioner of corrections;
- 129.2 (i) relating to the release, placement, term, revocation, and supervision of inmates on
- 129.3 work release, on parole, or serving a supervised release or conditional release term;
- 129.4 (ii) on the internal management of institutions under the commissioner's control, ~~and~~
- 129.5 ~~rules adopted;~~ and
- 129.6 (iii) under section 609.105 governing the inmates of ~~these~~ institutions under the
- 129.7 commissioner's control;
- 129.8 (2) rules relating to weight limitations on the use of highways when the substance of the
- 129.9 rules is indicated to the public by means of signs;
- 129.10 (3) opinions of the attorney general;
- 129.11 (4) the data element dictionary and the annual data acquisition calendar of the Department
- 129.12 of Education to the extent provided by section 125B.07;
- 129.13 (5) the occupational safety and health standards provided in section 182.655;
- 129.14 (6) revenue notices and tax information bulletins of the commissioner of revenue;
- 129.15 (7) uniform conveyancing forms adopted by the commissioner of commerce under
- 129.16 section 507.09;
- 129.17 (8) standards adopted by the Electronic Real Estate Recording Commission established
- 129.18 under section 507.0945; or
- 129.19 (9) the interpretive guidelines developed by the commissioner of human services to the
- 129.20 extent provided in chapter 245A.

129.21 Sec. 2. Minnesota Statutes 2024, section 201.014, subdivision 2a, is amended to read:

129.22 Subd. 2a. **Felony conviction; restoration of civil right to vote.** An individual who is

129.23 ineligible to vote because of a felony conviction has the civil right to vote restored during

129.24 any period when the individual is not incarcerated for the offense. If the individual is later

129.25 incarcerated for the offense, the individual's civil right to vote is lost only during that period

129.26 of incarceration. For purposes of this subdivision only, an individual on work release under

129.27 section 241.26 or ~~244.065~~ or an individual released under section 631.425 is not deemed

129.28 to be incarcerated.

130.1 Sec. 3. Minnesota Statutes 2024, section 241.26, subdivision 1, is amended to read:

130.2 Subdivision 1. ~~Commissioner~~ **Granting work release.** ~~When consistent with the public~~
130.3 ~~interest and the public safety, (a)~~ The commissioner of corrections may conditionally release
130.4 an inmate ~~who is eligible and being considered for release under section 243.05,~~ to work
130.5 at paid employment, seek employment, or participate in a vocational training or educational
130.6 program.:

130.7 (1) when consistent with the public interest and the public safety; and

130.8 (2) if the inmate has served at least one-half of the term of imprisonment.

130.9 (b) Release under this subdivision is an extension of the limits of confinement, and each
130.10 inmate ~~so released shall~~ must be confined in the correctional facility from which released
130.11 or in some other suitable place of confinement designated by the commissioner of corrections
130.12 during the hours the inmate is not employed, seeking employment, or engaged in a vocational
130.13 training or educational program, or, if employed, seeking employment, or engaged in a
130.14 vocational training or educational program, between the hours of such activity.

130.15 (c) A reasonable allowance for travel time and meals shall be permitted.

130.16 Sec. 4. Minnesota Statutes 2024, section 241.26, subdivision 3, is amended to read:

130.17 Subd. 3. ~~Rules Policy.~~ **Rules Policy.** The commissioner of corrections ~~shall establish rules for placement~~
130.18 ~~and supervision of such~~ must adopt policy for placing and supervising inmates under
130.19 subdivision 1 and for ~~administration of~~ administrating programs authorized by this section.
130.20 When consistent with the public interest, the commissioner may grant furloughs to ~~those~~
130.21 inmates participating in the programs authorized by this section who have spent at least 30
130.22 days in a residential work release center operated by or under the control of the commissioner
130.23 for a period ~~of time~~ not to exceed their supervised release date.

130.24 Sec. 5. Minnesota Statutes 2024, section 241.26, subdivision 4, is amended to read:

130.25 Subd. 4. ~~Revocation~~ **Rescinding work release.** The willful failure of an inmate to report
130.26 to or return from planned employment, seeking employment, educational or vocational
130.27 training, or furlough as provided in subdivision 3 ~~shall be~~ is considered an escape under
130.28 section 609.485. If an inmate violates any ~~of the~~ policy rules ~~provided for in~~ under
130.29 subdivision 3, the inmate's work placement, educational, or vocational training privileges
130.30 may be withdrawn by the commissioner.

131.1 Sec. 6. Minnesota Statutes 2024, section 241.26, subdivision 5, is amended to read:

131.2 Subd. 5. **Earnings; work release account.** (a) The net earnings of each inmate
131.3 participating in the work release program provided by this section may be collected by or
131.4 forwarded to the commissioner of corrections for deposit to the account of the inmate in
131.5 the work release account in the state treasury, or the inmate may be permitted to collect,
131.6 retain, and expend the net earnings from the inmate's employment ~~under rules established~~
131.7 according to policy adopted by the commissioner of corrections. The money collected by
131.8 or forwarded to the commissioner ~~under the rules shall remain~~ remains under the control
131.9 of the commissioner for the sole benefit of the inmate. After making deductions for the
131.10 payment of state and local taxes, if necessary, and for repayment of advances and gate
131.11 money as provided in section 243.24, wages under the control of the commissioner and
131.12 wages retained by the inmate may be disbursed by the commissioner or expended by the
131.13 inmate for the following purposes and in the following order:

131.14 (1) the cost of the inmate's keep as determined by subdivision 7, which money shall be
131.15 deposited in the general fund of the state treasury if the inmate is housed in a state
131.16 correctional facility, or shall be paid directly to the place of confinement as designated by
131.17 the commissioner pursuant to subdivision 1;

131.18 (2) necessary travel expense to and from work and other incidental expenses of the
131.19 inmate;

131.20 (3) support of inmate's dependents, if any;

131.21 (4) court-ordered restitution, if any;

131.22 (5) fines, surcharges, or other fees assessed or ordered by the court;

131.23 (6) contribution to any programs established by law to aid victims of crime, provided
131.24 that the contribution must not be more than 20 percent of the inmate's gross wages;

131.25 (7) restitution to the commissioner of corrections ordered by a prison disciplinary hearing
131.26 officer for damage to property caused by an inmate's conduct;

131.27 (8) restitution to staff ordered by a prison disciplinary hearing officer for damage to
131.28 property caused by an inmate's conduct;

131.29 (9) restitution to another inmate ordered by a prison disciplinary hearing officer for
131.30 personal injury to another caused by an inmate's conduct;

131.31 (10) after the above expenditures, the inmate shall have discretion to direct payment of
131.32 the balance, if any, upon proper proof of personal legal debts; and

132.1 (11) the balance, if any, shall be disbursed to the inmate as provided in section 243.24,
132.2 subdivision 1.

132.3 (b) The commissioner may authorize the payment of court-ordered restitution from an
132.4 inmate's wages when the restitution was court ordered as a sanction for the conviction of
132.5 an offense which is not the offense of commitment, including offenses which occurred prior
132.6 to the offense for which the inmate was committed to the commissioner. All money in the
132.7 work release account are appropriated annually to the commissioner of corrections for the
132.8 purposes of the work release program.

132.9 Sec. 7. Minnesota Statutes 2024, section 241.26, is amended by adding a subdivision to
132.10 read:

132.11 Subd. 8. **Exempt from rulemaking.** A commissioner policy or policy rule under this
132.12 section is not a rule under chapter 14 and is exempt from the rulemaking provisions under
132.13 chapter 14, including section 14.386.

132.14 Sec. 8. Minnesota Statutes 2024, section 241.80, is amended to read:

132.15 **241.80 AMERICAN INDIAN CULTURAL PROGRAM.**

132.16 Subdivision 1. **Authority.** The commissioner of corrections shall develop a policy to
132.17 provide the cultural programming services listed in subdivision 2 to American Indian inmates
132.18 incarcerated individuals of all juvenile and adult state correctional facilities and
132.19 community-based correctional programs. The commissioner may, within the limits of
132.20 available money, contract with appropriate American Indian private, nonprofit organizations
132.21 to provide the cultural programming services.

132.22 Subd. 2. **Cultural programming services.** The policy shall include, but need not be
132.23 limited to, providing, within the limits of available money, spiritual and cultural programming
132.24 services having the following purposes:

132.25 (1) ~~the teaching of good work habits and the development of motivation through work~~
132.26 education and training needed for postincarceration self-sufficiency;

132.27 (2) the development of ~~cultural pride to improve~~ strengthened American Indian ~~self-image~~
132.28 identity;

132.29 ~~(3) the development of an understanding of and an adjustment to the cultural differences~~
132.30 ~~between American Indians and other ethnic groups;~~

133.1 (3) improved understanding of American Indian culture, traditions, and spiritual practices
133.2 for Department of Corrections staff;

133.3 ~~(4) the development of attitudes of mutual trust, respect, and understanding among~~
133.4 ~~American Indian family members~~ partnerships with Tribal Nations to address the unique
133.5 needs of American Indian incarcerated individuals and promote approaches to rehabilitation
133.6 specific to this population;

133.7 ~~(5) the fostering of increased availability of medicine men and American Indian spiritual~~
133.8 ~~leaders to teach American Indian inmates~~ incarcerated individuals about American Indian
133.9 ~~history, cultural sensitivity, and religion~~ and spiritual practices;

133.10 (6) the involvement of American Indian ~~inmates~~ incarcerated individuals in those aspects
133.11 of the correctional system that will aid in their rehabilitation; and

133.12 (7) the provision of services to American Indian ~~inmates~~ incarcerated individuals that
133.13 will facilitate their reentry into the community.

133.14 Sec. 9. Minnesota Statutes 2024, section 242.10, is amended to read:

133.15 **242.10 HEARING OFFICERS, POWERS; PROBATION, COMMITMENT,**
133.16 **PAROLE.**

133.17 Subdivision 1. Designated hearing officers. The commissioner of corrections may
133.18 designate from among the members of the commissioner's staff; one or more hearing officers
133.19 and delegate to them the authority to grant or revoke probation, commit to an institution,
133.20 grant or revoke parole, or issue final discharge to any person ~~under the control of the~~
133.21 ~~commissioner pursuant to a commitment~~ committed to the commissioner by a juvenile court
133.22 of this state.

133.23 Subd. 2. Appealing order of hearing officer. Any person aggrieved by an order issued
133.24 by a hearing officer may appeal to the commissioner or ~~to a review panel established by~~
133.25 ~~the commissioner~~ a designee within the department ~~pursuant~~ according to rules policy issued
133.26 by the commissioner.

133.27 Subd. 3. Exempt from rulemaking. A commissioner policy under this section is not a
133.28 rule under chapter 14 and is exempt from the rulemaking provisions under chapter 14,
133.29 including section 14.386.

134.1 Sec. 10. Minnesota Statutes 2024, section 242.19, subdivision 3, is amended to read:

134.2 Subd. 3. **Retaking absconding and other person.** ~~The written order of the commissioner~~
134.3 ~~of corrections is authority to any peace officer or parole or probation officer~~ Warrants to
134.4 take and detain any child committed to the commissioner of corrections by a juvenile court
134.5 who absconds from field supervision or escapes from confinement, violates furlough
134.6 conditions, or is released from court while on institution status are governed according to
134.7 section 243.051. ~~Any person of the age of 18 years or older who is taken into custody under~~
134.8 ~~the provisions of this subdivision may be detained as provided in section 260B.181,~~
134.9 ~~subdivision 4.~~

134.10 Sec. 11. Minnesota Statutes 2024, section 242.44, is amended to read:

134.11 **242.44 PUPILS JUVENILES.**

134.12 Subdivision 1. Receiving and housing juveniles. The commissioner of corrections, so
134.13 far as the accommodations of the correctional facilities and other means at the commissioner's
134.14 disposal will permit, may receive juvenile delinquents and juvenile offenders serving a
134.15 juvenile disposition under section 260B.130, subdivision 4. The commissioner's housing
134.16 of these individuals must be consistent with federal and state law, including established
134.17 admissions criteria for Minnesota Correctional Facility-Red Wing. The commissioner may
134.18 place these youths at employment, may provide education suitable to their years and capacity,
134.19 and may place them in suitable homes.

134.20 Subd. 2. Parole or discharge. (a) ~~Under rules policy~~ prescribed by the commissioner,
134.21 when deemed best for these youths, persons committed to the commissioner's care and
134.22 custody by a juvenile court may be paroled or discharged from the facility by the
134.23 commissioner.

134.24 (b) A commissioner policy under this subdivision is not a rule under chapter 14 and is
134.25 exempt from the rulemaking provisions under chapter 14, including section 14.386.

134.26 Subd. 3. Youth in facility. All ~~pupils youth~~ youth in the facility ~~shall~~ must be clothed,
134.27 instructed, and maintained by the commissioner of corrections.

134.28 Sec. 12. Minnesota Statutes 2024, section 243.05, subdivision 1, is amended to read:

134.29 Subdivision 1. **Conditional release.** (a) The Supervised Release Board may parole any
134.30 person sentenced to confinement in any state correctional facility for adults under the control
134.31 of the commissioner of corrections, provided that:

(1) no inmate serving a life sentence for committing murder before May 1, 1980, other than murder committed in violation of clause (1) of section 609.185 who has not been previously convicted of a felony shall be paroled without having served 20 years, less the diminution that would have been allowed for good conduct had the sentence been for 20 years;

(2) no inmate serving a life sentence for committing murder before May 1, 1980, who has been previously convicted of a felony or though not previously convicted of a felony is serving a life sentence for murder in the first degree committed in violation of clause (1) of section 609.185 shall be paroled without having served 25 years, less the diminution which would have been allowed for good conduct had the sentence been for 25 years;

(3) any inmate sentenced prior to September 1, 1963, who would be eligible for parole had the inmate been sentenced after September 1, 1963, shall be eligible for parole; and

(4) any new rule or policy or change of rule or policy adopted by the commissioner of corrections which has the effect of postponing eligibility for parole has prospective effect only and applies only with respect to persons committing offenses after the effective date of the new rule or policy or change.

(b) Upon being paroled and released, an inmate is and remains in the legal custody and under the control of the commissioner, subject at any time to be returned to a facility of the Department of Corrections established by law for the confinement or treatment of convicted persons and the parole rescinded by the commissioner.

~~(c) The written order of the commissioner of corrections, is sufficient authority for any peace officer, state correctional investigator, or state parole and probation agent to retake and place in actual custody any person on parole or supervised release. In addition, when it appears necessary in order to prevent escape or enforce discipline, any state parole and probation agent or state correctional investigator may, without order of warrant, take and detain a parolee or person on supervised release or work release and bring the person to the commissioner for action.~~

~~(d) The written order of the commissioner of corrections is sufficient authority for any peace officer, state correctional investigator, or state parole and probation agent to retake and place in actual custody any person on probation under the supervision of the commissioner pursuant to section 609.135. Additionally, when it appears necessary in order to prevent escape or enforce discipline, any state parole and probation agent or state correctional investigator may, without an order, retake and detain a probationer and bring the probationer before the court for further proceedings under section 609.14.~~

136.1 ~~(e) The written order of the commissioner of corrections is sufficient authority for any~~
136.2 ~~peace officer, state correctional investigator, or state parole and probation agent to detain~~
136.3 ~~any person on pretrial release who absconds from pretrial release or fails to abide by the~~
136.4 ~~conditions of pretrial release.~~

136.5 ~~(f)~~ (c) Persons conditionally released, and those on probation under the supervision of
136.6 the commissioner of corrections pursuant to section 609.135 may be placed within or outside
136.7 the boundaries of the state at the discretion of the commissioner of corrections or the court,
136.8 and the limits fixed for these persons may be enlarged or reduced according to their conduct.

136.9 ~~(g)~~ (d) Except as otherwise provided in subdivision 1b, in considering applications for
136.10 conditional release or discharge, the commissioner is not required to hear oral argument
136.11 from any attorney or other person not connected with an adult correctional facility of the
136.12 Department of Corrections in favor of or against the parole or release of any inmates. The
136.13 commissioner may institute inquiries by correspondence, taking testimony, or otherwise,
136.14 as to the previous history, physical or mental condition, and character of the inmate and, to
136.15 that end, has the authority to require the attendance of the chief executive officer of any
136.16 state adult correctional facility and the production of the records of these facilities, and to
136.17 compel the attendance of witnesses. The commissioner is authorized to administer oaths to
136.18 witnesses for these purposes.

136.19 ~~(h)~~ (e) Before revoking a nonviolent controlled substance offender's parole or probation
136.20 based on a technical violation, when the offender does not present a risk to the public and
136.21 the offender is amenable to continued supervision in the community, a parole or probation
136.22 agent must identify community options to address and correct the violation including, but
136.23 not limited to, inpatient substance use disorder treatment. If a probation or parole agent
136.24 determines that community options are appropriate and available in the state, the agent must
136.25 seek to restructure the offender's terms of release to incorporate those options. If an offender
136.26 on probation stipulates in writing to restructure the terms of release, a probation agent must
136.27 forward a report to the district court containing:

136.28 (1) the specific nature of the technical violation of probation;

136.29 (2) the recommended restructure to the terms of probation; and

136.30 (3) a copy of the offender's signed stipulation indicating that the offender consents to
136.31 the restructuring of probation.

136.32 ~~(i)~~ (f) The recommended restructuring of probation becomes effective when confirmed
136.33 by a judge. The order of the court is proof of confirmation and amends the terms of the
136.34 sentence imposed by the court under section 609.135.

137.1 ~~(f)~~ (g) If a nonviolent controlled substance offender's parole or probation is revoked, the
137.2 offender's agent must first attempt to place the offender in a local jail.

137.3 ~~(k)~~ (h) For purposes of paragraphs ~~(h)~~ (e) to ~~(k)~~ (g):

137.4 (1) "nonviolent controlled substance offender" means a person who meets the criteria
137.5 described under section 244.0513, subdivision 2, clauses (1), (2), and (5); and

137.6 (2) "technical violation" means any violation of a court order of probation or a condition
137.7 of parole, except an allegation of a subsequent criminal act that is alleged in a formal
137.8 complaint, citation, or petition.

137.9 Sec. 13. Minnesota Statutes 2024, section 243.05, subdivision 2, is amended to read:

137.10 Subd. 2. **Rules Policy on conditional release.** (a) The commissioner of corrections may
137.11 must adopt rules in accordance with chapter 14, the Administrative Procedure Act, policy
137.12 governing the procedures for granting of conditional release and final discharge. The rules
137.13 policy may provide for the conduct and employment of persons conditionally released, and
137.14 other matters necessary to implement the duties conferred by law upon the commissioner
137.15 with respect to conditional release and discharge of persons.

137.16 (b) A commissioner policy under this subdivision is not a rule under chapter 14 and is
137.17 exempt from the rulemaking provisions under chapter 14, including section 14.386.

137.18 (c) For purposes of this subdivision, "conditional release" means a person on parole,
137.19 work release, or supervised release.

137.20 Sec. 14. Minnesota Statutes 2024, section 243.05, subdivision 4, is amended to read:

137.21 Subd. 4. **Hearing officers; powers; duties.** To carry out the powers and duties conferred
137.22 by this section, the commissioner of corrections may designate from among staff members;
137.23 one or more hearing officers and delegate to them any of the powers and duties conferred
137.24 by this section. ~~In the exercise of their delegated powers and duties the hearing officers~~
137.25 ~~shall be subject to the rules prescribed by the commissioner of corrections.~~

137.26 Sec. 15. **[243.051] WARRANTS AND STOP ORDERS.**

137.27 Subdivision 1. Warrants and stop orders; commissioner policy. (a) For purposes of
137.28 this section, "commissioner" means the commissioner of corrections.

137.29 (b) Consistent with this section, the commissioner must adopt policy governing warrants
137.30 and stop orders.

138.1 (c) A commissioner policy under this section is not a rule under chapter 14 and is exempt
138.2 from the rulemaking provisions under chapter 14, including section 14.386.

138.3 Subd. 2. **Warrants; generally.** (a) The commissioner may issue warrants, including
138.4 nationwide warrants, for apprehension and detention in any of the following circumstances:

138.5 (1) when a person under the commissioner's supervision, including but not limited to a
138.6 person on parole, supervised release, conditional release, work release, or probation, absconds
138.7 from supervision or fails to abide by the conditions of their release;

138.8 (2) when a person on pretrial release absconds from pretrial release or fails to abide by
138.9 the conditions of pretrial release;

138.10 (3) when an inmate escapes from any state correctional facility under the commissioner's
138.11 control;

138.12 (4) when a convicted defendant fails to report postsentencing to their county authority
138.13 or to a state correctional facility; or

138.14 (5) when a child committed to the commissioner by a juvenile court absconds from field
138.15 supervision, escapes from confinement, violates furlough conditions, or is released from
138.16 court while on institution status.

138.17 (b) For an inmate under paragraph (a), clause (3), the commissioner must use all proper
138.18 means to apprehend and return the inmate, which may include offering a reward of no more
138.19 than \$100 to be paid from the state treasury, for information leading to the arrest and return
138.20 to custody of the inmate.

138.21 (c) Any individual 18 years of age or older who is taken into custody under paragraph
138.22 (a), clause (5), may be detained according to section 260B.181, subdivision 4.

138.23 Subd. 3. **Warrant authority.** A warrant issued by the commissioner is sufficient authority
138.24 for any peace officer, state correctional investigator, or state parole or probation agent to
138.25 retake and place in actual custody any person.

138.26 Subd. 4. **Preventing escape or enforcing discipline.** When it appears necessary to
138.27 prevent escape or enforce discipline, any state parole and probation agent or state correctional
138.28 investigator may, without a warrant:

138.29 (1) take and detain any person on probation, parole, supervised release, conditional
138.30 release, or work release; and

138.31 (2) take one of the following actions:

139.1 (i) for a person on probation, bring them before the court for further proceedings under
139.2 section 609.14; or

139.3 (ii) for a person on parole, supervised release, conditional release, or work release, bring
139.4 them to the commissioner for action.

139.5 Subd. 5. **Stop time.** The commissioner may stop the time from running on sentences of
139.6 persons until they are taken into custody in the following circumstances:

139.7 (1) releasees who have absconded from supervision;

139.8 (2) inmates who have escaped from a state correctional facility; or

139.9 (3) convicted defendants who have failed to report postsentencing.

139.10 Sec. 16. Minnesota Statutes 2024, section 243.88, subdivision 2, is amended to read:

139.11 Subd. 2. **Private industry employment.** (a) Any corporation operating a factory or
139.12 other business or commercial enterprise under this section may employ selected inmates of
139.13 the correctional institution upon whose grounds it operates and persons conditionally released
139.14 subject to the provisions of section 241.26. Persons conditionally released as provided in
139.15 this subdivision ~~shall be deemed to be~~ are parolees within the purview of United States
139.16 Code, title 49, section 60.

139.17 (b) Except as prohibited by applicable provisions of the United States Code, inmates of
139.18 state correctional institutions may be employed in the manufacture and processing of goods,
139.19 wares and merchandise for introduction into interstate commerce, provided that they are
139.20 paid no less than the prevailing minimum wages for work of a similar nature performed by
139.21 employees with similar skills in the locality in which the work is being performed.

139.22 ~~Under rules~~ (c) As prescribed by the commissioner of corrections, a portion of the wages
139.23 of each inmate employed as authorized by this subdivision, in an amount to be determined
139.24 by the commissioner, shall be set aside and kept ~~by the chief executive officer of the facility~~
139.25 in the public welfare fund of the state for the benefit of the inmate and for the purpose of
139.26 assisting the inmate when leaving the facility on conditional release or by final discharge.
139.27 Any portion remaining undisbursed at the time of the inmate's final discharge shall be given
139.28 to the inmate upon final discharge.

140.1 Sec. 17. Minnesota Statutes 2024, section 243.88, subdivision 5, is amended to read:

140.2 Subd. 5. **Deductions.** Notwithstanding any other law to the contrary, any compensation
140.3 paid to inmates under this section is subject to section 243.23, subdivisions 2 and 3, and
140.4 ~~rules~~ policy of the commissioner of corrections.

140.5 Sec. 18. Minnesota Statutes 2024, section 243.88, is amended by adding a subdivision to
140.6 read:

140.7 Subd. 6. **Exempt from rulemaking.** A commissioner prescription or policy under this
140.8 section is not a rule under chapter 14 and is exempt from the rulemaking provisions under
140.9 chapter 14, including section 14.386.

140.10 Sec. 19. Minnesota Statutes 2024, section 244.04, subdivision 1, is amended to read:

140.11 Subdivision 1. **Reduction of sentence; inmates sentenced for crimes committed**
140.12 **before 1993.** (a) Notwithstanding the provisions of section 609.11, subdivision 6, and
140.13 Minnesota Statutes 2004, section 609.109, subdivision 1, the term of imprisonment of any
140.14 inmate sentenced to a presumptive fixed sentence after May 1, 1980, and whose crime was
140.15 committed before August 1, 1993, shall be reduced in duration by one day for each two
140.16 days during which the inmate violates none of the disciplinary offense rules ~~promulgated~~
140.17 adopted by the commissioner. The reduction shall accrue to the period of supervised release
140.18 to be served by the inmate, except that the period of supervised release for a sex offender
140.19 conditionally released by the commissioner under section 609.3455 is governed by that
140.20 provision.

140.21 (b) Except as otherwise provided in subdivision 2, if an inmate whose crime was
140.22 committed before August 1, 1993, violates a disciplinary offense rule ~~promulgated by the~~
140.23 ~~commissioner~~, good time earned prior to the violation may not be taken away, but the inmate
140.24 may be required to serve an appropriate portion of the term of imprisonment after the
140.25 violation without earning good time.

140.26 Sec. 20. Minnesota Statutes 2024, section 244.04, subdivision 2, is amended to read:

140.27 Subd. 2. **Loss of good time.** ~~By May 1, 1980, The commissioner shall promulgate rules~~
140.28 must adopt policy specifying disciplinary offenses ~~which~~ that may result in the loss of good
140.29 time and the amount of good time ~~which~~ that may be lost as a result of each disciplinary
140.30 offense, including provision for restoration of good time. In no case shall an individual
140.31 disciplinary offense result in the loss of more than 90 days of good time; except that no
140.32 inmate confined in segregation for violation of a disciplinary rule shall be placed on

141.1 supervised release until discharged or released from punitive segregation confinement, nor
141.2 shall an inmate in segregation for violation of a disciplinary rule for which the inmate could
141.3 also be prosecuted under the criminal laws earn good time while in segregation. The loss
141.4 of good time shall be considered to be a disciplinary sanction imposed upon an inmate, and
141.5 the procedure for the loss of good time and the rights of the inmate in the procedure shall
141.6 be those in effect for the imposition of other disciplinary sanctions at each state correctional
141.7 institution.

141.8 Sec. 21. Minnesota Statutes 2024, section 244.04, is amended by adding a subdivision to
141.9 read:

141.10 Subd. 4. **Exempt from rulemaking.** A commissioner policy or disciplinary rule under
141.11 this section is not a rule under chapter 14 and is exempt from the rulemaking provisions
141.12 under chapter 14, including section 14.386.

141.13 Sec. 22. Minnesota Statutes 2024, section 244.05, subdivision 1b, is amended to read:

141.14 Subd. 1b. **Supervised release; inmates who commit crimes on or after August 1,**
141.15 **1993.** (a) Except as provided in subdivisions 4, 4a, and 5, every inmate sentenced to prison
141.16 for a felony offense committed on or after August 1, 1993, shall serve a supervised release
141.17 term upon completion of the inmate's term of imprisonment and any disciplinary confinement
141.18 period imposed by the commissioner due to the inmate's violation of any disciplinary rule
141.19 adopted by the commissioner or refusal to participate in a rehabilitative program required
141.20 under section 244.03. The amount of time the inmate serves on supervised release is equal
141.21 to one-third of the inmate's fixed executed sentence, less any disciplinary confinement period
141.22 imposed by the commissioner and regardless of any earned incentive release credit applied
141.23 toward the individual's term of imprisonment under section 244.44.

141.24 (b) No inmate who violates a disciplinary rule or refuses to participate in a rehabilitative
141.25 program as required under section 244.03 shall be placed on supervised release until the
141.26 inmate has served the disciplinary confinement period for that disciplinary sanction or until
141.27 the inmate is discharged or released from punitive restrictive-housing confinement, whichever
141.28 is later. The imposition of a disciplinary confinement period shall be considered to be a
141.29 disciplinary sanction imposed upon an inmate, and the procedure for imposing the
141.30 disciplinary confinement period and the rights of the inmate in the procedure shall be those
141.31 in effect for the imposition of other disciplinary sanctions at each state correctional institution.

141.32 (c) A disciplinary rule under this subdivision is not a rule under chapter 14 and is exempt
141.33 from the rulemaking provisions under chapter 14, including section 14.386.

142.1 ~~(e)~~ (d) For purposes of this subdivision, "earned incentive release credit" has the meaning
142.2 given in section 244.41, subdivision 7.

142.3 Sec. 23. Minnesota Statutes 2024, section 244.05, subdivision 2, is amended to read:

142.4 Subd. 2. **Rules Policy.** (a) The commissioner of corrections ~~shall~~ must adopt ~~by rule~~
142.5 ~~standards and procedures~~ policies for the establishment of:

142.6 (1) establishing conditions of release and the revocation of;

142.7 (2) revoking supervised or conditional release, and shall specify the period of revocation
142.8 ~~for each violation of release. Procedures for the revocation of release shall provide due~~
142.9 ~~process of law for the inmate. including revocation procedures that must provide for due~~
142.10 process of law for the offender;

142.11 (3) assigning terms of reimprisonment for release violations; and

142.12 (4) extending terms of reimprisonment due to violations of disciplinary rules or other
142.13 factors specified in policy relating to community supervision or public safety.

142.14 (b) In no case may a term of reimprisonment exceed 12 months unless:

142.15 (1) the release violation involved a conviction for a felony offense;

142.16 (2) the commissioner finds the releasee to be a risk to the public; or

142.17 (3) the commissioner finds the releasee to be unamenable to supervision due to one or
142.18 more prior violations of the conditions of release.

142.19 ~~(b)~~ (c) The commissioner may prohibit an inmate placed on parole, supervised release,
142.20 or conditional release from using adult-use cannabis flower as defined in section 342.01,
142.21 subdivision 3, or adult-use cannabis products as defined in section 342.01, subdivision 3,
142.22 hemp-derived consumer products as defined in section 342.01, subdivision 35, or
142.23 lower-potency hemp edibles as defined in section 342.01, subdivision 48, if the inmate
142.24 undergoes a chemical use assessment and abstinence is consistent with a recommended
142.25 level of care for the defendant in accordance with the criteria under section 254B.04,
142.26 subdivision 4.

142.27 ~~(e)~~ (d) The commissioner of corrections shall not prohibit an inmate placed on parole,
142.28 supervised release, or conditional release from participating in the registry program as
142.29 defined in section 342.01, subdivision 61, as a condition of release or revoke a patient's
142.30 parole, supervised release, or conditional release or otherwise sanction a patient on parole,
142.31 supervised release, or conditional release solely for participating in the registry program or
142.32 for a positive drug test for cannabis components or metabolites.

143.1 (e) A commissioner policy or disciplinary rule under this subdivision is not a rule under
143.2 chapter 14 and is exempt from the rulemaking provisions under chapter 14, including section
143.3 14.386.

143.4 Sec. 24. Minnesota Statutes 2024, section 244.0513, subdivision 1, is amended to read:

143.5 Subdivision 1. **Conditional release authority.** The commissioner of corrections has
143.6 the authority to release offenders committed to the commissioner's custody who meet the
143.7 requirements of this section and of any ~~rules~~ policy adopted by the commissioner. A
143.8 commissioner policy under this section is not a rule under chapter 14 and is exempt from
143.9 the rulemaking provisions under chapter 14, including section 14.386.

143.10 Sec. 25. Minnesota Statutes 2024, section 244.0513, subdivision 7, is amended to read:

143.11 Subd. 7. **Release procedures.** The commissioner may deny conditional release to an
143.12 offender under this section if the commissioner determines that the offender's release may
143.13 reasonably pose a danger to the public or an individual. In making this determination, the
143.14 commissioner ~~shall~~ must follow the procedures in section 244.05, subdivision 5, and ~~the~~
143.15 ~~rules adopted by the commissioner under that subdivision~~ policy thereunder. The
143.16 commissioner shall consider whether the offender was involved in criminal gang activity
143.17 during the offender's prison term. The commissioner shall also consider the offender's
143.18 custody classification and level of risk of violence and the availability of appropriate
143.19 community supervision for the offender. Conditional release granted under this section
143.20 continues until the offender's sentence expires, unless release is rescinded under subdivision
143.21 8. The commissioner may not grant conditional release unless a release plan is in place for
143.22 the offender that addresses, at a minimum, plans for aftercare, community-based substance
143.23 use disorder treatment, gaining employment, and securing housing.

143.24 Sec. 26. Minnesota Statutes 2024, section 244.0513, subdivision 8, is amended to read:

143.25 Subd. 8. **Conditional release.** The conditions of release granted under this section are
143.26 governed by the statutes and ~~rules~~ policy governing supervised release under this chapter,
143.27 except that release may be rescinded without hearing by the commissioner if the
143.28 commissioner determines that continuation of the conditional release poses a danger to the
143.29 public or to an individual. If the commissioner rescinds an offender's conditional release,
143.30 the offender shall be returned to prison and shall serve the remaining portion of the offender's
143.31 sentence.

144.1 Sec. 27. Minnesota Statutes 2024, section 244.07, subdivision 1, is amended to read:

144.2 Subdivision 1. **Authority.** If consistent with the public interest, the commissioner may;
144.3 ~~under rules prescribed by the commissioner,~~ furlough any inmate in custody to any point
144.4 within the state for up to five days. A furlough may be granted to assist the inmate with
144.5 family needs, personal health needs, or reintegration into society. No inmate may receive
144.6 more than three furloughs under this section within any 12-month period. ~~The provisions~~
144.7 ~~of This section shall also apply~~ applies to those inmates convicted of offenses ~~prior to~~ before
144.8 May 1, 1980.

144.9 Sec. 28. Minnesota Statutes 2024, section 244.07, is amended by adding a subdivision to
144.10 read:

144.11 Subd. 3. **Exempt from rulemaking.** A commissioner determination under this section
144.12 is not a rule under chapter 14 and is exempt from the rulemaking provisions under chapter
144.13 14, including section 14.386.

144.14 Sec. 29. Minnesota Statutes 2024, section 244.13, subdivision 1, is amended to read:

144.15 Subdivision 1. **Establishment.** The commissioner of corrections shall establish programs
144.16 for those designated by the commissioner to serve all or part of a sentence on intensive
144.17 community supervision or all or part of a supervised release or parole term on intensive
144.18 supervised release. The adoption and modification of policies and procedures to implement
144.19 sections 244.05, subdivision 6, ~~and 244.12 to 244.15,~~ and 244.13 are not subject to the
144.20 rulemaking procedures of chapter 14 ~~because these policies and procedures are excluded~~
144.21 ~~from the definition of a rule under section 14.03, subdivision 3, paragraph (b), clause (1),~~
144.22 including section 14.386. The commissioner shall locate the programs so that at least one-half
144.23 of the money appropriated for the programs in each year is used for programs in Community
144.24 Corrections Act counties. In awarding contracts for intensive supervision programs in
144.25 Community Corrections Act counties, the commissioner shall give first priority to programs
144.26 that utilize county employees as intensive supervision agents and shall give second priority
144.27 to programs that utilize state employees as intensive supervision agents. The commissioner
144.28 may award contracts to other providers in Community Corrections Act counties only if
144.29 doing so will result in a significant cost savings or a significant increase in the quality of
144.30 services provided, and only after notifying the chairs of the committees in the senate and
144.31 house of representatives with jurisdiction over criminal justice policy.

145.1 Sec. 30. Minnesota Statutes 2024, section 244.171, subdivision 4, is amended to read:

145.2 Subd. 4. **Sanctions.** (a) The commissioner shall impose severe and meaningful sanctions
145.3 for violating the conditions of the challenge incarceration program. The commissioner shall
145.4 remove an offender from the challenge incarceration program if the offender:

145.5 (1) commits a material violation of or repeatedly fails to follow the rules of the program;

145.6 (2) commits any misdemeanor, gross misdemeanor, or felony offense; or

145.7 (3) presents a risk to the public, based on the offender's behavior, attitude, or abuse of
145.8 alcohol or controlled substances. The removal of an offender from the challenge incarceration
145.9 program is governed by the procedures in the commissioner's ~~rules adopted~~ policy under
145.10 section 244.05, subdivision 2.

145.11 (b) An offender who is removed from the challenge incarceration program shall be
145.12 imprisoned for a time period equal to the offender's term of imprisonment, minus earned
145.13 good time if any, but in no case for longer than the time remaining in the offender's sentence.
145.14 "Term of imprisonment" means a time period equal to two-thirds of the sentence originally
145.15 executed by the sentencing court, minus jail credit, if any.

145.16 (c) Notwithstanding paragraph (b), an offender who has been removed from the challenge
145.17 incarceration program but who remains otherwise eligible for acceptance into the program
145.18 may be readmitted at the commissioner's discretion. An offender readmitted to the program
145.19 under this paragraph must participate from the beginning and complete all of the program's
145.20 phases.

145.21 Sec. 31. Minnesota Statutes 2024, section 244.19, subdivision 1c, is amended to read:

145.22 Subd. 1c. **Community supervision funding; eligibility for funding formula.** (a) A
145.23 CPO jurisdiction:

145.24 (1) must collaborate with the commissioner to develop a comprehensive plan under
145.25 section 401.06; and

145.26 (2) is subject to all applicable eligibility provisions under chapter 401 necessary to
145.27 receive a subsidy under section 401.10.

145.28 (b) A non-CPO jurisdiction is eligible to receive a subsidy under section 401.10 but is
145.29 not a Community Corrections Act jurisdiction under chapter 401, ~~and~~ Except as provided
145.30 under section 401.115, the commissioner:

145.31 ~~(1)~~ is appropriated the jurisdiction's share of funding under section 401.10 for providing
145.32 probation services; ~~and~~.

146.1 ~~(2) may seek reimbursement from the jurisdiction according to subdivision 5a.~~

146.2 Sec. 32. Minnesota Statutes 2024, section 244.19, subdivision 1d, is amended to read:

146.3 Subd. 1d. **Commissioner of corrections; reimbursing CPO and non-CPO jurisdictions**
146.4 **jurisdiction**. As calculated by the community supervision formula under section 401.10,
146.5 the commissioner must:

146.6 ~~(1) reimburse a CPO jurisdiction for the cost that the jurisdiction assumes under this~~
146.7 ~~section for providing probation services, including supervising juveniles committed to the~~
146.8 ~~commissioner of corrections; and.~~

146.9 ~~(2) reimburse a non-CPO jurisdiction for the commissioner's provision of probation~~
146.10 ~~services to the jurisdiction under this section.~~

146.11 Sec. 33. Minnesota Statutes 2024, section 244.19, subdivision 5, is amended to read:

146.12 Subd. 5. **Commissioner ~~compensation to~~ duties for non-CPO jurisdiction**. (a) For a
146.13 non-CPO jurisdiction, the commissioner must, ~~out of appropriations provided under~~
146.14 ~~subdivision 5a, paragraph (b),~~ pay probation officers the salary and all benefits fixed by the
146.15 state law or applicable bargaining unit and all necessary expenses, including secretarial
146.16 service, office equipment and supplies, postage, telephone services, and travel and
146.17 subsistence.

146.18 (b) Except as provided under section 401.115, the commissioner must pay the items
146.19 under paragraph (a) using appropriations provided under section 401.10.

146.20 Sec. 34. Minnesota Statutes 2024, section 244.19, subdivision 5a, is amended to read:

146.21 Subd. 5a. **Department of Corrections ~~billing; CPO and non-CPO jurisdiction~~**
146.22 **~~reimbursement~~ annual reporting**. (a) At least ~~every six months~~ annually, the commissioner
146.23 must ~~bill for the total cost and expenses incurred by the commissioner on behalf of each~~
146.24 ~~non-CPO jurisdiction that has received probation services. The commissioner must notify~~
146.25 ~~each CPO and non-CPO jurisdiction of the total cost and expenses, and the jurisdiction must~~
146.26 ~~pay to the commissioner the amount due for reimbursement~~ incurred by the commissioner
146.27 on behalf of each CPO and non-CPO jurisdiction that has received probation services.

146.28 ~~(b) Each CPO and non-CPO jurisdiction must reimburse the Department of Corrections~~
146.29 ~~for the total cost and expenses of the probation services as incurred by the commissioner,~~
146.30 ~~excluding the cost and expense of services provided under the state's obligation for adult~~
146.31 ~~felony supervision in section 244.20. Money received under this paragraph from a non-CPO~~

147.1 ~~jurisdiction must be annually appropriated to the commissioner for providing probation~~
147.2 ~~services to the jurisdiction.~~

147.3 ~~(c) Objections by a non-CPO jurisdiction to all allocation of cost and expenses must be~~
147.4 ~~presented to and determined by the commissioner.~~

147.5 ~~(d) In addition to the billing and reimbursement requirements under this section, (b)~~
147.6 Invoicing and payments for probation services for a CPO jurisdiction are as provided under
147.7 sections 401.14 and 401.15.

147.8 Sec. 35. Minnesota Statutes 2024, section 244.20, is amended to read:

147.9 **244.20 PROBATION; FELONY SUPERVISION.**

147.10 (a) Notwithstanding sections 244.19, subdivisions 1 to 1d, and 609.135, subdivision 1,
147.11 the Department of Corrections:

147.12 (1) has exclusive responsibility for providing probation services for adult felons in
147.13 counties and Tribal Nations that do not take part in the Community Corrections Act subsidy
147.14 program under chapter 401; and

147.15 (2) to provide felony supervision, retains the county's or Tribal Nation's funding allotted
147.16 under section 401.10 for providing felony probation services.

147.17 (b) Paragraph (a), clause (2), does not apply to a Tribal Nation's subsidy under section
147.18 401.115.

147.19 Sec. 36. Minnesota Statutes 2024, section 326.338, subdivision 4, is amended to read:

147.20 Subd. 4. **Protective agent.** A person who for a fee, reward, or other valuable consideration
147.21 undertakes any of the following acts is considered to be engaged in the business of protective
147.22 agent:

147.23 (1) providing guards, private patrol, or other security personnel to protect persons or
147.24 their property or to prevent the theft, unlawful taking of goods, merchandise, or money, or
147.25 to prevent the misappropriation or concealment of goods, merchandise, money, or other
147.26 valuable things, or to procure the return of those things;

147.27 (2) physically responding to any alarm signal device, burglar alarm, television camera,
147.28 still camera, or a mechanical or electronic device installed or used to prevent or detect
147.29 burglary, theft, shoplifting, pilferage, losses, or other security measures;

147.30 (3) providing armored car services for the protection of persons or property;

148.1 (4) controlling motor traffic on public streets, roads, and highways for the purpose of
148.2 escorting a funeral procession and oversized loads;

148.3 (5) providing management and control of crowds for the purpose of safety and protection;
148.4 or

148.5 (6) providing guards or other security personnel to transport prisoners or any other person
148.6 arrested on a warrant, except that this does not apply to the transport or escort of offenders
148.7 by staff of the Department of Corrections; the transport of a person by the sheriff of a county
148.8 to the appropriate adult or juvenile correctional facility as designated by the commissioner
148.9 of corrections or to and from court in connection with postconviction, habeas corpus, or
148.10 intrastate mandatory disposition of detainers proceedings; the transfer of a person by
148.11 emergency medical services personnel; or the transfer of a person by a peace officer as
148.12 defined in section 626.84, subdivision 1, paragraph (c), or employed by a federal law
148.13 enforcement agency.

148.14 A person covered by this subdivision may perform the traffic-control duties in clause
148.15 (4) in place of a police officer when a special permit is required, provided that the protective
148.16 agent is first-aid qualified.

148.17 Sec. 37. Minnesota Statutes 2024, section 401.01, subdivision 2, is amended to read:

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

148.20 (b) "CCA jurisdiction" means a county or Tribal Nation that participates in the
148.21 Community Corrections Act, the subsidy program under this chapter.

148.22 (c) "Commissioner" means the commissioner of corrections or a designee.

148.23 (d) "Conditional release" means:

148.24 (1) parole, supervised release, or conditional release as authorized by section 609.3455,
148.25 subdivision 6, 7, or 8; Minnesota Statutes 2004, section 609.108, subdivision 6; or Minnesota
148.26 Statutes 2004, section 609.109, subdivision 7;

148.27 (2) work release as authorized by sections 241.26, ~~244.065~~, and 631.425; and

148.28 (3) probation, furlough, and any other authorized temporary release from a correctional
148.29 facility.

148.30 (e) "Detain" means to take into actual custody, including custody within a local
148.31 correctional facility.

149.1 (f) "Joint board" means the board under section 471.59.

149.2 (g) "Local advisory board" means:

149.3 (1) for a CCA jurisdiction, a corrections advisory board as defined in section 401.08;

149.4 (2) for a non-CCA jurisdiction other than a Tribal Nation, a human services advisory
149.5 board as defined in section 402.02, or advisory committee or task force as defined in section
149.6 402.03; or

149.7 (3) for a Tribal Nation that is a non-CCA jurisdiction, a board with membership as
149.8 determined by the Tribal Nation.

149.9 (h) "Non-CCA jurisdiction" means a county or Tribal Nation that is not participating in
149.10 the Community Corrections Act subsidy program and provides or receives probation services
149.11 according to section 244.19.

149.12 (i) "Probation officer" means a county or Tribal probation officer under a CCA or
149.13 non-CCA jurisdiction appointed with the powers under section 244.19.

149.14 (j) "Release" means to release from actual custody.

149.15 (k) "Tribal Nation" means a federally recognized Tribal Nation within the boundaries
149.16 of the state of Minnesota.

149.17 Sec. 38. Minnesota Statutes 2024, section 401.03, is amended to read:

149.18 **401.03 RULEMAKING AUTHORITY; TECHNICAL ASSISTANCE.**

149.19 (a) The commissioner must, as provided in chapter 14, adopt rules to implement this
149.20 chapter and provide consultation and technical assistance to counties and Tribal Nations to
149.21 help them develop comprehensive plans, including abbreviated plans.

149.22 (b) The time limit to adopt rules under section 14.125 does not apply.

149.23 Sec. 39. Minnesota Statutes 2024, section 401.10, subdivision 1, is amended to read:

149.24 Subdivision 1. **Community supervision funding formula.** (a) Beginning July 1, 2023,
149.25 the community supervision subsidy paid to each county, the commissioner for supervision
149.26 of non-CCA jurisdictions served by the Department of Corrections, and each applicable
149.27 Tribal Nation ~~under paragraph (e)~~ providing services as a CCA jurisdiction or CPO
149.28 jurisdiction as defined in section 244.19, subdivision 1a, paragraph (b), equals the sum of:

149.29 (1) a base funding amount equal to \$150,000; and

149.30 (2) a community supervision formula equal to the sum of:

150.1 ~~(i) for each individual with a felony sentence, a felony per diem rate of \$5.62 multiplied~~
150.2 ~~by the sum of the county's or Tribal Nation's adult felony population, adult supervised~~
150.3 ~~release and parole populations, and juvenile supervised release and parole populations as~~
150.4 ~~reported in the most recent probation survey published by the commissioner, multiplied by~~
150.5 ~~365; and~~

150.6 ~~(ii) for each individual sentenced for a gross misdemeanor or misdemeanor or under~~
150.7 ~~juvenile probation, the felony per diem rate of \$5.62 multiplied by 0.5 and then multiplied~~
150.8 ~~by the sum of the county's or Tribal Nation's gross misdemeanor, misdemeanor, and juvenile~~
150.9 ~~populations as reported in the most recent probation survey published by the commissioner,~~
150.10 ~~multiplied by 365.~~

150.11 (i) for individuals with a felony sentence, the felony per diem rate of \$5.62 shall be
150.12 multiplied by the average total population over the three most recent years, as reported in
150.13 the probation surveys published by the commissioner. This population includes the county
150.14 or Tribal Nation's adult felony population, adult supervised release population, adult parole
150.15 population, juvenile supervised release population, and juvenile parole populations. The
150.16 resulting amount shall then be multiplied by 365 to calculate the total annual allocation;
150.17 and

150.18 (ii) for individuals sentenced for a gross misdemeanor or misdemeanor, or under juvenile
150.19 probation, the felony per diem rate of \$5.62 shall be multiplied by 0.5, and then multiplied
150.20 by the average total population over the three most recent years, as reported in the probation
150.21 surveys published by the commissioner. This population includes the county or Tribal
150.22 Nation's gross misdemeanor population, misdemeanor population, and juvenile probation
150.23 population. The resulting amount shall then be multiplied by 365 to calculate the total annual
150.24 allocation.

150.25 (b) For a non-CCA jurisdiction under section 244.19, subdivision 1b, paragraph (b) or
150.26 (c), the base funding amount must be shared equally between the jurisdiction and the
150.27 commissioner for the provision of felony supervision under section 244.20.

150.28 (c) If in any year the total amount appropriated for the purpose of this section is more
150.29 than or less than the total of base funding plus community supervision formula funding for
150.30 all counties and applicable Tribal Nations, the sum of each county's and applicable Tribal
150.31 Nation's base funding plus community supervision formula funding is adjusted by the ratio
150.32 of amounts appropriated for this purpose divided by the total of base funding plus community
150.33 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.

152.1 Sec. 41. Minnesota Statutes 2024, section 401.10, subdivision 4, is amended to read:

152.2 Subd. 4. **Report.** ~~(a)~~ By January 15, 2025, and every odd-numbered year thereafter, the
152.3 commissioner must submit a report to the chairs and ranking minority members of the
152.4 legislative committees and divisions with jurisdiction over public safety finance and policy.

152.5 At a minimum, the report must summarize and contain the following data:

152.6 (1) the commissioner's most recent workload study under section 401.17, subdivision
152.7 4; and

152.8 ~~(2) the commissioner's collected caseload data under section 244.21, subdivision 1; and~~

152.9 ~~(3)~~ (2) projected growth in the community supervision formula calculated by analyzing
152.10 ~~caseload~~ supervision population trends and data.

152.11 ~~(b) The report may be made in conjunction with reporting under section 244.21.~~

152.12 Sec. 42. Minnesota Statutes 2024, section 401.11, subdivision 1, is amended to read:

152.13 Subdivision 1. **Policy items.** (a) Except for an abbreviated comprehensive plan submitted
152.14 under section 401.115, a comprehensive plan submitted to the commissioner for approval
152.15 under section 401.06 must include items prescribed by commissioner policy and may include
152.16 the following:

152.17 (1) the manner in which presentence and postsentence investigations and reports for the
152.18 district courts and social history reports for the juvenile courts will be made;

152.19 (2) the manner in which conditional release services to the courts and persons under
152.20 jurisdiction of the commissioner will be provided;

152.21 (3) a program for detaining, supervising, and treating persons under pretrial detention
152.22 or under commitment;

152.23 (4) delivery of other correctional services;

152.24 (5) proposals for new programs, which proposals must demonstrate a need for the
152.25 program, and the program's purpose, objective, administrative structure, staffing pattern,
152.26 staff training, financing, evaluation process, degree of community involvement, client
152.27 participation, and duration;

152.28 (6) descriptions of programs that adhere to best practices for assessing risk and using
152.29 interventions that address an individual's needs while tailoring supervision and interventions
152.30 by using risk, need, and responsivity principles; and

153.1 (7) data on expenditures, costs, and programming results and outcomes for individuals
153.2 under community supervision.

153.3 (b) The commissioner must develop in policy budgetary requirements for comprehensive
153.4 plans to ensure the efficient and accountable expenditure of a county's or Tribal Nation's
153.5 subsidy for correctional services and programming to produce successful community
153.6 supervision outcomes.

153.7 Sec. 43. **[401.115] NONPARTICIPATING TRIBAL NATIONS.**

153.8 Subdivision 1. **Subsidy amount.** A Tribal Nation electing not to provide services as a
153.9 CCA jurisdiction or a CPO jurisdiction under section 244.19, subdivision 1a, paragraph (b),
153.10 is eligible for a subsidy of \$250,000 annually to purchase or provide community supervision
153.11 services or reentry services, including contracted services.

153.12 Subd. 2. **Eligibility for subsidy.** (a) A Tribal Nation is eligible to receive funding under
153.13 subdivision 1 upon submission and approval by the commissioner of an abbreviated
153.14 comprehensive plan. Section 401.08 does not apply. The abbreviated plan must comply
153.15 with commissioner-developed standards and, at minimum:

153.16 (1) describe the community supervision services or reentry services for which the funding
153.17 will be utilized;

153.18 (2) identify a steering committee to oversee the use of funds; and

153.19 (3) provide a budget for those services.

153.20 (b) Once approved, the abbreviated comprehensive plan is valid for two years.

153.21 Subd. 3. **Paying subsidy.** A Tribal Nation receiving the subsidy under subdivision 1
153.22 must be paid according to section 401.14.

153.23 Subd. 4. **Eligibility for community supervision funding formula.** A Tribal Nation
153.24 electing to become a CCA jurisdiction or a non-CCA jurisdiction under section 244.19,
153.25 subdivision 1b, paragraph (b) or (c), is an applicable Tribal Nation under section 401.10,
153.26 subdivision 1, paragraphs (a) to (c), and:

153.27 (1) has the Tribal Nation's funding amount under subdivision 1 transferred to the
153.28 community supervision formula amount appropriated for the purpose of section 401.10;

153.29 (2) is allotted a base funding amount equal to \$150,000 plus an amount as determined
153.30 according to the community supervision formula under section 401.10, subdivision 1,
153.31 paragraph (a), clause (2); and

154.1 (3) is subject to all requirements relating to providing correctional services under section
154.2 244.19 and chapter 401.

154.3 Sec. 44. Minnesota Statutes 2024, section 401.14, is amended to read:

154.4 **401.14 PAYING SUBSIDY TO CCA AND NON-CCA JURISDICTIONS.**

154.5 Subdivision 1. **Payment.** (a) This section does not apply to:

154.6 (1) a non-CCA jurisdiction under section 244.19, subdivision 1b, paragraph (d); and

154.7 (2) a non-CCA jurisdiction under section 244.19, subdivision 1b, paragraph (b) or (c),

154.8 for the portion of the subsidy distributed for felony probation services.

154.9 (b) After a county or Tribal Nation becomes compliant with the prerequisites for receiving
154.10 the subsidy and the commissioner approves the applicable comprehensive plan, the
154.11 commissioner must determine whether funds exist to pay the subsidy and proceed to pay it
154.12 in accordance with applicable law.

154.13 Subd. 2. **Quarterly remittance.** Based on the approved comprehensive plan, the
154.14 commissioner may estimate the amount to be expended in furnishing the required correctional
154.15 services during each calendar quarter and cause the estimated amount to be remitted to the
154.16 counties and Tribal Nations entitled to the amount as provided under section 401.15,
154.17 subdivision 1.

154.18 Subd. 3. **Installment payments.** The commissioner must:

154.19 (1) make payments for correctional services to each county and Tribal Nation in 12
154.20 installments per year;

154.21 (2) ensure that the pertinent payment of the allotment for each month is made to each
154.22 county and Tribal Nation on the first working day after the end of each month of the calendar
154.23 year, except for the last month of the calendar year; and

154.24 (3) ensure that each county and Tribal Nation receives its monthly payment allotment
154.25 no later than the last working day of each month.

154.26 Sec. 45. Minnesota Statutes 2024, section 401.15, subdivision 2, is amended to read:

154.27 Subd. 2. **Formula review.** The commissioner must ~~annually~~ review the community
154.28 supervision formula under section 401.10 at the start of each biennium and calculate and
154.29 prorate the subsidy accordingly.

155.1 Sec. 46. Minnesota Statutes 2024, section 401.17, subdivision 1, is amended to read:

155.2 Subdivision 1. **Establishment; members.** (a) The commissioner must establish a
155.3 Community Supervision Advisory Committee to develop and make recommendations to
155.4 the commissioner on standards for probation, supervised release, and community supervision.

155.5 The committee consists of 19 members as follows:

155.6 (1) two directors appointed by the Minnesota Association of Community Corrections
155.7 Act Counties;

155.8 (2) two probation directors appointed by the Minnesota Association of County Probation
155.9 Officers;

155.10 (3) three county commissioner representatives appointed by the Association of Minnesota
155.11 Counties;

155.12 (4) two behavioral health, treatment, or programming providers who work directly with
155.13 individuals on correctional supervision, one appointed by the Department of Human Services
155.14 and one appointed by the Minnesota Association of County Social Service Administrators;

155.15 (5) two representatives appointed by the Minnesota Indian Affairs Council;

155.16 (6) two commissioner-appointed representatives from the Department of Corrections;

155.17 (7) the chair of the statewide Evidence-Based Practice Advisory Committee;

155.18 (8) three individuals ~~who have been supervised, either individually or collectively, under~~
155.19 ~~each of the state's three community supervision delivery systems~~ with varied experiences
155.20 in community supervision, reflecting the diversity of the state's supervision frameworks as
155.21 well as demographic and geographic diversity, appointed by the commissioner in consultation
155.22 with the Minnesota Association of County Probation Officers and the Minnesota Association
155.23 of Community Corrections Act Counties;

155.24 (9) an advocate for victims of crime appointed by the commissioner; ~~and~~

155.25 (10) a representative from a community-based research ~~and~~ or advocacy entity appointed
155.26 by the commissioner;

155.27 (11) two judicial representatives, one from the seven-county metropolitan area and one
155.28 from greater Minnesota, appointed by the Minnesota Judicial Council;

155.29 (12) one prosecutor appointed by the Minnesota County Attorneys Association; and

155.30 (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.

157.1 (d) Nothing in this section overrides the commissioner's authority to require additional
157.2 data be provided under other law.

157.3 Sec. 48. Minnesota Statutes 2024, section 609.105, subdivision 2, is amended to read:

157.4 Subd. 2. **Place of confinement.** (a) The commissioner of corrections shall determine
157.5 the place of confinement in a prison, reformatory, or other facility of the Department of
157.6 Corrections established by law for the confinement of convicted persons and prescribe
157.7 reasonable conditions and rules for their employment, conduct, instruction, and discipline
157.8 within or without the facility. When the remaining term of imprisonment for a convicted
157.9 person upon commitment is 90 days or less, the commissioner of corrections may contract
157.10 with a county for placement of the person in a county jail or detention center for the
157.11 remainder of the person's term.

157.12 (b) A commissioner's determination, prescription, or policy rule under this section is
157.13 not a rule under chapter 14 and is exempt from the rulemaking provisions under chapter
157.14 14, including section 14.386.

157.15 Sec. 49. Minnesota Statutes 2024, section 609.495, subdivision 1, is amended to read:

157.16 Subdivision 1. **Definition of crime.** (a) Whoever harbors, conceals, aids, or assists by
157.17 word or acts another whom the actor knows or has reason to know has committed a crime
157.18 under the laws of this or another state or of the United States with intent that such offender
157.19 shall avoid or escape from arrest, trial, conviction, or punishment, may be sentenced to
157.20 imprisonment for not more than three years or to payment of a fine of not more than \$5,000,
157.21 or both if the crime committed or attempted by the other person is a felony.

157.22 (b) Whoever knowingly harbors, conceals, or aids a person who is on probation, parole,
157.23 or supervised release because of a felony level conviction and for whom an arrest and
157.24 detention order has been issued, with intent that the person evade or escape being taken into
157.25 custody under the order, may be sentenced to imprisonment for not more than three years
157.26 or to payment of a fine of not more than \$5,000, or both. As used in this paragraph, "arrest
157.27 and detention order" means a written order to take and detain a probationer, parolee, or
157.28 supervised releasee that is issued under section ~~243.05, subdivision 1; 244.195; 243.051,~~
157.29 244.1951, or 401.025.

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

158.1 Sec. 50. Laws 2023, chapter 52, article 11, section 31, is amended to read:

158.2 Sec. 31. **MENTAL HEALTH UNIT PILOT PROGRAM.**

158.3 (a) The commissioner of corrections shall establish a pilot program with interested
158.4 counties to provide mental health care to individuals with serious and persistent mental
158.5 illness who are incarcerated in county jails. The pilot program must require the participating
158.6 counties to pay according to Minnesota Statutes, section 243.51, a per diem for
158.7 reimbursement of the Mental Health Unit at the Minnesota Correctional Facility - Oak Park
158.8 Heights, and other costs incurred by the Department of Corrections.

158.9 (b) The commissioner in consultation with the Minnesota Sheriffs' Association shall
158.10 develop program protocols, guidelines, and procedures and qualifications for participating
158.11 counties and incarcerated individuals to be treated in the Mental Health Unit. The program
158.12 is limited to a total of five incarcerated individuals from the participating counties at any
158.13 one time. Incarcerated individuals must ~~volunteer to be treated in the unit~~ and be able to
158.14 participate in programming with other incarcerated individuals. A licensed mental health
158.15 professional must evaluate the incarcerated individual and recommend the individual to
158.16 receive treatment in the unit.

158.17 (c) The Minnesota Correctional Facility - Oak Park Heights warden, director of
158.18 psychology, and associate director of behavioral health, or a designee of each, in consultation
158.19 with the Minnesota Sheriffs' Association, the Minnesota branch of the National Association
158.20 on Mental Illness, and the Department of Human Services, shall oversee the pilot program.

158.21 ~~(d) On November 15, 2024, the warden shall submit a report to the chairs and ranking~~
158.22 ~~minority members of the legislative committees and divisions with jurisdiction over~~
158.23 ~~corrections describing the protocols, guidelines, and procedures for participation in the pilot~~
158.24 ~~program by counties and incarcerated individuals, challenges with staffing, cost sharing~~
158.25 ~~with counties, capacity of the program, services provided to the incarcerated individuals,~~
158.26 ~~program outcomes, concerns regarding the program, and recommendations for the viability~~
158.27 ~~of a long-term program.~~

158.28 ~~(e)~~ (d) The pilot program expires ~~November 16, 2024~~ August 1, 2027.

158.29 Sec. 51. **REPEALER.**

158.30 (a) Minnesota Statutes 2024, sections 243.58; 244.065, subdivision 1; 253.21; and 253.23,
158.31 are repealed.

(b) 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, and 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; and 2940.5700, are repealed.

ARTICLE 9

CIVIL COMMITMENT COORDINATING DIVISION

Section 1. [8.365] DEFINITIONS.

(a) The definitions in section 253B.02 apply to sections 8.37 to 8.38.

(b) For the purposes of sections 8.37 to 8.38, the following terms have the meanings given:

(1) "engagement services" means the services described under section 253B.041;

(2) "outpatient civil commitment" means the option available to a committing court under section 253B.09, subdivision 1, paragraph (c); and

(3) "provisional discharge" means the option available to the head of a treatment facility or community-based treatment program under section 253B.09, subdivision 1.

Sec. 2. [8.37] CIVIL COMMITMENT COORDINATING DIVISION.

Subdivision 1. Civil Commitment Coordinating Division established. There shall be in the Office of the Attorney General a Civil Commitment Coordinating Division. A civil commitment coordinator shall be appointed by the attorney general. The civil commitment coordinator shall perform duties that may lawfully be assigned to the coordinator by the attorney general or by law.

Subd. 2. Duties of the civil commitment coordinator. The civil commitment coordinator must:

(1) continuously maintain the Civil Commitment Advisory Committee;

(2) in consultation with the Civil Commitment Advisory Committee, provide best practices and guidance regarding engagement services, outpatient civil commitment, and

160.1 provisional discharge to committing courts, counties, designated agencies, treatment facilities,
160.2 and community-based treatment programs;

160.3 (3) advocate for increased statewide capacity for engagement services, outpatient civil
160.4 commitment, and provisional discharge;

160.5 (4) provide ongoing technical assistance to those at the local and regional level tasked
160.6 with monitoring participants civilly committed under chapter 253B;

160.7 (5) provide guidance on data collection of outcomes related to engagement services,
160.8 outpatient civil commitment, and provisional discharge;

160.9 (6) aggregate and analyze all data submitted by all jurisdictions by either contracting
160.10 with a third party to perform these tasks or entering into an interagency agreement with the
160.11 commissioner of management and budget to utilize the Results First Initiative to perform
160.12 these tasks;

160.13 (7) ensure that any data submitted is treated in accordance with chapter 13; and

160.14 (8) create a public awareness campaign designed to educate the public about the
160.15 availability and effectiveness of engagement services.

160.16 Subd. 3. **Civil Commitment Advisory Committee.** (a) The attorney general shall
160.17 establish the Civil Commitment Advisory Committee. The Civil Commitment Advisory
160.18 Committee shall advise the civil commitment coordinator on: identification of best practices
160.19 regarding engagement services, outpatient civil commitment, and provisional discharge;
160.20 development of guidance for implementation of engagement services, outpatient civil
160.21 commitment, and provisional discharge; development of data reporting requirements and
160.22 standards; identification of outcomes to be measured through data analysis; and other topics
160.23 as determined by the coordinator.

160.24 (b) The Civil Commitment Advisory Committee must consist of no fewer than 11
160.25 members and no more than 20 members. The membership of the committee must include:

160.26 (1) the attorney general or a designee who is not the civil commitment coordinator;

160.27 (2) the chief executive officer of Direct Care and Treatment or a designee;

160.28 (3) the commissioner of public safety or a designee;

160.29 (4) the commissioner of corrections or a designee;

160.30 (5) the ombudsman for mental health and developmental disabilities or a designee;

161.1 (6) a member representing district court judges, appointed by the chief justice of the
161.2 supreme court;

161.3 (7) a member representing district court administrators, appointed by the chief justice
161.4 of the supreme court;

161.5 (8) a member representing county administrators or county social services administrators,
161.6 appointed by the attorney general;

161.7 (9) a member representing federally recognized Tribes in Minnesota and urban Indian
161.8 communities, appointed by the Indian Affairs Council;

161.9 (10) a member who is a defense attorney and has represented a person referred for civil
161.10 commitment, appointed by the attorney general;

161.11 (11) a member who was previously civilly committed, appointed by the attorney general;

161.12 (12) a member who is a parent, sibling, or child of a person currently or previously
161.13 civilly committed, appointed by the attorney general;

161.14 (13) a member who is a person for whom engagement services were successfully
161.15 provided, appointed by the attorney general;

161.16 (14) a member who is a provider of engagement services, appointed by the attorney
161.17 general;

161.18 (15) a member who represents a treatment facility or community-based treatment program
161.19 that accepts civilly committed participants, appointed by the attorney general;

161.20 (16) up to four additional members appointed by the attorney general; and

161.21 (17) the Minnesota Competency Attainment Board Program Administrator or designee.

161.22 (c) The attorney general must consult with the chief executive officer of Direct Care
161.23 and Treatment before making appointments to the committee.

161.24 (d) The members of the Civil Commitment Advisory Committee serve without
161.25 compensation.

161.26 **Sec. 3. [8.38] DIVERSION STUDIES.**

161.27 Subdivision 1. **Diversion studies.** Each county must conduct diversion studies in
161.28 accordance with the requirements of this section. Diversion studies must examine each
161.29 county's local behavioral health system's capacity to divert people who have a mental illness,
161.30 developmental disability, or chemical use disorder away from the local justice system and
161.31 into treatment. The civil commitment coordinator must establish uniform study guidelines,

data requirements, including any qualitative data or narrative requirements, and data reporting procedures for diversion studies. The coordinator must ensure that the study guidelines and data requirements will allow the coordinator to determine how people with a mental illness, people with a developmental disability, and people with a substance use disorder come into contact with and move through the local criminal justice system and what resources are available or needed to divert individuals away from the local justice system.

Subd. 2. **Diversion study reporting requirements.** By October 1, 2027, and every two years thereafter, each county must submit to the coordinator in the manner established under subdivision 1 all required data and narratives related to its diversion study.

Subd. 3. **Statewide diversion study report.** By April 1, 2028, and every two years thereafter, the civil commitment coordinator must submit to the chairs and ranking minority members of the legislative committees with jurisdiction over civil commitment, mental health, or Direct Care and Treatment a report summarizing the county-level data submitted under subdivision 2. The coordinator must include in the report county, regional, and state-level needs assessments. The coordinator must include in subsequent reports comparisons to the data submitted in prior reports and any statistically significant trends the coordinator's analysis reveals.

Sec. 4. TRANSPORT HOLD WORK GROUP.

Subdivision 1. **Establishment and membership.** (a) The Transport Hold Work Group is comprised of the following members:

(1) the commissioner of human services or the commissioner's designee;

(2) a representative of the Minnesota County Attorneys Association;

(3) the state public defender or a designee;

(4) a commitment defense attorney;

(5) at least two mental health professionals with experience in crisis response, one of whom must work primarily outside the seven-county metropolitan area, appointed by the commissioner of human services;

(6) at least two mental health professionals from underrepresented communities as defined in Minnesota Statutes, section 148E.025, subdivision 20;

(7) a representative of the Minnesota Sheriffs' Association;

(8) a representative of the Minnesota Chiefs of Police Association;

(9) a representative of the Association of Minnesota Counties;

(10) a representative of the Minnesota Ambulance Association;

(11) a representative of the National Alliance on Mental Illness Minnesota;

(12) a representative of Mental Health Minnesota;

(13) the ombudsman for mental health and developmental disabilities or the ombudsman's designee; and

(14) the chief executive officer of Direct Care and Treatment or a designee.

(b) Members listed in clauses (2), (4), (5), and (6) to (12) are appointed by the commissioner of human services, with recommendation from the named organizations.

Subd. 2. **Duties.** (a) The duties of the work group are to:

(1) determine best practices when a person must be taken into custody and transported for emergency admission under Minnesota Statutes, section 253B.051;

(2) determine best practices when a peace officer may use authorized force to take a person into custody and transport the person under Minnesota Statutes, section 253B.051; and

(3) develop recommendations for policy changes and funding needs to safely transport people in mental health crises, including alternatives to law enforcement.

(b) By February 1, 2026, the work group must submit a written report to the governor and the chairs and ranking minority members of the legislative committees and divisions with jurisdiction over human services and public safety on the work group's activities and recommendations.

Subd. 3. **Administration.** The Department of Human Services must provide administrative support to the work group and must assist in creation of the report under subdivision 2.

Subd. 4. **Compensation.** Members of the work group serve without compensation.

Subd. 5. **Appointment deadline.** Members must be appointed by the authorities under subdivision 1 by July 31, 2025.

Subd. 6. **Meeting; chair.** The commissioner of health must convene the first meeting by September 15, 2025. The work group must elect a chair at its first meeting. The chair must convene meetings of the work group at least monthly.

Subd. 7. **Expiration.** The work group expires February 1, 2026.

ARTICLE 10**COURTS**

Section 1. Minnesota Statutes 2024, section 357.021, subdivision 1a, is amended to read:

Subd. 1a. **Transmittal of fees to commissioner of management and budget.** (a) Every person, including the state of Minnesota and all bodies politic and corporate, who shall transact any business in the district court, shall pay to the court administrator of said court the sundry fees prescribed in subdivision 2. Except as provided in paragraph (d), the court 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 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 the Office of Ombudsperson for American Indian Families or 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 256, 257, 260, 260A, 260B, 260C, and 260D, and 518, and sections 524.5-201 to 524.5-317.

Sec. 2. 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. 3. 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. 4. 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 in the city of Virginia, and all causes to be tried in Hibbing and all papers, orders and documents pertaining thereto shall be filed and be kept on file at the court administrator's office in the city of Hibbing~~ can be filed at any court location in St. Louis County.

In all actions tried at the city of Virginia or the city of Hibbing, the court administrator, as soon as final judgment is entered, shall forthwith cause such judgment to be docketed in the court administrator's office at the county seat; and when so docketed the same shall become a lien on real estate and have the same effect as judgments entered in causes tried at the county seat.

In all actions tried at the city of Virginia or the city of Hibbing, involving the title of real estate, upon final judgment being entered, all the papers in said cause shall be filed in the court administrator's office at the county seat and the final judgment or decree recorded therein, and a certified copy of all papers in the case shall be made by the court administrator and retained at the court administrator's office in the city of Virginia or in the court

167.1 administrator's office in the city of Hibbing where the action was originally tried, without
167.2 additional charge to the parties to said action.

167.3 Sec. 5. Minnesota Statutes 2024, section 518.68, subdivision 1, is amended to read:

167.4 Subdivision 1. **Requirement.** Every court order or judgment and decree under this
167.5 chapter or chapter 518A that provides for child support, spousal maintenance, custody, or
167.6 parenting time must contain certain notices as set out in subdivision 2. The information in
167.7 the notices must be concisely stated in plain language. ~~The notices must be~~ and in clearly
167.8 legible print, ~~but may not exceed two pages.~~ An order or judgment and decree without the
167.9 notice remains subject to all statutes. The court may waive all or part of the notice required
167.10 under subdivision 2 relating to parental rights under section 518.17, subdivision 3, if it finds
167.11 it is necessary to protect the welfare of a party or child.

167.12 Sec. 6. Minnesota Statutes 2024, section 524.5-420, is amended to read:

167.13 **524.5-420 REPORTS; APPOINTMENT OF VISITOR; MONITORING; COURT**
167.14 **ORDERS.**

167.15 (a) A conservator shall report to the court for administration of the estate annually unless
167.16 the court otherwise directs, upon resignation or removal, upon termination of the
167.17 conservatorship, and at other times as the court directs. A copy of the report must be provided
167.18 to the person subject to conservatorship and to interested persons of record with the court.
167.19 An order, after notice and hearing, allowing an intermediate report of a conservator
167.20 adjudicates liabilities concerning the matters adequately disclosed in the accounting. An
167.21 order, after notice and hearing, allowing a final report adjudicates all previously unsettled
167.22 liabilities relating to the conservatorship.

167.23 (b) A report must state or contain a listing of the assets of the estate under the
167.24 conservator's control and a listing of the receipts, disbursements, and distributions during
167.25 the reporting period.

167.26 (c) The report must also state an address or post office box and a telephone number
167.27 where the conservator can be contacted.

167.28 (d) A conservator shall report to the court in writing within 30 days of the occurrence
167.29 of any of the events listed in this paragraph. The conservator must report any of the
167.30 occurrences in this paragraph and follow the same reporting requirements in this paragraph
167.31 for any employee of the conservator responsible for exercising powers and duties under the
167.32 conservatorship. A copy of the report must be provided to the person subject to

168.1 conservatorship and to interested persons of record with the court. A conservator shall report
168.2 when:

168.3 (1) the conservator is removed for cause from serving as a guardian or conservator, and
168.4 if so, the case number and court location;

168.5 (2) the conservator has a professional license from an agency listed under section
168.6 524.5-118, subdivision 2a, denied, conditioned, suspended, revoked, or canceled, and if so,
168.7 the licensing agency and license number, and the basis for denial, condition, suspension,
168.8 revocation, or cancellation of the license;

168.9 (3) the conservator is found civilly liable in an action that involves fraud,
168.10 misrepresentation, material omission, misappropriation, theft, or conversion, and if so, the
168.11 case number and court location;

168.12 (4) the conservator files for or receives protection under the bankruptcy laws, and if so,
168.13 the case number and court location;

168.14 (5) a civil monetary judgment is entered against the conservator, and if so, the case
168.15 number, court location, and outstanding amount owed;

168.16 (6) the conservator is convicted of a crime other than a petty misdemeanor or traffic
168.17 offense, and if so, the case number and court location; or

168.18 (7) an order for protection or harassment restraining order is issued against the
168.19 conservator, and if so, the case number and court location.

168.20 (e) A person subject to conservatorship or an interested person of record with the court
168.21 may submit to the court a written statement disputing account statements regarding the
168.22 administration of the estate or addressing any disciplinary or legal action that is contained
168.23 in the reports and may petition the court for any order that is in the best interests of the
168.24 person subject to conservatorship and the estate or for other appropriate relief.

168.25 (f) An interested person may notify the court in writing that the interested person does
168.26 not wish to receive copies of reports required under this section after which time neither
168.27 the court nor any other person is required to give notice to any person who has waived
168.28 notice.

168.29 (g) The court may appoint a visitor to review a report or plan, interview the person
168.30 subject to conservatorship or conservator, and make any other investigation the court directs.
168.31 In connection with a report, the court may order a conservator to submit the assets of the
168.32 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.

(b) To exercise this right, an individual shall notify in writing the responsible authority of the government entity that maintains the data, describing the nature of the disagreement.

(c) Upon receiving notification from the data subject, the responsible authority shall within 30 days either:

(1) correct the data found to be inaccurate or incomplete and attempt to notify past recipients of inaccurate or incomplete data, including recipients named by the individual; or

(2) notify the individual that the responsible authority has determined the data to be correct. If the challenged data are determined to be accurate or complete, the responsible authority shall inform the individual of the right to appeal the determination to the commissioner as specified under paragraph (d). Data in dispute shall be disclosed only if the individual's statement of disagreement is included with the disclosed data.

(d) A data subject may appeal the determination of the responsible authority pursuant to the provisions of the Administrative Procedure Act relating to contested cases. An

individual must submit an appeal to the commissioner within 60 days of the responsible authority's notice of the right to appeal or as otherwise provided by the rules of the commissioner. Upon receipt of an appeal by an individual, the commissioner shall, before issuing the order and notice of a contested case hearing required by chapter 14, try to resolve the dispute through education, conference, conciliation, or persuasion. If the parties consent, the commissioner may refer the matter to mediation. Following these efforts, the commissioner shall dismiss the appeal or issue the order and notice of hearing.

(e) The commissioner may dismiss an appeal without first attempting to resolve the dispute or before issuing an order and notice of a contested case hearing if:

(1) the appeal to the commissioner is not timely;

(2) the appeal concerns data previously presented as evidence in a court proceeding in which the data subject was a party; or

(3) the individual making the appeal is not the subject of the data challenged as inaccurate or incomplete.

(f) A responsible authority may submit private data to the commissioner to respond to a data subject's appeal of the determination that data are accurate and complete. Section 13.03, subdivision 4, applies to data submitted by the responsible authority. Government data submitted to the commissioner by a government entity, copies of government data submitted by a data subject, or government data described by the data subject in their appeal have the same classification as the data when maintained by the government entity. The commissioner may disclose private data contained within the appeal record to the Office of Administrative Hearings.

~~(f)~~ (g) Data on individuals that have been successfully challenged by an individual must be completed, corrected, or destroyed by a government entity without regard to the requirements of section 138.17.

~~(g)~~ (h) After completing, correcting, or destroying successfully challenged data, a government entity may retain a copy of the commissioner of administration's order issued under chapter 14 or, if no order were issued, a summary of the dispute between the parties that does not contain any particulars of the successfully challenged data.

(i) Data maintained by the commissioner that a responsible authority has completed, corrected, or destroyed as the result of the informal resolution process described in paragraph (d) or by order of the commissioner, are private data on individuals.

171.1 Sec. 2. Minnesota Statutes 2024, section 13.05, subdivision 5, is amended to read:

171.2 Subd. 5. **Data protection.** (a) The responsible authority shall:

171.3 (1) establish procedures to assure that all data on individuals is accurate, complete, and
171.4 current for the purposes for which it was collected;

171.5 (2) establish appropriate security safeguards for all records containing data on individuals,
171.6 including procedures for ensuring that data that ~~are~~ is not public ~~are~~ is only accessible to
171.7 persons whose work assignment reasonably requires access to the data, and is only being
171.8 accessed by those persons for purposes described in the procedure; ~~and~~

171.9 (3) develop a policy incorporating these procedures, which may include a model policy
171.10 governing access to the data if sharing of the data with other government entities is authorized
171.11 by law; and

171.12 (4) establish procedures for monitoring access to private or confidential data on
171.13 individuals.

171.14 (b) When not public data is being disposed of, the data must be destroyed in a way that
171.15 prevents its contents from being determined.

171.16 Sec. 3. Minnesota Statutes 2024, section 13.356, is amended to read:

171.17 **13.356 PERSONAL CONTACT AND ONLINE ACCOUNT INFORMATION.**

171.18 (a) The following data on an individual collected, maintained, or received by a
171.19 government entity ~~for notification purposes or as part of a subscription list for an entity's~~
171.20 ~~electronic periodic publications as requested by the individual are~~ is private data on
171.21 individuals:

171.22 (1) telephone number;

171.23 (2) email address; and

171.24 (3) Internet user name, password, Internet protocol address, and any other similar data
171.25 related to the individual's online account or access procedures.

171.26 (b) Section 13.04, subdivision 2, does not apply to data classified under paragraph (a).
171.27 Paragraph (a) does not apply to data submitted by an individual to the Campaign Finance
171.28 Board to meet the legal requirements imposed by chapter 10A, to data submitted for purposes
171.29 of making a public comment, or to data in a state agency's rulemaking email list.

171.30 (c) Data provided under paragraph (a) may ~~only~~ be used ~~for the specific purpose for~~
171.31 ~~which the individual provided the data~~ by the government entity to:

172.1 (1) communicate with the individual; or

172.2 (2) perform the government entity's health, safety, or welfare functions or provide
172.3 government services.

172.4 (d) If the data provided under paragraph (a) is also classified as private data on individuals
172.5 by other state statute, the data may be shared or disseminated as provided in the other state
172.6 statute.

172.7 (e) This section does not apply to data on an individual contained in a real property
172.8 record, which is any record of data that is maintained as part of the county real estate
172.9 document recording system for use by the public, data on assessments, data on real or
172.10 personal property taxation, and other data on real property.

172.11 Sec. 4. Minnesota Statutes 2024, section 13.40, subdivision 2, is amended to read:

172.12 Subd. 2. **Private data; library ~~borrowers~~ patrons.** (a) Except as provided in paragraph
172.13 (b), the following data maintained by a library ~~are~~ is private data on individuals and may
172.14 not be disclosed ~~for~~ other than for library purposes except pursuant to a court order or section
172.15 13.05:

172.16 (1) data that link a library patron's name with materials requested or borrowed by the
172.17 patron or that link a patron's name with a specific subject about which the patron has
172.18 requested information or materials; ~~or~~

172.19 (2) data in applications for patron borrower cards, other than the name of the ~~borrower~~.
172.20 patron if the patron is 18 years of age or older; or

172.21 (3) the name of a patron who is a minor.

172.22 (b) A library may release reserved materials to a family member or other person who
172.23 resides with a library patron and who is picking up the material on behalf of the patron. A
172.24 patron may request that reserved materials be released only to the patron.

172.25 (c) Section 13.04, subdivision 2, does not apply to data classified under paragraph (a),
172.26 clause (3).

172.27 Sec. 5. Minnesota Statutes 2024, section 13.43, subdivision 2, is amended to read:

172.28 Subd. 2. **Public data.** (a) Except for employees described in subdivision 5 and subject
172.29 to the limitations described in subdivision 5a, the following personnel data on current and
172.30 former employees, volunteers, and independent contractors of a government entity is public:

173.1 (1) name; employee identification number, which must not be the employee's Social
173.2 Security number; actual gross salary; salary range; terms and conditions of employment
173.3 relationship; contract fees; actual gross pension; the value and nature of employer paid
173.4 fringe benefits; and the basis for and the amount of any added remuneration, including
173.5 expense reimbursement, in addition to salary;

173.6 (2) job title and bargaining unit; job description; education and training background;
173.7 and previous work experience;

173.8 (3) date of first and last employment;

173.9 (4) the existence and status of any complaints or charges against the employee, regardless
173.10 of whether the complaint or charge resulted in a disciplinary action;

173.11 (5) the final disposition of any disciplinary action together with the specific reasons for
173.12 the action and data documenting the basis of the action, excluding data that would identify
173.13 confidential sources who are employees of the public body;

173.14 (6) the complete terms of any agreement settling any dispute arising out of an employment
173.15 relationship, including a buyout agreement as defined in section 123B.143, subdivision 2,
173.16 paragraph (a); except that the agreement must include specific reasons for the agreement if
173.17 it involves the payment of more than \$10,000 of public money;

173.18 (7) work location; a work telephone number; badge number; work-related continuing
173.19 education; and honors and awards received; and

173.20 (8) payroll time sheets or other comparable data that are only used to account for
173.21 employee's work time for payroll purposes, except to the extent that release of time sheet
173.22 data would reveal the employee's reasons for the use of sick or other medical leave or other
173.23 not public data.

173.24 (b) For purposes of this subdivision, a final disposition occurs when the government
173.25 entity makes its final decision about the disciplinary action, regardless of the possibility of
173.26 any later proceedings or court proceedings. Final disposition includes a resignation by an
173.27 individual when the resignation occurs after the final decision of the government entity, or
173.28 arbitrator. In the case of arbitration proceedings arising under collective bargaining
173.29 agreements, a final disposition occurs at the conclusion of the arbitration proceedings, or
173.30 upon the failure of the employee to elect arbitration within the time provided by the collective
173.31 bargaining agreement. A disciplinary action does not become public data if an arbitrator
173.32 sustains a grievance and reverses all aspects of any disciplinary action.

174.1 (c) The government entity may display a photograph of a current or former employee
174.2 to a prospective witness as part of the government entity's investigation of any complaint
174.3 or charge against the employee.

174.4 (d) A complainant has access to a statement provided by the complainant to a government
174.5 entity in connection with a complaint or charge against an employee.

174.6 (e) Notwithstanding paragraph (a), clause (5), and subject to paragraph (f), upon
174.7 completion of an investigation of a complaint or charge against a public official, or if a
174.8 public official resigns or is terminated from employment while the complaint or charge is
174.9 pending, all data relating to the complaint or charge are public, unless access to the data
174.10 would jeopardize an active investigation or reveal confidential sources. For purposes of this
174.11 paragraph, "public official" means:

174.12 (1) the head of a state agency and deputy and assistant state agency heads;

174.13 (2) members of boards or commissions required by law to be appointed by the governor
174.14 or other elective officers;

174.15 (3) executive or administrative heads of departments, bureaus, divisions, or institutions
174.16 within state government; and

174.17 (4) the following employees:

174.18 (i) the chief administrative officer, or the individual acting in an equivalent position, in
174.19 all political subdivisions;

174.20 (ii) individuals required to be identified by a political subdivision pursuant to section
174.21 471.701;

174.22 (iii) in a city ~~with a population of more than 7,500~~ or a county ~~with a population of more~~
174.23 ~~than 5,000~~; managers; chiefs; heads or directors of departments, divisions, bureaus, or
174.24 boards; and any equivalent position; and

174.25 (iv) in a school district: business managers; human resource directors; athletic directors
174.26 whose duties include at least 50 percent of their time spent in administration, personnel,
174.27 supervision, and evaluation; chief financial officers; directors; individuals defined as
174.28 superintendents and principals under Minnesota Rules, part 3512.0100; and in a charter
174.29 school, individuals employed in comparable positions.

174.30 (f) Data relating to a complaint or charge against an employee identified under paragraph
174.31 (e), clause (4), are public only if:

(1) the complaint or charge results in disciplinary action or the employee resigns or is terminated from employment while the complaint or charge is pending; or

(2) potential legal claims arising out of the conduct that is the subject of the complaint or charge are released as part of a settlement agreement.

This paragraph and paragraph (e) do not authorize the release of data that are made not public under other law.

Sec. 6. Minnesota Statutes 2024, section 13.82, subdivision 7, is amended to read:

Subd. 7. **Criminal investigative data.** Except for the data defined in subdivisions 2, 3, and 6, investigative data collected or created by a law enforcement agency in order to prepare a case against a person, whether known or unknown, for the commission of a crime or other offense for which the agency has primary investigative responsibility are confidential or protected nonpublic while the investigation is active. Inactive investigative data are public unless the release of the data would jeopardize another ongoing investigation or would reveal the identity of individuals protected under subdivision 17. Images and recordings, including photographs, video, and audio records, which are part of inactive investigative files and which are clearly offensive to common sensibilities are classified as private or nonpublic data, provided that the existence of the images and recordings shall be disclosed to any person requesting access to the inactive investigative file. An investigation becomes 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

176.1 whether the benefit to the person bringing the action or to the public outweighs any harm
176.2 to the public, to the agency or to any person identified in the data. The data in dispute shall
176.3 be examined by the court in camera.

176.4 In cases involving a missing person who has been missing for a continuous period of
176.5 20 years, the law enforcement agency and prosecuting authority must release active criminal
176.6 investigative data to the legal representative of the missing person's next of kin, upon request,
176.7 if the release of the data is not prohibited under section 13.821. If the law enforcement
176.8 agency or prosecuting authority reasonably believes that public dissemination of the data
176.9 will interfere with the investigation, the law enforcement agency or prosecuting authority
176.10 may release the data to the next of kin's legal representative on the condition that the data
176.11 remain in the custody and control of a licensed attorney or a licensed private investigator
176.12 and be used for investigative purposes, until the investigation is inactive.

176.13 Sec. 7. Minnesota Statutes 2024, section 13.825, subdivision 4, is amended to read:

176.14 Subd. 4. **Access by data subjects.** (a) For purposes of this chapter, a portable recording
176.15 system data subject includes the peace officer who collected the data, and any other individual
176.16 or entity, including any other peace officer, regardless of whether the officer is or can be
176.17 identified by the recording, whose image or voice is documented in the data.

176.18 (b) An individual who is the subject of portable recording system data has access to the
176.19 data, including data on other individuals who are the subject of the recording. If the individual
176.20 requests a copy of the recording, data on other individuals who do not consent to its release
176.21 must be redacted from the copy. The identity and activities of an on-duty peace officer
176.22 engaged in an investigation or response to an emergency, incident, or request for service
176.23 may not be redacted, unless the officer's identity is subject to protection under section 13.82,
176.24 subdivision 17, clause (a).

176.25 (c) Notwithstanding section 13.82, subdivision 7, a person entitled to a report of a
176.26 collision under section 169.09, subdivision 13, must be provided with copies of unredacted
176.27 data from all portable recording systems used in the collision investigation, including data
176.28 on other individuals who are the subject of the recording. A request must be made in writing
176.29 and accompanied by the accident report relating to the data. Data provided under this
176.30 paragraph may only be used to process a claim related to the collision or as evidence in a
176.31 proceeding related to the collision. The requestor must not further disseminate the data or
176.32 use the data for any other purpose. A law enforcement agency may deny a request to provide
176.33 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. 8. 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 with the judicial official, the remedies and penalties under this chapter are available only if the adult child previously provided written notification to the responsible authority confirming their status as the child of a judicial official. In the case of county records, the form shall be filed with the responsible authority that maintains the personal information for which the judicial officer is seeking protection. A form submitted under this section is private data on individuals. A notice filed under this paragraph expires five years following the date of filing, unless it is renewed prior to the expiration date.

~~(c) This section shall not apply to~~ Notwithstanding paragraph (a), section 480.50 shall govern personal information contained in: of all judicial officials contained in real property records, as defined in section 480.50, subdivision 1, paragraph (f).

~~(1) real property records as defined in section 13.045, subdivision 1, clause (5);~~

~~(2) Uniform Commercial Code filings and tax liens maintained by the secretary of state;~~
~~and~~

178.1 ~~(3) any other records maintained by a government entity evidencing title to, or any lien,~~
178.2 ~~judgment, or other encumbrance on, real or personal property.~~

178.3 **EFFECTIVE DATE.** This section is effective January 1, 2026.

178.4 Sec. 9. Minnesota Statutes 2024, section 15.17, subdivision 1, is amended to read:

178.5 Subdivision 1. **Must be kept.** All officers and agencies of the state, counties, cities,
178.6 towns, school districts, municipal subdivisions or corporations, or other public authorities
178.7 or political entities within the state, hereinafter "public officer," shall make and preserve
178.8 all records necessary to a full and accurate knowledge of their official activities. Government
178.9 records may be produced in the form of computerized records. All government records shall
178.10 be made ~~on a physical medium of a~~ in a manner and quality to ~~insure~~ ensure permanent
178.11 records. Every public officer is empowered to reproduce records ~~if the records are not~~
178.12 ~~deemed to be of permanent or archival value by the commissioner of administration and~~
178.13 but may only reproduce permanent and archival records pursuant to guidance from the state
178.14 archives in consultation with the records disposition panel under section 138.17. The public
178.15 officer is empowered to reproduce these records by any ~~photographic, photostatic,~~
178.16 ~~microphotographic, optical disk imaging system, microfilming, or other reproduction method~~
178.17 ~~that clearly and accurately reproduces the records. Each public officer may order that those~~
178.18 ~~photographs, photostats, microphotographs, microfilms, optical images, or other~~
178.19 ~~reproductions, be substituted for the originals of them.~~ Records that are reproduced when
178.20 so ordered by a public officer are admissible as evidence in all courts and proceedings of
178.21 every kind. A certified or exemplified copy of the reproduction has the same effect and
178.22 weight as evidence as would a certified or exemplified copy of the original. The public
178.23 officer may direct the destruction or sale for salvage or other disposition of the originals
178.24 from which they were made, in accordance with the disposition requirements of section
178.25 138.17. ~~Photographs, photostats, microphotographs, microfilms, optical images, or other~~
178.26 ~~reproductions are for all purposes deemed the original recording of the papers, books,~~
178.27 ~~documents, and records reproduced when so ordered by any public officer and are admissible~~
178.28 ~~as evidence in all courts and proceedings of every kind. A facsimile or exemplified or~~
178.29 ~~certified copy of a photograph, photostat, microphotograph, microfilm, optical image, or~~
178.30 ~~other reproduction, or an enlargement or reduction of it, has the same effect and weight as~~
178.31 ~~evidence as would a certified or exemplified copy of the original.~~

Sec. 10. Minnesota Statutes 2024, section 138.17, subdivision 1, is amended to read:

Subdivision 1. **Destruction, preservation, reproduction of records; prima facie**

evidence. (a) The attorney general, legislative auditor in the case of state records, state auditor in the case of local records, and director of the Minnesota Historical Society, hereinafter director, shall constitute the Records Disposition Panel. The members of the panel shall have power by majority vote to direct the destruction or sale for salvage of government records determined to be no longer of any value, or to direct the disposition by gift to the Minnesota Historical Society or otherwise of government records determined to be valuable for preservation. The Records Disposition Panel may by majority vote order any of those records to be reproduced ~~by photographic or other means~~, and order that ~~photographic or other~~ the reproductions be substituted for the originals of them. It may direct the destruction or sale for salvage or other disposition of the originals from which they were made. ~~Photographic or other reproductions shall for all purposes be deemed the originals of the records reproduced when so ordered by the records disposition panel, and shall be admissible as evidence in all courts and in proceedings of every kind. A facsimile, exemplified or certified copy of a photographic, optical disk imaging, or other reproduction, or an enlargement or reduction of it, shall have the same effect and weight as evidence as would a certified or exemplified copy of the original.~~ Records that are reproduced when so ordered by the Records Disposition Panel are admissible as evidence in all courts and proceedings of every kind. A certified or exemplified copy of the reproduction has the same effect and weight as evidence as would a certified or exemplified copy of the original. The Records Disposition Panel, by majority vote, may direct the storage of government records, except as herein provided, ~~and direct the storage of photographic or other reproductions.~~ ~~Photographic or other~~ Reproductions substituted for original records shall be disposed of in accordance with the procedures provided for the original records.

(b) For the purposes of this chapter:

(1) the term "government records" means state and local records, including all cards, correspondence, discs, maps, memoranda, microfilms, papers, photographs, recordings, reports, tapes, writings, optical disks, and other data, information, or documentary material, regardless of physical form or characteristics, storage media or conditions of use, made or received by an officer or agency of the state and an officer or agency of a county, city, town, school district, municipal subdivision or corporation or other public authority or political entity within the state pursuant to state law or in connection with the transaction of public business by an officer or agency;

(2) the term "state record" means a record of a department, office, officer, commission, commissioner, board or any other agency, however styled or designated, of the executive branch of state government; a record of the state legislature; a record of any court, whether of statewide or local jurisdiction; and any other record designated or treated as a state record under state law;

(3) the term "local record" means a record of an agency of a county, city, town, school district, municipal subdivision or corporation or other public authority or political entity;

(4) the term "records" excludes data and information that does not become part of an official transaction, library and museum material made or acquired and kept solely for reference or exhibit purposes, extra copies of documents kept only for convenience of reference and stock of publications and processed documents, and bonds, coupons, or other obligations or evidences of indebtedness, the destruction or other disposition of which is governed by other laws; and

(5) the term "state archives" means those records preserved or appropriate for preservation as evidence of the organization, functions, policies, decisions, procedures, operations or other activities of government or because of the value of the information contained in them, when determined to have sufficient historical or other value to warrant continued preservation by the state of Minnesota and accepted for inclusion in the collections of the Minnesota Historical Society.

(c) If the decision is made to dispose of records by majority vote, the Minnesota Historical Society may acquire and retain whatever they determine to be of potential historical value.

Sec. 11. 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

181.1 or current status of each investigation; the charging decisions made by the prosecuting
181.2 authority of incidents investigated by the unit; the number of plea agreements reached in
181.3 incidents investigated by the unit; and any other information relevant to the unit's mission.

181.4 (c) Nothing in this subdivision modifies the requirements of chapter 13 or the
181.5 classification of data.

181.6 Sec. 12. Minnesota Statutes 2024, section 480.40, subdivision 1, is amended to read:

181.7 Subdivision 1. **Definitions.** (a) For purposes of this section and section 480.45, the
181.8 following terms have the meanings given.

181.9 (b) "Judicial official" means:

181.10 (1) every Minnesota district court judge, senior judge, retired judge, and every judge of
181.11 the Minnesota Court of Appeals and every active, senior, recalled, or retired federal judge
181.12 who resides in Minnesota;

181.13 (2) a justice of the Minnesota Supreme Court;

181.14 (3) employees of the Minnesota judicial branch;

181.15 (4) judicial referees and magistrate judges; and

181.16 (5) current and retired judges and current employees of the Office of Administrative
181.17 Hearings, Workers' Compensation Court of Appeals, and Tax Court.

181.18 (c) "Personal information" does not include publicly available information. Personal
181.19 information means:

181.20 (1) a residential address of a judicial official;

181.21 (2) a residential address of the spouse, domestic partner, or children of a judicial official;

181.22 (3) a nonjudicial branch issued telephone number or email address of a judicial official;

181.23 (4) the name of any child of a judicial official; and

181.24 (5) the name of any child care facility or school that is attended by a child of a judicial
181.25 official if combined with an assertion that the named facility or school is attended by the
181.26 child of a judicial official.

181.27 (d) "Publicly available information" means information that is lawfully made available
181.28 through federal, state, or local government records or information that a business has a
181.29 reasonable basis to believe is lawfully made available to the general public through widely
181.30 distributed media, by a judicial official, or by a person to whom the judicial official has

182.1 disclosed the information, unless the judicial official has restricted the information to a
182.2 specific audience.

182.3 (e) "Law enforcement support organizations" do not include charitable organizations.

182.4 (f) "Real property records" has the meaning given in section 480.50, subdivision 1,
182.5 paragraph (f).

182.6 **EFFECTIVE DATE.** This section is effective January 1, 2026.

182.7 Sec. 13. Minnesota Statutes 2024, section 480.40, subdivision 3, is amended to read:

182.8 Subd. 3. **Exceptions.** (a) Subdivision 2 does and section 480.50 do not apply to:

182.9 (1) the dissemination of personal information if the information is relevant to and
182.10 displayed as part of a news story, commentary, editorial, or other speech on a matter of
182.11 public concern;

182.12 (2) personal information that the judicial official voluntarily disseminates publicly after
182.13 August 1, 2024;

182.14 (3) the dissemination of personal information made at the request of the judicial official
182.15 or which is necessary to effectuate the request of a judicial official;

182.16 (4) a commercial entity using personal information internally, providing access to
182.17 businesses under common ownership or affiliated by corporate control, or selling or providing
182.18 data for a transaction or service requested by or concerning the individual whose personal
182.19 information is being transferred;

182.20 (5) a commercial entity providing publicly available information through real-time or
182.21 near real-time alert services for health or safety purposes;

182.22 (6) a commercial entity engaged in the collection, maintenance, disclosure, sale,
182.23 communication, or use of any personal information bearing on a consumer's credit worthiness,
182.24 credit standing, credit capacity, character, general reputation, personal characteristics, or
182.25 mode of living by a consumer reporting agency, furnisher, or user that provides information
182.26 for use in a consumer report, and by a user of a consumer report, but only to the extent that
182.27 such activity is regulated by and authorized under the federal Fair Credit Reporting Act,
182.28 United States Code, title 15, section 1681, et seq.;

182.29 (7) a consumer reporting agency subject to the federal Fair Credit Reporting Act, United
182.30 States Code, title 15, section 1681, et seq.;

(8) a commercial entity using personal information collected, processed, sold, or disclosed in compliance with the federal Driver's Privacy Protection Act of 1994, United States Code, title 18, section 2721, et seq.;

(9) a commercial entity using personal information to do any of the following: prevent, detect, protect against, or respond to security incidents, identity theft, fraud, harassment, malicious or deceptive activities, or any illegal activity; preserve the integrity or security of systems; or investigate, report, or prosecute any person responsible for any such action;

(10) a financial institution, affiliate of a financial institution, or data subject to title V of the federal Gramm-Leach-Bliley Act, United States Code, title 15, section 6801, et seq.;

(11) a covered entity or business associate for purposes of the federal privacy regulations promulgated under the federal Health Insurance Portability and Accountability Act of 1996, specifically United States Code, title 42, section 1320d-2 note;

(12) insurance and insurance support organizations;

(13) law enforcement agencies or law enforcement support organizations and vendors that provide data support services to law enforcement agencies;

(14) the display of a property address on a real estate or mapping platform when the address is not displayed or disclosed in connection with any ownership or occupancy information or other personal identifying information of a judicial official; and

~~(14)~~ (15) the collection and sale or licensing of covered information incidental to conducting the activities described in clauses (4) to ~~(13)~~ (14); and.

~~(15) personal information contained in:~~

~~(i) real property records as defined in section 13.045, subdivision 1, clause (5);~~

~~(ii) uniform commercial code filings and tax liens maintained by the secretary of state;~~

~~and~~

~~(iii) any other records maintained by a government entity evidencing title to, or any lien, judgment, or other encumbrance on, real or personal property.~~

(b) Subdivision 2 does not apply to personal information of judicial officials collected, created, or maintained in real property records.

EFFECTIVE DATE. This section is effective January 1, 2026.

184.1 Sec. 14. Minnesota Statutes 2024, section 480.45, subdivision 2, is amended to read:

184.2 Subd. 2. **Removal of personal information; exception.** (a) Upon receipt of an affidavit
184.3 requesting removal of the personal information of a judicial official that meets the
184.4 requirements of subdivision 1, the person, business, association, or government entity shall
184.5 remove the publicly posted personal information within 30 days. If the person, business,
184.6 association, or government entity fails to remove the publicly posted personal information
184.7 within 30 days after an affidavit is submitted, the judicial official may file a civil action in
184.8 a court of competent jurisdiction seeking a court order compelling compliance, including
184.9 injunctive and declarative relief.

184.10 (b) Paragraph (a) shall not apply to personal information disseminated directly by a
184.11 government entity contained in: real property records, as defined in section 480.50,
184.12 subdivision 1, paragraph (f).

184.13 ~~(1) real property records as defined in section 13.045, subdivision 1, clause (5);~~

184.14 ~~(2) uniform commercial code filings and tax liens maintained by the secretary of state;~~
184.15 ~~and~~

184.16 ~~(3) any other records maintained by a government entity evidencing title to, or any lien,~~
184.17 ~~judgment, or other encumbrance on, real or personal property.~~

184.18 **EFFECTIVE DATE.** This section is effective January 1, 2026.

184.19 Sec. 15. **[480.50] PERSONAL INFORMATION IN REAL PROPERTY RECORDS.**

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

184.22 (b) "County recorder" has the meaning given in section 13.045, subdivision 1, clause
184.23 (4).

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

184.25 (d) "Judicial official" has the meaning given in section 480.40, subdivision 1, paragraph
184.26 (b), except that it does not include employees of the Minnesota judicial branch, the Office
184.27 of Administrative Hearings, the Workers' Compensation Court of Appeals, or the Tax Court.

184.28 (e) "Personal information" has the meaning given in section 480.40, subdivision 1,
184.29 paragraph (c).

184.30 (f) "Real property records" means any of the following:

184.31 (1) real property records as defined in section 13.045, subdivision 1, clause (5);

(2) Uniform Commercial Code filings and tax liens maintained by the secretary of state;
and

(3) any other records maintained by a county recorder or other government entity
evidencing title to, or any lien, judgment, or other encumbrance on, real or personal property.

(g) "Responsible authority" has the meaning given in section 13.02, subdivision 16.

Subd. 2. **Classification of data.** (a) Subject to the provisions of this section, the personal
information of all judicial officials collected, created, or maintained in real property records
is private data on individuals, as defined in section 13.02, subdivision 12.

(b) If the responsible authority or government entity violates this section, the remedies
and penalties under chapter 13 are available only if the judicial official making a claim
previously provided a real property notice that complies with subdivision 3. If the subject
of the data is the spouse, domestic partner, or adult child of a judicial official who does not
reside with the judicial official, the remedies and penalties under chapter 13 are available
only if the spouse, domestic partner, or adult child previously provided a notification under
subdivision 3 to the responsible authority confirming their status as the spouse, domestic
partner, or adult child of a judicial official. In the case of county records, the notification
shall be filed with the responsible authority that maintains the personal information for
which protection is sought. A notification submitted under this section is private data on
individuals, as defined in section 13.02, subdivision 12.

Subd. 3. **Notification.** (a) For the classification in subdivision 2 to apply to personal
information in real property records, a judicial official must submit a real property notice
in writing to the county recorder in the county where the property identified in the real
property notice is located and to the Office of the Secretary of State. To affect real property
records maintained by any other government entity, a judicial official must submit a real
property notice in writing to the other government entity's responsible authority. If the
personal information is that of the spouse, domestic partner, or adult child of a judicial
official who does not reside with the judicial official, the spouse, domestic partner, or adult
child must submit a real property notice. The real property notice is classified as private
data on individuals, as defined in section 13.02, subdivision 12. A real property notice must
be on a form provided by the judicial branch and must include:

(1) the full legal name of the individual submitting the form;

(2) the last four digits of the individual's Social Security number;

(3) the individual's date of birth;

- 186.1 (4) the individual's telephone number and email address;
- 186.2 (5) the residential address of the individual in Minnesota;
- 186.3 (6) the legal description, parcel identification number, and street address, if any, of the
- 186.4 real property affected by the notice; and
- 186.5 (7) a certification that the individual is a judicial official or the spouse, domestic partner,
- 186.6 or adult child of a judicial official that contains the notarized signature of the individual.
- 186.7 (b) A notice submitted by a judicial official employed by the state must include the
- 186.8 employer's business address and a verification of current employment signed by the
- 186.9 employer's human resources office.
- 186.10 (c) A notice submitted pursuant to this subdivision by a spouse, domestic partner, or
- 186.11 adult child of a judicial official not residing with the judicial official must include a notarized
- 186.12 verification that the individual is the spouse, domestic partner, or adult child of a judicial
- 186.13 official.
- 186.14 (d) Only one parcel of real property may be included in each notice, but an individual
- 186.15 may submit more than one notice. A government entity may require an individual to provide
- 186.16 additional information necessary to identify the records or the real property described in
- 186.17 the notice. An individual submitting a notice must submit a new real property notice if their
- 186.18 legal name changes.
- 186.19 **Subd. 4. Access to real property records.** (a) If an individual submits a notice under
- 186.20 subdivision 3, the county recorder or other government entity must not disclose the
- 186.21 individual's personal information in conjunction with the property identified in the written
- 186.22 notice, unless:
- 186.23 (1) the individual has consented to sharing or dissemination of the personal information
- 186.24 for the purpose identified in a writing signed by the individual and acknowledged by a
- 186.25 notary public;
- 186.26 (2) the personal information is subject to dissemination pursuant to a court order under
- 186.27 section 13.03, subdivision 6;
- 186.28 (3) the personal information is shared with a government entity for the purpose of
- 186.29 administering assessment and taxation laws;
- 186.30 (4) the personal information is disseminated pursuant to subdivision 5; or

(5) the personal information is shared with the examiner of titles or deputy examiner as necessary to perform their statutory duties under chapters 508 and 508A, including the dissemination of personal information in reports of examiner.

(b) This subdivision does not prevent the county recorder from returning original documents to the person who submitted the documents for recording. Each county recorder shall establish procedures for recording documents to comply with this subdivision. These procedures may include masking personal information and making documents or certificates of title containing the personal information private and not viewable, except as allowed by this paragraph. The procedure must comply with the requirements of chapters 386, 507, 508, and 508A, and other laws as appropriate, to the extent these requirements do not conflict with this section. The procedures must provide public notice of the existence of recorded documents and certificates of title that are not publicly viewable and the provisions for viewing them under this subdivision. Notice that a document or certificate is private and viewable only under this subdivision or subdivision 5 is deemed constructive notice of the document or certificate.

(c) A real property notice submitted under subdivision 3 shall apply retroactively to all online and digital real property records, except digitized or scanned images of tract pages and books, but only to the extent the individual submitting the notice provides the parcel identification number, document number, or certificate of title number of each record for which protection is sought. Otherwise, paragraph (a) applies only to the real property records recorded or filed concurrently with the real property notice specified in subdivision 3 and to real property records affecting the same real property recorded subsequent to the county recorder or other government entity's receipt of the real property notice.

(d) The county recorder or other government entity shall have 60 days from the date of receipt of a real property notice under subdivision 3 to process the request. If the individual cites exigent circumstances, the county recorder or other government entity shall process the request as soon as practicable.

(e) The prohibition on disclosure in paragraph (a) continues until:

(1) the individual has consented to the termination of the real property notice in a writing signed by the individual and acknowledged by a notary public;

(2) the real property notice is terminated pursuant to a court order;

(3) the individual no longer holds a record interest in the real property identified in the real property notice;

(4) the individual is deceased and a certified copy of the death certificate has been filed with the county recorder or other government entity to which a notice under subdivision 3 was given; or

(5) the judicial official no longer qualifies as a judicial official. Notification that the judicial official no longer qualifies as a judicial official must be given by the judicial official to each county recorder or other government entity to which a notice under subdivision 3 was given within 90 days after the judicial official no longer qualifies as a judicial official.

(f) Upon termination of the prohibition of disclosure, the county recorder shall make publicly viewable all documents and certificates of title that were previously partially or wholly private and not viewable pursuant to a notice filed under subdivision 3.

Subd. 5. Access to personal information in real property records; title examination. (a) Upon request, the individual who submitted the real property under notice under subdivision 3 shall verify that the individual's real property is the property subject to a bona fide title exam.

(b) The county recorder or other government entity shall provide the unredacted real property records of an individual who submitted a real property notice under subdivision 3 upon request of any of the following persons:

(1) a licensed title insurance company representative, a licensed title insurance agent, a licensed abstractor, or an attorney licensed to practice law in Minnesota;

(2) a mortgage loan originator;

(3) a real estate broker or a real estate salesperson; and

(4) an individual or entity that has made or received an offer for the purchase of real property to or from an individual who submitted a real property notice under subdivision 3 whose address is subject to nondisclosure, provided the request is accompanied by a written consent from the individual.

(c) A request made under paragraph (a) or (b) must be made on a notarized form and include:

(1) the full legal name, title, address, and place of employment, if applicable, of the person requesting the real property records;

(2) the lawful purpose for requesting the real property records;

(3) the requestor's relationship, if any, to the individual who submitted a real property notice under subdivision 3;

(4) the legal description of the property subject to the title examination; and

(5) proof of the requestor's licensure.

(d) Personal information provided under this subdivision may be used only for the purposes authorized in this subdivision or the lawful purposes set forth in the request for disclosure form and may not be further disseminated to any other person. However, the dissemination of personal information in real property records by a licensed attorney or any employees in the office of the licensed attorney is permitted when reasonably necessary for the provision of legal services.

Subd. 6. Service fees to county recorder or other government entity. The county recorder or any other government entity is authorized to charge the following service fees:

(1) up to \$40 for each real property notice under subdivision 3;

(2) up to \$40 for each consent submitted under subdivision 4, paragraphs (a), clause (1), and (e), clause (1); and

(3) up to \$40 for each request submitted under subdivision 5.

These service fees shall not be considered county recorder fees under section 357.18 or registrar of titles fees under section 508.82 or 508A.82 and shall be deposited into the county recorder or other government entity's general fund.

EFFECTIVE DATE. This section is effective January 1, 2026.

ARTICLE 12

MINNESOTA BUSINESS CORPORATION ACT

Section 1. Minnesota Statutes 2024, section 302A.011, subdivision 41, is amended to read:

Subd. 41. **Beneficial owner; beneficial ownership.** (a) "Beneficial owner," when used with respect to shares or other securities, includes, but is not limited to, any person who, directly or indirectly through any written or oral agreement, arrangement, relationship, understanding, or otherwise, has or shares the power to vote, or direct the voting of, the shares or securities or has or shares the power to dispose of, or direct the disposition of, the shares or securities, except that:

(1) a person shall not be deemed the beneficial owner of shares or securities tendered pursuant to a tender or exchange offer made by the person or any of the person's affiliates

190.1 or associates until the tendered shares or securities are accepted for purchase or exchange;
190.2 and

190.3 (2) a person shall not be deemed the beneficial owner of shares or securities with respect
190.4 to which the person has the power to vote or direct the voting arising solely from a revocable
190.5 proxy given in response to a proxy solicitation required to be made and made in accordance
190.6 with the applicable rules and regulations under the Securities Exchange Act of 1934 and is
190.7 not then reportable under that act on a Schedule 13D or comparable report, or, if the
190.8 corporation is not subject to the rules and regulations under the Securities Exchange Act of
190.9 1934, would have been required to be made and would not have been reportable if the
190.10 corporation had been subject to the rules and regulations.

190.11 (b) "Beneficial ownership" includes, but is not limited to, the right to acquire shares or
190.12 securities through the exercise of options, warrants, or rights, or the conversion of convertible
190.13 securities, or otherwise. The shares or securities subject to the options, warrants, rights, or
190.14 conversion privileges held by a person shall be deemed to be outstanding for the purpose
190.15 of computing the percentage of outstanding shares or securities of the class or series owned
190.16 by the person, but shall not be deemed to be outstanding for the purpose of computing the
190.17 percentage of the class or series owned by any other person. A person ~~shall be~~ is deemed
190.18 the beneficial owner of shares and securities beneficially owned by: (1) any relative or
190.19 spouse of the person or any relative of the spouse, residing in the home of the person; (2)
190.20 any trust or estate in which the person (i) owns ten percent or more of the total beneficial
190.21 interest of the trust or estate, or (ii) serves as trustee or executor or in a similar fiduciary
190.22 capacity; for the trust or estate; (3) any organization in which the person owns ten percent
190.23 or more of the equity; and (4) any affiliate of the person.

190.24 (c) When two or more persons act or agree to act as a partnership, limited partnership,
190.25 syndicate, or other group for the purposes of acquiring, owning, or voting shares or other
190.26 securities of a corporation, all members of the partnership, syndicate, or other group are
190.27 deemed to constitute a "person" and to have acquired beneficial ownership, as of the date
190.28 they first so act or agree to act together, of all shares or securities of the corporation
190.29 beneficially owned by the person.

190.30 Sec. 2. Minnesota Statutes 2024, section 302A.011, is amended by adding a subdivision
190.31 to read:

190.32 Subd. 72. **Defective corporate act.** "Defective corporate act" means an overissue, an
190.33 election or appointment of directors that is void or voidable due to a failure of authorization,
190.34 or an act or transaction purportedly taken by or on behalf of the corporation that is and, at

191.1 the time the act or transaction was purportedly taken, would have been within the
191.2 corporation's power under section 302A.101 but is void or voidable due to a failure of
191.3 authorization.

191.4 Sec. 3. Minnesota Statutes 2024, section 302A.011, is amended by adding a subdivision
191.5 to read:

191.6 Subd. 73. **Emergency.** "Emergency" means a situation during which it is impracticable
191.7 for the corporation to conduct the corporation's affairs in accordance with this chapter, the
191.8 articles, the bylaws, or as specified in a notice for the meeting previously given as a result
191.9 of a catastrophic event or condition, including but not limited to an act of nature, an epidemic
191.10 or pandemic, a technological failure or malfunction, a terrorist incident or an act of war, a
191.11 cyber attack, a civil disturbance, or a governmental authority's emergency declaration.

191.12 Sec. 4. Minnesota Statutes 2024, section 302A.011, is amended by adding a subdivision
191.13 to read:

191.14 Subd. 74. **Failure of authorization.** "Failure of authorization" means the failure: (1) to
191.15 authorize or effect an act or transaction in compliance with (i) this chapter, (ii) the articles
191.16 or bylaws, (iii) any plan or agreement to which the corporation is a party, or (iv) the
191.17 disclosure set forth in any proxy or consent solicitation statement, if and to the extent the
191.18 failure renders the act or transaction void or voidable; or (2) of the board or an officer to
191.19 authorize or approve an act or transaction taken by or on behalf of the corporation that
191.20 requires board or officer approval for the act or transaction's due authorization.

191.21 Sec. 5. Minnesota Statutes 2024, section 302A.011, is amended by adding a subdivision
191.22 to read:

191.23 Subd. 75. **Overissue.** "Overissue" means the purported issuance of: (1) shares of a class
191.24 or series in excess of the number of shares of the class or series the corporation has the
191.25 power under the articles to issue under section 302A.401, subdivision 1, at the time of the
191.26 issuance; or (2) shares of any class or series that are not then authorized for issuance by the
191.27 articles.

191.28 Sec. 6. Minnesota Statutes 2024, section 302A.011, is amended by adding a subdivision
191.29 to read:

191.30 Subd. 76. **Putative shares.** "Putative shares" means shares, including shares issued upon
191.31 exercise of rights to purchase, in each case, that were created or issued pursuant to a defective

192.1 corporate act, that: (1) but for a failure of authorization, would constitute valid shares; or
192.2 (2) the board is unable to determine are valid shares.

192.3 Sec. 7. Minnesota Statutes 2024, section 302A.011, is amended by adding a subdivision
192.4 to read:

192.5 Subd. 77. **Time of defective corporate act.** "Time of defective corporate act" means
192.6 the date and time at which the defective corporate act was purportedly taken.

192.7 Sec. 8. Minnesota Statutes 2024, section 302A.011, is amended by adding a subdivision
192.8 to read:

192.9 Subd. 78. **Validation effective time.** "Validation effective time," with respect to a
192.10 defective corporate act ratified under section 302A.166 or 302A.167, means the latest of:

192.11 (1) the time when a defective corporate act submitted to shareholders for approval under
192.12 section 302A.166, subdivision 4, is approved by shareholders or, if no vote of the
192.13 shareholders is required to approve the ratification of the defective corporate act, immediately
192.14 following the time when the board adopts the resolutions required under section 302A.166,
192.15 subdivision 2 or 3;

192.16 (2) if no certificate of validation must be filed under section 302A.166, subdivision 6,
192.17 the time, if any, specified by the board of directors in the resolutions adopted under section
192.18 302A.166, subdivision 2 or 3, provided the time specified by the board of directors does
192.19 not precede the time when the resolutions are adopted; or

192.20 (3) the time when any certificate of validation filed under section 302A.166, subdivision
192.21 6, is filed with the secretary of state.

192.22 Sec. 9. Minnesota Statutes 2024, section 302A.011, is amended by adding a subdivision
192.23 to read:

192.24 Subd. 79. **Valid shares.** "Valid shares" means shares that have been duly authorized
192.25 and validly issued as required under this chapter.

192.26 Sec. 10. Minnesota Statutes 2024, section 302A.111, subdivision 2, is amended to read:

192.27 Subd. 2. **Statutory provisions that may be modified only in articles or in a**
192.28 **shareholder control agreement.** The following provisions govern a corporation unless
192.29 modified in the articles or in a shareholder control agreement under section 302A.457:

192.30 (a) a corporation has general business purposes (section 302A.101);

193.1 (b) a corporation has perpetual existence and certain powers (section 302A.161);

193.2 (c) the power to adopt, amend, or repeal the bylaws is vested in the board (section
193.3 302A.181);

193.4 (d) a corporation must allow cumulative voting for directors (section 302A.215,
193.5 subdivision 2);

193.6 (e) the affirmative vote of a majority of directors present is required for an action of the
193.7 board (section 302A.237);

193.8 (f) a written action by the board taken without a meeting must be signed by all directors
193.9 (section 302A.239);

193.10 (g) the board may authorize the issuance of securities and rights to purchase securities
193.11 (section 302A.401, subdivision 1);

193.12 (h) all shares are common shares entitled to vote and are of one class and one series
193.13 (section 302A.401, subdivision 2, clauses (a) and (b));

193.14 (i) all shares have equal rights and preferences in all matters not otherwise provided for
193.15 by the board (section 302A.401, subdivision 2, clause (b));

193.16 (j) the par value of shares is fixed at one cent per share for certain purposes and may be
193.17 fixed by the board for certain other purposes (section 302A.401, subdivision 2, clause (c));

193.18 (k) the board or the shareholders may issue shares for any consideration or for no
193.19 consideration to effectuate share dividends, divisions, or combinations, and determine the
193.20 value of nonmonetary consideration (section 302A.405, subdivision 1);

193.21 (l) shares of a class or series must not be issued to holders of shares of another class or
193.22 series to effectuate share dividends, divisions, or combinations, unless authorized by a
193.23 majority of the voting power of the shares of the same class or series as the shares to be
193.24 issued (section 302A.405, subdivision 1);

193.25 (m) a corporation may issue rights to purchase securities whose terms, provisions, and
193.26 conditions are fixed by the board (section 302A.409);

193.27 (n) a shareholder has certain preemptive rights, unless otherwise provided by the board
193.28 (section 302A.413);

193.29 (o) the affirmative vote of the holders of a majority of the voting power of the shares
193.30 present and entitled to vote at a duly held meeting is required for an action of the
193.31 shareholders, except where this chapter requires the affirmative vote of a plurality of the

194.1 votes cast (section 302A.215, subdivision 1) or a majority of the voting power of all shares
194.2 entitled to vote (section 302A.437, subdivision 1);

194.3 (p) shares of a corporation acquired by the corporation may be reissued (section
194.4 302A.553, subdivision 1);

194.5 (q) each share has one vote unless otherwise provided in the terms of the share (section
194.6 302A.445, subdivision 3);

194.7 (r) a corporation may issue shares for a consideration less than the par value, if any, of
194.8 the shares (section 302A.405, subdivision 2);

194.9 (s) the board may effect share dividends, divisions, and combinations under certain
194.10 circumstances without shareholder approval (section 302A.402);

194.11 (t) a written action of shareholders must be signed by all shareholders (section 302A.441);

194.12 (u) specified amendments of the articles create dissenters' rights (section 302A.471,
194.13 subdivision 1, clause (a)); ~~and~~

194.14 (v) shareholders are entitled to vote as a class or series upon proposed amendments to
194.15 the articles in specified circumstances (section 302A.137); and

194.16 (w) the corporation's business and affairs must be managed by or under the board's
194.17 direction (section 302A.201).

194.18 Sec. 11. Minnesota Statutes 2024, section 302A.161, is amended by adding a subdivision
194.19 to read:

194.20 Subd. 23a. **Emergency powers.** (a) During an emergency, unless emergency bylaws
194.21 provide otherwise:

194.22 (1) notice of a meeting of the board must be given only to the directors that are practicable
194.23 to reach and may, if ordinary notice is impracticable or inadvisable due to the emergency,
194.24 be given in any practicable manner; and

194.25 (2) the officers designated on a list approved by the board of directors before the
194.26 emergency, in the priority order and subject to conditions as may be provided in the board
194.27 resolution approving the list, must, to the extent required to provide a quorum at any meeting
194.28 of the board, be deemed directors for the meeting.

194.29 (b) During an emergency that makes it impracticable to convene a meeting of shareholders
194.30 in accordance with this chapter, the articles, the bylaws, or as specified in a notice for the
194.31 meeting previously given, unless emergency bylaws provide otherwise, the board may

postpone a meeting of shareholders for which notice has been given or authorize shareholders to participate in a meeting by any means of remote communication that conforms with section 302A.436. The corporation must give notice to shareholders, by the means and with shorter advance notice as are reasonable in the circumstances, of a postponement, including any new date, time, or place, and describe any means of remote communication to be used. The notice to shareholders by a publicly held corporation may be given solely by means of a document publicly filed by the corporation with the Securities and Exchange Commission pursuant to the rules and regulations under the Securities Exchange Act of 1934, United States Code, title 15, section 78a, et seq.

(c) A corporate action taken in good faith under this subdivision during an emergency to further the business and affairs of the corporation binds the corporation.

**Sec. 12. [302A.166] DEFECTIVE CORPORATE ACTS AND SHARES;
RATIFICATION.**

Subdivision 1. **Effect of ratification or validation.** Subject to subdivision 7, a defective corporate act or putative share is not void or voidable solely as a result of a failure of authorization if the defective corporate act or putative share is ratified under this section or validated by a court in a proceeding brought under section 302A.167.

Subd. 2. **Board approval; generally.** (a) In order to ratify one or more defective corporate acts under this section other than ratifying an election of the first board under subdivision 3, the board must adopt resolutions stating:

(1) the defective corporate act or acts to be ratified;

(2) the date of each defective corporate act or acts;

(3) if the defective corporate act or acts involved the issuance of putative shares, the number and type of putative shares issued and the date or dates when the putative shares were purported to have been issued;

(4) the nature of the failure of authorization in respect of each defective corporate act to be ratified; and

(5) that the board approves ratification of the defective corporate act or acts.

(b) The resolutions also may provide that, at any time before the validation effective time in respect of a defective corporate act set forth in the resolutions, notwithstanding the approval of the ratification of the defective corporate act by shareholders, the board may

196.1 abandon the ratification of the defective corporate act without further action of the
196.2 shareholders.

196.3 (c) The quorum and voting requirements that apply to the board's ratification of any
196.4 defective corporate act must be the quorum and voting requirements applicable to the type
196.5 of defective corporate act proposed to be ratified at the time the board adopts the resolutions
196.6 ratifying the defective corporate act. If the articles or bylaws, any plan or agreement to
196.7 which the corporation was a party, or any provision of this chapter, in each case as in effect
196.8 as of the time of the defective corporate act, require a larger number or portion of directors
196.9 or of specified directors for a quorum to be present or to approve the defective corporate
196.10 act, the larger number or portion of the directors or the specified directors must be required
196.11 for a quorum to be present or to adopt the resolutions to ratify the defective corporate act,
196.12 as applicable; except that the presence or approval of a director elected, appointed, or
196.13 nominated by holders of any class or series of which no shares are outstanding at the time
196.14 the board adopts the resolutions ratifying the defective corporate act, or by any person that
196.15 is no longer a shareholder at the time the board adopts the resolutions ratifying the defective
196.16 corporate act, is not required.

196.17 Subd. 3. **Board approval; election of first board.** To ratify a defective corporate act
196.18 in respect of the election of the first board under section 302A.201, subdivision 1, a majority
196.19 of the persons who, at the time the resolutions required by this subdivision are adopted, are
196.20 exercising the powers of directors under claim and color of an election or appointment as
196.21 such may adopt resolutions stating:

196.22 (1) the name of the person or persons who first took action in the name of the corporation
196.23 as the first board;

196.24 (2) the earlier of the date on which the persons first took the action or were purported
196.25 to have been elected as the first board; and

196.26 (3) that the ratification of the election of the person or persons as the first board is
196.27 approved.

196.28 Subd. 4. **Shareholder approval; when required.** A defective corporate act ratified
196.29 under subdivision 2 must be submitted to shareholders for approval under subdivision 5,
196.30 unless:

196.31 (1)(i) no other provision of this chapter, and no provision of the articles or bylaws, or
196.32 of any plan or agreement to which the corporation is a party, requires shareholder approval
196.33 of the defective corporate act to be ratified, either at the time of the defective corporate act
196.34 or at the time the board adopts the resolutions ratifying the defective corporate act under

197.1 subdivision 2, and (ii) the defective corporate act did not result from a failure to comply
197.2 with section 302A.673; or

197.3 (2) as of the adoption of the resolutions of the board under subdivision 2, there are no
197.4 valid shares outstanding and entitled to vote thereon, regardless of whether there then exist
197.5 any putative shares.

197.6 Subd. 5. **Shareholder approval; process.** (a) If the ratification of a defective corporate
197.7 act must be submitted to shareholders for approval under subdivision 4, notice of the meeting
197.8 must be given in the manner set forth in section 302A.435 to each holder of valid shares
197.9 and putative shares, whether voting or nonvoting.

197.10 (b) The notice under this subdivision must be given as follows:

197.11 (1) in the case of a defective corporate act that did not involve the establishment of a
197.12 record date for notice of or voting at any meeting of shareholders, for written action of
197.13 shareholders in lieu of a meeting, or for any other purpose, to the shareholders of valid
197.14 shares and putative shares, whether voting or nonvoting, as of the time of the defective
197.15 corporate act, other than holders whose identities or addresses cannot be determined from
197.16 the corporation's records; or

197.17 (2) in the case of a defective corporate act that involved the establishment of a record
197.18 date for notice of or voting at any meeting of shareholders, for written action of shareholders
197.19 in lieu of a meeting, or for any other purpose, to the shareholders of valid shares and putative
197.20 shares, whether voting or nonvoting, as of the record date for notice of or voting at the
197.21 meeting, the record date for written action, or the record date for the other action, as the
197.22 case may be, other than holders whose identities or addresses cannot be determined from
197.23 the corporation's records.

197.24 (c) The notice must contain a copy of the resolutions adopted by the board under
197.25 subdivision 2 or the information required by subdivision 2, paragraph (a), clauses (1) to (5).
197.26 The notice must include a statement that any claim that the defective corporate act or putative
197.27 shares ratified under this section is void or voidable due to the failure of authorization, or
197.28 that a court should declare in the court's discretion that a ratification in accordance with this
197.29 section is not effective or is effective only on certain conditions, must be brought within
197.30 120 days from the applicable validation effective time.

197.31 (d) At the meeting, the quorum and voting requirements that apply to ratification of the
197.32 defective corporate act must be the same quorum and voting requirements that apply to the
197.33 type of defective corporate act proposed to be ratified at the time of the approval of the
197.34 ratification, except that:

(1) if the articles or bylaws, a plan or agreement to which the corporation was a party, or a provision under this chapter in effect as of the time of the defective corporate act requires a larger number or portion of shares or of any class or series thereof or of specified shareholders for a quorum to be present or to approve the defective corporate act, the presence or approval of the larger number or portion of stock or of the class or series thereof or of the specified shareholders must be required for a quorum to be present or to approve the ratification of the defective corporate act, as applicable; except that the presence or approval of shares of any class or series of which no shares are outstanding at the time of the approval of the ratification, or of any person that is no longer a shareholder at the time of the approval of the ratification, is not required; and

(2) the approval by shareholders of the ratification of a director's election requires the affirmative vote of a plurality of shares present at the meeting and entitled to vote on the election of the director in the manner set forth in section 302A.215, except that, if the articles or bylaws then in effect or in effect at the time of the defective election require or required a larger number or portion of shares or of any class or series thereof or of specified shareholders to elect the director, the affirmative vote of the larger number or portion of shares or of any class or series thereof or of the specified shareholders must be required to ratify the election of the director; except that the presence or approval of shares of any class or series of which no shares are outstanding at the time of the approval of the ratification, or of any person that is no longer a shareholder at the time of the approval of the ratification, is not required.

(e) Putative shares, measured as of the adoption by the board of resolutions under subdivision 2 and without giving effect to any ratification that becomes effective after the adoption, are neither entitled to vote nor counted for quorum purposes in a vote to ratify a defective corporate act.

Subd. 6. Certificate of validation. (a) If a defective corporate act ratified under this section requires under any other section of this chapter a certificate to be filed with the secretary of state, and either (1) the certificate requires any change to give effect to the defective corporate act in accordance with this section, including a change to the date and time of the effectiveness of the certificate, or (2) a certificate was not previously filed with respect to the defective corporate act, the corporation must file with the secretary of state a certificate of validation with respect to the defective corporate act in lieu of filing the certificate otherwise required by this chapter.

(b) A separate certificate of validation is required for each defective corporate act that requires the filing of a certificate of validation under this section, except that (1) two or

199.1 more defective corporate acts may be included in a single certificate of validation if the
199.2 corporation filed with the secretary of state, or to comply with this chapter would have filed
199.3 with the secretary of state, a single certificate under another provision of this chapter to
199.4 effect the acts, and (2) two or more overissues of shares, or of any class or series of shares,
199.5 may be included in a single certificate of validation; provided that the increase in the number
199.6 of authorized shares, or of each class or series, set forth in the certificate of validation is
199.7 effective on the date of the first overissue.

199.8 (c) The certificate of validation must set forth:

199.9 (1) that the corporation has ratified one or more defective corporate acts that would have
199.10 required filing with the secretary of state of a certificate under this chapter;

199.11 (2) that each defective corporate act has been ratified in accordance with this section;
199.12 and

199.13 (3) the following information:

199.14 (i) if a certificate was previously filed with the secretary of state under this chapter with
199.15 respect to the defective corporate act and the certificate requires any change to give effect
199.16 to the defective corporate act in accordance with this section, including a change to the date
199.17 and time of the effectiveness of the certificate, the certificate of validation must set forth:

199.18 (A) the name, title, and filing date of the certificate previously filed and any certificate
199.19 of correction to the certificate previously filed;

199.20 (B) a statement that a certificate containing all of the information that must be included
199.21 under the applicable section or sections of this chapter to give effect to the defective corporate
199.22 act is attached as an exhibit to the certificate of validation; and

199.23 (C) the date and time that the certificate is deemed effective pursuant to this section; or

199.24 (ii) if a certificate was not previously filed with the secretary of state under this chapter
199.25 in respect of the defective corporate act and the defective corporate act ratified pursuant to
199.26 this section would have required under any other section of this chapter the filing with the
199.27 secretary of state of a certificate, the certificate of validation shall set forth:

199.28 (A) a statement that a certificate containing all of the information required to be included
199.29 under the applicable section or sections of this chapter to give effect to the defective corporate
199.30 act is attached as an exhibit to the certificate of validation; and

199.31 (B) the date and time that the certificate shall be deemed to have become effective
199.32 pursuant to this section.

(d) A certificate attached to a certificate of validation need not be separately executed and acknowledged and need not include a statement required by another section under this chapter that the instrument has been approved and adopted in accordance with the provisions of the other section under this chapter.

Subd. 7. **Retroactive effect.** From and after the validation effective time, unless otherwise determined in an action brought pursuant to section 302A.167, subject to subdivision 5, paragraph (e):

(1) each defective corporate act ratified in accordance with this section is no longer deemed void or voidable as a result of the failure of authorization described in the resolutions adopted under subdivision 2, effective retroactively from the time of the defective corporate act; and

(2) each share or fraction of a share of putative shares issued or purportedly issued pursuant to the defective corporate act is no longer deemed void or voidable, and is deemed to be an identical outstanding share or fraction of an outstanding share as of the time the share or fraction of a share was purportedly issued.

Subd. 8. **Postratification notice.** (a) Except as provided under paragraph (b), with respect to each defective corporate act ratified by the board under subdivision 2 or 3, prompt notice of the ratification must be given to all shareholders of valid shares and putative shares, whether voting or nonvoting, as of the date the board adopts the resolutions approving the defective corporate act, or as of a date within 60 days after the date of adoption, as established by the board. The notice must be sent to the address of the holder as the address appears or most recently appeared, as appropriate, on the corporation's records. The notice must be given to the shareholders of valid shares and putative shares, whether voting or nonvoting, as of the time of the defective corporate act, other than holders whose identities or addresses cannot be determined from the records of the corporation. The notice must contain a copy of the resolutions adopted under subdivision 2 or the information specified under subdivision 2, paragraph (a), clauses (1) to (5), or subdivision 3, clauses (1) to (3), as applicable, and a statement that any claim that the defective corporate act or putative shares ratified under this section is void or voidable due to the failure of authorization, or that a court should declare in the court's discretion that a ratification in accordance with this section is not effective or is effective only on certain conditions, must be brought within 120 days from the latter of the validation effective time or the time at which the notice required by this subdivision is given.

(b) Notice is not required if notice of the ratification of the defective corporate act is given in accordance with subdivision 5 and, in the case of a corporation that has a class of shares listed on a national securities exchange, the notice required by this subdivision and subdivision 5 may be deemed given if disclosed in a document publicly filed by the corporation with the Securities and Exchange Commission pursuant to section 13, 14, or 15(d) of the Securities Exchange Act of 1934, as amended, United States Code, title 15, section 78a, et seq., and rules and regulations promulgated under the Securities Exchange Act of 1934, as amended, or the corresponding provisions of any subsequent United States securities laws, rules, or regulations.

(c) If a defective corporate act has been approved by shareholders acting pursuant to section 302A.441, the notice required by this subdivision may be included in a notice required under section 302A.441, subdivision 3. If the notice is given under section 302A.441, the notice must be sent to the shareholders entitled to the notice under section 302A.441, subdivision 3, and to all holders of valid shares and putative shares to whom notice is required under this subdivision if the defective corporate act had been approved at a meeting and the record date for determining the shareholders entitled to notice of the meeting had been the date for determining the shareholders entitled to notice under paragraph (a) other than any shareholder who approved the written action in lieu of a meeting under section 302A.441 or any holder of putative shares who otherwise consented thereto in writing.

(d) For purposes of this subdivision and subdivision 5 only, notice to holders of putative shares, and notice to holders of valid shares and putative shares as of the time of the defective corporate act, is treated as notice to holders of valid shares for purposes of sections 302A.435 and 302A.441.

Sec. 13. [302A.167] VALIDITY OF DEFECTIVE CORPORATE ACTS AND SHARES; PROCEEDINGS.

Subdivision 1. **When permitted.** Subject to subdivision 5, upon application by the corporation, a successor entity to the corporation, a member of the board, a shareholder or beneficial owner of valid shares or putative shares, a shareholder or beneficial owner of valid shares or putative shares as of the time of a defective corporate act ratified pursuant to section 302A.166, or other person claiming to be substantially and adversely affected by a ratification pursuant to section 302A.166, a court may:

(1) determine the validity and effectiveness of any defective corporate act ratified pursuant to section 302A.166;

202.1 (2) determine the validity and effectiveness of the ratification of any defective corporate
202.2 act pursuant to section 302A.166;

202.3 (3) determine the validity and effectiveness of any defective corporate act not ratified
202.4 or not ratified effectively pursuant to section 302A.166;

202.5 (4) determine the validity of any corporate act or transaction and any shares or rights to
202.6 purchase; and

202.7 (5) modify or waive any of the procedures set forth in section 302A.166 to ratify a
202.8 defective corporate act.

202.9 Subd. 2. Remedies. In connection with an action under this section, a court may:

202.10 (1) declare that a ratification under section 302A.166 is not effective or is only effective
202.11 at a time or upon conditions established by the court;

202.12 (2) validate and declare effective a defective corporate act or putative shares and impose
202.13 conditions upon the court's validation;

202.14 (3) require measures to remedy or avoid harm to a person substantially and adversely
202.15 affected by a ratification under section 302A.166 or from a court order pursuant to this
202.16 section, excluding harm that would have resulted if the defective corporate act had been
202.17 valid when approved or effectuated;

202.18 (4) order the secretary of state to accept an instrument for filing with an effective time
202.19 specified by the court, which may be before or after the time of the order, provided that the
202.20 filing date of the instrument must be determined in accordance with section 302A.011,
202.21 subdivision 11;

202.22 (5) approve a share register for the corporation that includes any shares ratified or
202.23 validated in accordance with this section or section 302A.166;

202.24 (6) declare that putative shares are valid shares or require a corporation to issue and
202.25 deliver valid shares in place of any putative shares;

202.26 (7) order a meeting of holders of valid shares or putative shares and determine the right
202.27 and power of persons claiming to hold valid shares or putative shares to vote at the ordered
202.28 meeting;

202.29 (8) declare that a defective corporate act validated by a court is effective as of the time
202.30 of the defective corporate act or at another time the court may determine;

(9) declare that putative shares validated by a court shall be deemed to be an identical share or fraction of a valid share as of the time originally issued or purportedly issued or at such other time as the court may determine; and

(10) make other orders regarding matters as the court deems proper under the circumstances.

Subd. 3. **Service.** Service of the application under subdivision 1 upon the registered agent of the corporation is deemed to be service upon the corporation, and no other party needs to be joined in order for a court to adjudicate the matter. In an action filed by the corporation, a court may require notice of the action be provided to other persons specified by the court and permit the other persons to intervene in the action.

Subd. 4. **Considerations.** In connection with resolving matters pursuant to subdivisions 1 and 2, a court may consider the following:

(1) whether the defective corporate act was originally approved or effectuated with the good faith belief that the approval or effectuation was in compliance with the provisions of this chapter, the articles, or the bylaws;

(2) whether the corporation and board have treated the defective corporate act as a valid act or transaction and whether a person has acted in reliance on the public record that the defective corporate act was valid;

(3) whether any person may be or was harmed by the ratification or validation of the defective corporate act, excluding harm that would have resulted if the defective corporate act had been valid when approved or effectuated;

(4) whether any person is harmed by the failure to ratify or validate the defective corporate act; and

(5) any other factors or considerations the court deems just and equitable.

Subd. 5. **Statute of limitations.** An action asserting that (1) a defective corporate act or putative shares ratified in accordance with section 302A.166 is void or voidable due to a failure of authorization identified in the resolution adopted in accordance with section 302A.166, subdivision 2 or 3, or (2) a court should declare in its discretion that a ratification in accordance with section 302A.166 not be effective or be effective only on certain conditions, is prohibited from being brought after the expiration of 120 days from the later of the validation effective time and the time notice, if any, that is required to be given pursuant to section 302A.166, subdivision 8, is given with respect to the ratification; except that this subdivision does not apply to an action asserting that a ratification was not

204.1 accomplished in accordance with section 302A.166 or to any person to whom notice of the
204.2 ratification was required to have been given pursuant to 302A.166, subdivision 5 or 8, but
204.3 to whom the notice was not given.

204.4 Sec. 14. Minnesota Statutes 2024, section 302A.181, is amended by adding a subdivision
204.5 to read:

204.6 Subd. 4. **Emergency bylaws.** (a) Unless the articles provide otherwise, bylaws may
204.7 contain provisions that are effective only during an emergency. The emergency bylaws may
204.8 contain provisions necessary to manage the corporation during the emergency, including:

204.9 (1) procedures for calling a meeting of the board;

204.10 (2) quorum requirements for the meeting;

204.11 (3) designation of additional or substitute directors; and

204.12 (4) procedures for the board to determine the duration of an emergency.

204.13 (b) All provisions of the regular bylaws that are not inconsistent with the emergency
204.14 bylaws remain effective during the emergency.

204.15 (c) Corporate action taken in good faith in accordance with the emergency bylaws binds
204.16 the corporation.

204.17 Sec. 15. Minnesota Statutes 2024, section 302A.201, subdivision 1, is amended to read:

204.18 Subdivision 1. **Board to manage.** The business and affairs of a corporation shall be
204.19 managed by or under the direction of a board, subject to the provisions of subdivision 2 and
204.20 section 302A.457, and except as may be otherwise provided in the articles. If a provision
204.21 is made in the articles: (1) the powers and duties conferred or imposed upon the board of
204.22 directors by this chapter must be exercised or performed to the extent and by the natural
204.23 persons provided in the articles; (2) the directors have no duties, liabilities, or responsibilities
204.24 as directors under this chapter with respect to or arising from the exercise or performance
204.25 of, or from the failure to exercise or perform, the conferred or imposed powers and duties
204.26 by the other persons; and (3) the other persons have all of the duties, liabilities, and
204.27 responsibilities of directors under this chapter with respect to and arising from the exercise
204.28 or performance of, or the failure to exercise or perform, the conferred or imposed powers
204.29 and duties. The members of the first board may be named in the articles or elected by the
204.30 incorporators pursuant to section 302A.171 or by the shareholders.

205.1 Sec. 16. Minnesota Statutes 2024, section 302A.237, is amended by adding a subdivision
205.2 to read:

205.3 Subd. 3. **Agreements and other instruments; authorization.** When this chapter requires
205.4 the board to approve or to take other action with respect to an agreement, instrument, plan,
205.5 or document, the agreement, instrument, plan, or document may be approved by the board
205.6 in final form or in substantially final form. If the board acts to approve or take other action
205.7 with respect to an agreement, instrument, plan, or document that this chapter requires to be
205.8 filed with the secretary of state or referenced in any certificate filed, the board may, at any
205.9 time after providing the approval or taking other action and prior to the effectiveness of the
205.10 filing with the secretary of state, adopt a resolution ratifying the agreement, instrument,
205.11 plan, or document. The ratification under this subdivision is effective as of the time of the
205.12 original approval or other action by the board and to satisfy any requirement under this
205.13 chapter that the board approve or take other action with respect to the agreement, instrument,
205.14 plan, or document in a specific manner or sequence.

205.15 Sec. 17. Minnesota Statutes 2024, section 302A.361, is amended to read:

205.16 **302A.361 STANDARD OF CONDUCT.**

205.17 Subdivision 1. **Standard; liability.** An officer shall discharge the duties of an office in
205.18 good faith, in a manner the officer reasonably believes to be in the best interests of the
205.19 corporation, and with the care an ordinarily prudent person in a like position would exercise
205.20 under similar circumstances. A person who so performs those duties is not liable by reason
205.21 of being or having been an officer of the corporation. A person exercising the principal
205.22 functions of an office or to whom some or all of the duties and powers of an office are
205.23 delegated pursuant to section 302A.351 is deemed an officer for purposes of this section
205.24 and sections 302A.467 and 302A.521.

205.25 Subd. 2. **Liability; elimination or limitation.** The articles of a corporation may provide
205.26 that an officer's personal liability to the shareholders for monetary damages for breach,
205.27 during the time the corporation is a publicly held corporation, of fiduciary duty as an officer
205.28 may be eliminated or limited. The articles must not eliminate or limit the liability of an
205.29 officer:

205.30 (1) for any breach of the officer's duty of loyalty to the corporation or the corporation's
205.31 shareholders;

205.32 (2) for acts or omissions not in good faith or that involve intentional misconduct or a
205.33 knowing violation of law;

206.1 (3) under section 80A.76;

206.2 (4) for any transaction from which the officer derived an improper personal benefit;

206.3 (5) in any action by or in the right of the corporation; or

206.4 (6) for any act or omission occurring prior to the date when the provision in the articles

206.5 eliminating or limiting liability becomes effective.

206.6 Sec. 18. Minnesota Statutes 2024, section 302A.461, subdivision 4, is amended to read:

206.7 Subd. 4. **Right to inspect.** (a) A shareholder, beneficial owner, or a holder of a voting
206.8 trust certificate of a corporation that is not a publicly held corporation has an absolute right,
206.9 upon written demand, to examine and copy, in person or by a legal representative, at any
206.10 reasonable time, and the corporation shall make available within ten days after receipt by
206.11 an officer of the corporation of the written demand:

206.12 (1) the share register; and

206.13 (2) all documents referred to in subdivision 2.

206.14 (b) A shareholder, beneficial owner, or a holder of a voting trust certificate of a
206.15 corporation that is not a publicly held corporation has a right, upon written demand, to
206.16 examine and copy, in person or by a legal representative, other corporate records at any
206.17 reasonable time only if the shareholder, beneficial owner, or holder of a voting trust certificate
206.18 demonstrates a proper purpose for the examination.

206.19 (c) A shareholder, beneficial owner, or a holder of a voting trust certificate of a publicly
206.20 held corporation has, upon written demand stating the purpose and acknowledged or verified
206.21 in the manner provided in chapter 358, a right at any reasonable time to examine and copy
206.22 the corporation's share register and other corporate records reasonably related to the stated
206.23 purpose and described with reasonable particularity in the written demand upon
206.24 demonstrating the stated purpose to be a proper purpose. The acknowledged or verified
206.25 demand must be directed to the corporation at its registered office in this state or at its
206.26 principal place of business.

206.27 (d) For purposes of this section, a "proper purpose" is one reasonably related to the
206.28 person's interest as a shareholder, beneficial owner, or holder of a voting trust certificate of
206.29 the corporation.

206.30 (e) If a corporation or an officer or director of the corporation violates this section, a
206.31 court in Minnesota may, in an action brought by a shareholder, beneficial owner, or a holder
206.32 of a voting trust certificate of the corporation, specifically enforce this section and award

207.1 expenses, including attorney fees and disbursements, to the shareholder, beneficial owner,
207.2 or a holder of a voting trust certificate.

207.3 Sec. 19. Minnesota Statutes 2024, section 302A.471, subdivision 1, is amended to read:

207.4 Subdivision 1. **Actions creating rights.** A shareholder of a corporation may dissent
207.5 from, and obtain payment for the fair value of the shareholder's shares in the event of, any
207.6 of the following corporate actions:

207.7 (a) unless otherwise provided in the articles, an amendment of the articles that materially
207.8 and adversely affects the rights or preferences of the shares of the dissenting shareholder
207.9 in that it:

207.10 (1) alters or abolishes a preferential right of the shares;

207.11 (2) creates, alters, or abolishes a right in respect of the redemption of the shares, including
207.12 a provision respecting a sinking fund for the redemption or repurchase of the shares;

207.13 (3) alters or abolishes a preemptive right of the holder of the shares to acquire shares,
207.14 securities other than shares, or rights to purchase shares or securities other than shares;

207.15 (4) excludes or limits the right of a shareholder to vote on a matter, or to cumulate votes,
207.16 except as the right may be excluded or limited through the authorization or issuance of
207.17 securities of an existing or new class or series with similar or different voting rights; except
207.18 that an amendment to the articles of an issuing public corporation that provides that section
207.19 302A.671 does not apply to a control share acquisition does not give rise to the right to
207.20 obtain payment under this section; ~~or~~

207.21 (5) eliminates the right to obtain payment under this subdivision; or

207.22 (6) pursuant to section 302A.201, subdivision 1, diminishes or abolishes the board's
207.23 right to manage, or to direct the management of, the corporation's business and affairs;

207.24 (b) a sale, lease, transfer, or other disposition of property and assets of the corporation
207.25 that requires shareholder approval under section 302A.661, subdivision 2, but not including
207.26 a disposition in dissolution described in section 302A.725, subdivision 2, or a disposition
207.27 pursuant to an order of a court, or a disposition for cash on terms requiring that all or
207.28 substantially all of the net proceeds of disposition be distributed to the shareholders in
207.29 accordance with their respective interests within one year after the date of disposition;

207.30 (c) a plan of merger, whether under this chapter or under chapter 322C, to which the
207.31 corporation is a constituent organization, except as provided in subdivision 3, and except
207.32 for a plan of merger adopted under section 302A.626;

(d) a plan of exchange, whether under this chapter or under chapter 322C, to which the corporation is a party as the corporation whose shares will be acquired by the acquiring organization, except as provided in subdivision 3;

(e) a plan of conversion is adopted by the corporation and becomes effective;

(f) an amendment of the articles in connection with a combination of a class or series under section 302A.402 that reduces the number of shares of the class or series owned by the shareholder to a fraction of a share if the corporation exercises its right to repurchase the fractional share so created under section 302A.423; or

(g) any other corporate action taken pursuant to a shareholder vote with respect to which the articles, the bylaws, or a resolution approved by the board directs that dissenting shareholders may obtain payment for their shares.

Sec. 20. Minnesota Statutes 2024, section 302A.471, subdivision 3, is amended to read:

Subd. 3. **Rights not to apply.** (a) Unless the articles, the bylaws, or a resolution approved by the board otherwise provide, the right to obtain payment under this section does not apply to a shareholder of (1) the surviving corporation in a merger with respect to shares of the shareholder that are not entitled to be voted on the merger and are not canceled or exchanged in the merger or (2) the corporation whose shares will be acquired by the acquiring organization in a plan of exchange with respect to shares of the shareholder that are not entitled to be voted on the plan of exchange and are not exchanged in the plan of exchange.

(b) If a date is fixed according to section 302A.445, subdivision 1, for the determination of shareholders entitled to receive notice of and to vote on an action described in subdivision 1, only shareholders as of the date fixed, and beneficial owners as of the date fixed who hold through shareholders, as provided in subdivision 2, may exercise dissenters' rights.

(c) Notwithstanding subdivision 1, the right to obtain payment under this section, other than in connection with a plan of merger adopted under section 302A.613, subdivision 4, or 302A.621, is limited in accordance with the following provisions:

(1) The right to obtain payment under this section is not available for the holders of shares of any class or series of shares that is listed on ~~the New York Stock Exchange, NYSE MKT LLC, the Nasdaq Global Market, the NASDAQ Global Select Market, the Nasdaq Capital Market, or any successor to any such market~~ any national securities exchange registered with the United States Securities and Exchange Commission under section 6 of the Securities Exchange Act of 1934, United States Code, title 15, section 78a, et seq.

(2) The applicability of clause (1) is determined as of:

(i) the record date fixed to determine the shareholders entitled to receive notice of, and to vote at, the meeting of shareholders to act upon the corporate action described in subdivision 1; or

(ii) the day before the effective date of corporate action described in subdivision 1 if there is no meeting of shareholders.

(3) Clause (1) is not applicable, and the right to obtain payment under this section is available pursuant to subdivision 1, for the holders of any class or series of shares who are required by the terms of the corporate action described in subdivision 1 to accept for such shares anything other than shares, or cash in lieu of fractional shares, of any class or any series of shares of a domestic or foreign corporation, or any other ownership interest of any other organization, that satisfies the standards set forth in clause (1) at the time the corporate action becomes effective.

Sec. 21. Minnesota Statutes 2024, section 302A.611, is amended by adding a subdivision to read:

Subd. 1a. **Additional remedies; shareholder representatives.** A plan of merger or exchange may provide:

(1) that: (i) a party to the plan that fails to perform the party's obligations under the plan in accordance with the terms and conditions of the plan, or that otherwise fails to comply with the terms and conditions of the plan, in each case required to be performed or complied with prior to the time the merger or exchange becomes effective, or that otherwise fails to consummate, or fails to cause the consummation of, the merger or exchange, whether prior to a specified date, upon satisfaction or, to the extent permitted by law, waiver of all conditions to consummation set forth in the plan or otherwise, is subject, in addition to any other remedies available at law or in equity, to penalties or consequences set forth in the plan of merger or exchange, which may include an obligation to pay to the other party or parties to the plan an amount representing or based on the loss of any premium or other economic entitlement the shareholders or holders of rights to purchase of the other party would be entitled to receive pursuant to the terms of the plan if the merger or exchange were consummated in accordance with the terms of the plan; and (ii) if, pursuant to the terms of the plan of merger or exchange, the corporation is entitled to receive payment from another party to the plan of any amount representing a penalty or consequence, the corporation is entitled to enforce the other party's payment obligation and upon receipt of a payment is entitled to retain the amount of the payment received; or

(2)(i) for the appointment, at or after the time at which the plan of merger or exchange is approved by the shareholders of the corporation in accordance with the requirements of this chapter, of one or more persons, which may include the surviving or resulting organization or any officer, representative, or agent of the surviving or resulting organization, as representative of the shareholders or the holders of rights to purchase of the corporation, including the shareholders and holders whose shares or rights to purchase must be canceled, converted, or exchanged in the merger or exchange and for the delegation to the person or persons of the sole and exclusive authority to take action and bring claims on behalf of the shareholders and the holders pursuant to the plan, including taking actions and bringing claims, including by entering into settlements, as the representative determines to enforce the rights of the shareholders and holders under the plan of merger or exchange, on the terms and subject to the conditions set forth in the plan; (ii) that an appointment is irrevocable and binding on all shareholders and holders from and after the approval of the plan of merger or exchange by the requisite vote of shareholders pursuant to this chapter; and (iii) that a provision adopted pursuant to this clause may not be amended after the merger or exchange has become effective or may be amended only with the consent or approval of persons specified in the plan of merger or exchange.

ARTICLE 13

TRUSTS

Section 1. Minnesota Statutes 2024, section 501A.01, is amended to read:

501A.01 WHEN NONVESTED INTEREST, POWERS OF APPOINTMENT ARE INVALID; EXCEPTIONS.

(a) A nonvested property interest is invalid unless:

(1) when the interest is created, it is certain to vest or terminate no later than 21 years after the death of an individual then alive; or

(2) the interest either vests or terminates within 90 years after its creation.

(b) A general power of appointment not presently exercisable because of a condition precedent is invalid unless:

(1) when the power is created, the condition precedent is certain to be satisfied or become impossible to satisfy no later than 21 years after the death of an individual then alive; or

(2) the condition precedent either is satisfied or becomes impossible to satisfy within 90 years after its creation.

211.1 (c) A nongeneral power of appointment or a general testamentary power of appointment
211.2 is invalid unless:

211.3 (1) when the power is created, it is certain to be irrevocably exercised or otherwise to
211.4 terminate no later than 21 years after the death of an individual then alive; or

211.5 (2) the power is irrevocably exercised or otherwise terminates within 90 years after its
211.6 creation.

211.7 (d) In determining whether a nonvested property interest or a power of appointment is
211.8 valid under paragraph (a), clause (1), paragraph (b), clause (1), or paragraph (c), clause (1),
211.9 the possibility that a child will be born to an individual after the individual's death is
211.10 disregarded.

211.11 (e) If, in measuring a period from the creation of a trust or other property arrangement,
211.12 language in a governing instrument seeks to:

211.13 (1) disallow the vesting or termination of any interest trust beyond;

211.14 (2) postpone the vesting or termination of any interest or trust until; or

211.15 (3) operate in effect in any similar fashion upon,

211.16 the later of the expiration of a period of time not exceeding 21 years after the death of the
211.17 survivor of specified lives in being at the creation of the trust or other property arrangement,
211.18 or the expiration of a period of time that exceeds or might exceed 21 years after the death
211.19 of the survivor of lives in being at the creation of the trust or other property arrangement;
211.20 that language is inoperative to the extent it produces a period of time that exceeds 21 years
211.21 after the death of the survivor of the specified lives.

211.22 (f) For any trust created on or after August 1, 2025, this section shall apply to a nonvested
211.23 property interest or power of appointment contained in a trust by substituting the term "500
211.24 years" for "90 years" in each place it appears in this section, unless the terms of the trust
211.25 require that all beneficial interests in the trust vest or terminate within a lesser period.

211.26 Sec. 2. Minnesota Statutes 2024, section 501C.0301, is amended to read:

211.27 **501C.0301 REPRESENTATION: BASIC EFFECT.**

211.28 (a) Notice to a person who may represent and bind another person under sections
211.29 501C.0302 to 501C.0305 has the same effect as if notice were given directly to the other
211.30 person.

212.1 (b) The consent, agreement, or waiver of a person who may represent and bind another
212.2 person under sections 501C.0302 to 501C.0305 is binding on the person represented unless
212.3 the person represented objects to the representation before the consent, agreement, or waiver
212.4 would otherwise have been effective. The provisions of this paragraph shall not apply to
212.5 representation under section 501C.0302.

212.6 (c) Except as otherwise provided in sections 501C.0411 and 501C.0602, a person who
212.7 under sections 501C.0302 to 501C.0305 may represent a settlor who lacks capacity may
212.8 receive notice and give a binding consent on the settlor's behalf.

212.9 (d) A settlor may not represent and bind a beneficiary under sections 501C.0302 to
212.10 501C.0305 with respect to the termination or modification of a trust under section 501C.0411,
212.11 paragraph (a).

212.12 (e) The settlor or another person, including one or more beneficiaries of the trust,
212.13 designated by the terms of the trust instrument to receive information from the trustee
212.14 concerning the administration of the trust and the material facts necessary to protect the
212.15 beneficiaries' interests in the manner described in section 501C.0813, paragraph (b), shall
212.16 be a representative of the beneficiaries with respect to the limitations period on judicial
212.17 proceedings against a trustee under section 501C.1005, paragraph (a).

212.18 Sec. 3. Minnesota Statutes 2024, section 501C.0302, is amended to read:

212.19 **501C.0302 REPRESENTATION BY HOLDER OF A ~~GENERAL~~ POWER OF**
212.20 **APPOINTMENT.**

212.21 For purposes of giving notice, waiving notice, initiating a proceeding, granting consent
212.22 or approval, or objecting with regard to any proceedings under this chapter, the sole holder
212.23 or all co-holders of a presently exercisable or testamentary ~~general~~ power of appointment,
212.24 whether general or special, power of revocation, or unlimited power of withdrawal are
212.25 deemed to represent and act for beneficiaries to the extent that their interests as permissible
212.26 appointees, takers in default, or otherwise are subject to the power.

212.27 Sec. 4. Minnesota Statutes 2024, section 501C.0407, is amended to read:

212.28 **501C.0407 EVIDENCE OF ORAL TRUST.**

212.29 The formal expression of intent to create a trust can be either written or oral subject to
212.30 the requirements of sections 513.04 with respect to the conveyance of interest in land except
212.31 up to a one-year lease and 524.2-502 with respect to a testamentary trust. The creation of
212.32 an oral trust and its terms must be established by clear and convincing evidence.

213.1 Sec. 5. Minnesota Statutes 2024, section 501C.0411, is amended to read:

213.2 **501C.0411 MODIFICATION OR TERMINATION OF NONCHARITABLE**
213.3 **IRREVOCABLE TRUST BY CONSENT.**

213.4 (a) A noncharitable irrevocable trust may be modified or terminated upon consent of
213.5 the settlor and all beneficiaries, even if the modification or termination is inconsistent with
213.6 a material purpose of the trust. A settlor's power to consent to a trust's modification or
213.7 termination may be exercised by an agent under a power of attorney only to the extent
213.8 expressly authorized by ~~the power of attorney or the terms of the trust, or if the trust~~
213.9 instrument is silent with respect to consent to the trust's modification by an agent, then by
213.10 a power of attorney, other than a statutory short form power of attorney executed in
213.11 accordance with section 523.23, that expressly authorizes the agent to consent to a trust's
213.12 modification; by the settlor's conservator with the approval of the court supervising the
213.13 conservatorship if an agent is not so authorized; or by the settlor's guardian with the approval
213.14 of the court supervising the guardianship if an agent is not so authorized and a conservator
213.15 has not been appointed.

213.16 (b) A noncharitable irrevocable trust may be terminated upon consent of all of the
213.17 beneficiaries if the court concludes that continuance of the trust is not necessary to achieve
213.18 any material purpose of the trust. A noncharitable irrevocable trust may be modified upon
213.19 consent of all of the beneficiaries if the court concludes that modification is not inconsistent
213.20 with a material purpose of the trust.

213.21 (c) The court is not precluded from modifying or terminating a trust because the trust
213.22 instrument contains spendthrift provisions.

213.23 (d) Upon termination of a trust under paragraph (a) or (b), the trustee shall distribute the
213.24 trust property as agreed by the beneficiaries.

213.25 (e) If not all of the beneficiaries consent to a proposed modification or termination of
213.26 the trust under paragraph (a) or (b), the modification or termination may be approved by
213.27 the court if the court is satisfied that:

213.28 (1) if all of the beneficiaries had consented, the trust could have been modified or
213.29 terminated under this section; and

213.30 (2) the interests of a beneficiary who does not consent will be adequately protected.

214.1 Sec. 6. Minnesota Statutes 2024, section 501C.0414, is amended to read:

214.2 **501C.0414 MODIFICATION OR TERMINATION OF UNECONOMIC TRUST.**

214.3 (a) After notice to the qualified beneficiaries, the trustee of a trust consisting of trust
214.4 property having a total value less than ~~\$50,000~~ \$150,000 may terminate the trust if the
214.5 trustee concludes that the value of the trust property is insufficient to justify the cost of
214.6 administration.

214.7 (b) The court may modify or terminate a trust or remove the trustee and appoint a different
214.8 trustee if it determines that the value of the trust property is insufficient to justify the cost
214.9 of administration.

214.10 (c) Upon termination of a trust under this section, the trustee shall distribute the trust
214.11 property in a manner consistent with the purposes of the trust.

214.12 (d) This section does not apply to an easement for conservation or preservation.

214.13 Sec. 7. Minnesota Statutes 2024, section 501C.0602, is amended to read:

214.14 **501C.0602 REVOCATION OR AMENDMENT OF REVOCABLE TRUST.**

214.15 (a) Unless the terms of a trust expressly provide that the trust is revocable, the settlor
214.16 may not revoke or amend the trust.

214.17 (b) If a revocable trust is created or funded by more than one settlor:

214.18 (1) to the extent the trust consists of community property, the trust may be revoked by
214.19 either spouse acting alone but may be amended only by joint action of both spouses;

214.20 (2) to the extent the trust consists of property other than community property, each settlor
214.21 may revoke or amend the trust with regard to the portion of the trust property attributable
214.22 to that settlor's contribution; and

214.23 (3) upon the revocation or amendment of the trust by fewer than all of the settlors, the
214.24 trustee shall promptly notify the other settlors of the revocation or amendment.

214.25 (c) The settlor may revoke or amend a revocable trust:

214.26 (1) by substantial compliance with a method provided in the terms of the trust; or

214.27 (2) if the terms of the trust do not provide a method or the method provided in the terms
214.28 is not expressly made exclusive, by:

214.29 (i) if the trust is created pursuant to a writing, by another writing manifesting clear and
214.30 convincing evidence of the settlor's intent to revoke or amend the trust; or

215.1 (ii) if the trust is an oral trust, by any other method manifesting clear and convincing
215.2 evidence of the settlor's intent.

215.3 (d) Upon revocation of a revocable trust, the trustee shall deliver the trust property as
215.4 the settlor directs.

215.5 (e) A settlor's powers with respect to revocation, amendment, or distribution of trust
215.6 property may be exercised by an agent under a power of attorney only to the extent expressly
215.7 authorized by the terms of the trust, ~~or the power~~ if the trust instrument is silent with respect
215.8 to revocation, amendment, or distribution of trust property by an agent, then by a power of
215.9 attorney, other than a statutory short form power of attorney executed in accordance with
215.10 section 523.23, that expressly authorizes the agent to exercise the settlor's powers with
215.11 respect to revocation, amendment, or distribution of property.

215.12 (f) A conservator of the settlor may exercise a settlor's powers with respect to revocation,
215.13 amendment, or distribution of trust property only with the approval of the court supervising
215.14 the conservatorship.

215.15 (g) A trustee who does not know that a trust has been revoked or amended is not liable
215.16 to the settlor or settlor's successors in interest for distributions made and other actions taken
215.17 on the assumption that the trust had not been amended or revoked.

215.18 Sec. 8. Minnesota Statutes 2024, section 501C.0605, is amended to read:

215.19 **501C.0605 LIMITATION ON ACTION CONTESTING VALIDITY OF**
215.20 **REVOCABLE TRUST; DISTRIBUTION OF TRUST PROPERTY.**

215.21 (a) A person may commence a judicial proceeding to contest the validity of a trust that
215.22 was revocable immediately prior to the settlor's death within the earlier of:

215.23 (1) three years after the settlor's death; or

215.24 (2) 120 days after the trustee sent the person a copy of the trust instrument and a notice
215.25 informing the person of the settlor's death, of the trust's existence, of the trustee's name and
215.26 address, and of the time allowed for commencing a proceeding.

215.27 (b) Upon the death of the settlor of a trust that was revocable at the settlor's death, the
215.28 trustee may proceed to distribute the trust property in accordance with the terms of the trust.
215.29 The trustee is not subject to liability for doing so unless:

215.30 (1) the trustee knows of a pending judicial proceeding contesting the validity of the trust;
215.31 or

216.1 (2) a potential contestant has notified the trustee of a possible judicial proceeding to
216.2 contest the trust and a judicial proceeding is commenced within 60 days after the contestant
216.3 sent the notification.

216.4 (c) A beneficiary of a trust that is determined to have been invalid, in whole or in part,
216.5 is liable to return any distribution received, to the extent the invalidity applies to the
216.6 distribution.

216.7 Sec. 9. Minnesota Statutes 2024, section 501C.0701, is amended to read:

216.8 **501C.0701 ACCEPTING OR DECLINING TRUSTEESHIP.**

216.9 (a) Except as otherwise provided in paragraph (c), a person designated as trustee accepts
216.10 the trusteeship:

216.11 (1) by substantially complying with a method of acceptance provided in the terms of
216.12 the trust; or

216.13 (2) if the terms of the trust do not provide a method, or the method provided in the terms
216.14 is not expressly made exclusive, by accepting delivery of the trust property, exercising
216.15 powers or performing duties as trustee, or otherwise indicating acceptance of the trusteeship.

216.16 (b) A person designated as trustee who has not yet accepted the trusteeship may reject
216.17 the trusteeship. A designated trustee who does not accept the trusteeship within a reasonable
216.18 time after knowing of the designation, but not more than 120 days, is deemed to have rejected
216.19 the trusteeship.

216.20 (c) A person designated as trustee, without accepting the trusteeship, may:

216.21 (1) act to preserve the trust property if, within a reasonable time after acting, the person
216.22 sends a rejection of the trusteeship to the settlor or, if the settlor is dead or lacks capacity,
216.23 to a qualified beneficiary; and

216.24 (2) inspect or investigate trust property to determine potential liability or for any other
216.25 purpose.

216.26 Sec. 10. Minnesota Statutes 2024, section 501C.0808, subdivision 1, is amended to read:

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

216.28 (b) "Directing party" means ~~any~~ one or more persons acting as investment trust advisor,
216.29 distribution trust advisor, or trust protector as provided in this section.

217.1 (c) "Distribution trust advisor" means one or more persons given authority by the
217.2 governing instrument to ~~direct, consent to, veto, or otherwise exercise all or any portion of~~
217.3 ~~the distribution powers and discretions of the trust, including but not limited to authority to~~
217.4 ~~make discretionary distributions of income or principal~~ exercise the powers specified in
217.5 subdivision 3.

217.6 (d) "Excluded fiduciary" means ~~any fiduciary~~ one or more fiduciaries that by the
217.7 governing instrument ~~is~~ are directed to act in accordance with the exercise of specified
217.8 powers by a directing party, in which case such specified powers shall be deemed granted
217.9 not to the fiduciary but to the directing party and such fiduciary shall be deemed excluded
217.10 from exercising such specified powers. If a governing instrument provides that a fiduciary
217.11 as to one or more specified matters is to act, omit action, or make decisions only with the
217.12 consent of a directing party, then such fiduciary is an excluded fiduciary with respect to
217.13 such matters. A person may be an excluded fiduciary even if such person participated in
217.14 the exercise of (1) a power described in section 501C.0111 relating to nonjudicial settlement
217.15 agreements, (2) a power described in section 502.851 relating to decanting, (3) a permitted
217.16 trustee amendment, or (4) a similar power that invokes the provisions of this section with
217.17 respect to any new or existing trust.

217.18 (e) "Fiduciary" means ~~any person~~ one or more persons expressly given one or more
217.19 fiduciary duties by the governing instrument or by this section, including but not limited to
217.20 a trustee.

217.21 (f) "Governing instrument" means the instrument stating the terms of a trust, including
217.22 but not limited to any court order, or nonjudicial settlement agreement establishing,
217.23 construing, or modifying the terms of the trust in accordance with section 501C.0111 or
217.24 502.851, or other applicable law.

217.25 (g) "Investment trust advisor" means ~~any~~ one or more persons given authority by the
217.26 governing instrument to ~~direct, consent to, or veto the exercise of all or any portion of the~~
217.27 ~~investment powers of the trust~~ exercise the powers specified in subdivision 2.

217.28 (h) "Power" means authority to take or withhold an action or decision, including but not
217.29 limited to an expressly specified power, the implied power necessary to exercise a specified
217.30 power, and authority inherent in a general grant of discretion.

217.31 (i) "Trust protector" means one or more persons given one or more of the powers specified
217.32 in subdivision 4, ~~whether or not designated with the title of trust protector by the governing~~
217.33 ~~instrument.~~

218.1 Sec. 11. Minnesota Statutes 2024, section 501C.0808, subdivision 2, is amended to read:

218.2 Subd. 2. **Powers of investment trust advisor.** An investment trust advisor may be
218.3 designated in the governing instrument of a trust. The powers of an investment trust advisor
218.4 may be exercised or not exercised in the sole and absolute discretion of the investment trust
218.5 advisor, and are binding on all other persons, including but not limited to each beneficiary,
218.6 fiduciary, excluded fiduciary, and any other party having an interest in the trust. The
218.7 governing instrument may use the title "investment trust advisor" or any similar name or
218.8 description demonstrating the intent to provide for the office and function of an investment
218.9 trust advisor. The governing instrument may provide that the investment trust advisor has
218.10 the authority to direct, consent to, or veto the exercise of all or any portion of the investment
218.11 powers of the trustee. Unless the terms of the governing instrument provide otherwise, the
218.12 investment trust advisor has the authority to:

218.13 (1) direct the trustee with respect to the retention, purchase, transfer, assignment, sale,
218.14 or encumbrance of trust property and the investment and reinvestment of principal and
218.15 income of the trust;

218.16 (2) direct the trustee with respect to all management, control, and voting powers related
218.17 directly or indirectly to trust assets, including but not limited to voting proxies for securities
218.18 held in trust;

218.19 (3) ~~select and determine reasonable compensation of any one or more advisors, managers,~~
218.20 ~~consultants, or counselors, including which may be the trustee, and to delegate to them any~~
218.21 ~~of the powers of the investment trust advisor in accordance with section 501C.0807 and~~
218.22 determine their reasonable compensation for investment services; and

218.23 (4) determine the frequency and methodology for valuing any asset for which there is
218.24 no readily available market value.

218.25 Sec. 12. Minnesota Statutes 2024, section 501C.0808, subdivision 3, is amended to read:

218.26 Subd. 3. **Powers of distribution trust advisor.** A distribution trust advisor may be
218.27 designated in the governing instrument of a trust. The powers of a distribution trust advisor
218.28 may be exercised or not exercised in the sole and absolute discretion of the distribution trust
218.29 advisor, and are binding on all other persons, including but not limited to each beneficiary,
218.30 fiduciary, excluded fiduciary, and any other party having an interest in the trust. The
218.31 governing instrument may use the title "distribution trust advisor" or any similar name or
218.32 description demonstrating the intent to provide for the office and function of a distribution
218.33 trust advisor. The governing instrument may provide that the distribution trust advisor has

219.1 the authority to direct, consent to, veto, or otherwise exercise all or any portion of the
219.2 distribution powers and discretions of the trustee. Unless the terms of the governing
219.3 instrument provide otherwise, the distribution trust advisor has authority to:

219.4 (1) direct the trustee with regard to all decisions relating directly or indirectly to
219.5 discretionary distributions of income or principal to or for one or more beneficiaries; and

219.6 (2) direct the trustee to terminate the trust, including determination of how the trustee
219.7 shall distribute the trust property to be consistent with the purposes of the trust.

219.8 Sec. 13. Minnesota Statutes 2024, section 501C.0808, subdivision 4, is amended to read:

219.9 Subd. 4. **Powers of trust protector.** A trust protector may be designated in the governing
219.10 instrument of a trust. The powers of a trust protector may be exercised or not exercised in
219.11 the sole and absolute discretion of the trust protector, and are binding on all other persons,
219.12 including but not limited to each beneficiary, investment trust advisor, distribution trust
219.13 advisor, fiduciary, excluded fiduciary, and any other party having an interest in the trust.
219.14 The governing instrument may use the title "trust protector" or any similar name or
219.15 description demonstrating the intent to provide for the office and function of a trust protector.
219.16 The powers granted to a trust protector by the governing instrument may include but are
219.17 not limited to authority to do any one or more of the following:

219.18 (1) modify or amend the governing instrument to achieve favorable tax status or respond
219.19 to changes in the Internal Revenue Code, federal laws, state law, or the rulings and regulations
219.20 under such laws;

219.21 (2) increase, decrease, or modify the interests of any beneficiary or beneficiaries of the
219.22 trust;

219.23 (3) modify the terms of any power of appointment granted by the trust; provided,
219.24 however, such modification or amendment may not grant a beneficial interest to any
219.25 individual, class of individuals, or other parties not specifically provided for under the trust
219.26 instrument;

219.27 (4) remove, appoint, or remove and appoint, a trustee, investment trust advisor,
219.28 distribution trust advisor, another directing party, investment committee member, or
219.29 distribution committee member, including designation of a plan of succession for future
219.30 holders of any such office;

219.31 ~~(5) terminate the trust, including determination of how the trustee shall distribute the~~
219.32 ~~trust property to be consistent with the purposes of the trust;~~

- 220.1 ~~(6)~~ (5) change the situs of the trust, the governing law of the trust, or both;
- 220.2 ~~(7)~~ (6) appoint one or more successor trust protectors, including designation of a plan
- 220.3 of succession for future trust protectors;
- 220.4 ~~(8)~~ (7) interpret terms of the trust instrument at the request of the trustee;
- 220.5 ~~(9)~~ (8) advise the trustee on matters concerning a beneficiary;
- 220.6 ~~(10)~~ (9) amend or modify the governing instrument to take advantage of laws governing
- 220.7 restraints on alienation, distribution of trust property, or to improve the administration of
- 220.8 the trust; or
- 220.9 ~~(11) veto or direct trust distributions; or~~
- 220.10 ~~(12)~~ (10) provide direction regarding notification of qualified beneficiaries.

220.11 If a charity is a current beneficiary or a presumptive remainder beneficiary of the trust,

220.12 a trust protector must give notice to the attorney general's charitable trust division at least

220.13 60 days before taking any of the actions authorized under clause (2), (3), (4), or (5); ~~or (6)~~.

220.14 The attorney general's charitable trust division may, however, waive this notice requirement.

220.15 Sec. 14. Minnesota Statutes 2024, section 501C.0808, subdivision 5, is amended to read:

220.16 Subd. 5. **Duty and liability of directing party.** (a) A directing party who is a distribution

220.17 trust advisor or an investment trust advisor is a fiduciary of the trust subject to the same

220.18 duties and standards applicable to a trustee of a trust as provided by applicable law unless

220.19 the governing instrument provides otherwise, but the governing instrument may not, however,

220.20 relieve or exonerate a directing party from the duty to act or withhold acting as the directing

220.21 party in good faith reasonably believes is in the best interests of the trust, including but not

220.22 limited to the limitation period for actions against a trustee, the effect of providing a report

220.23 or account, and the defenses available to a trustee in an action for breach of trust against

220.24 the trustee. The terms of the governing instrument may vary the duty or liability of an

220.25 investment trust advisor or a distribution trust advisor, but only to the same extent the terms

220.26 of the trust could vary the duty or liability of a trustee in a like position and under similar

220.27 circumstances.

220.28 (b) A trust protector is not a fiduciary of the trust unless the governing instrument provides

220.29 otherwise, provided that a trust protector shall be a fiduciary subject to paragraph (a) if the

220.30 governing instrument grants the trust protector any of the powers of an investment trust

220.31 advisor under subdivision 2 or a distribution trust advisor under subdivision 3, but only to

220.32 the extent of the power or powers granted.

221.1 Sec. 15. Minnesota Statutes 2024, section 501C.0808, subdivision 6, is amended to read:

221.2 Subd. 6. **Duty and liability of excluded fiduciary.** (a) The excluded fiduciary shall act
221.3 in accordance with the governing instrument and shall take reasonable steps to comply with
221.4 the directing party's exercise of the powers granted to the directing party by the governing
221.5 instrument. Unless otherwise provided in the governing instrument, an excluded fiduciary
221.6 has no duty to monitor, review, inquire, investigate, recommend, evaluate, or warn with
221.7 respect to a directing party's exercise of or failure to exercise any power granted to the
221.8 directing party by the governing instrument, including but not limited to, any power related
221.9 to the acquisition, disposition, retention, management, or valuation of any asset or investment.
221.10 Except as otherwise provided in this section or the governing instrument, an excluded
221.11 fiduciary is not liable, either individually or as a fiduciary, for any action, inaction, consent,
221.12 or failure to consent by a directing party, including but not limited to; any of the following:

221.13 (1) if a governing instrument provides that an excluded fiduciary is to follow the direction
221.14 of a directing party, and the excluded fiduciary acts in accordance with the direction, then
221.15 except in cases of willful misconduct on the part of the excluded fiduciary in complying
221.16 with the direction of the directing party, the excluded fiduciary is not liable for any loss
221.17 resulting directly or indirectly from following the direction, including but not limited to,
221.18 compliance regarding the valuation of assets for which there is no readily available market
221.19 value;

221.20 (2) if a governing instrument provides that an excluded fiduciary is to act or omit to act
221.21 only with the consent of a directing party, then except in cases of willful misconduct on the
221.22 part of the excluded fiduciary, the excluded fiduciary is not liable for any loss resulting
221.23 directly or indirectly from any act taken or omitted as a result of the directing party's failure
221.24 to provide consent after having been requested to do so by the excluded fiduciary; or

221.25 (3) if a governing instrument provides that, or if for any other reason, an excluded
221.26 fiduciary is required to assume the role or responsibilities of a directing party, or if the
221.27 excluded fiduciary appoints a directing party or successor to a directing party, then except
221.28 in cases of willful misconduct on the part of the excluded fiduciary, the excluded fiduciary
221.29 is not liable for any loss resulting directly or indirectly from its actions in carrying out the
221.30 roles and responsibilities of the directing party.

221.31 (b) Any excluded fiduciary is also relieved from any obligation to review or evaluate
221.32 any direction from a distribution trust advisor or to perform investment or suitability reviews,
221.33 inquiries, or investigations or to make recommendations or evaluations with respect to
221.34 investments to the extent the directing party, custodial account owner, or authorized designee

222.1 of a custodial account owner had authority to direct the acquisition, disposition, or retention
222.2 of any such investment. If the excluded fiduciary offers such communication to the directing
222.3 party or any investment person selected by the investment trust advisor, the action may not
222.4 be deemed to constitute an undertaking by the excluded fiduciary to monitor or otherwise
222.5 participate in actions within the scope of the advisor's authority or to constitute any duty to
222.6 do so.

222.7 (c) An excluded fiduciary is also relieved of any duty to communicate with, warn, or
222.8 apprise any beneficiary or third party concerning instances in which the excluded fiduciary
222.9 would or may have exercised the excluded fiduciary's own discretion in a manner different
222.10 from the manner directed by the directing party.

222.11 (d) Absent a contrary provision in the governing instrument, the actions of the excluded
222.12 fiduciary, including any communications with the directing party or others, or carrying out,
222.13 recording, or reporting actions taken at the directing party's direction pertaining to matters
222.14 within the scope of authority of the directing party, shall be deemed to be administrative
222.15 actions taken by the excluded fiduciary solely to allow the excluded fiduciary to perform
222.16 those duties assigned to the excluded fiduciary under the governing instrument. An
222.17 administrative action described under this paragraph may not be deemed to constitute an
222.18 undertaking by the excluded fiduciary to monitor, participate, or otherwise take any fiduciary
222.19 responsibility for actions within the scope of authority of the directing party.

222.20 (e) Any person acting in the role of excluded fiduciary or directing party is an interested
222.21 person who may petition the district court and invoke its jurisdiction as provided in sections
222.22 501C.0201 to 501C.0208 for those matters specified in section 501C.0202, and the provisions
222.23 of section 501C.0202 shall be construed and applied so that the references in that section
222.24 to a trustee include the excluded fiduciary or directing party, as applicable.

222.25 Sec. 16. Minnesota Statutes 2024, section 501C.0808, subdivision 8, is amended to read:

222.26 Subd. 8. **Duty to inform excluded fiduciary and directing parties.** (a) Each directing
222.27 party shall keep the excluded fiduciary and any other directing party reasonably informed
222.28 regarding the administration of the trust with respect to any specific duty or function being
222.29 performed by the directing party to the extent that the duty or function would normally be
222.30 performed by the excluded fiduciary or to the extent that providing such information to the
222.31 excluded fiduciary or other directing party is reasonably necessary for the excluded fiduciary
222.32 or other directing party to perform its duties. The directing party shall provide such
222.33 information as reasonably requested by the excluded fiduciary or other directing party.
222.34 Neither the performance nor the failure to perform of a directing party's duty to inform as

223.1 provided in this subdivision affects the limitation on the liability of the excluded fiduciary
223.2 as provided in this section.

223.3 (b) Each excluded fiduciary shall keep the directing party or parties reasonably informed
223.4 regarding the administration of the trust with respect to any specific duty or function
223.5 performed by the excluded fiduciary to the extent that providing such information to the
223.6 directing party or parties is reasonably necessary for the directing party to perform its duties.
223.7 The excluded fiduciary shall provide such information as reasonably requested by a directing
223.8 party. Neither the performance of nor the failure to perform an excluded fiduciary's duty to
223.9 inform as provided in this subdivision affects the liability of the directing party as provided
223.10 in this section.

223.11 Sec. 17. Minnesota Statutes 2024, section 501C.0808, is amended by adding a subdivision
223.12 to read:

223.13 Subd. 9a. **Office of directing party.** Unless the terms of a governing instrument provide
223.14 otherwise, the rules applicable to a trustee apply to a directing party regarding the following
223.15 matters:

223.16 (1) acceptance under section 501C.0701;

223.17 (2) giving of bond to secure performance under section 501C.0702;

223.18 (3) when more than one person is acting in the role of a directing party, the provisions
223.19 applicable to cotrustees under section 501C.0703;

223.20 (4) reasonable compensation under section 501C.0708;

223.21 (5) resignation under section 501C.0705;

223.22 (6) removal under section 501C.0706; and

223.23 (7) vacancy and appointment of successor under section 501C.0704.

223.24 Sec. 18. Minnesota Statutes 2024, section 501C.1013, subdivision 4, is amended to read:

223.25 Subd. 4. **Effect.** When a certificate of trust is recorded in a county where real property
223.26 is situated, or in the case of personal property, when it is presented to a third party, the
223.27 certificate of trust serves to document the existence of the trust, the identity of the trustees,
223.28 the powers of the trustees and any limitations on those powers, and other matters the
223.29 certificate of trust sets out, as though the full trust instrument had been recorded or presented.
223.30 Until amended or revoked under subdivision 5, or until the full trust instrument is recorded
223.31 or presented, a certificate of trust is prima facie proof as to matters contained in it and any

224.1 party may rely upon the continued effectiveness of the certificate, and the subsequent
224.2 revocation or amendment of a certificate of trust shall not affect transactions entered into
224.3 in reliance on a prior certificate of trust.

224.4 Sec. 19. Minnesota Statutes 2024, section 501C.1014, is amended by adding a subdivision
224.5 to read:

224.6 Subd. 5. **Affidavit of trustee.** An affidavit of a trustee or of trustees of an inter vivos
224.7 trust or a testamentary trust in support of a personal property transaction may be substantially
224.8 in the form of the affidavit provided in subdivision 1 or 2, as long as the affidavit sets forth
224.9 a description of the personal property and includes paragraphs 2, 3(a) and (b), changing the
224.10 property reference to the personal property described, 4, 5, 6, and 7 of the form of the
224.11 affidavit provided in subdivision 1 or 2.

224.12 Sec. 20. Minnesota Statutes 2024, section 501C.1105, subdivision 1, is amended to read:

224.13 Subdivision 1. **Expenses.** Unless a will or trust instrument provides otherwise and subject
224.14 to subdivision 2, all expenses incurred in connection with the settlement of a decedent's
224.15 estate, including debts, funeral expenses, estate taxes, interest and penalties concerning
224.16 taxes, family allowances, fees of attorneys and personal representatives, and court costs
224.17 must be charged against the principal of the estate.

224.18 Sec. 21. Minnesota Statutes 2024, section 501C.1105, is amended by adding a subdivision
224.19 to read:

224.20 Subd. 4. **Decedent's estate.** For purposes of this section, the "decedent's estate" includes
224.21 the estate of the decedent and any trust that was revocable by the decedent at the time of
224.22 the decedent's death.

224.23 Sec. 22. Minnesota Statutes 2024, section 502.851, subdivision 1, is amended to read:

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

224.25 (b) "Appointed trust" means an irrevocable trust which receives principal from an invaded
224.26 trust under subdivision 3 or 4, including another trust created by the settlor of the invaded
224.27 trust, under the terms of the invaded trust or any other trust instrument, or by the trustees,
224.28 in that capacity, of the invaded trust. For purposes of creating another trust, any requirement
224.29 that a trust instrument be signed by the settlor shall be deemed satisfied by the signature of
224.30 the trustee of the appointed trust. In the discretion of the authorized trustee, the appointed
224.31 trust may be the same trust as the invaded trust with modified terms which does not require

225.1 the trustee of the appointed trust to refer to the trust by a different name or obtain a separate
225.2 tax identification number when applicable.

225.3 (c) "Authorized trustee" means, as to an invaded trust, any trustee or trustees with
225.4 authority to pay trust principal to or for one or more current beneficiaries other than a trustee
225.5 who is the settlor, or a beneficiary to whom income or principal must be paid currently or
225.6 in the future, or who is or will become eligible to receive a distribution of income or principal
225.7 in the discretion of the trustee, other than by the exercise of a power of appointment held
225.8 in a nonfiduciary capacity.

225.9 (d) "Current beneficiary" or "beneficiaries" means the person or persons, or as to a class,
225.10 any person or persons who are or will become members of that class, to whom the trustees
225.11 may distribute principal at the time of the exercise of the power, provided that the interest
225.12 of a beneficiary to whom income, but not principal, may be distributed at the discretion of
225.13 the trustee of the invaded trust, may be continued in the appointed trust.

225.14 (e) "Invade" means the power to pay directly to the beneficiary of a trust or make
225.15 application for the benefit of the beneficiary.

225.16 (f) "Invaded trust" means any existing irrevocable inter vivos or testamentary trust whose
225.17 principal is appointed under subdivision 3 or 4.

225.18 (g) "Person or persons interested in the invaded trust" means all qualified beneficiaries
225.19 as defined in section 501C.0103, paragraph (m).

225.20 (h) "Principal" includes the income of the trust at the time of the exercise of the power
225.21 that is not currently required to be distributed, including accrued and accumulated income.

225.22 (i) "Unlimited discretion" means the unlimited power to distribute principal. A power
225.23 to distribute principal that includes words such as best interests, welfare, comfort, or
225.24 happiness shall not be considered a limitation of the power to distribute principal.

225.25 Sec. 23. Minnesota Statutes 2024, section 502.851, subdivision 2, is amended to read:

225.26 Subd. 2. ~~Power of appointment; effect when more or less extensive than authorized~~
225.27 Savings provision. ~~An exercise of a power of appointment is not void if the exercise is:~~

225.28 ~~(1) more extensive than was authorized but is valid to the extent authorized by the~~
225.29 ~~instrument creating its power; or~~

225.30 ~~(2) less extensive than authorized by the instrument creating the power, unless the donor~~
225.31 ~~has manifested a contrary intention.~~

226.1 (a) If exercise of the power to invade trust principal under subdivision 3 or 4 would be
226.2 effective under this section except that the appointed trust instrument in part does not comply
226.3 with this section, the exercise of the power is effective and the following rules apply with
226.4 respect to the principal of the appointed trust attributable to the exercise of the power:

226.5 (1) a provision in the appointed trust instrument that is not permitted under this section
226.6 is void to the extent necessary to comply with this section; and

226.7 (2) a provision required by this section to be in the appointed trust instrument that is not
226.8 contained in the trust instrument is deemed to be included in the trust instrument to the
226.9 extent necessary to comply with this section.

226.10 (b) If a trustee or other fiduciary of an appointed trust determines that paragraph (a)
226.11 applies to a prior exercise of the power to invade trust principal under subdivision 3 or 4,
226.12 the fiduciary shall take corrective action consistent with the fiduciary's duties.

226.13 Sec. 24. Minnesota Statutes 2024, section 502.851, subdivision 3, is amended to read:

226.14 Subd. 3. **Authorized trustee with unlimited discretion.** (a) An authorized trustee with
226.15 unlimited discretion to invade trust principal may appoint part or all of the principal to a
226.16 trustee of an appointed trust for, and only for the benefit of, one, more than one, or all of
226.17 the current beneficiaries of the invaded trust, to the exclusion of any one or more of the
226.18 current beneficiaries. The successor and remainder beneficiaries of the appointed trust ~~may~~
226.19 ~~be none,~~ must be one, more than one, or all of the successor and remainder beneficiaries of
226.20 the invaded trust, and may be to the exclusion of any one, more than one, or all of such
226.21 successor and remainder beneficiaries.

226.22 (b) An authorized trustee exercising the power under paragraph (a) may grant a
226.23 discretionary power of appointment in the appointed trust to one or more of the current
226.24 beneficiaries of the invaded trust, provided that the beneficiary granted a power to appoint
226.25 may receive principal outright under the terms of the invaded trust.

226.26 (c) If the authorized trustee grants a power of appointment, the class of permissible
226.27 appointees in favor of whom the beneficiary may exercise the power of appointment granted
226.28 in the appointed trust may be broader or otherwise different from the current, successor,
226.29 and remainder beneficiaries of the invaded trust.

226.30 (d) If the beneficiary or beneficiaries of the invaded trust are described by a class, the
226.31 beneficiary or beneficiaries of the appointed trust may include present or future members
226.32 of the class.

227.1 Sec. 25. Minnesota Statutes 2024, section 502.851, subdivision 4, is amended to read:

227.2 Subd. 4. **Authorized trustee without unlimited discretion.** (a) An authorized trustee
227.3 with the power to invade trust principal but without unlimited discretion may appoint part
227.4 or all of the principal of the trust to a trustee of an appointed trust, provided that the current
227.5 beneficiaries of the appointed trust shall be the same as the current beneficiaries of the
227.6 invaded trust and the successor and remainder beneficiaries shall be the same as the successor
227.7 and remainder beneficiaries of the invaded trust.

227.8 (b) If the authorized trustee exercises the power under this subdivision, the appointed
227.9 trust shall include the same language authorizing the trustee to distribute the income or
227.10 invade the principal of the appointed trust as in the invaded trust.

227.11 (c) If the authorized trustee exercises the power under this subdivision to extend the
227.12 term of the appointed trust beyond the term of the invaded trust, for any period after the
227.13 invaded trust would have otherwise terminated under the provisions of the invaded trust,
227.14 the appointed trust, in addition to the language required to be included in the appointed trust
227.15 pursuant to paragraph (b), may also include language providing the trustee with unlimited
227.16 discretion to invade the principal of the appointed trust during this extended term.

227.17 (d) If the beneficiary or beneficiaries of the invaded trust are described by a class, the
227.18 beneficiary or beneficiaries of the appointed trust shall include present ~~or~~ and future members
227.19 of the class.

227.20 (e) If the authorized trustee exercises the power under this subdivision and if the invaded
227.21 trust grants a power of appointment to a beneficiary of the trust, the appointed trust shall
227.22 grant the power of appointment in the appointed trust and the class of permissible appointees
227.23 shall be the same as in the invaded trust.

227.24 Sec. 26. Minnesota Statutes 2024, section 502.851, subdivision 11, is amended to read:

227.25 Subd. 11. **Requirements for exercise of power to appoint; notice.** (a) The exercise of
227.26 the power to appoint to an appointed trust under subdivision 3 or 4 must be evidenced by
227.27 an instrument in writing, signed, and dated, ~~and acknowledged~~ by the authorized trustee.
227.28 The exercise of the power shall be effective 60 days after the date of delivery of notice as
227.29 specified in paragraph (c), unless each person entitled to notice agrees in writing to an earlier
227.30 effective date or waives in writing the right to object to the exercise of the power.

227.31 (b) An authorized trustee may exercise the power authorized by subdivision 3 or 4
227.32 without the consent of the settlor or the persons interested in the invaded trust and without

228.1 court approval, provided that the authorized trustee may seek court approval for the exercise
228.2 with notice to all persons interested in the invaded trust.

228.3 (c) A copy of the instrument exercising the power, a copy of the appointed trust, and a
228.4 copy of the invaded trust shall be delivered to:

228.5 (1) any person having the right, pursuant to the terms of the invaded trust, to remove or
228.6 replace the authorized trustee exercising the power under subdivision 3 or 4; ~~and~~

228.7 (2) all persons interested in the invaded trust; and

228.8 (3) any person who would be considered the owner of all or any portion of the appointed
228.9 trust under sections 671 to 679 of the Internal Revenue Code.

228.10 (d) Notice of an exercise of the power must be given in the same manner as provided in
228.11 section 501C.0109 and is subject to the provisions of section 501C.0301.

228.12 (e) The instrument exercising the power shall state whether the appointment is of all the
228.13 assets comprising the principal of the invaded trust or only a part of the assets comprising
228.14 the principal of the invaded trust and, if a part, the approximate percentage of the value of
228.15 the principal of the invaded trust that is subject to the appointment.

228.16 (f) A person entitled to notice may object to the authorized trustee's exercise of the power
228.17 under this section by serving a written notice of objection upon the authorized trustee prior
228.18 to the effective date of the exercise of the power. The failure to object shall not constitute
228.19 a consent.

228.20 (g) If the authorized trustee does not receive a written objection to the proposed exercise
228.21 from a person entitled to notice within the applicable period, the authorized trustee is not
228.22 liable to any person who received the required notice for the exercise of the power.

228.23 (h) If the authorized trustee receives a written objection within the applicable period,
228.24 either the authorized trustee or any person entitled to notice may petition the court to have
228.25 the proposed exercise of a power performed as proposed, performed with modifications, or
228.26 denied. In a proceeding, a person objecting to the proposed exercise has the burden of proof
228.27 as to whether the authorized trustee's proposed exercise should not be performed. A person
228.28 who has not objected is not estopped from opposing the proposed exercise in the proceeding.
228.29 If the authorized trustee decides not to implement the proposed exercise, the trustee shall
228.30 notify all persons entitled to notice of the decision not to exercise the power and the reasons
228.31 for the decision, and the authorized trustee's decision not to implement the proposed exercise
228.32 does not itself give rise to liability to any person interested in the invaded trust. A person

entitled to notice may petition the court to have the exercise of a power performed and has the burden of proof as to whether it should be performed.

(i) A copy of the instrument exercising the power and a copy of each of the invaded trust and the appointed trust shall be filed with records of the appointed trust and the invaded trust.

Sec. 27. Minnesota Statutes 2024, section 502.851, subdivision 15, is amended to read:

Subd. 15. **Prohibitions.** (a) An authorized trustee may not exercise a power authorized by subdivision 3 or 4 to effect any of the following:

(1) to reduce, limit, or modify any beneficiary's current right to a mandatory distribution of income or principal, a mandatory annuity or unitrust interest, a current right to withdraw a percentage of the value of the trust, or a current right to withdraw a specified dollar amount; provided, however, and subject to the other limitations in this section, an authorized trustee may exercise a power authorized by subdivision 3 or 4 to appoint to an appointed trust that is a supplemental needs trust that conforms to the provisions of section 501C.1205;

(2) notwithstanding section 501C.1008, paragraph (b), to decrease or indemnify against a trustee's liability or exonerate a trustee from liability for failure to exercise reasonable care, diligence, and prudence, except that the appointed trust may divide and reallocate fiduciary powers among fiduciaries, including one or more trustees, distribution trust advisors, investment trust advisors, trust protectors, or other persons, and relieve a fiduciary from liability for an act or failure to act of another fiduciary as permitted under section 501C.0808;

(3) to alter or eliminate a provision granting another person the right to remove or replace the authorized trustee exercising the power under subdivision 3 or 4, unless notice has been provided to the persons under subdivision 11, paragraph (c), or approval is granted by a court having jurisdiction over the trust;

(4) to make a binding and conclusive fixation of the value of any asset for purposes of distribution, allocation, or otherwise;

(5) to extend the term of the appointed trust beyond any permissible period of the rule against perpetuities of the invaded trust, and any exercise of the power which extends the term of the appointed trust beyond the permissible period of the rule against perpetuities of the invaded trust shall void the entire exercise of the power; or

(6) to jeopardize:

230.1 (i) the deduction or exclusion originally claimed with respect to any contribution to the
 230.2 invaded trust that qualified for the annual exclusion under section 2503(b) of the Internal
 230.3 Revenue Code; the marital deduction under section 2056(a) or 2523(a) of the Internal
 230.4 Revenue Code; or the charitable deduction under section 170(a), 642(c), 2055(a), or 2522(a)
 230.5 of the Internal Revenue Code;

230.6 (ii) the qualification of a transfer as a direct skip under section 2642(c) of the Internal
 230.7 Revenue Code; ~~or~~

230.8 (iii) the qualification as a foreign grantor trust under section 672(f)(2)(A) of the Internal
 230.9 Revenue Code; or

230.10 ~~(iii)~~ (iv) any other specific tax benefit for which a contribution originally qualified for
 230.11 income, gift, estate, or generation-skipping transfer purposes under the Internal Revenue
 230.12 Code.

230.13 (b) If the property of the invaded trust includes shares of stock in an S corporation, as
 230.14 defined in section 1361 of the Internal Revenue Code, and the invaded trust is, or but for
 230.15 the exercise of power to invade the trust principal under this section would be, a permitted
 230.16 shareholder under any provision of section 1361 of the Internal Revenue Code, the authorized
 230.17 trustee may exercise the power with respect to part or all of the S corporation stock only if
 230.18 any appointed trust receiving the stock is a permitted shareholder under section 1361(c)(2)
 230.19 of the Internal Revenue Code. If the property of the invaded trust includes shares of stock
 230.20 in an S corporation and the invaded trust is, or but for the exercise of power to invade the
 230.21 trust principal under this section would be, a qualified subchapter S trust within the meaning
 230.22 of section 1361(d) of the Internal Revenue Code, the appointed trust instrument must not
 230.23 include or omit a term that prevents the appointed trust from qualifying as a qualified
 230.24 subchapter S trust.

230.25 Sec. 28. Minnesota Statutes 2024, section 502.851, subdivision 16, is amended to read:

230.26 Subd. 16. **Compensation; commissions.** For the purposes of this section: ~~(1)~~, unless a
 230.27 court otherwise directs, an authorized trustee may not exercise a power authorized by
 230.28 subdivision 3 or 4 to change the provisions regarding the determination of the compensation
 230.29 of any trustee. The commissions or other compensation payable to the trustees of the invaded
 230.30 trust may continue to be paid to the trustees of the appointed trust during the term of the
 230.31 appointed trust and shall be determined in the same manner as in the invaded trust.

230.32 ~~(2) No trustee shall receive any paying commission or other compensation for appointing~~
 230.33 ~~of property from the invaded trust to an appointed trust pursuant to subdivision 3 or 4.~~

231.1 Sec. 29. Minnesota Statutes 2024, section 524.2-114, is amended to read:

231.2 **524.2-114 PARENT BARRED FROM INHERITING IN CERTAIN**
231.3 **CIRCUMSTANCES.**

231.4 (a) A parent is barred from inheriting from or through a child of the parent if:

231.5 (1) the parent's parental rights were terminated and the parent-child relationship was not
231.6 judicially reestablished; ~~or~~

231.7 (2) the child died before reaching 18 years of age and there is clear and convincing
231.8 evidence that immediately before the child's death the parental rights of the parent could
231.9 have been terminated under law of this state other than this chapter on the basis of
231.10 nonsupport, abandonment, abuse, neglect, or other actions or inactions of the parent toward
231.11 the child; or

231.12 (3) the child died after reaching 18 years of age and there is clear and convincing evidence
231.13 that:

231.14 (i) during the years of the child's minority, the parental rights of the parent could have
231.15 been terminated under laws of this state other than this chapter on the basis of nonsupport,
231.16 abandonment, abuse, neglect, or other actions or inactions of the parent toward the child;
231.17 and

231.18 (ii) in the year preceding the child's death, the parent and child were estranged. For
231.19 purposes of this subdivision, "estranged" means having a relationship characterized by
231.20 enmity, hostility, or indifference.

231.21 (b) For the purpose of intestate succession from or through the deceased child, a parent
231.22 who is barred from inheriting under this section is treated as if the parent predeceased the
231.23 child.

231.24 **EFFECTIVE DATE.** This section is effective the day following final enactment and
231.25 applies to actions commenced on or after that date.

231.26 Sec. 30. Minnesota Statutes 2024, section 524.2-804, subdivision 1, is amended to read:

231.27 Subdivision 1. **Revocation upon dissolution.** Except as provided by the express terms
231.28 of a governing instrument, other than a trust instrument under section 501C.1207, executed
231.29 prior to the dissolution or annulment of an individual's marriage, a court order, a contract
231.30 relating to the division of the marital property made between individuals before or after
231.31 their marriage, dissolution, or annulment, or a plan document governing a qualified or

232.1 nonqualified retirement plan, the dissolution or annulment of a marriage revokes any
232.2 revocable:

232.3 (1) disposition, beneficiary designation, or appointment of property made in a governing
232.4 instrument by an individual to the individual's former spouse ~~in a governing instrument~~ or
232.5 any members of the former spouse's family who are not also members of the individual's
232.6 family;

232.7 (2) provision in a governing instrument conferring a general or nongeneral power of
232.8 appointment on an individual's former spouse; and

232.9 (3) nomination in a governing instrument, nominating an individual's former spouse or
232.10 any members of the former spouse's family who are not also members of the individual's
232.11 family to serve in any fiduciary or representative capacity, including a personal representative,
232.12 executor, trustee, conservator, agent, or guardian.

232.13 ARTICLE 14

232.14 MORTGAGE FORECLOSURE

232.15 Section 1. Minnesota Statutes 2024, section 272.45, is amended to read:

232.16 **272.45 TAXES PAID BY TENANT, OCCUPANT, OR OTHER PERSON BECOME**
232.17 **LIEN, UPON NOTICE FILED WITH COUNTY RECORDER OR REGISTRAR OF**
232.18 **TITLES.**

232.19 When any past due or delinquent tax on land is paid by any occupant, tenant, or person
232.20 with ~~an~~ a legal or equitable interest in the land other than a lien, or a person acting on that
232.21 person's behalf, which, by agreement or otherwise, ought to have been paid by the owner,
232.22 lessor, or other party in interest, such occupant, tenant, or person may recover by action the
232.23 amount which such owner, lessor, or party in interest ought to have paid, with interest
232.24 thereon at the rate of 12 percent per annum, or may retain the same from any rent due or
232.25 accruing from the person to such owner or lessor for land on which such tax is so paid. A
232.26 person making a payment under this section may file with the county recorder or registrar
232.27 of titles of the proper county a ~~notice~~ sworn statement stating the amount and date of such
232.28 payment, with a copy of the receipt attached, and stating the legal or equitable interest
232.29 claimed in the land, with a description of the land against which the taxes were charged;
232.30 and the same shall thereupon be a lien as of the date of recording of the sworn statement
232.31 upon such land in favor of the person paying the same until the same is paid. The county
232.32 recorder shall record such ~~notice~~ sworn statement in the indices maintained by the county
232.33 recorder. The registrar of titles shall record the ~~notice~~ sworn statement on the certificate of

233.1 title for the land. Upon the payment of any such lien, the person filing such ~~notice~~ sworn
233.2 statement shall satisfy the same of record.

233.3 Sec. 2. Minnesota Statutes 2024, section 580.07, subdivision 1, is amended to read:

233.4 Subdivision 1. **Postponement by mortgagee.** (a) The sale may be postponed, from time
233.5 to time, by the party conducting the foreclosure. The party requesting the postponement
233.6 must, at the party's expense:

233.7 (1) publish, only once, a notice of the postponement and the rescheduled date of the sale,
233.8 if known, as soon as practicable, in the newspaper in which the notice under section 580.03
233.9 was published; and

233.10 (2) send by first class mail to the occupant, postmarked within three business days of
233.11 the postponed sale, notice:

233.12 (i) of the postponement; and

233.13 (ii) if known, of the rescheduled date of the sale and the date on or before which the
233.14 mortgagor must vacate the property if the sheriff's sale is not further postponed, the mortgage
233.15 is not reinstated under section 580.30, the property is not redeemed under section 580.23,
233.16 or the redemption period is not reduced under section 582.032. The notice must state that
233.17 the time to vacate the property is 11:59 p.m. on the specified date.

233.18 (b) If the rescheduled date of the sale is not known at the time of the initial publication
233.19 and notice to the occupant of postponement, the foreclosing party must, at its expense if
233.20 and when a new date of sale is scheduled:

233.21 (1) publish, only once, notice of the rescheduled date of the sale, as soon as practicable,
233.22 in the newspaper in which the notice under section 580.03 and the notice of postponement
233.23 under paragraph (a) was published; and

233.24 (2) send by first class mail to the occupant, postmarked within ten days of the rescheduled
233.25 sale, notice:

233.26 (i) of the date of the rescheduled sale; and

233.27 (ii) of the date on or before which the mortgagor must vacate the property if the mortgage
233.28 is not reinstated under section 580.30 or the property redeemed under section 580.23. The
233.29 notice must state that the time to vacate the property is 11:59 p.m. on the specified date.

233.30 (c) The right of a mortgagee to postpone a foreclosure sale under this section applies to
233.31 a foreclosure by action taken under chapter 581.

234.1 **EFFECTIVE DATE.** This section is effective August 1, 2025, for judicial foreclosures
234.2 with the lis pendens recorded on or after the effective date.

234.3 Sec. 3. Minnesota Statutes 2024, section 580.07, subdivision 2, is amended to read:

234.4 Subd. 2. **Postponement by mortgagor or owner.** (a) If all or a part of the property to
234.5 be sold is classified as homestead under section 273.124 and contains one to four dwelling
234.6 units, the mortgagor or owner may, in the manner provided in this subdivision, postpone
234.7 the sale to the first date that is not a Saturday, Sunday, or legal holiday and is:

234.8 (1) five months after the originally scheduled date of sale if the original redemption
234.9 period was six months under section 580.23, subdivision 1; or

234.10 (2) 11 months after the originally scheduled date of sale if the original redemption period
234.11 was 12 months under section 580.23, subdivision 2. To postpone a foreclosure sale pursuant
234.12 to this subdivision, at any time after the first publication of the notice of mortgage foreclosure
234.13 sale under section 580.03 but at least 15 days prior to the scheduled sale date specified in
234.14 that notice, the mortgagor shall: (1) execute a sworn affidavit in the form set forth in
234.15 subdivision 3, (2) record the affidavit in the office of each county recorder and registrar of
234.16 titles where the mortgage was recorded, and (3) file with the sheriff conducting the sale and
234.17 deliver to the attorney foreclosing the mortgage a copy of the recorded affidavit, showing
234.18 the date and office in which the affidavit was recorded. Recording of the affidavit and
234.19 postponement of the foreclosure sale pursuant to this subdivision shall automatically reduce
234.20 the mortgagor's redemption period under section 580.23 to five weeks. The postponement
234.21 of a foreclosure sale pursuant to this subdivision does not require any change in the contents
234.22 of the notice of sale, service of the notice of sale if the occupant was served with the notice
234.23 of sale prior to postponement under this subdivision, or publication of the notice of sale if
234.24 publication was commenced prior to postponement under this subdivision, notwithstanding
234.25 the service and publication time periods specified in section 580.03, but the sheriff's
234.26 certificate of sale shall indicate the actual date of the foreclosure sale and the actual length
234.27 of the mortgagor's redemption period. No notice of postponement need be published. An
234.28 affidavit complying with subdivision 3 shall be prima facie evidence of the facts stated
234.29 therein, and shall be entitled to be recorded. The right to postpone a foreclosure sale pursuant
234.30 to this subdivision may be exercised only once, regardless whether the mortgagor reinstates
234.31 the mortgage prior to the postponed mortgage foreclosure sale.

234.32 (b) If the automatic stay under United States Code, title 11, section 362, applies to the
234.33 mortgage foreclosure after a mortgagor or owner requests postponement of the sheriff's sale
234.34 under this section, then when the automatic stay is no longer applicable, the mortgagor's or

235.1 owner's election to shorten the redemption period to five weeks under this section remains
235.2 applicable to the mortgage foreclosure.

235.3 (c) Except for the circumstances set forth in paragraph (b), this section does not reduce
235.4 the mortgagor's redemption period under section 580.23 for any subsequent foreclosure of
235.5 the mortgage.

235.6 (d) The right of a mortgagor or owner to postpone a foreclosure sale under this section
235.7 applies to a foreclosure by action taken under chapter 581.

235.8 **EFFECTIVE DATE.** This section is effective August 1, 2025, for judicial foreclosures
235.9 with the lis pendens recorded on or after the effective date.

235.10 Sec. 4. Minnesota Statutes 2024, section 580.10, is amended to read:

235.11 **580.10 SURPLUS.**

235.12 Subdivision 1. **Demand for surplus.** In all cases not provided for in section 580.09, and
235.13 except as required by subdivision 3, if, after sale of any real estate, made as herein prescribed,
235.14 there remains in the hands of the officer making the sale any surplus money, after satisfying
235.15 the mortgage, with interest, taxes paid, and costs of sale, the surplus shall be paid over by
235.16 such officer, on demand, to the mortgagor, the mortgagor's legal representatives or assigns.
235.17 Any surplus of \$100 or greater shall be held by the sheriff for the duration of the time
235.18 allowed for redemption under section 580.23 or 582.032, whichever is applicable, and if
235.19 requested by the owner, applied toward a redemption as described in subdivision 3. If there
235.20 is no redemption under section 580.23 or 582.032, a surplus of \$100 or greater shall be paid
235.21 first to junior creditors with liens of record at the time of the sheriff's sale in order of priority,
235.22 if demanded by a junior creditor within the time allowed for redemption under section
235.23 580.23 or 582.032, whichever is applicable, and thereafter to the owner of record at the time
235.24 of the sheriff's sale, or as provided by court order under section 580.28. A demand by a
235.25 party other than the owner shall be accompanied by an affidavit stating the amount remaining
235.26 unpaid and the interest creating a right to the surplus.

235.27 Subd. 2. **Notice of surplus.** When there is a surplus of \$100 or greater, the sheriff shall
235.28 notify the owner by mail sent to the property address, or, if no street address is assigned for
235.29 the property on the property tax statement, to the taxpayer's address on the property tax
235.30 statement, that a surplus exists and to call the sheriff's office for more information about
235.31 the surplus and how to make a claim to the surplus. The notice shall also include contact
235.32 information for the Minnesota Homeownership Center and a statement to call the Minnesota
235.33 Homeownership Center for information about redemption and surplus.

236.1 Subd. 3. **Request by owner to have surplus applied.** At any time during the owner's
236.2 redemption period, the owner of record at the time of the sheriff's sale may submit a written
236.3 request to the sheriff to have the surplus applied to the redemption amount. The right to
236.4 have the surplus applied to the redemption amount is not transferable to any subsequent
236.5 owner.

236.6 Subd. 4. **Surplus less than \$100.** If a surplus remains under \$100, the sheriff may pay
236.7 the surplus amount to the owner of record at the time of the sheriff's sale.

236.8 Subd. 5. **Resolution of competing claims.** If there are competing claims or if it appears
236.9 to the sheriff that any claim is not meritorious, the sheriff may apply to the court in the
236.10 county in which the sale was made and set forth by petition the facts then known to the
236.11 sheriff, and the names and addresses of the owner and all known claimants to the surplus,
236.12 at no cost to the sheriff. The sheriff shall retain the surplus until further order of the court
236.13 under section 580.28. If a hearing is scheduled, the sheriff may participate in an advisory
236.14 capacity. The sheriff shall be represented by the county attorney. The sheriff shall give
236.15 notice of the opening of the court file to the holders of the claims by service of the petition
236.16 in the manner of a summons under the Rules of Civil Procedure. Failure of an owner to
236.17 participate in the court action does not waive the right of that owner to the surplus.

236.18 Sec. 5. Minnesota Statutes 2024, section 580.225, is amended to read:

236.19 **580.225 SATISFACTION OF ~~JUDGMENT~~ MORTGAGE.**

236.20 The amount received from foreclosure sale under this chapter is full satisfaction of the
236.21 mortgage debt, except as provided in section 582.30.

236.22 Sec. 6. Minnesota Statutes 2024, section 580.24, is amended to read:

236.23 **580.24 REDEMPTION BY CREDITOR.**

236.24 (a) If no redemption is made by the mortgagor, the mortgagor's personal representatives
236.25 or assigns, the most senior creditor having a legal or equitable lien upon the mortgaged
236.26 premises, or some part of it, subsequent to the foreclosed mortgage, may redeem within
236.27 ~~seven~~ 14 days after the expiration of the redemption period determined under section 580.23
236.28 or 582.032, whichever is applicable; and each subsequent creditor having a lien may redeem,
236.29 in the order of priority of their respective liens, within ~~seven~~ 14 days after the time allowed
236.30 the prior lienholder by paying the amount required under this section. However, no creditor
236.31 is entitled to redeem unless, one week or more prior to the expiration of the period allowed
236.32 for redemption by the mortgagor, the creditor:

237.1 (1) records with each county recorder and registrar of titles where the foreclosed mortgage
237.2 is recorded a notice of the creditor's intention to redeem;

237.3 (2) records with each county recorder and registrar of titles where the notice of the
237.4 creditor's intention to redeem is recorded all documents necessary to create the lien on the
237.5 mortgaged premises and to evidence the creditor's ownership of the lien, including a copy
237.6 of any money judgment necessary to create the lien; and

237.7 (3) after complying with clauses (1) and (2), delivers to the sheriff who conducted the
237.8 foreclosure sale or the sheriff's successor in office a copy of each of the documents required
237.9 to be recorded under clauses (1) and (2), with the office, date and time of filing for record
237.10 stated on the first page of each document.

237.11 The sheriff shall maintain for public inspection all documents delivered to the sheriff
237.12 and shall note the date of delivery on each document. The sheriff may charge a fee of \$100
237.13 for the documents delivered to the sheriff relating to each lien. The sheriff shall maintain
237.14 copies of documents delivered to the sheriff for a period of six months after the end of the
237.15 mortgagor's redemption period.

237.16 (b) Saturdays, Sundays, legal holidays, and the first day following the expiration of the
237.17 prior redemption period must be included in computing the ~~seven-day~~14-day redemption
237.18 period. When the last day of the period falls on Saturday, Sunday, or a legal holiday, that
237.19 day must be omitted from the computation. The order of redemption by judgment creditors
237.20 subsequent to the foreclosed mortgage shall be determined by the order in which their
237.21 judgments were entered as memorials on the certificate of title for the foreclosed premises
237.22 or docketed in the office of the district court administrator if the property is not registered
237.23 under chapter 508 or 508A, regardless of the homestead status of the property. All mechanic's
237.24 lienholders who have coordinate liens shall have one combined ~~seven-day~~14-day period
237.25 to redeem.

237.26 (c) The amount required to redeem from the holder of the sheriff's certificate of sale is
237.27 the amount required under section 580.23. The amount required to redeem from a ~~person~~
237.28 creditor holding a certificate of redemption is:

237.29 (1) the amount paid to redeem as shown on the certificate of redemption; plus

237.30 (2) interest on that amount to the date of redemption at the rates stated on the certificate
237.31 of sale and the affidavit provided by section 580.25, clause (3), or six percent if no rate is
237.32 otherwise stated; plus

(3) the amount claimed due on the ~~person's~~ creditor's lien, as shown on the affidavit under section 580.25, clause (3).

(d) If the sheriff determines there is a dispute or question of validity about a redemption, the sheriff may accept the amount required to redeem, together with documents in support of the redemption, from one or more creditors competing for or claiming a right to redeem, without executing and delivering a certificate of redemption, and the sheriff may commence an action under section 580.28 at no cost to the sheriff. A creditor subject to a dispute or question of validity about a redemption may submit the matter for adjudication of the court under section 580.28. If the sheriff does not execute and deliver a certificate of redemption under this section, all further junior creditor redemption periods are stayed until determined by the court, and all junior creditors who have recorded notices of intent to redeem should be included in the action under section 580.28. The amount required to redeem may be paid to the holder of the sheriff's certificate of sale or the certificate of redemption, as the case may be, or to the sheriff for the holder.

EFFECTIVE DATE. This section is effective for redemptions occurring after January 1, 2026.

Sec. 7. Minnesota Statutes 2024, section 580.25, is amended to read:

580.25 CREDITOR REDEMPTION, HOW MADE.

Redemption shall be made as provided in this section.

The ~~person~~ creditor desiring to redeem shall pay the amount required by law for the redemption, and shall produce to the person or officer receiving the redemption payment:

(1) a copy of the docket of the judgment, or of the recorded deed or mortgage, or of the record or files evidencing any other lien under which the ~~person~~ creditor claims a right to redeem;

(2) a copy of any recorded assignment necessary to evidence the ~~person's~~ creditor's ownership of the lien. If the redemption is under an assignment of a judgment, the assignment shall be filed in the court entering the judgment, as provided by law, and the ~~person~~ creditor so redeeming shall produce a copy of it and of the record of its filing, and the copy of the docket shall show that the proper entry was made upon the docket. No further evidence of the assignment of the judgment is required unless the mortgaged premises or part of it is registered property, in which case the judgment and all assignments of the judgment must be entered as a memorial upon the certificate of title to the mortgaged premises and a copy

239.1 of the judgment and each assignment with the certificate of record endorsed on it must be
239.2 produced; and

239.3 (3) an affidavit of the person creditor or the person's creditor's agent, ~~showing the amount~~
239.4 ~~then actually claimed due on the person's~~ identifying the lien ~~and required to be paid on the~~
239.5 ~~lien in order to redeem from the person~~ under which the creditor claims a right to redeem
239.6 and stating the amount then actually claimed due and owing on the lien and stating the
239.7 interest rate on the lien. Additional fees and charges may be claimed due only as provided
239.8 in section 582.03. The sheriff receiving the affidavit may furnish a copy of the affidavit to
239.9 any interested party, upon request.

239.10 If redemption is made to the sheriff, the sheriff may charge a fee of \$250 for issuing the
239.11 certificate of redemption and any related service. No other fee may be charged by the sheriff
239.12 for a redemption.

239.13 Within 24 hours after a redemption is made, or as soon as reasonably possible, the person
239.14 redeeming shall cause the documents so required to be produced to be recorded with the
239.15 county recorder, or registrar of titles, or both when appropriate, who may receive fees as
239.16 prescribed in section 357.18 or 508.82. If the redemption is made at any place other than
239.17 the county seat, it is sufficient forthwith to deposit the documents in the nearest post office,
239.18 addressed to the recorder or registrar of titles, with the postage prepaid within 24 hours after
239.19 redemption is made or as soon as reasonably possible. A person recording documents
239.20 produced for redemption shall, on the same day, deliver copies of the documents to the
239.21 sheriff for public inspection. The sheriff may receive a fee of \$20 for the documents delivered
239.22 following a redemption. The sheriff shall note the date of delivery on the documents and
239.23 shall maintain for public inspection all documents delivered to the sheriff for a period of
239.24 six months after the end of the mortgagor's redemption period.

239.25 **EFFECTIVE DATE.** This section is effective for redemptions occurring after January
239.26 1, 2026.

239.27 Sec. 8. Minnesota Statutes 2024, section 580.26, is amended to read:

239.28 **580.26 CERTIFICATE OF REDEMPTION; RECORD.**

239.29 The person or officer from whom such redemption is made shall make and deliver to
239.30 the person redeeming a certificate executed and acknowledged in the same manner as a
239.31 conveyance, containing:

239.32 (1) if redeemed under section 580.23 or 582.032, the name of the person mortgagor or
239.33 the mortgagor's legal representative or assignee redeeming, and if redeemed under section

240.1 580.25, the name of the creditor redeeming, and the amount paid by the person on such
240.2 redemption to redeem;

240.3 (2) a description of the sale for which such redemption is made, and of the property
240.4 redeemed;

240.5 (3) a statement of the claim upon which such redemption is made and, if upon a lien,
240.6 the amount claimed to be due thereon at the date of redemption.

240.7 If redemption is made by the owner of the property sold, the owner's heirs, personal
240.8 representatives, or assigns, such certificate shall be recorded within ~~four days~~ one week
240.9 after the expiration of the period allowed by law to the owner for redemption and, if made
240.10 by a creditor holding a lien, the certificate shall be recorded within ~~four days~~ one week after
240.11 such redemption. Unless so recorded, the certificate shall be void as only against any person
240.12 in good faith redeeming from the same person or lien.

240.13 **EFFECTIVE DATE.** This section is effective for redemptions occurring after January
240.14 1, 2026.

240.15 Sec. 9. Minnesota Statutes 2024, section 580.28, is amended to read:

240.16 **580.28 ACTION TO SET ASIDE MORTGAGE; FORECLOSURE; REDEMPTION.**

240.17 When an action is brought wherein it is claimed that any mortgage as to the plaintiff or
240.18 person for whose benefit the action is brought is fraudulent or void, or has been paid or
240.19 discharged, in whole or in part, or the relative priority or the validity of liens, redemption
240.20 rights, or rights to any surplus is disputed, if such mortgage has been foreclosed by
240.21 advertisement, and the time for redemption from the foreclosure sale will expire before final
240.22 judgment in such action, the plaintiff or beneficiary having the right to redeem, for the
240.23 purpose of saving such right in case the action fails, may deposit with the sheriff before the
240.24 time of redemption expires the amount for which the mortgaged premises were sold, with
240.25 interest thereon to the time of deposit, together with a ~~bond to the holder of the sheriff's~~
240.26 ~~certificate of sale, in an amount and with sureties to be approved by the sheriff, conditioned~~
240.27 ~~to pay all interest that may accrue or be allowed on such deposit if the action fail~~ separate
240.28 deposit with the sheriff of one year's interest on the amount deposited. The person shall, in
240.29 writing, notify such sheriff that ~~the person claims the mortgage to be fraudulent or void, or~~
240.30 ~~to have been paid or discharged, in whole or in part, as the case may be, and that such action~~
240.31 ~~is pending, and direct the sheriff to retain such money and bond until final judgment or~~
240.32 other order of the court. ~~In case such action fails~~ If so ordered by the court, such deposit
240.33 shall operate as a redemption of the premises from such foreclosure sale, and entitle the

241.1 plaintiff to a certificate thereof. Such foreclosure, deposit, ~~bond~~, and notice shall be brought
241.2 to the attention of the court by supplemental complaint in the action, and the judgment shall
241.3 determine the validity of the foreclosure sale, and the rights of the parties to the moneys
241.4 ~~and bond~~ so deposited, which shall be paid and delivered by the sheriff as directed by such
241.5 judgment upon delivery to the sheriff of a certified copy thereof. The remedy herein provided
241.6 shall be in addition to other remedies now existing.

241.7 **EFFECTIVE DATE.** This section is effective for redemptions occurring after January
241.8 1, 2026.

241.9 Sec. 10. Minnesota Statutes 2024, section 581.02, is amended to read:

241.10 **581.02 APPLICATION, CERTAIN SECTIONS.**

241.11 (a) The provisions of sections 580.08, 580.09, 580.12, 580.22, 580.25, and 580.27, so
241.12 far as they relate to the form of the certificate of sale, shall apply to and govern the
241.13 foreclosure of mortgages by action.

241.14 (b) Section 580.07 applies to actions for the foreclosure of mortgages taken under this
241.15 chapter.

241.16 **EFFECTIVE DATE.** This section is effective August 1, 2025, for judicial foreclosures
241.17 with the lis pendens recorded on or after the effective date.

241.18 Sec. 11. Minnesota Statutes 2024, section 582.03, subdivision 1, is amended to read:

241.19 Subdivision 1. **Allowable costs collectable upon redemption.** The holder of any sheriff's
241.20 certificate of sale, from a foreclosure by advertisement or action of a mortgage or lien or
241.21 execution, or the holder of any certificate of redemption as a junior creditor during the
241.22 period of redemption, may pay and claim the following on redemption: any taxes or
241.23 assessments on which any penalty would otherwise accrue, and any costs of a hazard
241.24 insurance policy for the holder's interest in the mortgaged premises incurred for the period
241.25 of holding the sheriff's certificate, any costs incurred when an order to reduce a mortgagor's
241.26 redemption period under section 582.032 is entered, including costs and disbursements
241.27 awarded under section 582.032, subdivision 9, any fees paid to the county recorder, registrar
241.28 of titles, or sheriff to obtain or record the certificates of sale or redemption or notices of
241.29 intention to redeem, any reasonable fees paid to licensed real estate brokers for broker price
241.30 opinions or to licensed appraisers for appraisals, any deed tax paid to file a certificate of
241.31 redemption, reasonable attorney fees incurred after the foreclosure sale not to exceed one-half
241.32 of the amount authorized by section 582.01, any costs incurred under section 582.031, and

242.1 any interest or installment of principal upon any prior or superior mortgage, lien, or contract
242.2 for deed in default or that becomes due during the period of redemption. In all such cases,
242.3 the costs so paid and claimed due, with interest from the date of payment at the rate stated
242.4 in the certificate of sale or at six percent if no rate is stated, shall be a part of the sum required
242.5 to be paid to redeem from such sale. No other costs, fees, interest, or other amount may be
242.6 added to the amount necessary to redeem.

242.7 **EFFECTIVE DATE.** This section is effective for affidavits filed with the sheriff after
242.8 January 1, 2026.

242.9 Sec. 12. Minnesota Statutes 2024, section 582.03, subdivision 2, is amended to read:

242.10 Subd. 2. **Affidavit of allowable costs.** Any payments made and claimed due under
242.11 subdivision 1 shall be proved by the affidavit of the holder of the sheriff's certificate or its
242.12 agent or attorney, itemizing each of the allowable costs and the date of payment and
242.13 describing the premises. The affidavit must be filed with the sheriff of the county in which
242.14 the sale was held at any time prior to expiration of the mortgagor's redemption period. Upon
242.15 written request by the sheriff, the holder of the sheriff's certificate or certificate of redemption
242.16 shall provide an affidavit of allowable costs to the sheriff within seven days of the date of
242.17 the request by the sheriff. If the mortgagor does not redeem within seven days after the
242.18 affidavit is filed, the holder of the sheriff's certificate may file a supplemental affidavit if
242.19 additional allowable costs are incurred during the redemption period. If the holder of the
242.20 sheriff's certificate or certificate of redemption fails to respond to the sheriff's request within
242.21 seven days, the sheriff may calculate a redemption amount pursuant to section 580.23,
242.22 subdivision 1, and issue a certificate of redemption for that amount. If the time allowed to
242.23 redeem is less than seven days from the expiration of the redemption period, the sheriff
242.24 shall make a reasonable effort to request the affidavit of allowable costs in writing from the
242.25 holder of the sheriff's certificate, its agent, or attorney before issuing a certificate of
242.26 redemption. If the affidavit of allowable costs is not provided more than one business day
242.27 before the expiration of the redemption period, at any time one business day or less before
242.28 the expiration of the redemption period, the sheriff may calculate a redemption amount
242.29 pursuant to section 580.23, subdivision 1, and issue a certificate of redemption for that
242.30 amount. The amount calculated by the sheriff, absent malfeasance by the sheriff, binds the
242.31 holder of the sheriff's certificate even if the amount calculated by the sheriff is less than the
242.32 actual amount due.

242.33 **EFFECTIVE DATE.** This section is effective for affidavits filed with the sheriff after
242.34 January 1, 2026.

243.1 Sec. 13. Minnesota Statutes 2024, section 582.043, subdivision 6, is amended to read:

243.2 Subd. 6. **Dual tracking.** (a) If the servicer has received a loss mitigation application and
243.3 the subject mortgage loan has not already been referred to an attorney for foreclosure, a
243.4 servicer shall not refer the subject mortgage loan to an attorney for foreclosure while the
243.5 mortgagor's application is pending, unless:

243.6 (1) the servicer determines that the mortgagor is not eligible for any loss mitigation
243.7 option, the servicer informs the mortgagor of the determination in writing, and the applicable
243.8 appeal period has expired without an appeal or the appeal has been properly denied;

243.9 (2) where a written offer is made and a written acceptance is required, the mortgagor
243.10 fails to accept the loss mitigation offer within the time frame specified in the offer or within
243.11 14 days after the date of the offer, whichever is longer; or

243.12 (3) the mortgagor declines the loss mitigation offer in writing.

243.13 (b) If the servicer receives a loss mitigation application after the subject mortgage loan
243.14 has been referred to an attorney for foreclosure, but before a foreclosure sale has been
243.15 scheduled, a servicer shall not move for an order of foreclosure, seek a foreclosure judgment,
243.16 or conduct a foreclosure sale unless:

243.17 (1) the servicer determines that the mortgagor is not eligible for a loss mitigation option,
243.18 the servicer informs the mortgagor of this determination in writing, and the applicable appeal
243.19 period has expired without an appeal or the appeal has been properly denied;

243.20 (2) where a written offer is made and a written acceptance is required, the mortgagor
243.21 fails to accept the loss mitigation offer within the time frame specified in the offer or within
243.22 14 days after the date of the offer, whichever is longer; or

243.23 (3) the mortgagor declines a loss mitigation offer in writing.

243.24 (c) If the servicer receives a loss mitigation application after the foreclosure sale has
243.25 been scheduled, but before midnight of the seventh business day prior to the foreclosure
243.26 sale date, the servicer must halt the foreclosure sale and evaluate the application. If required
243.27 to halt the foreclosure sale and evaluate the application, the servicer may cancel the
243.28 foreclosure sale or postpone the foreclosure sale under section 580.07, subdivision 1, but
243.29 must not move for an order of foreclosure, seek a foreclosure judgment, or conduct a
243.30 foreclosure sale unless 60 days have passed since the occurrence of one of the following,
243.31 whichever is applicable:

(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.

(d) A servicer shall not move for an order of foreclosure or conduct a foreclosure sale under any of the following circumstances:

(1) the mortgagor is in compliance with the terms of a trial or permanent loan modification, or other loss mitigation option; or

(2) a short sale has been approved by all necessary parties and proof of funds or financing has been provided to the servicer.

ARTICLE 15

CIVIL LAW

Section 1. Minnesota Statutes 2024, section 144.223, is amended to read:

144.223 REPORT OF MARRIAGE.

Data relating to the number of certificates of marriage registered ~~shall~~ must be reported to the state registrar by the local registrar or designee of the county board in each of the 87 registration districts ~~pursuant to the rules of the commissioner. The information in clause (1) necessary to compile the report shall be furnished by the applicant prior to the issuance of the marriage license. The report shall contain the following:~~ in a format and with the frequency determined by the state registrar.

~~(1) personal information on bride and groom:~~

~~(i) name;~~

~~(ii) residence;~~

~~(iii) date and place of birth;~~

~~(iv) if previously married, how terminated; and~~

~~(v) signature of applicant, date signed, and Social Security number; and~~

~~(2) information concerning the marriage:~~

- 245.1 ~~(i) date of marriage;~~
245.2 ~~(ii) place of marriage; and~~
245.3 ~~(iii) civil or religious ceremony.~~

245.4 Sec. 2. Minnesota Statutes 2024, section 260C.419, subdivision 2, is amended to read:

245.5 Subd. 2. **Statewide Office of Appellate Counsel and Training; establishment.** (a)

245.6 The Statewide Office of Appellate Counsel and Training is ~~established as an independent~~
245.7 ~~state office~~ created as an agency in the executive branch, with powers and duties established
245.8 by law. The office shall be responsible for:

245.9 (1) establishing and maintaining a system for providing appellate representation to
245.10 parents in juvenile protection matters, as provided in section 260C.163, subdivision 3,
245.11 paragraph (c), and in Tribal court jurisdictions;

245.12 (2) providing training to all parent attorneys practicing in the state on topics relevant to
245.13 their practice and establishing practice standards and training requirements for parent
245.14 attorneys practicing in the state; and

245.15 (3) collaborating with the Minnesota Department of Children, Youth, and Families to
245.16 coordinate and secure federal Title IV-E support for counties and Tribes interested in
245.17 accessing federal funding.

245.18 (b) The office shall be governed by a board as provided in subdivision 3.

245.19 Sec. 3. Minnesota Statutes 2024, section 260C.419, subdivision 3, is amended to read:

245.20 Subd. 3. **State Board of Appellate Counsel and Training; structure; membership.** (a)

245.21 The State Board of Appellate Counsel and Training is established to direct the Statewide
245.22 Office of Appellate Counsel and Training. The board shall consist of seven members,
245.23 including:

245.24 (1) four public members appointed by the governor; and

245.25 (2) three members appointed by the supreme court, at least one of whom must have
245.26 experience representing parents in juvenile court and who include two attorneys admitted
245.27 to practice law in the state and one public member.

245.28 (b) The appointing authorities may not appoint any of the following to be a member of
245.29 the board:

245.30 (1) a person who is a judge;

(2) a person who is a registered lobbyist;

(3) a person serving as a guardian ad litem or counsel for a guardian ad litem;

(4) a person who serves as counsel for children in juvenile court;

(5) a person under contract with or employed by the Department of Children, Youth, and Families or a county department of human or social services; or

(6) a current city or county attorney or assistant city or county attorney.

(c) All members shall demonstrate an interest in maintaining a high quality, independent appellate defense system for parents in juvenile protection proceedings who are unable to obtain adequate representation, a robust program for parent attorneys in Minnesota, and an efficient coordination effort, in collaboration with the Department of Children, Youth, and Families, to secure and utilize Title IV-E funding. At least one member of the board appointed by the governor must be a representative from a federally recognized Indian Tribe. No more than five members of the board may belong to the same political party. At least three members of the board shall be from judicial districts other than the First, Second, Fourth, and Tenth Judicial Districts. To the extent practicable, the membership of the board must include persons with disabilities, reflect the ethnic diversity of the state, take into consideration race and gender, and include persons from throughout the state. The members shall be well acquainted with representing parents in district court and appellate proceedings related to child protection matters as well as the law that affects a parent attorney's work, including chapter 260C, the Rules of Juvenile Protection Procedure, the Rules of Civil Appellate Procedure, the Indian Child Welfare Act, and the Minnesota Indian Family Preservation Act. The terms, compensation, and removal of members shall be as provided in section 15.0575. The governor shall designate one member to serve as the initial chair. Upon the expiration of the initial chair's term, board members shall elect a chair from among the membership and the chair shall serve a term of two years.

Sec. 4. Minnesota Statutes 2024, section 260C.419, subdivision 4, is amended to read:

Subd. 4. **Head appellate counsel for parents; assistant ~~and contracted~~ attorneys; other employees.** (a) Beginning January 1, 2024, and for every four years after that date, the board shall appoint a head appellate counsel in charge of executing the responsibilities of the office who shall provide for sufficient appellate counsel for parents and other personnel necessary to discharge the functions of the office. The head appellate counsel shall serve a four-year term and may be removed only for cause upon the order of the board. The head appellate counsel shall be a full-time ~~qualified~~ attorney, licensed to practice law in this state,

247.1 and serve in the unclassified service of the state. Vacancies of the office shall be filled by
247.2 the appointing authority for the unexpired term. The head appellate counsel shall devote
247.3 full time to the performance of duties and shall not engage in the general practice of law.
247.4 The ~~compensation~~ salary of the head appellate counsel shall be set ~~by the board and shall~~
247.5 ~~be commensurate with county attorneys in the state~~ according to section 43A.18, subdivision
247.6 3.

247.7 (b) ~~Consistent with the decisions of the board,~~ The head appellate counsel shall employ
247.8 ~~assistants or hire independent contractors~~ or appoint attorneys to serve as assistant appellate
247.9 counsel for parents. Each assistant appellate counsel ~~and independent contractor~~ serves at
247.10 the pleasure of the head appellate counsel. The ~~compensation of~~ salary ranges for assistant
247.11 appellate counsel ~~and independent contractors~~ shall be set ~~by the board and shall be~~
247.12 ~~commensurate with county attorneys in the state~~ in consultation with Minnesota Management
247.13 and Budget.

247.14 (c) A person serving as appellate counsel shall be ~~a qualified~~ an attorney licensed to
247.15 practice law in this state. A person serving as appellate counsel practicing in Tribal court
247.16 shall be a licensed attorney qualified to practice law in Tribal courts in the state. Assistant
247.17 appellate counsel and contracted appellate counsel may engage in the general practice of
247.18 law where not employed or contracted to provide services on a full-time basis.

247.19 (d) The head appellate counsel shall, consistent with the responsibilities under subdivision
247.20 2, employ or hire the following:

247.21 (1) one managing appellate attorney;

247.22 (2) two staff attorneys;

247.23 (3) one director of training;

247.24 (4) one program administrator to support Title IV-E reimbursement in collaboration
247.25 with the Department of Children, Youth, and Families; and

247.26 (5) one office administrator.

247.27 (e) ~~Each employee~~ All attorneys identified in paragraph (d) ~~serves~~ serve at the pleasure
247.28 of the head appellate counsel. ~~The~~ Other employees shall serve in the classified service.
247.29 ~~Compensation of each employee~~ for all employees shall be set by the board ~~and shall be~~
247.30 ~~commensurate with county attorneys in the state.~~ in accordance with the collective bargaining
247.31 agreements or compensation plans covering the terms and conditions for executive branch
247.32 employees.

(f) Any person serving as managing appellate attorney, staff attorney, and director of training shall be a qualified attorney licensed to practice law in the state.

(g) A person serving as the program administrator and office administrator must be chosen solely on the basis of training, experience, and qualifications.

Sec. 5. **[325E.91] PROHIBITION ON NUDIFICATION TECHNOLOGY.**

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

(b) "Intimate part" has the meaning given in section 609.341, subdivision 5.

(c) "Nudify" or "nudified" means the process by which:

(1) an image or video is altered or generated to depict an intimate part not depicted in an original unaltered image or video of an identifiable individual; and

(2) the altered or generated image or video is so realistic that a reasonable person would believe that the intimate part belongs to the identifiable individual.

Subd. 2. Nudification prohibited. A person who owns or controls a website, application, software, program, or other service that creates, generates, or edits images or videos must not:

(1) allow a user to access, download, or use the website, application, software, program, or other service to nudify an image or video; or

(2) nudify an image on behalf of a user.

Subd. 3. Civil action; damages. An individual depicted in an image or video that was nudified in violation of this section may bring a civil action in district court against the person who violated this section for:

(1) compensatory damages, including mental anguish or suffering, in an amount up to three times the actual damages sustained;

(2) punitive damages;

(3) injunctive relief;

(4) reasonable attorney fees, costs, and disbursements; and

(5) other relief the court deems just and equitable.

Subd. 4. Penalties. (a) The attorney general may enforce this section under section 8.31. In addition to other remedies or penalties, a person who violates this section is subject to a

249.1 civil penalty not in excess of \$500,000 for each unlawful access, download, or use under
249.2 subdivision 2.

249.3 (b) Notwithstanding any contrary provision in law, including but not limited to section
249.4 16A.151, any civil penalty recovered under this subdivision must be deposited into the
249.5 general fund. On July 1 of each year, the accumulated balance of civil penalties collected
249.6 in the previous year is appropriated to the commissioner of public safety for the Office of
249.7 Justice Programs to provide grants to organizations to provide direct services and advocacy
249.8 for victims of sexual assault, general crime, domestic violence, and child abuse. Funding
249.9 must support the direct needs of organizations serving victims of crime by providing: direct
249.10 client assistance to crime victims; competitive wages for direct service staff; hotel stays and
249.11 other housing-related supports and services; culturally responsive programming; prevention
249.12 programming, including domestic abuse transformation and restorative justice programming;
249.13 and for other needs of organizations and crime victim survivors. Services funded must
249.14 include services for victims of crime in underserved communities most impacted by violence
249.15 and reflect the ethnic, racial, economic, cultural, and geographic diversity of the state. Up
249.16 to five percent of the appropriation is available for grant administration.

249.17 Subd. 5. **Jurisdiction; venue.** (a) A court has jurisdiction over a civil action filed pursuant
249.18 to this section if the plaintiff or defendant resides in this state.

249.19 (b) A civil action arising under this section may be filed in the county where the plaintiff
249.20 resides.

249.21 Subd. 6. **Immunity.** This section does not alter or amend the liabilities and protections
249.22 granted by United States Code, title 47, section 230, and shall be construed in a manner
249.23 consistent with federal law.

249.24 **EFFECTIVE DATE.** This section is effective August 1, 2025, and applies to causes
249.25 of action accruing on or after that date.

249.26 Sec. 6. Minnesota Statutes 2024, section 517.04, is amended to read:

249.27 **517.04 PERSONS AUTHORIZED TO PERFORM CIVIL MARRIAGES.**

249.28 Civil marriages may be solemnized throughout the state by an individual who has attained
249.29 the age of 21 years and is a judge of a court of record, a retired judge of a court of record,
249.30 a court administrator, a retired court administrator with the approval of the chief judge of
249.31 the judicial district, a former court commissioner who is employed by the court system or
249.32 is acting pursuant to an order of the chief judge of the commissioner's judicial district, the
249.33 residential school superintendent of the Minnesota State Academy for the Deaf and the

250.1 ~~Minnesota State Academy for the Blind, a licensed or ordained minister of any religious~~
250.2 ~~denomination, an individual~~ who registers as a civil marriage officiant with a local registrar
250.3 in a county of this state, ~~or by any mode recognized in section 517.18. For purposes of this~~
250.4 ~~section, a court of record includes the Office of Administrative Hearings under section~~
250.5 ~~14.48. The county where the civil marriage officiant is registered must be endorsed upon~~
250.6 and recorded with each certificate of civil marriage.

250.7 Sec. 7. Minnesota Statutes 2024, section 517.08, subdivision 1a, is amended to read:

250.8 Subd. 1a. **Form.** Application for a civil marriage license shall be made by both of the
250.9 parties upon a form provided for the purpose and shall contain the following information:

250.10 (1) the full names of the parties ~~and the sex of each party~~;

250.11 (2) their post office addresses and county and state of residence;

250.12 (3) their full ages and dates of birth;

250.13 (4) if either party has previously been married, the party's married name, ~~and~~ from the
250.14 most recent marriage; the date, place, and court in which the civil marriage was dissolved
250.15 or annulled; or the date and place of death of the former spouse;

250.16 (5) whether the parties are related to each other, and, if so, their relationship;

250.17 (6) the address of the parties after the civil marriage is entered into to which the local
250.18 registrar shall send a certified copy of the civil marriage certificate;

250.19 (7) the full names the parties will have after the civil marriage is entered into and the
250.20 parties' Social Security numbers. The Social Security numbers must be collected for the
250.21 application but must not appear on the civil marriage license. If a party listed on a civil
250.22 marriage application does not have a Social Security number, the party must certify on the
250.23 application, or a supplement to the application, that the party does not have a Social Security
250.24 number;

250.25 (8) if one party to the civil marriage license has a felony conviction under Minnesota
250.26 law or the law of another state or federal jurisdiction, the party may not change the party's
250.27 name through the marriage application process and must follow the process in section 259.13
250.28 to change the party's name; and

250.29 (9) notice that a party who has a felony conviction under Minnesota law or the law of
250.30 another state or federal jurisdiction may not use a different name after a civil marriage
250.31 except as authorized by section 259.13, and that doing so is a gross misdemeanor.

251.1 Sec. 8. Minnesota Statutes 2024, section 517.08, subdivision 1b, is amended to read:

251.2 Subd. 1b. **Term of license; fee; premarital education.** (a) The local registrar shall
251.3 examine upon oath the parties applying for a license relative to the legality of the
251.4 contemplated civil marriage. The local registrar may examine the parties upon oath in person,
251.5 by telephone, remotely using web conferencing technology, or by requiring a verified
251.6 statement signed by both parties attesting to the legality of the marriage. The local registrar
251.7 may accept civil marriage license applications signed by both parties that are submitted by
251.8 mail, facsimile, or electronic filing. Both parties must present proof of age to the local
251.9 registrar. If one party is unable to appear in person, the party appearing may complete the
251.10 absent applicant's information. The local registrar shall provide a copy of the civil marriage
251.11 application to the party who is unable to appear, who must verify the accuracy of the
251.12 appearing party's information in a notarized statement. The verification statement must be
251.13 accompanied by a copy of proof of age of the party. The civil marriage license must not be
251.14 released until the verification statement and proof of age has been received by the local
251.15 registrar. If the local registrar is satisfied that there is no legal impediment to it, including
251.16 the restriction contained in section 259.13, the local registrar shall issue the license,
251.17 containing the full names of the parties before and after the civil marriage, and county and
251.18 state of residence, with the county seal attached, and make a record of the date of issuance.
251.19 The license shall be valid for a period of six months. Except as provided in paragraph (b),
251.20 The local registrar shall collect from the applicant a fee of \$115 for administering the oath,
251.21 issuing, recording, and filing all papers required, and preparing and transmitting to the state
251.22 registrar of vital records the reports of civil marriage required by this section. If the license
251.23 should not be used within the period of six months due to illness or other extenuating
251.24 circumstances, it may be surrendered to the local registrar for cancellation, and in that case
251.25 a new license shall issue upon request of the parties of the original license without fee. A
251.26 local registrar who knowingly issues or signs a civil marriage license in any manner other
251.27 than as provided in this section shall pay to the parties aggrieved an amount not to exceed
251.28 \$1,000.

251.29 (b) The civil marriage license fee for parties who have completed at least 12 hours of
251.30 premarital education is \$40. In order to qualify for the reduced license fee, the parties must
251.31 submit at the time of applying for the civil marriage license a statement that is signed, dated,
251.32 and notarized or marked with a church seal from the person who provided the premarital
251.33 education on their letterhead confirming that it was received. The premarital education must
251.34 be provided by a licensed or ordained minister or the minister's designee, a person authorized
251.35 to solemnize civil marriages under section 517.18, or a person authorized to practice marriage

252.1 and family therapy under section 148B.33. The education must include the use of a premarital
252.2 inventory and the teaching of communication and conflict management skills.

252.3 (c) The statement from the person who provided the premarital education under paragraph
252.4 (b) must be in the following form:

252.5 "I, (name of educator), confirm that (names of both
252.6 parties) received at least 12 hours of premarital education that included the use of a premarital
252.7 inventory and the teaching of communication and conflict management skills. I am a licensed
252.8 or ordained minister, a person authorized to solemnize civil marriages under Minnesota
252.9 Statutes, section 517.18, or a person licensed to practice marriage and family therapy under
252.10 Minnesota Statutes, section 148B.33."

252.11 The names of the parties in the educator's statement must be identical to the legal names
252.12 of the parties as they appear in the civil marriage license application. Notwithstanding
252.13 section 138.17, the educator's statement must be retained for seven years, after which time
252.14 it may be destroyed.

252.15 Sec. 9. Minnesota Statutes 2024, section 517.09, subdivision 1, is amended to read:

252.16 Subdivision 1. **General.** ~~No particular form is required to solemnize a civil marriage,~~
252.17 ~~except the parties~~ Both applicants shall declare in the presence of a person who is not the
252.18 same individual as the applicant or the witness, authorized to solemnize civil marriages and
252.19 two attending witnesses that each takes the other as spouse; ~~or the civil marriage shall be~~
252.20 ~~solemnized in a manner provided by section 517.18.~~

252.21 Sec. 10. Minnesota Statutes 2024, section 517.10, is amended to read:

252.22 **517.10 CERTIFICATE; WITNESSES.**

252.23 The person solemnizing a civil marriage shall ~~prepare~~ complete and sign a marriage
252.24 certificate provided by the local registrar. The certificate shall contain the full names of the
252.25 parties before and after the civil marriage, the birth dates of the parties, and county and state
252.26 of residences of the parties and the date and place of the civil marriage. The certificate shall
252.27 also contain the signatures of the applicants' legal names after marriage and at least two of
252.28 the witnesses present at the civil marriage who shall be at least 16 years of age. The person
252.29 solemnizing the civil marriage shall immediately make a record of such civil marriage, and
252.30 file such certificate with the local registrar of the county in which the license was issued
252.31 within five days after the ceremony. The local registrar shall record such certificate in the
252.32 county civil marriage records.

253.1 Sec. 11. **[517.103] AMENDMENT OF MARRIAGE RECORDS.**

253.2 (a) To request an amendment of an error in a marriage record, a person must submit the
253.3 following documentation to the local registrar:

253.4 (1) an affidavit stating the reason for an amendment of the marriage record; and

253.5 (2) documentation supporting the amendment.

253.6 (b) A local registrar may amend a marriage record if the local registrar:

253.7 (1) receives an affidavit and documentation supporting the amendment of a marriage
253.8 record; and

253.9 (2) the local registrar determines that the affidavit and supporting documentation establish
253.10 that the marriage record contains an error.

253.11 (c) The local registrar must retain and maintain an affidavit and documentation upon
253.12 which the amendment of a marriage record was based, including the date of the amendment
253.13 and the legal name of the authorized person making the amendment.

253.14 (d) The local registrar must not amend a marriage record if:

253.15 (1) an applicant fails to submit the documentation required for amending a marriage
253.16 record; or

253.17 (2) the local registrar has reason to question the validity or completeness of the applicant's
253.18 affidavit or supporting documentation.

253.19 Sec. 12. Minnesota Statutes 2024, section 524.5-120, is amended to read:

253.20 **524.5-120 BILL OF RIGHTS FOR PERSONS SUBJECT TO GUARDIANSHIP**
253.21 **OR CONSERVATORSHIP.**

253.22 The person subject to guardianship or person subject to conservatorship retains all rights
253.23 not restricted by court order and these rights must be enforced by the court. These rights
253.24 include the right to:

253.25 (1) treatment with dignity and respect;

253.26 (2) due consideration of current and previously stated personal desires and preferences,
253.27 including but not limited to medical treatment preferences, cultural practices, religious
253.28 beliefs, and other preferences and opinions in decisions made by the guardian or conservator;

254.1 (3) participate in decision making about and receive timely and appropriate health care
254.2 and medical treatment that does not violate known preferences or conscientious, religious,
254.3 or moral beliefs of the person subject to guardianship or person subject to conservatorship;

254.4 (4) exercise control of all aspects of life unless delegated specifically to the guardian or
254.5 conservator by court order;

254.6 (5) guardianship or conservatorship services individually suited to the conditions and
254.7 needs of the person subject to guardianship or the person subject to conservatorship;

254.8 (6) petition the court to prevent or initiate a change in abode;

254.9 (7) care, comfort, social and recreational needs, employment and employment supports,
254.10 training, education, habilitation, and rehabilitation care and services, within available
254.11 resources;

254.12 (8) be consulted concerning, and to decide to the extent possible, the reasonable care
254.13 and disposition of the clothing, furniture, vehicles, and other personal property and effects
254.14 of the person subject to guardianship or person subject to conservatorship, to object to the
254.15 disposition of personal property and effects, and to petition the court for a review of the
254.16 guardian's or conservator's proposed disposition;

254.17 (9) personal privacy;

254.18 (10) communicate, visit, or interact with others, including receiving visitors ~~or~~, making
254.19 or receiving telephone calls, sending or receiving personal mail, or sending or receiving
254.20 electronic communications including through social media, or participating in social activities,
254.21 unless the guardian has good cause to believe a restriction of communication, visitation, or
254.22 interaction is necessary because interaction with the person poses a an imminent risk of
254.23 significant physical, psychological, or financial harm to the person subject to guardianship,
254.24 and there is no other means to avoid or mitigate the significant harm. If the guardian believes
254.25 a restriction is necessary, the guardian must first seek limited restrictions whenever possible,
254.26 including supervised visits, phone calls, video calls, written correspondence, or limits on
254.27 the length, frequency, or content of communication. In all cases, the guardian shall provide
254.28 written notice of the restrictions imposed to the court;₂ to the person subject to guardianship;
254.29 and their attorney, if known; and to the person subject to restrictions within 48 hours of
254.30 imposing the restriction. The notice shall include a description of the reason the restriction
254.31 is imposed; a description of any limited restrictions attempted; if applicable, the reason the
254.32 limited restrictions were not sufficient; and instructions on how to seek a modification of
254.33 the restrictions. The person subject to guardianship or the person subject to restrictions may
254.34 petition the court to remove or modify the restrictions;

255.1 (11) marry and procreate, unless court approval is required;

255.2 (12) elect or object to sterilization as provided in section 524.5-313, paragraph (c), clause
255.3 (4), item (iv);

255.4 (13) at any time, petition the court for termination or modification of the guardianship
255.5 or conservatorship, and any decisions made by the guardian or conservator in relation to
255.6 powers granted, or for other appropriate relief;

255.7 (14) be represented by an attorney in any proceeding or for the purpose of petitioning
255.8 the court;

255.9 (15) vote, unless restricted by the court;

255.10 (16) be consulted concerning, and make decisions to the extent possible, about personal
255.11 image and name, unless restricted by the court; and

255.12 (17) execute a health care directive, including both health care instructions and the
255.13 appointment of a health care agent, if the court has not granted a guardian any of the powers
255.14 or duties under section 524.5-313, paragraph (c), clause (1), (2), or (4).

255.15 Sec. 13. Minnesota Statutes 2024, section 524.5-311, is amended to read:

255.16 **524.5-311 EMERGENCY GUARDIAN.**

255.17 (a) If the court finds that compliance with the procedures of this article will likely result
255.18 in substantial harm to the respondent's health, safety, or welfare, and that no other person
255.19 appears to have authority and willingness to act in the circumstances, the court, on petition
255.20 by a person interested in the respondent's welfare, may appoint an emergency guardian
255.21 whose authority may not exceed 60 days and who may exercise only the powers specified
255.22 in the order. A county that is acting under section 626.557, subdivision 10, by petitioning
255.23 for appointment of an emergency guardian on behalf of a vulnerable adult may be granted
255.24 authority to act for a period not to exceed 90 days. An emergency guardian's appointment
255.25 under this section may only be extended once for a period not to exceed 60 days if the court
255.26 finds good cause for the continuation of the guardianship. Immediately upon receipt of the
255.27 petition for an emergency guardianship, the court shall appoint a lawyer to represent the
255.28 respondent in the proceeding. Except as otherwise provided in paragraph (b), reasonable
255.29 notice of the time and place of a hearing on the petition must be given to the respondent;
255.30 interested parties, if known; and any other persons as the court directs.

255.31 (b) An emergency guardian may be appointed without notice to the respondent and the
255.32 respondent's lawyer only if the court finds from affidavit or other sworn testimony that the

256.1 respondent will be substantially harmed before a hearing on the appointment can be held
256.2 and the petitioner made good faith efforts to provide notice to the respondent or the
256.3 respondent's lawyer. If the court appoints an emergency guardian without notice to the
256.4 respondent, the respondent must be given notice of the appointment within 48 hours after
256.5 the appointment. The court shall hold a hearing on the appropriateness of the appointment
256.6 within five days after the appointment.

256.7 (c) Appointment of an emergency guardian, with or without notice, is not a determination
256.8 of the respondent's incapacity.

256.9 (d) The court may remove an emergency guardian at any time. An emergency guardian
256.10 shall make any report the court requires. In other respects, the provisions of this article
256.11 concerning guardians apply to an emergency guardian.

256.12 (e) Any documents or information disclosing or pertaining to health or financial
256.13 information shall be filed as confidential documents, consistent with the bill of particulars
256.14 under section 524.5-121.

256.15 (f) The mere fact that the respondent is a patient in a hospital or a resident of a facility
256.16 is not in and of itself sufficient evidence to support a risk of substantial harm to the
256.17 respondent's health, safety, or welfare.

256.18 Sec. 14. Minnesota Statutes 2024, section 524.5-313, is amended to read:

256.19 **524.5-313 POWERS AND DUTIES OF GUARDIAN.**

256.20 (a) A guardian shall be subject to the control and direction of the court at all times and
256.21 in all things.

256.22 (b) The court shall grant to a guardian only those powers necessary to provide for the
256.23 demonstrated needs of the person subject to guardianship.

256.24 (c) The court may appoint a guardian if it determines that all the powers and duties listed
256.25 in this section are needed to provide for the needs of the incapacitated person. The court
256.26 may also appoint a guardian if it determines that a guardian is needed to provide for the
256.27 needs of the incapacitated person through the exercise of some, but not all, of the powers
256.28 and duties listed in this section. The duties and powers of a guardian or those which the
256.29 court may grant to a guardian include, but are not limited to:

256.30 (1) the power to have custody of the person subject to guardianship and the power to
256.31 establish a place of abode within or outside the state, except as otherwise provided in this
256.32 clause. The person subject to guardianship or any interested person may petition the court

257.1 to prevent or to initiate a change in abode. A person subject to guardianship may not be
257.2 admitted to a regional treatment center by the guardian except:

257.3 (i) after a hearing under chapter 253B;

257.4 (ii) for outpatient services; or

257.5 (iii) for the purpose of receiving temporary care for a specific period of time not to
257.6 exceed 90 days in any calendar year;

257.7 (2) the duty to provide for the care, comfort, and maintenance needs of the person subject
257.8 to guardianship, including food, clothing, shelter, health care, social and recreational
257.9 requirements, and, whenever appropriate, training, education, and habilitation or
257.10 rehabilitation. The guardian has no duty to pay for these requirements out of personal funds.
257.11 Whenever possible and appropriate, the guardian should meet these requirements through
257.12 governmental benefits or services to which the person subject to guardianship is entitled,
257.13 rather than from the estate of the person subject to guardianship;

257.14 (3) the duty to take reasonable care of the clothing, furniture, vehicles, and other personal
257.15 effects of the person subject to guardianship, and, if other property requires protection, the
257.16 power to seek appointment of a conservator of the estate. The guardian must give notice by
257.17 mail to interested persons prior to the disposition of the clothing, furniture, vehicles, or
257.18 other personal effects of the person subject to guardianship. The notice must inform the
257.19 person of the right to object to the disposition of the property within ten days of the date of
257.20 mailing and to petition the court for a review of the guardian's proposed actions. Notice of
257.21 the objection must be served by mail or personal service on the guardian and the person
257.22 subject to guardianship unless the person subject to guardianship is the objector. The guardian
257.23 served with notice of an objection to the disposition of the property may not dispose of the
257.24 property unless the court approves the disposition after a hearing;

257.25 (4)(i) the power to give any necessary consent to enable the person subject to guardianship
257.26 to receive necessary medical or other professional care, counsel, treatment, or service, except
257.27 that no guardian may give consent for psychosurgery, electroshock, sterilization, or
257.28 experimental treatment of any kind unless the procedure is first approved by order of the
257.29 court as provided in this clause. The guardian shall not consent to any medical care for the
257.30 person subject to guardianship which violates the known conscientious, religious, or moral
257.31 belief of the person subject to guardianship;

257.32 (ii) a guardian who believes a procedure described in item (i) requiring prior court
257.33 approval to be necessary for the proper care of the person subject to guardianship, shall
257.34 petition the court for an order and, in the case of a public guardianship under chapter 252A,

258.1 obtain the written recommendation of the commissioner of human services. The court shall
258.2 fix the time and place for the hearing and shall give notice to the person subject to
258.3 guardianship in such manner as specified in section 524.5-308 and to interested persons.
258.4 The court shall appoint an attorney to represent the person subject to guardianship who is
258.5 not represented by counsel, provided that such appointment shall expire upon the expiration
258.6 of the appeal time for the order issued by the court under this section or the order dismissing
258.7 a petition, or upon such other time or event as the court may direct. In every case the court
258.8 shall determine if the procedure is in the best interest of the person subject to guardianship.
258.9 In making its determination, the court shall consider a written medical report which
258.10 specifically considers the medical risks of the procedure, whether alternative, less restrictive
258.11 methods of treatment could be used to protect the best interest of the person subject to
258.12 guardianship, and any recommendation of the commissioner of human services for a public
258.13 person subject to guardianship. The standard of proof is that of clear and convincing evidence;

258.14 (iii) in the case of a petition for sterilization of a person with developmental disabilities
258.15 subject to guardianship, the court shall appoint a licensed physician, a psychologist who is
258.16 qualified in the diagnosis and treatment of developmental disability, and a social worker
258.17 who is familiar with the social history and adjustment of the person subject to guardianship
258.18 or the case manager for the person subject to guardianship to examine or evaluate the person
258.19 subject to guardianship and to provide written reports to the court. The reports shall indicate
258.20 why sterilization is being proposed, whether sterilization is necessary and is the least intrusive
258.21 method for alleviating the problem presented, and whether it is in the best interest of the
258.22 person subject to guardianship. The medical report shall specifically consider the medical
258.23 risks of sterilization, the consequences of not performing the sterilization, and whether
258.24 alternative methods of contraception could be used to protect the best interest of the person
258.25 subject to guardianship;

258.26 (iv) any person subject to guardianship whose right to consent to a sterilization has not
258.27 been restricted under this section or section 252A.101 may be sterilized only if the person
258.28 subject to guardianship consents in writing or there is a sworn acknowledgment by an
258.29 interested person of a nonwritten consent by the person subject to guardianship. The consent
258.30 must certify that the person subject to guardianship has received a full explanation from a
258.31 physician or registered nurse of the nature and irreversible consequences of the sterilization;

258.32 (v) a guardian or the public guardian's designee who acts within the scope of authority
258.33 conferred by letters of guardianship under section 252A.101, subdivision 7, and according
258.34 to the standards established in this chapter or in chapter 252A shall not be civilly or criminally
258.35 liable for the provision of any necessary medical care, including, but not limited to, the

259.1 administration of psychotropic medication or the implementation of aversive and deprivation
259.2 procedures to which the guardian or the public guardian's designee has consented;

259.3 (5) in the event there is no duly appointed conservator of the estate of the person subject
259.4 to guardianship, the guardian shall have the power to approve or withhold approval of any
259.5 contract, except for necessities, which the person subject to guardianship may make or wish
259.6 to make;

259.7 (6) the duty and power to exercise supervisory authority over the person subject to
259.8 guardianship in a manner which limits civil rights and restricts personal freedom only to
259.9 the extent necessary to provide needed care and services. A guardian may not restrict the
259.10 ~~ability right~~ of the person subject to guardianship to communicate, visit, or interact with
259.11 others pursuant to section 524.5-120, clause (10), including receiving visitors ~~or~~, making
259.12 or receiving telephone calls, sending or receiving personal mail, ~~or~~ sending or receiving
259.13 electronic communications including through social media, or participating in social activities,
259.14 unless the guardian has good cause to believe a restriction of communication, visitation, or
259.15 interaction is necessary because interaction with the person poses ~~a~~ an imminent risk of
259.16 significant physical, psychological, or financial harm to the person subject to guardianship,
259.17 and there is no other means to avoid or mitigate such significant harm. If the guardian
259.18 believes a restriction is necessary, the guardian must first seek limited restrictions whenever
259.19 possible, including supervised visits, phone calls, video calls, written correspondence, or
259.20 limits on the length, frequency, or content of communication. In all cases, the guardian shall
259.21 provide written notice of the restrictions imposed to the court;; to the person subject to
259.22 guardianship; and their attorney, if known; and to the person subject to restrictions within
259.23 48 hours of imposing the restriction. The notice shall include a description of the reason
259.24 the restriction is imposed; a description of any limited restrictions attempted; if applicable,
259.25 the reason the limited restrictions were not sufficient; and instructions on how to seek a
259.26 modification of the restrictions. The person subject to guardianship or the person subject
259.27 to restrictions may petition the court to remove or modify the restrictions;

259.28 (7) if there is no acting conservator of the estate for the person subject to guardianship,
259.29 the guardian has the power to apply on behalf of the person subject to guardianship for any
259.30 assistance, services, or benefits available to the person subject to guardianship through any
259.31 unit of government;

259.32 (8) unless otherwise ordered by the court, the person subject to guardianship retains the
259.33 right to vote;

(9) the power to establish an ABLE account for a person subject to guardianship or conservatorship. By this provision a guardian only has the authority to establish an ABLE account, but may not administer the ABLE account in the guardian's capacity as guardian. The guardian may appoint or name a person to exercise signature authority over an ABLE account, including the individual selected by the eligible individual or the eligible individual's agent under a power of attorney; conservator; spouse; parent; sibling; grandparent; or representative payee, whether an individual or organization, appointed by the SSA, in that order; and

(10) if there is no conservator appointed for the person subject to guardianship, the guardian has the duty and power to institute suit on behalf of the person subject to guardianship and represent the person subject to guardianship in expungement proceedings, harassment proceedings, and all civil court proceedings, including but not limited to restraining orders, orders for protection, name changes, conciliation court, housing court, family court, probate court, and juvenile court, provided that a guardian may not settle or compromise any claim or debt owed to the estate without court approval.

Sec. 15. **[604.33] CAUSE OF ACTION; NONCONSENSUAL REMOVAL OF A SEXUALLY PROTECTIVE DEVICE.**

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

(b) "Intimate part" means the sexual organ, anus, groin, or buttocks of any person, or the breast of a female.

(c) "Sexually protective device" means an internal or external condom, spermicide, diaphragm, cervical cap, contraceptive sponge, dental dam, or any other physical barrier device intended to prevent pregnancy or sexually transmitted infection. Sexually protective device does not include an intrauterine device or any hormonal birth control method.

Subd. 2. Cause of action. A cause of action for nonconsensual removal of a sexually protective device exists against the following:

(1) a person who intentionally removed a sexually protective device and caused contact between the sexual organ from which the sexually protective device was removed and the intimate part of another person who did not consent to the removal of the sexually protective device; or

261.1 (2) a person who intentionally removed a sexually protective device from another person's
261.2 sexual organ without the other person's consent and caused contact between the sexual organ
261.3 from which the sexually protective device was removed and their own intimate part.

261.4 Subd. 3. **Damages.** The court may award the following damages to a prevailing plaintiff
261.5 from a person found liable under subdivision 2:

261.6 (1) general and special damages, including damages for mental anguish;

261.7 (2) punitive damages;

261.8 (3) statutory damages in an amount up to \$10,000;

261.9 (4) injunctive relief and any other equitable relief the court deems just and appropriate;
261.10 and

261.11 (5) costs, disbursements, and reasonable attorney fees.

261.12 Subd. 4. **Confidentiality.** The court shall allow confidential filings to protect the privacy
261.13 of the plaintiff in cases filed under this section.

261.14 Subd. 5. **Other laws and remedies.** (a) The rights and remedies provided in this section
261.15 are in addition to any other rights and remedies provided by law.

261.16 (b) Nothing in this section affects or modifies the rights and obligations under chapter
261.17 518A.

261.18 **EFFECTIVE DATE.** This section is effective August 1, 2025, and applies to causes
261.19 of action accruing on or after that date.

261.20 Sec. 16. **[626.5574] ORDER FOR PROTECTION AGAINST FINANCIAL**
261.21 **EXPLOITATION OF A VULNERABLE ADULT.**

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

261.24 (b) "Conservator" has the meaning given in section 524.5-102, subdivision 3.

261.25 (c) "Financial exploitation" has the meaning given in section 626.5572, subdivision 9.

261.26 (d) "Guardian" has the meaning given in section 524.5-102, subdivision 5.

261.27 (e) "Lead investigative agency" has the meaning given in section 626.5572, subdivision
261.28 13.

261.29 (f) "Petitioner" means any of the following:

262.1 (1) a vulnerable adult currently experiencing or in imminent danger of financial
262.2 exploitation;

262.3 (2) the guardian or conservator of a vulnerable adult currently experiencing or in imminent
262.4 danger of financial exploitation;

262.5 (3) a person or organization acting on behalf of the vulnerable adult with the consent of
262.6 the vulnerable adult or his or her guardian or conservator;

262.7 (4) an agent under a validly executed power of attorney with the authority specifically
262.8 granted in the power of attorney; or

262.9 (5) a person who simultaneously files a petition under section 524.5-409, subdivision
262.10 2, for appointment of an emergency conservator with respect to the vulnerable adult.

262.11 (g) "Vulnerable adult" has the meaning given in section 626.5572, subdivision 21.

262.12 Subd. 2. **Jurisdiction; petition.** (a) A petitioner may petition the court for an order for
262.13 protection against financial exploitation of a vulnerable adult seeking injunctive relief and
262.14 any other equitable remedy the court deems appropriate with the court located in the county
262.15 where the petitioner, respondent, or the vulnerable adult resides. There are no residency
262.16 requirements that apply to a petition filed under this section. Actions under this section shall
262.17 be given docket priorities by the court.

262.18 (b) A petition for relief under this section must:

262.19 (1) allege the existence of financial exploitation, or the imminent danger of financial
262.20 exploitation, of the vulnerable adult;

262.21 (2) include the specific facts and circumstances for which relief is sought, including the
262.22 relationship between the vulnerable adult and respondent;

262.23 (3) state whether the vulnerable adult has ever applied for or received an order for
262.24 protection under this section or section 518B.01, or a restraining order under section 609.748;
262.25 and

262.26 (4) state whether there are any pending actions between the vulnerable adult and the
262.27 respondent.

262.28 (c) A person temporarily or permanently vacating a residence or household in an attempt
262.29 to avoid financial exploitation does not affect the person's right to petition for an order under
262.30 this section.

262.31 (d) The court shall provide simplified forms and clerical assistance to help with the
262.32 writing and filing of a petition under this section.

Subd. 3. **Filing fee.** The filing fees for an order for protection against financial exploitation for a vulnerable adult under this section are waived for the petitioner and respondent.

Subd. 4. **Hearing.** Upon receipt of the petition, the court shall order a hearing which shall be held no later than 14 days from the date of the order for the hearing unless a temporary ex parte order is issued under subdivision 8. If the court issues a temporary ex parte order, the hearing must be held as provided under subdivision 8.

Subd. 5. **Service.** (a) Except as provided in paragraph (b), the petition and any order issued under this section must be served on the respondent as provided in section 518B.01, subdivisions 8, 8a, and 9a. If the petitioner is not the vulnerable adult, the petitioner must serve the vulnerable adult with a copy of the petition, notice of any hearing, and any orders issued under this section. If any assets or lines of credit are ordered to be frozen, the petitioner must serve the depository or financial institution with the order.

(b) If service on the respondent is not possible as provided in paragraph (a), the petitioner may serve the respondent through the method used to contact the vulnerable adult. The petitioner must provide to the court the reasons that service was not possible under section 518B.01, subdivision 8, 8a, or 9a.

Subd. 6. **Maltreatment report required.** Unless a report was made before a petition was filed under this section, the petitioner must file a report pursuant to section 626.557 within 24 hours of filing a petition under this section. This section does not modify or supersede mandated reporting requirements under section 626.557.

Subd. 7. **Factors.** In determining whether to award relief to the petitioner, the court may consider and evaluate all relevant factors, including any of the following:

(1) the existence of a current or previous order for protection issued under this section or section 518B.01, a current or previous harassment restraining order issued under section 609.748, or any previous or current similar order issued by another jurisdiction;

(2) any history of financial exploitation by the respondent upon the vulnerable adult identified in the petition or any other vulnerable adult;

(3) any history of the vulnerable adult's previous financial exploitation by the respondent or any other person;

(4) the capacity of the vulnerable adult to make decisions related to their finances and property;

(5) the susceptibility of the vulnerable adult to undue influence; or

264.1 (6) the respondent's criminal history.

264.2 Subd. 8. **Temporary ex parte order.** (a) The court may issue a temporary order for
264.3 protection ex parte if the court finds that:

264.4 (1) there is an immediate and present danger of financial exploitation of the vulnerable
264.5 adult;

264.6 (2) there is a likelihood of irreparable harm and nonavailability of an adequate remedy
264.7 at law;

264.8 (3) there is a substantial likelihood of success on the merits;

264.9 (4) the threatened injury to the vulnerable adult outweighs possible harm to the
264.10 respondent; and

264.11 (5) a temporary order protects the vulnerable adult's financial security.

264.12 (b) A denial of a petition for an ex parte order must be by written order and must note
264.13 the grounds for denial. When the only ground for denial is failure to demonstrate the
264.14 immediate and present danger of financial exploitation of a vulnerable adult, the court must
264.15 set a full hearing on the petition for an order for protection at the earliest possible date and
264.16 within 14 days of the date of the court's denial order. Nothing in this paragraph limits a
264.17 petitioner's right to promptly amend a petition consistent with court rules.

264.18 (c) An ex parte temporary order may be effective for a fixed period not to exceed 14
264.19 days unless good cause is shown to extend the order. The ex parte temporary order may be
264.20 extended once for up to an additional 14 days. A full hearing, as provided by this section,
264.21 must be set for a date no later than the date when the ex parte temporary order expires.

264.22 Subd. 9. **Relief.** (a) The court may grant relief as provided under this section, if upon
264.23 notice and hearing and consideration of all relevant factors, the court finds that:

264.24 (1) the vulnerable adult is the victim of financial exploitation or the vulnerable adult is
264.25 in imminent danger of becoming a victim of financial exploitation;

264.26 (2) there is a likelihood of irreparable harm and nonavailability of an adequate remedy
264.27 at law;

264.28 (3) the threatened injury to the vulnerable adult outweighs possible harm to the
264.29 respondent; and

264.30 (4) an order protects the vulnerable adult's financial security.

265.1 (b) In addition to any other injunctive or equitable relief the court deems appropriate,
265.2 the court may grant any or all of the following relief in either a temporary ex parte or final
265.3 order issued under this section:

265.4 (1) prohibit the respondent from direct or indirect contact with the vulnerable adult;

265.5 (2) restrain the respondent from committing any acts of financial exploitation against
265.6 the vulnerable adult;

265.7 (3) hold financial accounts in accordance with chapter 45A or freeze any assets of the
265.8 vulnerable adult in any depository or financial institution whether titled solely in the
265.9 vulnerable adult's name, solely in the respondent's name, jointly with the respondent, in
265.10 conservatorship, or in a trust, provided that:

265.11 (i) assets held by a conservator for the vulnerable adult may be frozen only by an order
265.12 entered by the court overseeing the conservatorship proceeding;

265.13 (ii) assets held by a trust may be frozen only by an order of the court if all the trustees
265.14 of the trust are served with process and are given reasonable notice before any hearing on
265.15 the petition; and

265.16 (iii) assets held solely in the name of the respondent may only be frozen on an ex parte
265.17 basis if the petition and affidavit demonstrate to the court probable cause that such assets
265.18 are traceable to the financial exploitation of the vulnerable adult, that such assets are likely
265.19 to be returned to the vulnerable adult after a final evidentiary hearing, and that no other
265.20 adequate remedy at law is reasonably available;

265.21 (4) freeze any line of credit of the vulnerable adult at any depository or financial
265.22 institution whether listed solely in the vulnerable adult's name or jointly with the respondent,
265.23 provided that:

265.24 (i) lines of credit held by a conservator for the vulnerable adult may be frozen only by
265.25 an order entered by the court overseeing the conservatorship proceeding; and

265.26 (ii) lines of credit held by a trust may be frozen only by an order of the court if all the
265.27 trustees of the trust are served with process and are given reasonable notice before any
265.28 hearing on the petition;

265.29 (5) if the court has ordered an asset and credit freeze, ordering that living expenses of
265.30 the vulnerable adult continue to be paid;

(6) award to the vulnerable adult the temporary exclusive use and possession of the dwelling that the vulnerable adult and the respondent share or bar the respondent from the residence of the vulnerable adult;

(7) provide necessary directives to law enforcement agencies; and

(8) provide any terms the court deems necessary for the protection of the vulnerable adult or the vulnerable adult's assets.

Subd. 10. **Modifying or vacating an order; extensions and subsequent orders.** Upon application and notice to all parties as required under this section, the court may vacate an order, modify the terms of an existing order for protection, extend relief granted in an existing order for protection, or, if an order for protection has expired, issue a new order.

Subd. 11. **Copy to law enforcement agency; lead investigative agency.** Within 24 hours of issuance of an order or continuance of an order under this section, the court administrator must forward the order for protection and any continuance of the order for protection to the local law enforcement agency with jurisdiction over the residence of the vulnerable adult and the lead investigative agency that received the report pursuant to subdivision 6. Section 518B.01, subdivision 13, applies to orders granted under this section.

Subd. 12. **Title to real property.** Nothing in this section affects title to real property.

Subd. 13. **Violation of an order for protection.** (a) A person is guilty of a misdemeanor if the person:

(1) knows of the existence of an order for protection issued under this section;

(2) is prohibited from direct or indirect contact with a vulnerable adult or restrained from committing any acts of financial exploitation against a vulnerable adult as provided in subdivision 9, paragraph (b); and

(3) violates the order by committing such conduct.

(b) A person who violates paragraph (a) within ten years of a previous conviction or adjudication of delinquency for a violation of this subdivision or section 609.2335, is guilty of a gross misdemeanor.

(c) A person who violates paragraph (a) within ten years of the first of two or more previous convictions or adjudications of delinquency for a violation of this subdivision or section 609.2335, 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 \$10,000, or both.

Subd. 14. **Admissibility of testimony in criminal proceeding.** Any testimony offered by a respondent in a hearing pursuant to this section is inadmissible in a criminal proceeding.

Subd. 15. **Other remedies available.** Any proceeding under this section shall be in addition to other civil or criminal remedies.

Sec. 17. **REPEALER.**

Minnesota Statutes 2024, sections 517.05; and 517.18, are repealed.

ARTICLE 16

STATUTORY FORMS FOR GARNISHMENT

Section 1. Minnesota Statutes 2024, section 550.136, subdivision 6, is amended to read:

Subd. 6. **Earnings exemption notice.** Before the first levy on earnings under this chapter, the judgment creditor shall serve upon the judgment debtor no less than ten days before the service of the writ of execution, a notice that the writ of execution may be served on the judgment debtor's employer. The notice must: (1) be substantially in the form set forth below; (2) be served personally, in the manner of a summons and complaint, or by first class mail to the last known address of the judgment debtor; (3) inform the judgment debtor that an execution levy may be served on the judgment debtor's employer in ten days, and that the judgment debtor may, within that time, cause to be served on the judgment creditor a signed statement under penalties of perjury asserting an entitlement to an exemption from execution; (4) inform the judgment debtor of the earnings exemptions contained in section 550.37, subdivision 14; and (5) advise the judgment debtor of the relief set forth in this chapter to which the debtor may be entitled if a judgment creditor in bad faith disregards a valid claim and the fee, costs, and penalty that may be assessed against a judgment debtor who in bad faith falsely claims an exemption or in bad faith takes action to frustrate the execution process. The notice requirement of this subdivision does not apply to a levy on earnings being retained by an employer pursuant to a garnishment previously served in compliance with chapter 571.

The ten-day notice informing a judgment debtor that a writ of execution may be used to levy the earnings of an individual must be substantially in the following form:

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF

..... JUDICIAL DISTRICT

..... (Judgment Creditor)

against

EXECUTION EXEMPTION

268.1

~~..... (Judgment Debtor)~~

~~NOTICE AND NOTICE OF INTENT TO~~

268.2

~~and~~

~~LEVY ON EARNINGS~~

268.3

~~..... (Third Party)~~

268.4

State of Minnesota

District Court

268.5

County of:

Judicial District:

268.6

Court File Number:

268.7

Case Type:

268.8

Creditor's full name

268.9

.....

Execution Exemption

268.10

against

Notice and Notice of

268.11

Debtor's full name

Intent to Levy on Earnings

268.12

.....

268.13

and

268.14

Third Party (bank, employer, or other)

268.15

.....

268.16

~~PLEASE TAKE NOTICE that a levy may be served upon your employer or other third~~

268.17

~~parties, without any further court proceedings or notice to you, ten days or more from the~~

268.18

~~date hereof. Your earnings are completely exempt from execution levy if you are now a~~

268.19

~~recipient of relief based on need, if you have been a recipient of relief within the last six~~

268.20

~~months, or if you have been an inmate of a correctional institution in the last six months.~~

268.21

~~Relief based on need includes Minnesota Family Investment Program (MFIP), Emergency~~

268.22

~~Assistance (EA), Work First, Medical Assistance (MA), General Assistance (GA), Emergency~~

268.23

~~General Assistance (EGA), Minnesota Supplemental Aid (MSA), MSA Emergency~~

268.24

~~Assistance (MSA-EA), Supplemental Security Income (SSI), and Energy Assistance.~~

268.25

~~If you wish to claim an exemption, you should fill out the appropriate form below, sign~~

268.26

~~it, and send it to the judgment creditor's attorney.~~

268.27

~~You may wish to contact the attorney for the judgment creditor in order to arrange for~~

268.28

~~a settlement of the debt or contact an attorney to advise you about exemptions or other~~

268.29

~~rights.~~

268.30

Notice: A levy may be served on your employer or other third parties. A levy means

268.31

that part of your earnings can be taken to pay off debts that you owe. This can happen

268.32

in 10 days or more after you get this notice. This can happen without any other court action

268.33

or notice to you. But some of your money may be protected.

268.34

Your earnings cannot be taken if:

269.1 (i) you are getting government assistance based on need,

269.2 (ii) you got any government assistance based on need in the last 6 months, or

269.3 (iii) you were an inmate of a correctional institution in the last 6 months.

269.4 **These are called exemptions. Your money is NOT protected unless you fill out the**

269.5 **Exemption Claim Notice attached and send it back to the creditor or the creditor's**

269.6 **lawyer. If you are not sure if you have any exemptions, talk to a lawyer.**

269.7 You can also contact the creditor or their lawyer to talk about a settlement of the debt.

269.8 Examples of government assistance based on need:

269.9 (i) **MFIP** - Minnesota Family Investment Program

269.10 (ii) **DWP** - MFIP Diversionary Work Program

269.11 (iii) **SNAP** - Supplemental Nutrition Assistance Program

269.12 (iv) **GA** - General Assistance

269.13 (v) **EGA** - Emergency General Assistance

269.14 (vi) **MSA** - Minnesota Supplemental Aid

269.15 (vii) **MSA-EA** - MSA Emergency Assistance

269.16 (viii) **EA** - Emergency Assistance

269.17 (ix) **Energy or Fuel Assistance**

269.18 (x) **Work Participation Cash Benefit**

269.19 (xi) **MA** - Medical Assistance

269.20 (xii) **MinnesotaCare**

269.21 (xiii) **Medicare Part B** - Premium Payments help

269.22 (xiv) **Medicare Part D** - Extra

269.23 (xv) **SSI** - Supplemental Security Income

269.24 (xvi) **Tax Credits** - federal Earned Income Tax Credit (EITC), MN Working family
269.25 credit

269.26 (xvii) **Renter's Refund** (also called Renter's Property Tax Credit)

269.27 **PENALTIES**

269.28 **Warnings and Fines**

(1) ~~Be advised that~~ Even if you claim an exemption, ~~an execution~~ a levy may still be served on your employer. If ~~your earnings are levied on~~ they take money from you after you claim an exemption, you may ~~petition~~ ask the court ~~for a determination of~~ to review your exemption. If the court finds that the judgment creditor ~~disregarded~~ ignored your claim of exemption in bad faith, you ~~will be~~ are entitled to costs, reasonable ~~attorney~~ lawyer fees, actual damages, and ~~an amount not~~ a fine up to ~~exceed~~ \$100. Bad faith is when someone does something wrong on purpose.

(2) ~~HOWEVER, BE WARNED BUT~~ if you claim an exemption, the judgment creditor can also ~~petition~~ ask the court ~~for a determination of~~ to review your exemption, ~~and~~. If the court finds that you claimed an exemption in bad faith, you ~~will be assessed~~ are charged costs and reasonable ~~attorney's~~ lawyer fees ~~plus an amount not~~ and a fine up to ~~exceed~~ \$100.

~~(3) If after receipt of this notice, you in bad faith take action to frustrate the execution levy, thus requiring the judgment creditor to petition the court to resolve the problem, you will be liable to the judgment creditor for costs and reasonable attorney's fees plus an amount not to exceed \$100.~~

(3) If you get this notice, then do something in bad faith to try to block or stop the levy and the creditor has to take you to court because of it, you will have to pay the creditor's costs, and reasonable lawyer fees, and a fine up to \$100.

DATED:

(Attorney for Judgment Creditor)

.....

Address

.....

Telephone

Date:

Creditor's Signature:

(or creditor's lawyer's signature)

Creditor's Name:

(or creditor's lawyer's name)

Street Address:

City/State/Zip:

Phone: Fax:

Email:

271.1

JUDGMENT Debtor's Exemption Claim Notice

271.2

I hereby claim that my earnings are exempt from execution because: (check all that

271.3

apply)

271.4

~~(1) ... I am presently a recipient of relief~~ getting government assistance based on need.

271.5

~~(Specify State~~ the program, case number if you know it, and the county ~~from which~~

271.6

~~relief is being received~~ you got it from.)

271.7

.....

271.8

Program Case Number (if known) County

271.9

Program: Case #: County:

271.10

Program: Case #: County:

271.11

Program: Case #: County:

271.12

~~(2) ... I am not now receiving relief~~ getting assistance based on need right now, but I

271.13

~~have received relief~~ did get government assistance based on need within the last ~~six~~ 6

271.14

months. ~~(Specify State~~ the program, case number if you know it, and the county you got

271.15

it from which relief has been received.)

271.16

.....

271.17

Program Case Number (if known) County

271.18

Program: Case #: County:

271.19

Program: Case #: County:

271.20

Program: Case #: County:

271.21

~~(3) ... I have been~~ was an inmate of a correctional institution within the last ~~six~~ 6 months.

271.22

~~(Specify State~~ the correctional institution and location.)

271.23

.....

271.24

Correctional Institution Location

271.25

~~I hereby authorize any agency that has distributed relief to me or any correctional~~

271.26

~~institution in which I was an inmate to disclose to the above-named judgment creditor or~~

271.27

~~the judgment creditor's attorney only whether or not I am or have been a recipient of relief~~

271.28

~~based on need or an inmate of a correctional institution within the last six months. I have~~

271.29

~~mailed or delivered a copy of this form to the judgment creditor or judgment creditor's~~

271.30

~~attorney.~~

271.31

.....

271.32

Debtor

271.33

.....

272.1

Address

272.2

.....

272.3

Debtor Telephone Number

272.4

I give my permission to any agency listed above to give information about my benefits

272.5

to the creditor named above, or to the creditor's lawyer. The information will **ONLY** be if

272.6

I get assistance, or if I have gotten assistance in the past 6 months. If I was an inmate in the

272.7

last 6 months, I give my permission to the correctional institution to tell the creditor named

272.8

above or the creditor's lawyer that I was an inmate there.

272.9

Date:

272.10

Debtor's Signature:

272.11

Debtor's Name:

272.12

Street Address:

272.13

City/State/Zip:

272.14

Phone:

272.15

Email:

272.16

Sec. 2. Minnesota Statutes 2024, section 550.136, subdivision 9, is amended to read:

272.17

Subd. 9. **Execution earnings disclosure form and worksheet.** The judgment creditor

272.18

shall provide to the sheriff for service upon the judgment debtor's employer an execution

272.19

earnings disclosure form and an earnings disclosure worksheet with the writ of execution,

272.20

that must be substantially in the form set forth below.

272.21

~~STATE OF MINNESOTA~~

DISTRICT COURT

272.22

~~COUNTY OF~~

~~..... JUDICIAL DISTRICT~~

272.23

~~FILE NO.~~

272.24

~~..... (Judgment Creditor)~~

272.25

~~against~~

EARNINGS

272.26

~~..... (Judgment Debtor)~~

EXECUTION

272.27

~~and~~

DISCLOSURE

272.28

~~..... (Third Party)~~

272.29

State of Minnesota

District Court

272.30

County of:

Judicial District:

272.31

Court File Number:

272.32

Case Type:

272.33

Creditor's full name

272.34

.....

Earnings Execution Disclosure

272.35

and

For Non-Child Support Judgments

273.1 Debtor's full name

273.2

273.3 Third Party (bank, employer, or other)

273.4

273.5 This form is called an "Earnings Execution Disclosure" or "Disclosure." It is for the
273.6 employer to fill out. The "debtor" is the person who owes money. The debtor gets a copy
273.7 of this form for their own information.

273.8 The employer is also called the "third party garnishee" or "third party." The debtor is
273.9 also called a "judgment debtor." If the debtor asks how the calculations in this document
273.10 were made, the employer **must** provide information about it.

273.11 **DEFINITIONS**

273.12 ~~"EARNINGS": For the purpose of execution, "earnings" means compensation paid or~~
273.13 ~~payable to an employee for personal services or compensation paid or payable to the producer~~
273.14 ~~for the sale of agricultural products; milk or milk products; or fruit or other horticultural~~
273.15 ~~products produced when the producer is operating a family farm, a family farm corporation,~~
273.16 ~~or an authorized farm corporation, as defined in section 500.24, subdivision 2, whether~~
273.17 ~~denominated as wages, salary, commission, bonus, or otherwise, and includes periodic~~
273.18 ~~payments pursuant to a pension or retirement.~~

273.19 ~~"DISPOSABLE EARNINGS": Means that part of the earnings of an individual remaining~~
273.20 ~~after the deduction from those earnings of amounts required by law to be withheld. (Amounts~~
273.21 ~~required by law to be withheld do not include items such as health insurance, charitable~~
273.22 ~~contributions, or other voluntary wage deductions.)~~

273.23 **"Earnings":** what is paid or payable to an employee, independent contractor, or
273.24 self-employed person for personal services (a job). Also called compensation. Compensation
273.25 can be wages, salary, commission, bonuses, payments, profit-sharing distributions, severance
273.26 payment, fees, or other. It includes periodic payments from a pension or retirement. It can
273.27 also be compensation paid or payable to a producer for the sale of agricultural products.
273.28 This can be things like milk or milk products, or fruit or other horticultural products. Or
273.29 things produced in the operation of a family farm, a family farm corporation, or an authorized
273.30 farm corporation. This is defined in Minnesota Statutes, section 500.24, subdivision 2.

273.31 **"Disposable Earnings":** the part of a person's earnings that are left after subtracting
273.32 the amounts required by law to be withheld. **Note:** Amounts required by law to be withheld
273.33 do not include things like health insurance, charitable contributions, or other voluntary wage
273.34 deductions.

"Payday": ~~For the purpose of execution, "payday(s)" means the date(s) upon which~~
~~the date when the employer pays earnings to the debtor in the ordinary course of business~~
~~for doing their job. If the judgment debtor has no regular payday, payday(s) then "payday"~~
means the 15th and the last day of each month.

The Third Party/Employer Must Answer The Following Questions:

(1) Right now, do you ~~now owe, or within 90 days from the date the execution levy was~~
~~served on you, will you or may you owe~~ money to the judgment debtor for earnings?

Yes No

(2) ~~Does the judgment debtor earn more than \$... per week? (this amount is the greater~~
~~of \$9.50 per hour or the federal minimum wage per week)~~

(2) Within 90 days from the date you were served with the levy, will you or may you
owe money to the debtor for earnings?

Yes No

(3) Does the debtor earn more than the current Minnesota or federal minimum wage per
week? (use the number that is more)

Yes No

A. If you answer "No" to question 1, 2, or 3, you don't need to answer the rest of the
questions. You don't have to do the Earnings Disclosure Worksheet. Sign the Earnings
Disclosure Affirmation below and return this disclosure form to the sheriff. You must return
it within 20 days after it was served on you.

B. If you answer "Yes" to question 1 or 2, and "Yes" to question 3, sign the Earnings
Disclosure Affirmation below. You must return it to the sheriff within 20 days. You must
also fill out the rest of this form. Read the instructions for the Earnings Disclosure Worksheet.

Earnings Disclosure Affirmation

I, (person signing Affirmation), am the third party/employer or I am
authorized by the third party/employer to complete this earnings disclosure and have done
so truthfully and to the best of my knowledge.

Date:

Third Party's Name:

Third Party's Signature:

Phone: Fax:

Email:

Instructions for Completing the Earnings Disclosure Worksheet

~~A. If your answer to either question 1 or 2 is "No," then you must sign the affirmation below and return this disclosure to the sheriff within 20 days after it was served on you, and you do not need to answer the remaining questions.~~

~~B. If your answers to both questions 1 and 2 are "Yes," you must complete this form and the Earnings Disclosure Worksheet as follows:~~

~~For each payday that falls within 90 days from the date the execution levy was served on you, you must calculate the amount of earnings to be retained by completing steps 3 through 11 on page 2, and enter the amounts on the Earnings Disclosure Worksheet.~~
~~UPON REQUEST, THE EMPLOYER MUST PROVIDE THE DEBTOR WITH INFORMATION AS TO HOW THE CALCULATIONS REQUIRED BY THIS DISCLOSURE WERE MADE~~ withheld. Enter the amounts on the Earnings Disclosure Worksheet.

You must:

(1) Withhold the amount of earnings listed in Column I on the Earnings Disclosure Worksheet each payday.

(2) After 90 days, return this Earnings Disclosure Worksheet to the sheriff. Include all the money withheld. Sign the Affirmation at the end of the worksheet before returning.

(3) Deliver a copy of the disclosure and worksheet to the debtor within 10 days after the last payday that falls within the 90-day period.

If the debt (judgment) is fully paid off or if the debtor's job ends before the 90-day period is over, you need to do the last disclosure and withholdings within 10 days of their last payday that you withheld money.

~~Each payday, you must retain the amount of earnings listed in column I on the Earnings Disclosure Worksheet.~~

~~You must pay the attached earnings and return this earnings disclosure form and the Earnings Disclosure Worksheet to the sheriff and deliver a copy of the disclosure and worksheet to the judgment debtor within ten days after the last payday that falls within the 90-day period. If the judgment is wholly satisfied or if the judgment debtor's employment ends before the expiration of the 90-day period, your disclosure and remittance should be made within ten days after the last payday for which earnings were attached.~~

277.1

DATED:

277.2

Signature

277.3

.....

277.4

Title

277.5

.....

277.6

Telephone Number

277.7

EARNINGS DISCLOSURE WORKSHEET

277.8

Debtor's Name

277.9

Calculating Percentage of Disposable Earnings

277.10

Note to Creditor: You must fill out this chart before sending this form to the employer.

277.11

Use the current minimum wage found online at: <https://www.dli.mn.gov/minwage>.

277.12

Minimum Wage = \$MW/hour.

277.13		then this percentage of the disposable
277.14	if the weekly gross earnings are:	earnings are withheld:
277.15	Less than [40 X MW]	0%
277.16	[40 X MW + .01] to [60 X MW]	10%
277.17	[60 X MW + .01] to [80 X MW]	15%
277.18	[80 x MW + .01] or more	25%

277.19

Employer: Use this creditor's calculation chart to know what percentage of earnings

277.20

should be withheld.

277.21

Earnings Disclosure Worksheet

277.22

.....

277.23

Debtor's name

277.24		B - Gross	C - Disposable
277.25	A - Payday Date	Earnings	Earnings
277.26	1.	\$	\$
277.27	2. ....	.....	.....
277.28	3. ....	.....	.....
277.29	4. ....	.....	.....
277.30	5. ....	.....	.....
277.31	6. ....	.....	.....
277.32	7. ....	.....	.....
277.33	8. ....	.....	.....
277.34	9. ....	.....	.....
277.35	10. ....	.....	.....

278.1

Column A. Enter the debtor's payday.

278.2

Column B. Enter the debtor's gross earnings for each payday.

278.3

Column C. Enter the debtor's disposable earnings for each payday.

278.4

D ~~25~~ - % of

278.5

withholding of

278.6

Column C (Use the

278.7

creditor's calculation)

278.4

E - Greater of ~~40~~

278.5

~~X \$9.50 or 40 X~~

278.6

MN or Fed.

278.7

Min. Wage

278.4

F - Column C

278.5

minus Column E

278.8

1.

.....

.....

278.9

2.

.....

.....

278.10

3.

.....

.....

278.11

4.

.....

.....

278.12

5.

.....

.....

278.13

6.

.....

.....

278.14

7.

.....

.....

278.15

8.

.....

.....

278.16

9.

.....

.....

278.17

10.

.....

.....

278.18

Column D. Enter the percentage of disposable earnings that will be withheld. Get this

278.19

number from the creditor's calculation chart.

278.20

Column E. Calculate 40 times the current MN minimum wage (or 40 times the current

278.21

federal minimum wage) times the number of work weeks in each payday. Enter the bigger

278.22

number here. **Note:** If a payday has extra days that are more than a full work week, count

278.23

those extra days as part of a work week. Do this by dividing the number of extra workdays

278.24

by the number of workdays in a normal week.

278.25

Column F. Subtract the amount in Column E from the amount in Column C and enter

278.26

here.

278.27

G - Lesser of

278.28

Column D and

278.29

Column F

278.27

H - Setoff, Lien,

278.28

Adverse

278.29

Interest, or

278.30

Other Claims

278.27

I - Column G

278.28

minus Column

278.29

H

278.31

1.

.....

.....

278.32

2.

.....

.....

278.33

3.

.....

.....

278.34

4.

.....

.....

278.35

5.

.....

.....

278.36

6.

.....

.....

Article 16 Sec. 2.

278

279.1

7.

279.2

8.

279.3

9.

279.4

10.

279.5

TOTAL OF COLUMN I \$

279.6

Column G. Look at Column D and Column F. Enter the smaller amount of the two here

279.7

in Column G.

279.8

Column H. Enter any amount claimed by you that would lower the amount of earnings

279.9

that will go to the debtor. Things like:

- 279.10
- (i) a setoff,
- 279.11
- (ii) a defense,
- 279.12
- (iii) a lien,
- 279.13
- (iv) a claim, or
- 279.14
- (v) any amount claimed by any other person as an exemption or adverse interest.

279.15

Note: You must describe your claim(s) and the claims of others, if known, in the spaces

279.16

after this worksheet.

279.17

Enter zero in Column H if there are no claims by you or others which would lower the

279.18

amount of earnings owed to the debtor.

279.19

Note: Any debt that happened within 10 days before you got the first levy on a debt

279.20

may not be set off against the earnings that are affected by this levy. Any wage assignment

279.21

made by the debtor within 10 days before you got the first levy on a debt is void. Wage

279.22

assignment is when a debtor voluntarily agrees to money being taken out of their earnings.

279.23

Column I. Subtract the amount in Column H from the amount in Column G and enter

279.24

here. This is the amount of earnings that go to the creditor.

279.25

***If you entered any amount in Column H for any payday(s) payday, you must describe**

279.26

those claims below either your claims, or the claims of others. It doesn't matter if they are

279.27

your claims, or the claims of others. For amounts claimed claims by others, you must both

279.28

state list the names and addresses of such persons each, and the nature of describe their

279.29

claim claims, if known you know.

279.30

.....

279.31

.....

280.1

280.2

280.3 Earnings Worksheet Affirmation

280.4 I, (person signing Affirmation), am the third ~~party~~ party/employer or I am
280.5 authorized by the third ~~party~~ party/employer to complete this earnings disclosure ~~worksheet~~,
280.6 and have done so truthfully and to the best of my knowledge.

280.7

280.8 Signature

280.9 Dated: ()

280.10	Title	Phone Number
--------	-------	--------------

280.11 Date:

280.12 Third Party's Name:

280.13 Third Party's Signature:

280.14 Phone: Fax:

280.15 Email:

280.16 Sec. 3. Minnesota Statutes 2024, section 550.143, subdivision 2, is amended to read:

280.17 Subd. 2. **Disclosure form.** Along with the writ of execution, the notice, instructions,
280.18 and the exemption notice described in subdivision 3, the sheriff shall serve upon the financial
280.19 institution an execution disclosure form which must be substantially in the following form:

280.20 ~~STATE OF MINNESOTA~~ ~~DISTRICT COURT~~

280.21 COUNTY OF _____ JUDICIAL DISTRICT _____

280.22(Judgment Creditor)

280.23 ~~against~~ ~~FINANCIAL INSTITUTIONS~~

280.24(Judgment Debtor) EXECUTION

280.25 and DISCLOSURE

280.26(Third Party)

280.27 **State of Minnesota** **District Court**

280.28 County of: Judicial District:

280.29 Court File Number:

280.30 Case Type:

280.31 Creditor's full name

280.32	Execution Disclosure
--------------	-----------------------------

280.33 against

281.1 Debtor's full name

281.2

281.3 and

281.4 Third Party (bank, employer, or other)

281.5

281.6 This form is called a "Non-Earnings Disclosure" or "Disclosure." It is being sent to you
281.7 because you might be holding property that belongs to the debtor, or you might owe money
281.8 to the debtor.

281.9 You are the "third party" or "garnishee." The "debtor" is the person who owes money.
281.10 The debtor is also called the "judgment debtor." The creditor is the person the debtor owes
281.11 money to. The creditor is also called the "judgment creditor." The debtor owes
281.12 \$..... to the creditor.

281.13 You must list any money or property you owe the debtor on the lines below and sign
281.14 the affirmation. Write "none" on the line if that is your answer. You must then return this
281.15 disclosure to the creditor (or the creditor's lawyer) within 20 days after you got it.

281.16 ~~On the day of,, the time of service of execution herein, there was due~~
281.17 ~~and owing the judgment debtor from the third party the following:~~

281.18 Fill in the date you got this disclosure:

281.19 (month) (day), (year)

281.20 On the date you got this disclosure, you owed the debtor:

281.21 ~~(1) Money. Enter on the line below any amounts due and owing the judgment debtor,~~
281.22 ~~except earnings, from the third party. Write down the amount of money you owe the debtor~~
281.23 ~~(except earnings).~~

281.24

281.25 (2) Property. Write a short description of any personal property, instruments, or papers
281.26 belonging to the debtor that you have in your possession. List the monetary value of each
281.27 thing.

281.28

281.29 ~~(2) (3) Setoff. Enter on the line below the amount of any setoff, defense, lien, or claim~~
281.30 ~~which the third party claims against the amount set forth on line (1). State the facts by which~~
281.31 ~~such setoff, defense, lien, or claim is claimed. (Any indebtedness to a third party incurred~~
281.32 ~~by the judgment debtor within ten days prior to the receipt of the first execution levy on a~~

282.1 ~~debt is void as to the judgment creditor.)~~ If you claim a setoff, defense, lien, or claim against
282.2 the amount on lines (1) and (2) above, enter that amount on the line below. State the facts
282.3 about your claim. **Note:** Any payment the debtor makes to the garnishee within the 10 days
282.4 before they get the first garnishment order on that debt can't be used to lower the amount
282.5 that is being garnished.

282.6

282.7 ~~(3)~~ (4) Exemption. Enter any amounts or property that the debtor claims is exempt on
282.8 the line below any amounts or property claimed by the judgment debtor to be exempt from
282.9 execution.

282.10

282.11 ~~(4)~~ (5) Adverse Interest. Enter on the line below any amounts ~~claimed by other persons~~
282.12 ~~by reason of ownership or interest in the judgment of the debtor's property~~ that other people
282.13 claim they own or have interest in.

282.14

282.15 ~~(5)~~ (6) Enter ~~on the line below~~ the total of lines ~~(2), (3), and (4)~~ (3), (4), and (5) on the
282.16 line below.

282.17

282.18 ~~(6)~~ (7) Enter ~~on the line below~~ the difference obtained (never less than zero) when line
282.19 ~~(5)~~ (6) is subtracted from the ~~amount on line~~ sum of lines (1) and (2) on the line below.

282.20

282.21 ~~(7)~~ Enter ~~on the line below~~ (8) Figure out 110 percent of the amount of the judgment
282.22 creditor's claim which remains is still unpaid. Enter it on the line below.

282.23

282.24 ~~(8) Enter on the line below the lesser of line (6) and line (7). You are hereby instructed~~
282.25 ~~to remit this amount only if it is \$10 or more.~~

282.26 (9) Look at (7) and (8). Put the smaller number on the line below. Hold this amount only
282.27 if it is \$10 or more.

282.28

282.29 **AFFIRMATION**

283.1

I, (person signing Affirmation), am the ~~third-party~~ garnishee or I am

283.2

authorized by the ~~third-party~~ garnishee to complete this ~~nonearnings~~ non-earnings

283.3

garnishment disclosure, and have done so truthfully and to the best of my knowledge.

283.4

~~Dated:~~
.....

283.5

~~Signature~~

283.6

.....

283.7

~~Title~~

283.8

.....

283.9

~~Telephone Number~~

283.10

~~Date:~~

283.11

~~Name:~~

283.12

~~Signature:~~

283.13

~~Title:~~

283.14

~~Phone:~~ ~~Email:~~

283.15

Sec. 4. Minnesota Statutes 2024, section 550.143, subdivision 3a, is amended to read:

283.16

Subd. 3a. **Form of notice.** The notice required by subdivision 3 must be provided as a

283.17

separate form and must be substantially in the following form:

283.18

~~STATE OF MINNESOTA~~ ~~DISTRICT COURT~~

283.19

~~COUNTY OF~~ ~~JUDICIAL DISTRICT~~

283.20

~~.....(Creditor)~~

283.21

~~.....(Debtor)~~

283.22

~~.....(Financial institution)~~

283.23

State of Minnesota District Court

283.24

County of: Judicial District:

283.25

Court File Number:

283.26

Case Type:

283.27

Creditor's full name

283.28

..... Notice of Levied Funds

283.29

Debtor's full name

283.30

.....

283.31

Third Party (bank, employer, or other)

283.32

.....

283.33

IMPORTANT NOTICE

~~YOUR FUNDS HAVE BEEN LEVIED~~

Money in Your Account Has Been Frozen

The creditor has frozen money in your account at your ~~financial institution~~ bank.

Your account balance is \$.....

The amount being held is \$.....

The amount being held ~~will be~~ is frozen for 14 days from the date of this notice.

Some of your money in your account may be protected (the legal word is exempt).

You may be able to get it sooner than 14 days if you act quickly and follow the instructions on the next page.

The attached exemption form lists some different ~~sources of~~ ways money in your account ~~that~~ may be protected. If your money ~~is~~ comes from ~~one or more of these sources~~ a benefit on this list, ~~place~~ put a check ~~on the line on the form next to the sources of your money in the box next to it.~~ If it is ~~from one of these sources,~~ The creditor ~~cannot~~ can't take it.

BUT, if you want the bank to unfreeze your money, you must follow the instructions and return the exemption form and with copies of your bank statements from the last 60 days to have the bank unfreeze your money. Instructions and the form are attached. If you ~~do not~~ don't follow the instructions, your ~~financial institution will give~~ bank gives the money to ~~the Sheriff~~ your creditor. If your creditor gets an order from the court or writ of execution, your bank gives the money to them. If that happens and ~~if~~ your money is protected, you can still get it back from the creditor later, ~~but that is not as easy to do as filling in the form now.~~ But filling out the form now is easiest.

~~See next pages for instructions and the exemption form.~~

See the attached *Exemption Form Instructions* and *Exemption Form* for your next steps.

Sec. 5. Minnesota Statutes 2024, section 550.143, subdivision 3b, is amended to read:

Subd. 3b. **Form of instructions.** The instructions required by this section must be in a separate form and must be substantially in the following form:

Exemption Form Instructions

Note: The creditor is who you owe the money to. You are the debtor.

1. Fill out **both** of the attached exemption forms in this packet.

If you check one of the lines, you should also give proof. Use proof that shows show that some or all of the money in your account is from one or more of the protected sources.

285.1 This might be letters or account statements. Creditors may ask for a hearing if they question
285.2 your exemptions.

285.3 **To avoid a hearing:**

285.4 (i) Case numbers should be added to the form.

285.5 (ii) Copies of documents should be sent with the form.

285.6 **Notice:** You must send ~~to the creditor's attorney (or to the creditor, if no attorney)~~ copies
285.7 of your bank statements for the past 60 days before the ~~levy~~ garnishment. Send them to the
285.8 creditor's lawyer (or to the creditor, if there isn't a lawyer). Keep a copy of your bank
285.9 statements in case there are questions about your claim. If you ~~do not~~ don't send bank
285.10 statements to the creditor's ~~attorney~~ lawyer (or to the creditor, ~~if no attorney~~) ~~bank statements~~
285.11 along with your exemption claim, the financial institution may ~~release~~ give your money to
285.12 the Sheriff creditor. They would do this once the creditor gives them a court order saying
285.13 they have to turn over the funds.

285.14 **2. Sign** the exemption forms. **Make ~~one~~ a copy to keep for yourself.**

285.15 **3. Mail or deliver** the other copies of the form by (insert date).

285.16 **Both Copies Must Be Mailed or Delivered the Same Day.**

285.17 One copy of the form and the copies of your bank statements go to:

285.18

285.19 ~~(Insert name of creditor or creditor's attorney)~~

285.20

285.21 ~~(Insert address of creditor or creditor's attorney)~~

285.22 ~~One copy goes to:~~

285.23

285.24 ~~(Insert name of bank)~~

285.25

285.26 ~~(Insert address of bank)~~

285.27 Creditor's Name:

285.28 (or creditor's lawyer's name)

285.29 Street Address:

285.30 City/State/Zip:

286.1 Phone: Fax:

286.2 Email:

286.3 One copy goes to:

286.4 Bank's Name:

286.5 Street Address:

286.6 City/State/Zip:

286.7 Phone: Fax:

286.8 Email:

286.9 **How The Process Works**

286.10 **If You ~~Do Not~~ Don't Send in the Exemption Form and Bank Statements:**

286.11 14 days after the date of this letter some or all of your money may be turned over to the
286.12 creditor ~~or to the sheriff~~. This happens once they get an order from the court telling the bank
286.13 to do this.

286.14 **If You Do Send in the Exemption Form and Bank Statements:**

286.15 Any money that is NOT protected can be turned over to the ~~sheriff~~ creditor once they
286.16 get an order from the court.

286.17 **If the Creditor Does Not Object to Your Claimed Exemptions:**

286.18 The ~~financial institution will~~ bank should unfreeze your money ~~six~~ 6 business days after
286.19 ~~the institution gets~~ they get your completed form. If they don't, ask the creditor or the
286.20 creditor's lawyer to send a release letter to the bank.

286.21 **If the Creditor Objects to Your Claimed Exemptions:**

286.22 The money you ~~have~~ said is protected on the form ~~will be~~ is held by the bank. The
286.23 creditor has ~~six~~ 6 business days to object (disagree) and ask the court to hold a hearing. You
286.24 ~~will receive~~ get a Notice of Objection and a Notice of Hearing.

286.25 The ~~financial institution will hold~~ bank holds the money until a court decides ~~whether~~
286.26 if your money is protected or not. Some reasons a creditor may object are because you ~~did~~
286.27 ~~not~~ didn't send copies of your bank statements or other proof of the benefits you ~~received~~
286.28 got. Be sure to include these when you send your exemption form.

286.29 You may want to talk to a lawyer for advice about this process. If you are low income
286.30 you can call Legal Aid statewide at 1(877) 696-6529.

286.31 **PENALTIES:**

287.1

Warnings and Fines

287.2

If you claim that your money is protected and a court decides you made that claim in

287.3

bad faith, ~~the court~~ they can order you to pay costs, actual damages, ~~attorney~~ lawyer fees,

287.4

and ~~an additional amount of a fine~~ up to \$100. Bad faith is when someone does something

287.5

wrong on purpose. For example, it may be bad faith if you claim you ~~receive~~ get government

287.6

benefits ~~that and~~ you ~~do not receive~~ don't.

287.7

If the creditor made a bad faith objection to your claim that your money is protected,

287.8

the court can order them to pay costs, actual damages, ~~attorney~~ lawyer fees, and ~~an additional~~

287.9

~~amount of a fine~~ up to \$100.

287.10

Sec. 6. Minnesota Statutes 2024, section 550.143, subdivision 3c, is amended to read:

287.11

Subd. 3c. **Form of exemption form.** The exemption form required by this subdivision

287.12

must be sent as a separate form and must be in substantially the following form:

287.13

~~STATE OF MINNESOTA~~ ~~DISTRICT COURT~~

287.14

~~COUNTY OF~~ ~~.....JUDICIAL DISTRICT~~

287.15

~~.....(Creditor)~~

287.16

~~.....(Debtor)~~

287.17

~~.....(Financial institution)~~

287.18

State of Minnesota District Court

287.19

County of: Judicial District:

287.20

Court File Number:

287.21

Case Type:

287.22

Creditor's full name

287.23

..... Exemption Form

287.24

against

287.25

Debtor's full name

287.26

.....

287.27

Bank's name

287.28

.....

287.29

~~EXEMPTION FORM~~

287.30

A. How Much Money is Protected (Exempt)

287.31

..... I claim ALL of the money being frozen by the bank is protected.

287.32

..... I claim SOME of the money is protected. The amount I claim is protected is \$.....

287.33

B. Why The Money is Protected

288.1 My money is protected because I get it from one or more of the following places:
 288.2 *(Check all that apply)*

288.3 **Earnings (Wages)**

288.4 ALL or SOME of my wages may be protected.

288.5 **Some** of my wages are protected because they were only deposited in my account
 288.6 in the last 20 days.

288.7 For wages that were deposited in your account within the last 20 days, the amount
 288.8 protected is whichever is more:

288.9 (i) 75% or more of your wages (after taxes are taken out), or

288.10 (ii) The current minimum wage times 40 per week. You can find the current minimum
 288.11 wage here: <https://www.dli.mn.gov/minwage>.

288.12 All of my wages are protected because:

288.13 I get government benefits (a list of government benefits is on the next page)

288.14 I am getting other assistance based on need

288.15 I have gotten government benefits in the last 6 months

288.16 I was in jail or prison in the last 6 months

288.17 If you check one of these 4 boxes, your wages are only protected for 60 days after
 288.18 they are deposited in your account. You **MUST send the creditor copies of bank**
 288.19 **statements** that show what was in your account **for the 60 days right before the**
 288.20 **bank froze your money.**

288.21 **Government benefits**

288.22 Government benefits ~~include, but are not limited to, the following~~ can include many
 288.23 things. For example:

288.24 ~~**MFIP**—Minnesota Family Investment Program,~~

288.25 ~~**MFIP** Diversionary Work Program,~~

288.26 ~~**Work participation cash benefit,**~~

288.27 ~~**GA**—General Assistance,~~

288.28 ~~**EA**—emergency assistance,~~

288.29 ~~**MA**—medical assistance,~~

288.30 ~~**EGA**—emergency general assistance,~~

288.31 ~~**MSA**—Minnesota Supplemental Aid,~~

288.32 ~~**MSA-EA**—MSA Emergency Assistance,~~

288.33 ~~**Supplemental Nutrition Assistance Program (SNAP),**~~

288.34 ~~**SSI**—Supplemental Security Income,~~

288.35 ~~**MinnesotaCare,**~~

288.36 ~~**Medicare Part B premium payments,**~~

288.37 ~~**Medicare Part D extra help,**~~

288.38 ~~**Energy or fuel assistance.**~~

288.39 (i) **MFIP** - Minnesota Family Investment Program

288.40 (ii) **DWP** - MFIP Diversionary Work Program

288.41 (iii) **SNAP** - Supplemental Nutrition Assistance Program

- 289.1

(iv) GA - General Assistance
- 289.2

(v) EGA - Emergency General Assistance
- 289.3

(vi) MSA - Minnesota Supplemental Aid
- 289.4

(vii) MSA-EA - MSA Emergency Assistance
- 289.5

(viii) EA - Emergency Assistance
- 289.6

(ix) Energy or Fuel Assistance
- 289.7

(x) Work Participation Cash Benefit
- 289.8

(xi) MA - Medical Assistance
- 289.9

(xii) MinnesotaCare
- 289.10

(xiii) Medicare Part B - Premium Payments help
- 289.11

(xiv) Medicare Part D - Extra
- 289.12

(xv) SSI - Supplemental Security Income
- 289.13

(xvi) Tax Credits - federal Earned Income Tax Credit (EITC), MN Working family
- 289.14

credit
- 289.15

(xvii) Renter's Refund (also called Renter's Property Tax Credit)

289.16

~~LIST SOURCE(S) OF FUNDING IN YOUR ACCOUNT~~

289.17

.....

289.18

List the case number and county for every box you checked:

289.19

Case Number: County:

289.20

Case Number: County:

289.21

Case Number: County:

289.22

County:

289.23

Government benefits also include:

289.24

..... Social Security benefits

289.25

..... Unemployment benefits

289.26

..... Workers' compensation

289.27

..... ~~Veterans~~ Veterans' benefits

289.28

If you ~~receive~~ get any of these government benefits, include copies of any documents

289.29

~~you have that show you receive Social Security, unemployment, workers'~~

289.30

~~compensation, or veterans benefits get them.~~

289.31

..... ~~Other assistance based on need~~

289.32

..... I get other assistance based on need that is not on the list. It comes from:

289.33

.....

289.34

Make sure you include copies of any documents that show this.

289.35

~~You may have assistance based on need from another source that is not on the list. If you~~

289.36

~~do, check this box, and fill in the source of your money on the line below:~~

289.37

~~Source:.....~~

289.38

~~Include copies of any documents you have that show the source of this money.~~

290.1 **EARNINGS**290.2 ~~ALL or SOME of your earnings (wages) may also be protected.~~290.3 ~~..... All of your earnings (wages) are protected if:~~290.4 ~~..... You get government benefits (see list of government benefits)~~290.5 ~~..... You currently receive other assistance based on need~~290.6 ~~..... You have received government benefits in the last six months~~290.7 ~~..... You were in jail or prison in the last six months~~

290.8 ~~If you check one of these lines, your wages are only protected for 60 days after~~
 290.9 ~~they are deposited in your account so you MUST send the creditor a copy of~~
 290.10 ~~BANK STATEMENTS that show what was in your account for the 60 days right~~
 290.11 ~~before the bank froze your money.~~

290.12 ~~..... Some of your earnings (wages) are protected.~~

290.13 ~~If all of your earnings are not exempt, then some of your earnings are still protected~~
 290.14 ~~for 20 days after they were deposited in your account. The amount protected is the~~
 290.15 ~~larger amount of:~~

290.16 ~~75 percent of your wages (after taxes are taken out); or~~290.17 ~~(insert the sum of the current federal minimum wage) multiplied by 40.~~290.18 **C. Other Exempt Protected Funds**

290.19 The money from ~~the following~~ these things are also completely protected after they
 290.20 are deposited in ~~your~~ my account.

290.21 ~~.....~~ Child support

290.22 ~~..... An accident, disability, or retirement~~ A retirement, disability, or accident pension
 290.23 or annuity

290.24 ~~.....~~ Earnings of my child who is under 18 years of age290.25 ~~.....~~ Payments to ~~you~~ me from a life insurance policy290.26 ~~..... Earnings of your child who is under 18 years of age~~290.27 ~~..... Child support~~

290.28 ~~.....~~ Money paid to ~~you~~ me from a claim for damage or destruction of property. Property
 290.29 includes household goods, farm tools or machinery, tools for ~~your~~ my job, business
 290.30 equipment, a mobile home, a car, a musical instrument, a pew or burial lot, clothes,
 290.31 furniture, or appliances.

290.32 ~~.....~~ Death benefits paid to ~~you~~ me

290.33 I give my permission to any agency that has given me ~~cash~~ benefits to give information
 290.34 about my benefits to the ~~above-named~~ creditor; ~~or its attorney~~ named above or to the creditor's
 290.35 lawyer. The information will **ONLY** ~~concern whether~~ be if I get benefits or not assistance,
 290.36 or whether if I have gotten them assistance in the past six 6 months. If I was an inmate in
 290.37 the last 6 months, I give my permission to the correctional institution to tell the creditor
 290.38 named above or the creditor's lawyer that I was an inmate there.

290.39 ~~If I was an inmate in the last six months, I give my permission to the correctional~~
 290.40 ~~institution to tell the above-named creditor that I was an inmate there.~~

291.1 **You must sign ~~and send this form~~ and send it back to the creditor's ~~Attorney lawyer~~**
291.2 **(or to the creditor, if there is no attorney lawyer) and the bank. Remember to include**
291.3 **a copy of your bank statements for the past 60 days. Fill in the blanks below and go**
291.4 **back to the instructions to make sure you ~~do~~ did it correctly.**

291.5 I ~~have~~ mailed or delivered a copy of this form to: the creditor's lawyer (or to the creditor,
291.6 if there is no lawyer) at the address listed below.

291.7

291.8 ~~(Insert name of creditor or creditor's attorney)~~

291.9

291.10 ~~(Insert address of creditor or creditor's attorney)~~

291.11 Creditor's Signature:

291.12 (or creditor's lawyer's signature)

291.13 Creditor's Name:

291.14 (or creditor's lawyer's name)

291.15 Street Address:

291.16 City/State/Zip:

291.17 Phone: Fax:

291.18 Email:

291.19 I ~~have~~ also mailed or delivered a copy of this exemption form to my bank at the address
291.20 listed ~~in the instructions.~~ below:

291.21 ~~DATED:~~

291.22 ~~DEBTOR~~

291.23

291.24 ~~DEBTOR ADDRESS~~

291.25

291.26 ~~DEBTOR TELEPHONE NUMBER~~

291.27 Bank's Name:

291.28 Street Address:

291.29 City/State/Zip:

291.30 Phone: Fax:

291.31 Email:

291.32 Date:

291.33 Debtor's Signature:

292.1

Debtor's Name:

292.2

Street Address:

292.3

City/State/Zip:

292.4

Phone:

292.5

Email:

292.6

Sec. 7. Minnesota Statutes 2024, section 551.05, subdivision 1b, is amended to read:

292.7

Subd. 1b. **Form of notice.** The notice must be a separate form and must be substantially

292.8

in the following form:

292.9

~~STATE OF MINNESOTA~~

DISTRICT COURT

292.10

~~COUNTY OF~~

~~.....JUDICIAL DISTRICT~~

292.11

~~..... (Creditor)~~

292.12

~~..... (Debtor)~~

292.13

~~(Financial~~

292.14

~~..... institution)~~

292.15

State of Minnesota

District Court

292.16

County of:

Judicial District:

292.17

Court File Number:

292.18

Case Type:

292.19

Creditor's full name:

292.20

.....

292.21

Debtor's full name:

292.22

.....

292.23

Third Party (bank, employer, or other):

292.24

.....

292.25

IMPORTANT NOTICE

292.26

~~**YOUR FUNDS HAVE BEEN LEVIED**~~

292.27

Money in Your Account Has Been Frozen

292.28

The creditor has frozen money in your account at your ~~financial institution~~ bank.

292.29

Your account balance is \$.....

292.30

The amount being held is \$.....

292.31

The amount being held ~~will be~~ is frozen for 14 days from the date of this notice.

293.1 **Some of your money in your account may be protected (the legal word is exempt). You**
293.2 **may be able to get it sooner than 14 days if you act quickly and follow the instructions**
293.3 **on the next page.**

293.4 The attached exemption form lists some different ~~sources of~~ ways money in your account
293.5 ~~that~~ may be protected. If your money is ~~from one or more of these sources, place a check~~
293.6 ~~on the line on the form next to the sources of your money. If it is from one of these sources,~~
293.7 ~~the Creditor cannot take it~~ comes from a benefit on this list, put a check on the line next to
293.8 it. The creditor can't take it.

293.9 BUT, if you want the bank to unfreeze your money, you must follow the instructions and
293.10 return the exemption form and with copies of your bank statements from the last 60
293.11 days to have the bank unfreeze your money. Instructions and the form are attached. If you
293.12 ~~do not~~ don't follow the instructions, your ~~financial institution will give~~ bank gives the money
293.13 ~~to the~~ your creditor. If your creditor gets an order from the court or writ of execution, your
293.14 bank gives the money to them. If that happens and it your money is protected, you can still
293.15 get it back from the creditor later, but that is not as easy to do as filling in the form now.
293.16 But filling out the form now is easiest.

293.17 ~~See next pages for instructions and the exemption form.~~

293.18 Sec. 8. Minnesota Statutes 2024, section 551.05, subdivision 1c, is amended to read:

293.19 Subd. 1c. **Form of instructions.** The instructions required must be in a separate form
293.20 and must be substantially in the following form:

293.21 **INSTRUCTIONS**

293.22 **Note:** The creditor is who you owe the money to. You are the debtor.

293.23 1. Fill out **both** of the attached exemption forms in this packet.

293.24 ~~If you check one of the lines, you should also give proof that shows that some or all of~~
293.25 ~~the money in your account is from one or more of the protected sources. Creditors~~
293.26 ~~may ask for a hearing if they question your exemptions. To avoid a hearing:~~

293.27 ~~Case numbers should be added to the form. Copies of documents should be sent~~
293.28 ~~with the form.~~

293.29 If you check one of the lines, you should also give proof. Use proof that shows that some
293.30 or all of the money in your account is from one or more of the protected sources. This might
293.31 be letters or account statements. Creditors may ask for a hearing if they question your
293.32 exemptions.

294.1 **To avoid a hearing:**

If You ~~Do Not~~ Don't Send in the Exemption Form and Bank Statements:

14 days after the date of this letter some or all of your money may be turned over to the creditor ~~pursuant to Minnesota statute.~~ This happens once they get an order from the court telling the bank to do this.

If You Do Send in the Exemption Form and Bank Statements:

Any money that is NOT protected can be turned over to the creditor once they get an order from the court.

If the Creditor Does Not Object to Your Claimed Exemptions:

~~The financial institution will unfreeze your money six business days after the institution gets your completed form.~~ The bank should unfreeze your money 6 business days after they get your completed form. If they don't, ask the creditor or the creditor's lawyer to send a release letter to the bank.

If the Creditor Objects to Your Claimed Exemptions:

The money you ~~have~~ said is protected on the form ~~will be~~ is held by the bank. The creditor has ~~six~~ 6 business days to object (disagree) and ask the court to hold a hearing. You ~~will~~ receive get a Notice of Objection and a Notice of Hearing.

~~The financial institution will hold~~ bank holds the money until a court decides ~~whether if~~ your money is protected or not. Some reasons a creditor may object are because you ~~did~~ not didn't send copies of your bank statements or other proof of the benefits you ~~received~~ got. Be sure to include these when you send your exemption form.

You may want to talk to a lawyer for advice about this process. If you are low income you can call Legal Aid statewide at 1(877) 696-6529.

PENALTIES Warnings and Fines:

If you claim that your money is protected and a court decides you made that claim in bad faith, ~~the court~~ they can order you to pay costs, actual damages, ~~attorney~~ lawyer fees, and ~~an additional amount of a fine~~ up to \$100. Bad faith is when someone does something wrong on purpose. For example, it may be bad faith if you claim you ~~receive~~ get government benefits ~~that you do not receive~~ and you don't.

If the creditor made a bad faith objection to your claim that your money is protected, the court can order them to pay costs, actual damages, ~~attorney~~ lawyer fees, and ~~an additional amount of a fine~~ up to \$100.

296.1 **Sec. 9.** Minnesota Statutes 2024, section 551.05, subdivision 1d, is amended to read:

296.2 Subd. 1d. **Form of exemption form.** The exemption form required by this subdivision
296.3 must be a separate form and must be in substantially the following form:

296.4 ~~STATE OF MINNESOTA~~ ~~DISTRICT COURT~~

296.5 COUNTY OF JUDICIAL DISTRICT

296.6 _____ (Creditor)

296.7 _____ (Debtor)

296.8 (Financial

296.9 _____ institution)

296.10 State of Minnesota District Court

296.11 County of: Judicial District:

296.12 Court File Number:

296.13 Case Type:

296.14 Creditor's full name:

296.15 **Exemption Form**

296.16 against

296.17 Debtor's full name:

296.18

296.19 Bank's name:

296.20

296.21 ~~EXEMPTION FORM~~

296.22 A. **How Much Money Is Protected (exempt)**

296.23 I claim ALL of the money being frozen by the bank is protected.

296.24 I claim SOME of the money is protected. The amount I claim is protected is \$.....

296.25 B. Why The Money Is Protected

296.26 My money is protected because I get it from one or more of the following places:

296.27 (Check all that apply)

296.28 **Earnings (Wages)**

296.29 ALL or SOME of my wages may be protected.

296.30 ... **Some** of my wages are protected because they were only deposited in my
296.31 account in the last 20 days.

296.32 For wages that were deposited in your account within the last 20 days, the amount
296.33 protected is whichever is more:

296.34 (i) 75% of your wages or more (after taxes are taken out), or

296.35 (ii) The current minimum wage times 40 per week. You can find the current
296.36 minimum wage here: <https://www.dli.mn.gov/minwage>.

296.37 **All** of my wages are protected because:

296.38 ... I get government benefits (a list of government benefits is on the next page)

- 297.1 ... I am getting other assistance based on need
- 297.2 ... I have gotten government benefits in the last 6 months
- 297.3 ... I was in jail or prison in the last 6 months
- 297.4 If you check one of these 4 boxes, your wages are only protected for 60 days
297.5 after they are deposited in your account. You **MUST send the creditor copies**
297.6 **of bank statements that show what was in your account for the 60 days right**
297.7 **before the bank froze your money.**
- 297.8 ~~.....~~ **Government benefits**
- 297.9 Government benefits can include, ~~but are not limited to,~~ the following many things.
297.10 For example:
- 297.11 ~~MFIP-- Minnesota family investment program,~~
297.12 ~~MFIP Diversionary Work Program,~~
297.13 ~~Work participation cash benefit,~~
297.14 ~~GA-- general assistance,~~
297.15 ~~EA-- emergency assistance,~~
297.16 ~~MA-- medical assistance,~~
297.17 ~~ECA-- emergency general assistance,~~
297.18 ~~MSA-- Minnesota supplemental aid,~~
297.19 ~~MSA-EA-- MSA emergency assistance,~~
297.20 ~~Supplemental Nutrition Assistance Program (SNAP),~~
297.21 ~~SSI-- Supplemental Security Income,~~
297.22 ~~MinnesotaCare,~~
297.23 ~~Medicare Part B premium payments,~~
297.24 ~~Medicare Part D extra help,~~
297.25 ~~Energy or fuel assistance.~~
- 297.26 ~~LIST SOURCE(S) OF FUNDING IN YOUR ACCOUNT~~
297.27 ~~.....~~
- 297.28 ~~LIST THE CASE NUMBER AND COUNTY~~
- 297.29 ~~Case Number:~~
297.30 ~~County:~~
- 297.31 **Government benefits also include:**
- 297.32 ~~..... Social Security benefits~~
297.33 ~~..... Unemployment benefits~~
297.34 ~~..... Workers' compensation~~
297.35 ~~..... Veterans benefits~~
- 297.36 ~~If you receive any of these government benefits, include copies of any documents~~
297.37 ~~you have that show you receive Social Security, unemployment, workers'~~
297.38 ~~compensation, or veterans benefits.~~
- 297.39 ~~..... Other assistance based on need~~

298.1 ~~You may have assistance based on need from another source that is not on the list. If you~~
298.2 ~~do, check this box, and fill in the source of your money on the line below:~~

298.3 ~~Source:.....~~

298.4 ~~Include copies of any documents you have that show the source of this money.~~

298.5 **EARNINGS**

298.6 ~~ALL or SOME of your earnings (wages) may also be protected.~~

298.7 ~~..... All of your earnings (wages) are protected if:~~

298.8 ~~..... You get government benefits (see list of government benefits)~~

298.9 ~~..... You currently receive other assistance based on need~~

298.10 ~~..... You have received government benefits in the last six months~~

298.11 ~~..... You were in jail or prison in the last six months~~

298.12 ~~If you check one of these lines, your wages are only protected for 60 days after they~~
298.13 ~~are deposited in your account so you MUST send the creditor a copy of BANK~~
298.14 ~~STATEMENTS that show what was in your account for the 60 days right before~~
298.15 ~~the bank froze your money.~~

298.16 ~~..... Some of your earnings (wages) are protected.~~

298.17 ~~If all of your earnings are not exempt, then some of your earnings are still protected~~
298.18 ~~for 20 days after they were deposited in your account. The amount protected is the~~
298.19 ~~larger amount of:~~

298.20 ~~75 percent of your wages (after taxes are taken out); or~~

298.21 ~~(insert the sum of the current federal minimum wage) multiplied by 40.~~

298.22 **OTHER EXEMPT FUNDS**

298.23 ~~The money from the following are also completely protected after they are deposited~~
298.24 ~~in your account.~~

298.25 ~~..... An accident, disability, or retirement pension or annuity~~

298.26 ~~..... Payments to you from a life insurance policy~~

298.27 ~~..... Earnings of your child who is under 18 years of age~~

298.28 ~~..... Child support~~

298.29 ~~..... Money paid to you from a claim for damage or destruction of property~~ Property
298.30 ~~includes household goods, farm tools or machinery, tools for your job, business~~
298.31 ~~equipment, a mobile home, a car, a musical instrument, a pew or burial lot, clothes,~~
298.32 ~~furniture, or appliances.~~

298.33 ~~..... Death benefits paid to you~~

298.34 (i) MFIP - Minnesota Family Investment Program

298.35 (ii) DWP - MFIP Diversionary Work Program

298.36 (iii) SNAP - Supplemental Nutrition Assistance Program

298.37 (iv) GA - General Assistance

298.38 (v) EGA - Emergency General Assistance

298.39 (vi) MSA - Minnesota Supplemental Aid

- 299.1 (vii) MSA-EA - MSA Emergency Assistance
- 299.2 (viii) EA - Emergency Assistance
- 299.3 (ix) Energy or Fuel Assistance
- 299.4 (x) Work Participation Cash Benefit
- 299.5 (xi) MA - Medical Assistance
- 299.6 (xii) MinnesotaCare
- 299.7 (xiii) Medicare Part B - Premium Payments help
- 299.8 (xiv) Medicare Part D - Extra
- 299.9 (xv) SSI - Supplemental Security Income
- 299.10 (xvi) Tax Credits - federal Earned Income Tax Credit (EITC), Minnesota Working
- 299.11 Family Credit
- 299.12 (xvii) Renter's Refund (also called Renter's Property Tax Credit)
- 299.13 List the case number and county for every
- 299.14 box you checked:
- 299.15 Case Number: County:
- 299.16 Case Number: County:
- 299.17 Case Number: County:
- 299.18 Government benefits also include:
- 299.19 ... Social Security benefits
- 299.20 ... Unemployment benefits
- 299.21 ... Workers' compensation
- 299.22 ... Veterans' benefits
- 299.23 If you get any of these government benefits, include copies of any documents that show
- 299.24 you get them.
- 299.25 ... I get other assistance based on need that is not on the list. It comes from:
- 299.26
- 299.27 Make sure you include copies of any documents that show this.
- 299.28 C. Other Protected Funds
- 299.29 The money from these things are also completely protected after they are deposited
- 299.30 in my account.
- 299.31 ... Child Support
- 299.32 ... A retirement, disability, or accident pension or annuity
- 299.33 ... Earnings of my child who is under 18 years of age
- 299.34 ... Payments to me from a life insurance policy
- 299.35 ... Money paid to me from a claim for damage or destruction of property. Property
- 299.36 includes household goods, farm tools or machinery, tools for my job, business

300.1 equipment, a mobile home, a car, a musical instrument, a pew or burial lot, clothes,
300.2 furniture, or appliances.
300.3 ... Death benefits paid to me

300.4 I give my permission to any agency that has given me ~~each~~ benefits to give information
300.5 about my benefits to the ~~above-named creditor, or its attorney~~ creditor named above or to
300.6 the creditor's lawyer. The information will **ONLY** ~~concern whether I get benefits or not, or~~
300.7 ~~whether I have gotten them in the past six months~~ be if I get assistance, or if I have gotten
300.8 assistance in the past 6 months. If I was an inmate in the last ~~six~~ 6 months, I give my
300.9 permission to the correctional institution to tell the ~~above-named~~ creditor named above or
300.10 the creditor's lawyer that I was an inmate there.

300.11 ~~**YOU MUST SIGN AND SEND THIS FORM BACK TO THE CREDITOR'S**~~
300.12 ~~**ATTORNEY (OR TO THE CREDITOR, IF NO ATTORNEY) AND THE BANK.**~~
300.13 ~~**REMEMBER TO INCLUDE A COPY OF YOUR BANK STATEMENTS FOR THE**~~
300.14 ~~**PAST 60 DAYS. FILL IN THE BLANKS BELOW AND GO BACK TO THE**~~
300.15 ~~**INSTRUCTIONS TO MAKE SURE YOU DO IT CORRECTLY.**~~

300.16 You must sign this form and send it back to the creditor's lawyer (or to the creditor,
300.17 if there is no lawyer) and the bank. Remember to include a copy of your bank
300.18 statements for the past 60 days. Fill in the blanks below and go back to the instructions
300.19 to make sure you did it correctly.

300.20 I have mailed or delivered a copy of this form to: the creditor (or creditor's lawyer) at
300.21 the address listed below.

300.22 Creditor's Signature:
300.23 (Insert name of creditor or creditor's attorney lawyer's signature)
300.24 Creditor's Name:
300.25 (Insert address of creditor or creditor's attorney lawyer's name)

300.26 Street Address:
300.27 City/State/Zip:
300.28 Phone: Fax:
300.29 Email:

300.30 I ~~have~~ also mailed or delivered a copy of this exemption form to my bank at the address
300.31 ~~listed in the instructions.~~ below:

300.32 **DATED:**
300.33

300.33 **DEBTOR**
300.34

301.1

DEBTOR ADDRESS

301.2

.....

301.3

DEBTOR TELEPHONE NUMBER

301.4

Bank's Name:

301.5

Street Address:

301.6

City/State/Zip:

301.7

Phone: Fax:

301.8

Email:

301.9

Date:

301.10

Debtor's Signature:

301.11

Debtor's Name:

301.12

Street Address:

301.13

City/State/Zip:

301.14

Phone:

301.15

Email:

301.16

Sec. 10. Minnesota Statutes 2024, section 551.06, subdivision 6, is amended to read:

301.17

Subd. 6. **Earnings exemption notice.** Before the first levy on earnings, the attorney for

301.18

the judgment creditor shall serve upon the judgment debtor no less than ten days before the

301.19

service of the writ of execution, a notice that the writ of execution may be served on the

301.20

judgment debtor's employer. The notice must: (1) be substantially in the form set forth

301.21

below; (2) be served personally, in the manner of a summons and complaint, or by first

301.22

class mail to the last known address of the judgment debtor; (3) inform the judgment debtor

301.23

that an execution levy may be served on the judgment debtor's employer in ten days, and

301.24

that the judgment debtor may, within that time, cause to be served on the judgment creditor's

301.25

attorney a signed statement under penalties of perjury asserting an entitlement to an

301.26

exemption from execution; (4) inform the judgment debtor of the earnings exemptions

301.27

contained in section 550.37, subdivision 14; and (5) advise the judgment debtor of the relief

301.28

set forth in this chapter to which the judgment debtor may be entitled if a judgment creditor

301.29

in bad faith disregards a valid claim and the fee, costs, and penalty that may be assessed

301.30

against a judgment debtor who in bad faith falsely claims an exemption or in bad faith takes

301.31

action to frustrate the execution process. The notice requirement of this subdivision does

301.32

not apply to a levy on earnings being held by an employer pursuant to a garnishment

301.33

summons served in compliance with chapter 571.

301.34

The ten-day notice informing a judgment debtor that a writ of execution may be used

301.35

to levy the earnings of an individual must be substantially in the following form:

302.1STATE OF MINNESOTA

302.2COUNTY OFJUDICIAL DISTRICT

302.3..... (Judgment Creditor)

302.4against

302.5EXECUTION EXEMPTION

302.6NOTICE AND NOTICE OF

302.7..... (Judgment Debtor) INTENT TO LEVY ON EARNINGS

302.8and

302.9..... (Third Party) WITHIN TEN DAYS

302.10PLEASE TAKE NOTICE that A levy may be served upon your employer or other third

302.11parties, without any further court proceedings or notice to you, ten days or more from the

302.12date hereof. Your earnings are completely exempt from execution levy if you are now a

302.13recipient of relief based on need, if you have been a recipient of relief within the last six

302.14months, or if you have been an inmate of a correctional institution in the last six months.

302.15Relief based on need includes the Minnesota Family Investment Program (MFIP),

302.16Emergency Assistance (EA), Work First Program, Medical Assistance (MA), General

302.17Assistance (GA), Emergency General Assistance (EGA), Minnesota Supplemental Aid

302.18(MSA), MSA Emergency Assistance (MSA-EA), Supplemental Security Income (SSI), and

302.19Energy Assistance.

302.20If you wish to claim an exemption, you should fill out the appropriate form below, sign

302.21it, and send it to the judgment creditor's attorney.

302.22You may wish to contact the attorney for the judgment creditor in order to arrange for

302.23a settlement of the debt or contact an attorney to advise you about exemptions or other

302.24rights.

302.25State of Minnesota

302.26County of: Judicial District:

302.27Court File Number:

302.28Case Type:

302.29Creditor's full name:

302.30..... Execution Exemption Notice and Notice of

302.31against Intent to Levy on Earnings

302.32Debtor's full name:

302.33.....

302.34and

303.1 Third Party (bank, employer, or other):

303.2

303.3 **Notice:** A levy may be served on your employer or other third parties. A levy means that
303.4 **part of your earnings can be taken to pay off debts that you owe.** This can happen in
303.5 10 days or more after you get this notice. This can happen without any other court action
303.6 or notice to you. **But some of your money may be protected.**

303.7 **Your earnings cannot be taken if:**

303.8 (i) you are getting government assistance based on need,

303.9 (ii) you got any government assistance based on need in the last 6 months, or

303.10 (iii) you were an inmate of a correctional institution in the last 6 months.

303.11 **These are called exemptions. Your money is NOT protected unless you fill out the**
303.12 **Exemption Claim Notice attached and send it back to the creditor or the creditor's**
303.13 **lawyer.** If you are not sure if you have any exemptions, talk to a lawyer.

303.14 You can also contact the creditor or their lawyer to talk about a settlement of the debt.

303.15 Examples of government assistance based on need:

303.16 (i) **MFIP** - Minnesota Family Investment Program

303.17 (ii) **DWP** - MFIP Diversionary Work Program

303.18 (iii) **SNAP** - Supplemental Nutrition Assistance Program

303.19 (iv) **GA** - General Assistance

303.20 (v) **EGA** - Emergency General Assistance

303.21 (vi) **MSA** - Minnesota Supplemental Aid

303.22 (vii) **MSA-EA** - MSA Emergency Assistance

303.23 (viii) **EA** - Emergency Assistance

303.24 (ix) **Energy or Fuel Assistance**

303.25 (x) **Work Participation Cash Benefit**

303.26 (xi) **MA** - Medical Assistance

303.27 (xii) **MinnesotaCare**

303.28 (xiii) **Medicare Part B** - Premium Payments help

303.29 (xiv) **Medicare Part D** - Extra

303.30 (xv) **SSI** - Supplemental Security Income

303.31 (xvi) **Tax Credits** - federal Earned Income Tax Credit (EITC), Minnesota Working
303.32 Family Credit

303.33 (xvii) **Renter's Refund** (also called Renter's Property Tax Credit)

303.34 **PENALTIES Warnings and Fines**

304.1

304.2

304.3

304.4

304.5

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304.33

304.34

304.35

~~(1) Be advised that even if you claim an exemption, an execution levy may still be served on your employer. If your earnings are levied on after you claim an exemption, you may petition the court for a determination of your exemption. If the court finds that the judgment creditor disregarded your claim of exemption in bad faith, you will be entitled to costs, reasonable attorney fees, actual damages, and an amount not to exceed \$100.~~

Even if you claim an exemption, a levy may still be served on your employer. If they take money from you after you claim an exemption, you may ask the court to review your exemption. If the court finds that the creditor ignored your claim of exemption in bad faith, you are entitled to costs, reasonable lawyer fees, actual damages, and a fine up to \$100. Bad faith is when someone does something wrong on purpose.

~~(2) HOWEVER, BE WARNED if you claim an exemption, the judgment creditor can also petition the court for a determination of your exemption, and if the court finds that you claimed an exemption in bad faith, you will be assessed costs and reasonable attorney's fees plus an amount not to exceed \$100. BUT if you claim an exemption, the creditor can also ask the court to review your exemption. If the court finds that you claimed an exemption in bad faith, you are charged costs and reasonable lawyer fees, and a fine up to \$100.~~

~~(3) If after receipt of this notice, you in bad faith take action to frustrate the execution levy, thus requiring the judgment creditor to petition the court to resolve the problem, you will be liable to the judgment creditor for costs and reasonable attorney's fees plus an amount not to exceed \$100. If you get this notice, then do something in bad faith to try to block or stop the levy and the creditor has to take you to court because of it, you will have to pay the creditor's costs, and reasonable lawyer's fees, and a fine up to \$100.~~

DATED:
.....
(Attorney for Judgment Creditor)
.....
Address
.....
Telephone

Date:

Creditor's Signature:

(or creditor's lawyer's signature)

Creditor's Name:

(or creditor's lawyer's name)

Street Address:

305.1

City/State/Zip:

305.2

Phone: Fax:

305.3

Email:

305.4

JUDGMENT DEBTOR'S EXEMPTION CLAIM NOTICE

305.5

Debtor's Exemption Claim Notice

305.6

I hereby claim that my earnings are exempt from execution because: (check all that

305.7

apply)

305.8

~~(1) ... I am presently a recipient of relief getting government assistance based on need.~~

305.9

~~(Specify State the program, case number if you know it, and the county from which~~

305.10

~~relief is being received you got it from.)~~

305.11

.....

305.12

Program	Case Number (if known)	County
Program:	Case #:	County:
Program:	Case #:	County:
Program:	Case #:	County:

305.13

Program: Case #: County:

305.14

Program: Case #: County:

305.15

Program: Case #: County:

305.16

~~(2) ... I am not now receiving relief getting assistance based on need right now, but I~~

305.17

~~have received relief did get government assistance based on need within the last six 6~~

305.18

~~months. (Specify State the program, case number if you know it, and the county from~~

305.19

~~which relief has been received you got it from.)~~

305.20

.....

305.21

Program	Case Number (if known)	County
Program:	Case #:	County:
Program:	Case #:	County:
Program:	Case #:	County:

305.22

Program: Case #: County:

305.23

Program: Case #: County:

305.24

Program: Case #: County:

305.25

~~(3) ... I have been was an inmate of a correctional institution within the last six 6 months.~~

305.26

~~(Specify State the correctional institution and location.)~~

305.27

.....

305.28

Correctional Institution..... Location.....

305.29

~~I hereby authorize any agency that has distributed relief to me or any correctional~~

305.30

~~institution in which I was an inmate to disclose to the above-named judgment creditor or~~

305.31

~~the judgment creditor's attorney only whether or not I am or have been a recipient of relief~~

305.32

~~based on need or an inmate of a correctional institution within the last six months. I have~~

305.33

~~mailed or delivered a copy of this form to the creditor or creditor's attorney.~~

306.1 ~~DATE:~~

306.2 Judgment Debtor

306.3

306.4	Address
-------	---------

306.5 I give my permission to any agency listed above to give information about my benefits to
306.6 the creditor named above, or to the creditor's lawyer. The information will **ONLY** be if I
306.7 get assistance, or if I have gotten assistance in the past 6 months. If I was an inmate in the
306.8 last 6 months, I give my permission to the correctional institution to tell the creditor named
306.9 above or the creditor's lawyer that I was an inmate there.

306.10 Date:

306.11 Debtor's Signature:

306.12 Debtor's Name:

306.13 Street Address:

306.14 City/State/Zip:

306.15 Phone:

306.16 Email:

306.17 Sec. 11. Minnesota Statutes 2024, section 551.06, subdivision 9, is amended to read:

306.18 Subd. 9. **Notice of levy on earnings, disclosure, and worksheet.** The attorney for the
306.19 judgment creditor shall serve upon the judgment debtor's employer a notice of levy on
306.20 earnings and an execution earnings disclosure form and an earnings disclosure worksheet
306.21 with the writ of execution, that must be substantially in the form set forth below.

306.22 ~~STATE OF MINNESOTA~~ DISTRICT COURT

306.23 COUNTY OF _____ JUDICIAL DISTRICT _____

306.24 FILE NO.

306.25 (Judgment Creditor)

306.26 ~~against~~ ~~NOTICE OF LEVY ON~~

306.27 ~~EARNINGS AND DISCLOSURE~~

306.28 _____ (Judgment Debtor)

306.29 ~~and~~

306.30 (Third Party)

306.31 PLEASE TAKE NOTICE that pursuant to Minnesota Statutes, sections 551.04 and
306.32 551.06, the undersigned, as attorney for the judgment creditor, hereby makes demand and
306.33 levies execution upon all earnings due and owing by you (up to \$10,000) to the judgment

307.1 ~~debtor for the amount of the judgment specified below. A copy of the writ of execution~~
307.2 ~~issued by the court is enclosed. The unpaid judgment balance is \$.....~~

307.3 ~~This levy attaches all unpaid nonexempt disposable earnings owing or to be owed by~~
307.4 ~~you and earned or to be earned by the judgment debtor before and within the pay period in~~
307.5 ~~which the writ of execution is served and within all subsequent pay periods whose paydays~~
307.6 ~~occur within the 90 days after the service of this levy.~~

307.7 ~~In responding to this levy, you are to complete the attached disclosure form and worksheet~~
307.8 ~~and mail it to the undersigned attorney for the judgment creditor, together with your check~~
307.9 ~~payable to the above named judgment creditor, for the nonexempt amount owed by you to~~
307.10 ~~the judgment debtor or for which you are obligated to the judgment debtor, within the time~~
307.11 ~~limits set forth in the aforementioned statutes.~~

307.12
307.13 Attorney for the Judgment Creditor
307.14
307.15
307.16
307.17 Address
307.18 (...)
307.19 Phone Number

307.20 DISCLOSURE

307.21 DEFINITIONS

307.22 ~~"EARNINGS": For the purpose of execution, "earnings" means compensation paid or~~
307.23 ~~payable to an employee for personal services or compensation paid or payable to the producer~~
307.24 ~~for the sale of agricultural products; milk or milk products; or fruit or other horticultural~~
307.25 ~~products produced when the producer is operating a family farm, a family farm corporation,~~
307.26 ~~or an authorized farm corporation, as defined in section 500.24, subdivision 2, whether~~
307.27 ~~denominated as wages, salary, commission, bonus, or otherwise, and includes periodic~~
307.28 ~~payments pursuant to a pension or retirement.~~

307.29 ~~"DISPOSABLE EARNINGS": Means that part of the earnings of an individual remaining~~
307.30 ~~after the deduction from those earnings of amounts required by law to be withheld. (Amounts~~
307.31 ~~required by law to be withheld do not include items such as health insurance, charitable~~
307.32 ~~contributions, or other voluntary wage deductions.)~~

307.33 ~~"PAYDAY": For the purpose of execution, "payday(s)" means the date(s) upon which~~
307.34 ~~the employer pays earnings to the judgment debtor in the ordinary course of business. If~~

308.1

~~the judgment debtor has no regular payday, payday(s) means the 15th and the last day of~~

308.2

~~each month.~~

308.3

State of Minnesota

District Court

308.4

County of:

Judicial District:

308.5

Court File Number:

308.6

Case Type:

308.7

Creditor's full name:

308.8

Notice of Levy on Earnings for

308.9

.....

Non-Child Support Judgments

308.10

against

308.11

Debtor's full name:

308.12

.....

308.13

and

308.14

Third Party (Debtor's Employer):

308.15

.....

308.16

To the employer:

308.17

An employee of yours owes a judgment (money) to a creditor. The creditor's lawyer is

308.18

starting a levy on the earnings you owe the employee. A levy means that you might have

308.19

to hold part of the employee's earnings and send it to the creditor. By law, you have to do

308.20

this. The limit on the levy is \$10,000. A copy of the writ of execution from the court is

308.21

enclosed. The amount of the judgment is \$.....

308.22

The levy applies to "nonexempt disposable earnings" that you owe the employee. There are

308.23

definitions and instructions below on how to calculate the amount, if any, you have to hold.

308.24

The levy starts with the pay period when you got this levy. It continues for all pay periods

308.25

in the 90 days after you got this levy.

308.26

You must complete the attached disclosure form and worksheet. Then mail it to the lawyer

308.27

listed below. If any money is owed under the levy, you must also send a check payable to

308.28

the creditor listed above. Follow the steps and the deadlines explained below.

308.29

Creditor's Name:

308.30

Creditor's Lawyer's Name:

308.31

Street Address:

308.32

City/State/Zip:

308.33

Phone: Fax:

308.34

Email:

309.1 **State of Minnesota**

District Court

309.2 County of:

Judicial District:

309.3

Court File Number:

309.4

Case Type:

309.5 Creditor's full name:

309.6

Earnings Disclosure and Worksheet
For Non-Child Support Judgements

309.7

309.8 against

309.9 Debtor's full name:

309.10

309.11 and

309.12 Third Party (Debtor's Employer):

309.13

309.14 This form is called an "Earnings Execution Disclosure" or "Disclosure." It is for the employer
309.15 to fill out. The "debtor" is the person who owes money. The debtor gets a copy of this form
309.16 for their own information.

309.17 The employer is the "third party." The debtor is also called a "judgment debtor." If the debtor
309.18 asks how the calculations in this document were made, the employer **must** provide
309.19 information about it.

309.20 **Definitions**

309.21 **"Earnings":** what is paid or payable to an employee, independent contractor, or
309.22 self-employed person for personal services (a job). Also called compensation. Compensation
309.23 can be wages, salary, commission, bonuses, payments, profit-sharing distributions, severance
309.24 payment, fees, or other. It includes periodic payments from a pension or retirement. It can
309.25 also be compensation paid or payable to a producer for the sale of agricultural products.
309.26 This can be things like milk or milk products, or fruit or other horticultural products. Or
309.27 things produced in the operation of a family farm, a family farm corporation, or an authorized
309.28 farm corporation. This is defined in Minnesota Statutes, section 500.24, subdivision 2.

309.29 **"Disposable Earnings":** the part of a person's earnings that are left after subtracting
309.30 the amounts required by law to be withheld. **Note:** Amounts required by law to be withheld
309.31 do not include things like health insurance, charitable contributions, or other voluntary wage
309.32 deductions.

309.33 **"Payday":** the date when the employer pays earnings to the debtor for doing their job.
309.34 If the debtor has no regular payday, then "payday" means the 15th and the last day of each
309.35 month.

**THE THIRD PARTY/EMPLOYER MUST ANSWER THE FOLLOWING
QUESTIONS:**

1. ~~Do you now owe, or within 90 days from the date the execution levy was served on~~
~~you, will you or may you owe money to the judgment debtor for earnings? Right now, do~~
~~you owe money to the debtor for earnings?~~

Yes

No

2. ~~Does the judgment debtor earn more than \$... per week? (This amount is the greater~~
~~of \$9.50 per hour of the federal minimum wage per week.) Within 90 days from the date~~
~~you were served with the levy, will you or may you owe money to the debtor for earnings?~~

Yes

No

3. Does the debtor earn more than the current Minnesota or federal minimum wage per
week? (use the number that is more)

Yes

No

**INSTRUCTIONS FOR COMPLETING THE
EARNINGS DISCLOSURE**

A. ~~If your answer to either question 1 or 2 is "No," then you must sign the affirmation~~
~~on page 2 and return this disclosure to the judgment creditor's attorney within 20 days after~~
~~it was served on you, and you do not need to answer the remaining questions. If you answer~~
~~"No" to question 1, 2, or 3, you don't need to answer the rest of the questions. You don't~~
~~have to do the Earnings Disclosure Worksheet. Sign the Earnings Disclosure Affirmation~~
~~below and return this disclosure form to the sheriff. You must return it within 20 days after~~
~~it was served on you.~~

B. ~~If your answers to both questions 1 and 2 are "Yes," you must complete this form~~
~~and the Earnings Disclosure Worksheet as follows: If you answer "Yes" to question 1 or 2,~~
~~and "Yes" to question 3, sign the Earnings Disclosure Affirmation below. You must return~~
~~it to the sheriff within 20 days. You must also fill out the rest of this form. Read the~~
~~instructions for the Earnings Disclosure Worksheet.~~

~~For each payday that falls within 90 days from the date the execution levy was served~~
~~on you, YOU MUST calculate the amount of earnings to be retained by completing steps~~
~~3 through 11 on page 2, and enter the amounts on the Earnings Disclosure Worksheet.~~
~~UPON REQUEST, THE EMPLOYER MUST PROVIDE THE DEBTOR WITH~~
~~INFORMATION AS TO HOW THE CALCULATIONS REQUIRED BY THIS~~
~~DISCLOSURE WERE MADE.~~

311.1 ~~Each payday, you must retain the amount of earnings listed in column I on the Earnings~~
311.2 ~~Disclosure Worksheet.~~

311.3 ~~You must pay the attached earnings and return this Earnings Disclosure Form and the~~
311.4 ~~Earnings Disclosure Worksheet to the judgment creditor's attorney and deliver a copy~~
311.5 ~~to the judgment debtor within ten days after the last payday that falls within the 90-day~~
311.6 ~~period.~~

311.7 ~~If the judgment is wholly satisfied or if the judgment debtor's employment ends before~~
311.8 ~~the expiration of the 90-day period, your disclosure and remittance should be made~~
311.9 ~~within ten days after the last payday for which earnings were attached.~~

311.10 ~~For steps 3 through 11, "columns" refers to columns on the Earnings Disclosure Worksheet.~~

311.11 ~~3. COLUMN A. Enter the date of judgment debtor's payday.~~

311.12 ~~4. COLUMN B. Enter judgment debtor's gross earnings for each payday.~~

311.13 ~~5. COLUMN C. Enter judgment debtor's disposable earnings for each~~
311.14 ~~payday.~~

311.15 ~~6. COLUMN D. Enter 25 percent of disposable earnings. (Multiply~~
311.16 ~~Column C by .25.)~~

311.17 ~~7. COLUMN E. Enter here the greater of 40 times \$9.50 or 40 times the~~
311.18 ~~hourly federal minimum wage (\$.....) times the number~~
311.19 ~~of work weeks included in each payday. (Note: If a pay~~
311.20 ~~period includes days in excess of whole work weeks,~~
311.21 ~~the additional days should be counted as a fraction of a~~
311.22 ~~work week equal to the number of workdays in excess~~
311.23 ~~of a whole work week divided by the number of~~
311.24 ~~workdays in a normal work week.)~~

311.25 ~~8. COLUMN F. Subtract the amount in Column E from the amount in~~
311.26 ~~Column C, and enter here.~~

311.27 ~~9. COLUMN G. Enter here the lesser of the amount in Column D and~~
311.28 ~~the amount in Column F.~~

311.29 ~~10. COLUMN H. Enter here any amount claimed by you as a setoff,~~
311.30 ~~defense, lien, or claim, or any amount claimed by any~~
311.31 ~~other person as an exemption or adverse interest which~~
311.32 ~~would reduce the amount of earnings owing to the~~
311.33 ~~judgment debtor. (Note: Any indebtedness to you~~
311.34 ~~incurred within ten days prior to your receipt of the first~~
311.35 ~~execution levy on a debt may not be set off against the~~
311.36 ~~earnings otherwise subject to this levy. Any wage~~
311.37 ~~assignment made by the judgment debtor within ten~~
311.38 ~~days prior to your receipt of the first execution levy on~~
311.39 ~~a debt is void.)~~

311.40 ~~You must also describe your claim(s) and the claims of~~
311.41 ~~others, if known, in the space provided below the~~
311.42 ~~worksheet and state the name(s) and address(es) of these~~
311.43 ~~persons.~~

312.1

312.2

312.3

312.4

312.5

312.6

312.7

312.8

312.9

Enter zero in Column H if there are no claims by you or others which would reduce the amount of earnings owing to the judgment debtor.

H.

COLUMN I.

Subtract the amount in Column H from the amount in Column G and enter here. This is the amount of earnings that you must retain for the payday for which the calculations were made. The total of all amounts entered in Column I is the amount to be remitted to the attorney for the judgment creditor.

312.10

Earnings Disclosure Affirmation

312.11

312.12

312.13

I, (person signing Affirmation), am the third party/employer or I am authorized by the third party/employer to complete this earnings disclosure; and have done so truthfully and to the best of my knowledge.

312.14

312.15

312.16

312.17

312.18

312.19

Dated:

Signature

Title

Telephone Number

312.20

EARNINGS DISCLOSURE WORKSHEET

312.21

.....

312.22

Judgment Debtor's Name

312.23

312.24

312.25

312.26

312.27

Date:

Third Party's Name:

Third Party's Signature:

Phone: Fax:

Email:

312.28

Instructions for Completing the Earnings Disclosure Worksheet

312.29

312.30

312.31

312.32

312.33

312.34

For each payday that falls within 90 days from the date the levy was served on you, you must calculate the amount of earnings to be withheld. Enter the amounts on the Earnings Disclosure Worksheet.

You must:

1. Withhold the amount of earnings listed in column I on the Earnings Disclosure Worksheet each payday.

313.1 2. After 90 days, return this Earnings Disclosure Worksheet to the sheriff. Include all
313.2 the money withheld. Sign the Affirmation at the end of the worksheet before returning.

313.3 3. Deliver a copy of the disclosure and worksheet to the debtor within 10 days after the
313.4 last payday that falls within the 90-day period.

313.5 If the debt (judgment) is fully paid off or if the debtor's job ends before the 90-day period
313.6 is over, you need to do the last disclosure and withholdings within 10 days of their last
313.7 payday that you withheld money.

313.8 Calculating Percentage of Disposable Earnings

313.9 **Note to Creditor:** You must fill out this chart before sending this form to the employer.

313.10 Use the current minimum wage found online at: <https://www.dli.mn.gov/minwage>.

313.11 Minimum Wage = \$MW/hour.

313.12		<u>then this percentage of the disposable</u>
313.13	if the weekly gross earnings are:	earnings are withheld:

313.14	Less than [40 X MW]	0%
--------	---------------------	----

313.15 [40 X MW + .01] to [60 X MW] 10%

313.16 [60 X MW + .01] to [80 X MW] 15%

313.17	[80 X MW + .01] or more	25%
--------	-------------------------	-----

313.18 **Employer:** Use this creditor's calculation chart to know what percentage of earnings
313.19 should be withheld.

313.20 **Earnings Disclosure Worksheet**

313.21

313.22 Debtor's Name

313.23	A	B	C
313.24	Payday Date	Gross Earnings	Disposable Earnings
313.25			
313.26	1.	\$.....	\$.....
313.27	2. ....	.....	.....
313.28	3. ....	.....	.....
313.29	4. ....	.....	.....
313.30	5. ....	.....	.....
313.31	6. ....	.....	.....
313.32	7. ....	.....	.....
313.33	8. <u> </u>	<u> </u>	<u> </u>

314.1	9. .....	.....	.....
314.2	10. .....	.....	.....
314.3	<u>Column A.</u> Enter the debtor's payday.		
314.4	<u>Column B.</u> Enter the debtor's gross earnings for each payday.		
314.5	<u>Column C.</u> Enter the debtor's disposable earnings for each payday.		
314.6	D	E	F
314.7	25% of withholding	Greater of 40 X	
314.8	of Column C	\$9.50 or 40 X	
314.9	(Use the creditor's	MN or Fed.	Column C
314.10	<u>calculation chart</u>)	Min. Wage	minus Column E
314.11	1. ....	.....	.....
314.12	2. ....	.....	.....
314.13	3. ....	.....	.....
314.14	4. ....	.....	.....
314.15	5. ....	.....	.....
314.16	6. ....	.....	.....
314.17	7. ....	.....	.....
314.18	8. .....	.....	.....
314.19	9. .....	.....	.....
314.20	10. .....	.....	.....
314.21	<u>Column D.</u> Enter the percentage of disposable earnings that will be withheld. Get this		
314.22	<u>number from the creditor's calculation chart.</u>		
314.23	<u>Column E.</u> Calculate 40 times the current Minnesota minimum wage (or 40 times the		
314.24	<u>current federal minimum wage) times the number of work weeks in each payday. Enter the</u>		
314.25	<u>bigger number here. Note: If a payday has extra days that are more than a full work week,</u>		
314.26	<u>count those extra days as part of a work week. Do this by dividing the number of extra</u>		
314.27	<u>workdays by the number of workdays in a normal week.</u>		
314.28	<u>Column F.</u> Subtract the amount in Column E from the amount in Column C and enter		
314.29	<u>here.</u>		
314.30	G	H	I
314.31		Setoff, Lien,	
314.32		Adverse	Column G
314.33	Lesser of Column D	Interest, or	minus Column
314.34	and Column F	Other Claims	H
314.35	1. ....	.....	.....
314.36	2. ....	.....	.....

315.1	3.	.....	.....	.....
315.2	4.	.....	.....	.....
315.3	5.	.....	.....	.....
315.4	6.	.....	.....	.....
315.5	7.	.....	.....	.....
315.6	8.	.....	.....	.....
315.7	9.	.....	.....	.....
315.8	10.	.....	.....	.....

315.9

TOTAL OF COLUMN I \$

315.10

Column G. Look at column D and column F. Enter the smaller amount of the two here

315.11

in column G.

315.12

Column H. Enter any amount claimed by you that would lower the amount of earnings

315.13

that will go to the debtor. Things like:

315.14

(i) a setoff,

315.15

(ii) a defense,

315.16

(iii) a lien,

315.17

(iv) a claim, or

315.18

(v) any amount claimed by any other person as an exemption or adverse interest.

315.19

Note: You must describe your claim(s) and the claims of others, if known, in the spaces

315.20

after this worksheet.

315.21

Enter zero in column H if there are no claims by you or others which would lower the

315.22

amount of earnings owed to the debtor.

315.23

Note: Any debt that happened within 10 days before you got the first levy on a debt

315.24

may not be set off against the earnings that are affected by this levy. Any wage assignment

315.25

made by the debtor within 10 days before you got the first levy on a debt is void. Wage

315.26

assignment is when a debtor voluntarily agrees to money being taken out of their earnings.

315.27

Column I. Subtract the amount in column H from the amount in column G and enter

315.28

here. This is the amount of earnings that go to the creditor.

315.29

~~*If you entered any amount in Column H for any payday(s), you must describe below~~

315.30

~~either your claims, or the claims of others. For amounts claimed by others, you must both~~

315.31

~~state the names and addresses of these persons, and the nature of their claim, if known.~~

315.32

payday, describe those claims below. It doesn't matter if they are your claims, or the claims

316.1

of others. For claims by others, list the names and addresses of each, and describe their

316.2

claims, if you know.

316.3

.....

316.4

.....

316.5

.....

316.6

.....

316.7

Earnings Worksheet Affirmation

316.8

I, (person signing Affirmation), am the third party/employer or I am authorized

316.9

by the third party/employer to complete this earnings disclosure ~~worksheet~~, and have done

316.10

so truthfully and to the best of my knowledge.

316.11

.....

316.12

Title

316.13

~~Dated:~~ (.....)

316.14

Signature Phone Number

316.15

Date:

316.16

Third Party's Name:

316.17

Third Party's Signature:

316.18

Phone: Fax:

316.19

Email:

316.20

Sec. 12. Minnesota Statutes 2024, section 571.72, subdivision 8, is amended to read:

316.21

Subd. 8. **Exemption notice.** In every garnishment where the debtor is a natural person,

316.22

the debtor shall be provided with a garnishment exemption notice. If the creditor is garnishing

316.23

earnings, the earnings exemption notice provided in section 571.924 must be served ten or

316.24

more days before the service of the first garnishment summons. If the creditor is garnishing

316.25

funds in a financial institution, the exemption notice provided in section 571.912 must be

316.26

served with the garnishment summons. In all other cases, the exemption notice must be in

316.27

the following form and served on the debtor with a copy of the garnishment summons.

316.28

~~STATE OF MINNESOTA~~ ~~DISTRICT COURT~~

316.29

~~COUNTY OF~~ ~~JUDICIAL DISTRICT~~

316.30

.....(~~Creditor~~)

316.31

~~against~~

316.32

.....(~~Debtor~~) ~~EXEMPTION NOTICE~~

317.1 ~~and~~

317.2(~~Garnishee~~)

317.3 State of Minnesota

District Court

317.4 County of:

Judicial District:

317.5

Court File Number:

317.6

Case Type:

317.7 Creditor's full name

317.8

Exemption Notice

317.9 against

317.10 Debtor's full name

317.11

317.12 and

317.13 Third Party (bank, employer, or other)

317.14

317.15 A Garnishment Summons is being served ~~upon~~ on you. This means a creditor with a court

317.16 judgment against you wants to take some of your money or property to pay the judgment.

317.17 Some of your property may be exempt and ~~cannot~~ can't be ~~garnished~~ taken. 'Exempt' means

317.18 protected. The following is a list of some ~~of the more~~ common exemptions. It is not a

317.19 ~~complete and is subject to~~ list. For full details and dollar amounts set by law see section

317.20 ~~550.37 of the Minnesota Statutes and other state and federal laws. The dollar amounts~~

317.21 ~~contained in this list are subject to the provisions of section 550.37, subdivision 4a, at the~~

317.22 ~~time of garnishment~~. If you have questions about an exemption, ~~you should obtain~~ contact

317.23 a lawyer for legal advice.

317.24 These things you or your family might have are protected:

317.25 (1) ~~a homestead or the proceeds from the sale of a homestead~~ equity in your home, or

317.26 money from recently selling your home - up to \$510,000 total;

317.27 (2)(i) all clothing, one watch, utensils, and foodstuffs;

317.28 (ii) household furniture, household appliances, ~~phonographs~~, radios, and computers,

317.29 tablets, televisions up to a total current value of \$5,850;, printers, cell phones, smart phones,

317.30 and other consumer electronics up to \$12,150 in all; and

317.31 (iii) jewelry - total value can't be more than \$3,308;

317.32 (3) a manufactured (mobile) home ~~used as your home~~ you live in;

317.33 (4) one motor vehicle ~~currently worth less than \$2,600 after deducting any security~~

317.34 ~~interest;~~ counting only the amount you have paid off:

- 318.1 (i) \$10,000;
- 318.2 (ii) \$12,500 if it is necessary for your business, trade, or profession;
- 318.3 (iii) \$25,000 if used by or to help someone with a disability that makes it hard to walk;
- 318.4 or
- 318.5 (iv) \$100,000 if designed or modified for someone with a disability that makes it hard
- 318.6 to walk;
- 318.7 (5) farm machinery ~~used by an individual principally engaged in farming, or if your~~
- 318.8 ~~main business is farming.~~ Tools, machines, or office furniture used in your business ~~or trade.~~
- 318.9 ~~This exemption is limited to -~~ the total value can't be more than \$13,000;
- 318.10 (6) relief based on need. This includes:
- 318.11 (i) MFIP - Minnesota Family Investment Program ~~(MFIP) and Work First Program;~~
- 318.12 (ii) DWP - MFIP Diversionary Work Program;
- 318.13 ~~(ii) Medical Assistance (MA);~~
- 318.14 (iii) SNAP - Supplemental Nutrition Assistance Program;
- 318.15 ~~(iii)~~ (iv) GA - General Assistance ~~(GA);~~
- 318.16 ~~(iv)~~ (v) EGA - Emergency General Assistance ~~(EGA);~~
- 318.17 ~~(v)~~ (vi) MSA - Minnesota Supplemental Aid ~~(MSA);~~
- 318.18 ~~(vi) MSA-Emergency~~ (vii) MSA-EA - MSA Emergency Assistance ~~(MSA-EA);~~
- 318.19 ~~(vii) Supplemental Security Income (SSI);~~
- 318.20 ~~(viii) Energy Assistance; and~~
- 318.21 ~~(ix)~~ (viii) EA - Emergency Assistance ~~(EA);~~
- 318.22 (ix) Energy or Fuel Assistance;
- 318.23 (x) Work Participation Cash Benefit;
- 318.24 (xi) MA - Medical Assistance;
- 318.25 (xii) MinnesotaCare;
- 318.26 (xiii) Medicare Part B - Premium Payments help;
- 318.27 (xiv) Medicare Part D - Extra;
- 318.28 (xv) SSI - Supplemental Security Income;

319.1 (xvi) **Tax Credits** - federal Earned Income Tax Credit (EITC), Minnesota Working
319.2 Family Credit; and

319.3 (xvii) **Renter's Refund** (also called Renter's Property Tax Credit);

319.4 (7) wages. 100% is protected if you get government assistance based on need. Otherwise,
319.5 between 75-100% is protected depending on how much you earn;

319.6 (8) retirement benefits - the total interest under all plans and contracts can't be more than
319.7 \$81,000;

319.8 ~~(7)~~ (9) Social Security benefits;

319.9 ~~(8)~~ (10) unemployment benefits, workers' compensation, or ~~veteran's~~ veterans' benefits;

319.10 ~~(9) an accident, disability, or retirement~~ (11) a retirement, disability, or accident pension
319.11 or annuity;

319.12 ~~(10)~~ (12) life insurance proceeds that are not more than \$54,000;

319.13 ~~(11)~~ (13) earnings of your minor child; ~~and~~

319.14 ~~(12)~~ (14) money from a claim for damage or destruction of exempt property ~~(such as -~~
319.15 like household goods, farm tools, business equipment, a manufactured (mobile) home, or
319.16 a ~~car~~ car;

319.17 (15) sacred possessions - like the Bible, Torah, Qur'an, prayer rug, and other religious
319.18 items. Total value can't be more than \$2,000;

319.19 (16) personal library - total value can't be more than \$750;

319.20 (17) musical instruments - total value can't be more than \$2,000;

319.21 (18) family pets - current value can't be more than \$1,000;

319.22 (19) a seat or pew in any house or place of public worship and a lot in any burial ground;

319.23 (20) tools you need to work in your business or profession - the total value can't be more
319.24 than \$13,500;

319.25 (21) household tools and equipment - things like hand and power tools, snow removal
319.26 equipment, lawnmowers, and more. Total value can't be more than \$3,000; and

319.27 (22) health savings accounts, medical savings accounts - the total value can't be more
319.28 than \$25,000.

Sec. 13. Minnesota Statutes 2024, section 571.72, subdivision 10, is amended to read:

Subd. 10. **Exemption notice for prejudgment garnishment.**

Exemption Notice

Important Notice: A garnishment summons may be served on your employer, bank, or other third parties. This can happen without any further court proceeding or notice to you. See the attached Notice of Intent to Garnish for more information.

~~The following money and wages~~ Some of your money in your account may be protected (the legal word is exempt) from garnishment.

1. Financial institutions/bank

~~Some of the money in your account may be protected because you receive government benefits from one or more of the following places:~~

Earnings (Wages)

ALL or SOME of my wages may be protected.

... Some of my wages are protected because they were only deposited in my account in the last 20 days.

For wages that were deposited in your account within the last 20 days, the amount protected is whichever is more:

(i) 75 percent of your wages or more (after taxes are taken out), or

(ii) The current minimum wage times 40 per week. You can find the current minimum wage here: <https://www.dli.mn.gov/minwage>.

All of my wages are protected because:

... I get government benefits (a list of government benefits is on the next page)

... I am getting other assistance based on need

... I have gotten government benefits in the last 6 months

... I was in jail or prison in the last 6 months

If you check one of these four boxes, your wages are only protected for 60 days after they are deposited in your account. You **MUST send the creditor copies of bank statements** that show what was in your account **for the 60 days right before the bank froze your money.**

Government Benefits

- 321.1 Government benefits can include many things. For example:
- 321.2 ... MFIP - Minnesota Family Investment Program;
- 321.3 ... DWP - MFIP Diversionary Work Program;
- 321.4 ~~Work participation cash benefit,~~
- 321.5 ... SNAP - Supplemental Nutrition Assistance Program
- 321.6 ... GA - General Assistance;
- 321.7 ... EGA - Emergency General Assistance
- 321.8 ... MSA - Minnesota Supplemental Aid
- 321.9 ... MSA-EA - MSA Emergency Assistance
- 321.10 ... EA - Emergency Assistance;
- 321.11 ... Energy or Fuel Assistance
- 321.12 ... Work Participation Cash Benefit
- 321.13 ... MA - Medical Assistance;
- 321.14 ~~EGA -- emergency general assistance or county crisis funds,~~
- 321.15 ~~MSA -- Minnesota supplemental aid,~~
- 321.16 ~~MSA-EA -- MSA emergency assistance,~~
- 321.17 ~~Supplemental Nutrition Assistance Program (SNAP),~~
- 321.18 ~~SSI -- Supplemental Security Income,~~
- 321.19 ... MinnesotaCare;
- 321.20 ... Medicare Part B - Premium Payments; help
- 321.21 ... Medicare Part D - Extra help;
- 321.22 ... SSI - Supplemental Security Income
- 321.23 ~~Energy or fuel assistance,~~
- 321.24 ... Tax Credits - federal Earned Income Tax Credit (EITC), Minnesota Working Family
- 321.25 Credit
- 321.26 ... Renter's Refund (also called Renter's Property Tax Credit)
- 321.27 List the case number and county for every box you checked:

- 322.1 Case Number: County:
- 322.2 Case Number: County:
- 322.3 Case Number: County:
- 322.4 Government benefits also include:
- 322.5 ... Social Security benefits,
- 322.6 ... Unemployment benefits,
- 322.7 ... Workers' compensation,
- 322.8 Veterans ... Veterans' benefits.
- 322.9 **~~Sending the creditor's attorney (or creditor, if no attorney) a copy of BANK~~**
- 322.10 **~~STATEMENTS that show what was in your account for the past 60 days may give the~~**
- 322.11 **~~creditor enough information about your exemption claim to avoid a garnishment.~~**
- 322.12 **~~2. Earnings~~**
- 322.13 **~~All or some of your earnings may be completely protected from garnishment if:~~**
- 322.14 **~~All of your earnings (wages) may be protected if:~~**
- 322.15 **~~You get government benefits (see list of government benefits)~~**
- 322.16 **~~You currently receive other assistance based on need~~**
- 322.17 **~~You have received government benefits in the last six months~~**
- 322.18 **~~You were in jail or prison in the last six months~~**
- 322.19 **~~Your wages are only protected for 60 days after they are deposited in your account so~~**
- 322.20 **~~it would be helpful if you immediately send the undersigned creditor a copy of BANK~~**
- 322.21 **~~STATEMENTS that show what was in your account for the past 60 days.~~**
- 322.22 **~~Some of your earnings (wages) may be protected if:~~**
- 322.23 **~~If all of your earnings are not exempt, some of your earnings may still be protected for~~**
- 322.24 **~~20 days after they were deposited in your account. The amount protected is the larger amount~~**
- 322.25 **~~of:~~**
- 322.26 **~~75 percent of your wages (after taxes are taken out); or~~**
- 322.27 **~~(insert the sum of the current federal minimum wage) multiplied by 40.~~**
- 322.28 **~~If you get any of these government benefits, include copies of any documents that show~~**
- 322.29 **~~you get them.~~**
- 322.30 ... I get other assistance based on need that is not on the list. It comes from:.....

323.1

.....

323.2

Make sure you include copies of any documents that show this.

323.3

Other Protected Funds

323.4

The money from ~~the following~~ these things are also ~~exempt for 20 days~~ completely

323.5

protected after they are deposited in ~~your~~ my account.

323.6

... Child Support

323.7

~~An accident, disability, or retirement~~ ... A retirement, disability, or accident pension

323.8

or annuity

323.9

~~Payments to you from a life insurance policy~~

323.10

... Earnings of ~~your~~ my child who is under 18 years of age

323.11

... Payments to me from a life insurance policy

323.12

~~Child support~~

323.13

... Money paid to ~~you~~ me from a claim for damage or destruction of property. Property

323.14

includes household goods, farm tools or machinery, tools for ~~your~~ my job, business

323.15

equipment, a mobile home, a car, a musical instrument, a pew or burial lot, clothes, furniture,

323.16

or appliances-

323.17

... Death benefits paid to ~~you.~~ me

323.18

You ~~WILL BE ABLE TO~~ can claim these exemptions when you ~~RECEIVE~~ get a

323.19

notice. You will get the notice at least ~~ten~~ 10 days BEFORE a wage garnishment. BUT if

323.20

the creditor garnishes your bank account, you ~~will not~~ won't get the notice until AFTER the

323.21

account has been frozen. If you believe the money in your bank account or your wages are

323.22

exempt, ~~YOU SHOULD IMMEDIATELY~~ contact the person below right away. ~~YOU~~

323.23

~~SHOULD~~ Tell them why you think your account or wages are exempt to see if you can

323.24

avoid garnishment.

323.25

~~Creditor~~

323.26

~~Creditor Address~~

323.27

~~Creditor telephone number~~

323.28

Creditor's Name:

323.29

(or creditor's lawyer's name)

323.30

Street Address:

323.31

City/State/Zip:

324.1

Phone: Fax:

324.2

Email:

324.3

Sec. 14. Minnesota Statutes 2024, section 571.74, is amended to read:

324.4

571.74 GARNISHMENT SUMMONS AND NOTICE TO DEBTOR.

324.5

The garnishment summons and notice to debtor must be substantially in the following

324.6

form. The notice to debtor must be in no smaller than 14-point type.

324.7

~~GARNISHMENT SUMMONS~~

324.8

~~STATE OF MINNESOTA~~

~~DISTRICT COURT~~

324.9

~~COUNTY OF~~

~~..... JUDICIAL DISTRICT~~

324.10

~~..... (Creditor)~~

324.11

~~..... (Debtor)~~

~~UNPAID BALANCE~~

324.12

~~..... (Debtor's Address)~~

~~Date of Entry~~

324.13

~~..... (Garnishee)~~

~~of Judgment (or) Subject to Minnesota~~

324.14

~~Statutes, section 571.71, clause (2)~~

324.15

State of Minnesota

District Court

324.16

County of:

Judicial District:

324.17

Court File Number:

324.18

Case Type:

324.19

Creditor's full name

324.20

.....

Garnishment Summons

324.21

and

324.22

Debtor's full name

324.23

.....

324.24

Third Party (bank, employer, or other)

324.25

.....

324.26

Unpaid Balance:

324.27

~~GARNISHMENT SUMMONS~~

324.28

~~The State of Minnesota~~

324.29

To the ~~Garnishee~~ Third Party (garnishee) named above:

324.30

~~You are hereby summoned and required to serve upon the creditor's attorney (or the~~

324.31

~~creditor if not represented by an attorney) and on the debtor within 20 days after service of~~

324.32

~~this garnishment summons upon you, a written disclosure, of the nonexempt indebtedness,~~

324.33

~~money, or other property due or belonging to the debtor and owing by you or in your~~

324.34

~~possession or under your control and answers to all written interrogatories that are served~~

325.1 ~~with the garnishment summons. However, if the garnishment is on earnings and the debtor~~
325.2 ~~has garnishable earnings, you shall serve the completed disclosure form on the creditor's~~
325.3 ~~attorney, or the creditor if not represented by an attorney, within ten days of the last payday~~
325.4 ~~to occur within the 90 days after the date of the service of this garnishment summons.~~

325.5 ~~"Payday" means the day which you pay earnings in the ordinary course of business. If the~~
325.6 ~~debtor has no regular paydays, "payday" means the 15th day and the last day of each month.~~

325.7 ~~Your disclosure need not exceed 110 percent of the amount of the creditor's claim that~~
325.8 ~~remains unpaid.~~

325.9 ~~You shall retain garnishable earnings, other indebtedness, money, or other property in~~
325.10 ~~your possession in an amount not to exceed 110 percent of the creditor's claim until such~~
325.11 ~~time as the creditor causes a writ of execution to be served upon you, until the debtor~~
325.12 ~~authorizes you in writing to release the property to the creditor, or until the expiration of~~
325.13 ~~..... days from the date of service of this garnishment summons upon you, at which time~~
325.14 ~~you shall return the disposable earnings, other indebtedness, money, or other property to~~
325.15 ~~the debtor.~~

325.16 A court has ordered that you must serve a written statement to the creditor (or to the
325.17 creditor's lawyer). You must do this within 20 days after you get this notice. Your written
325.18 statement should include any money, or other property of the debtor that you have or owe
325.19 to them. It should also include answers to any questions that are in this summons.

325.20 But, if the garnishment is on earnings and the debtor has earnings that can be garnished,
325.21 fill out the completed disclosure form. Then serve it on the creditor (or the creditor's lawyer).
325.22 It must be served within 10 days of the last payday within the 90 days after the date you
325.23 got this summons. If the debtor has no regular paydays, "payday" means the 15th day and
325.24 the last day of each month.

325.25 You don't have to disclose more than 110% of the unpaid amount that is owed to the
325.26 creditor. Keep earnings that can be garnished, other indebtedness, money, or other property
325.27 in your possession in an amount not to exceed 110 percent of the creditor's claim. Keep this
325.28 until:

325.29 (i) the creditor has a writ of execution served on you;

325.30 (ii) the debtor gives you permission in writing to release the property to the creditor; or

325.31 (iii) it's been ... days from the day you got this garnishment summons.

325.32 Then you give the debtor back the disposable earnings, other indebtedness, money, or other
325.33 property.

Earnings

~~In the event~~ If you are summoned as a garnishee because you owe "earnings" (as defined on the Earnings Garnishment Disclosure form attached to this Garnishment Summons, if applicable) to the debtor, then you ~~are required to~~ must serve ~~upon the creditor's attorney, or the creditor if not represented by an attorney, a written~~ an Earnings Disclosure Form ~~within~~ on the creditor (or the creditor's lawyer). The Earnings Disclosure Form must be in writing and must be served in the time limit set forth above. "Earnings" are defined on the Earnings Garnishment Disclosure Form attached to this Garnishment Summons.

In the case of earnings, you ~~are further required to retain in your possession~~ must keep all unpaid, nonexempt disposable earnings ~~owed or to be owed by you and earned or to be earned~~ that you owe or will owe to the debtor ~~within~~ during the pay period ~~in which~~ when this garnishment ~~summons~~ notice is served ~~and within all subsequent pay periods whose paydays (defined above) occur within the 90 days after the date of service of this garnishment summons~~ delivered and for all pay periods within 90 days after this notice is served.

~~Any assignment of earnings made by the debtor to any party within ten days before the receipt of the first garnishment on a debt is void. Any indebtedness to you incurred by the debtor within the ten days before the receipt of the first garnishment on a debt may not be set off against amounts otherwise subject to the garnishment.~~

Any transfer of earnings made by the debtor to someone else within 10 days before the first garnishment notice is invalid. Any debt the debtor owes you from within those 10 days can't be used to lower the amount that can be garnished.

~~You are prohibited~~ By law ~~from discharging or disciplining~~ you can't fire or discipline the debtor because ~~the debtor's~~ their earnings have been subject to garnishment.

This Garnishment Summons includes:

(~~check applicable box~~ the boxes that apply)

... Earnings garnishment (see attached Earnings Disclosure Form)

... Nonearnings garnishment (see attached Nonearnings Disclosure Form)

... Both Earnings and Nonearnings garnishment (see both attached Earnings and Nonearnings Disclosure Form)

Notice to Debtor

You are being served copies of a Garnishment Summons, Earnings Garnishment Disclosure Form, Nonwage Garnishment Disclosure Form, Garnishment Exemption Notices and/or written Interrogatories (strike out if not applicable); ~~Copies of which are hereby~~

327.1

served on you, were served upon the Garnishee by delivering copies these same documents

327.2

were also delivered to the Garnishee. The Garnishee was paid \$15.

327.3

~~Dated:~~

327.4

~~Attorney for Creditor (or creditor)~~

327.5

.....

327.6

.....

327.7

.....

327.8

~~Address~~

327.9

.....

327.10

~~Telephone~~

327.11

.....

327.12

~~Attorney I.D. No~~

327.13

Date:

327.14

Creditor's Signature:

327.15

(or creditor's lawyer's signature)

327.16

Creditor's Name:

327.17

(or creditor's lawyer's name)

327.18

Street Address:

327.19

City/State/Zip:

327.20

Phone: Fax:

327.21

Email:

327.22

Sec. 15. Minnesota Statutes 2024, section 571.75, subdivision 2, is amended to read:

327.23

Subd. 2. **Contents of disclosure.** The disclosure must state:

327.24

(a) If an earnings garnishment disclosure, the amount of disposable earnings earned by

327.25

the debtor within the debtor's pay periods as specified in section 571.921.

327.26

(b) If a nonearnings garnishment disclosure, a description of any personal property or

327.27

any instrument or papers relating to this property belonging to the judgment debtor or in

327.28

which the debtor is interested or other indebtedness of the garnishee to the debtor.

327.29

(c) If the garnishee asserts any setoff, defense, claim, or lien on disposable earnings,

327.30

other indebtedness, money, or property, the garnishee shall disclose the amount and the

327.31

facts concerning the same.

327.32

(d) Whether the debtor asserts any exemption, or any other objection, known to the

327.33

garnishee against the right of the creditor to garnish the disposable earnings, other

327.34

indebtedness, money, or property disclosed.

(e) If other persons assert claims to any disposable earnings, other indebtedness, money, or property disclosed, the garnishee shall disclose the names and addresses of these claimants and, so far as known by the garnishee, the nature of their claims.

(f) The garnishment disclosure forms and earnings disclosure worksheet must be the same or substantially similar to the following forms. If the garnishment affects earnings of the debtor, the creditor shall use the earnings garnishment disclosure form. If the garnishment affects any indebtedness, money, or property of the debtor, other than earnings, the creditor shall use the nonearnings garnishment disclosure form. Nothing contained in this paragraph limits the simultaneous use of the earnings and nonearnings garnishment disclosure forms.

EARNINGS DISCLOSURE FORM AND WORKSHEET

STATE OF MINNESOTA

COUNTY OF

..... (Creditor)

..... (Debtor)

..... (Garnishee)

DISTRICT COURT

..... JUDICIAL DISTRICT

GARNISHMENT

EARNINGS DISCLOSURE

State of Minnesota

County of:

Creditor's full name

.....

Debtor's full name

.....

Third Party (bank, employer, or other)

.....

District Court

Judicial District:

Court File Number:

Case Type:

Garnishment Earnings Disclosure

For Non-Child Support Judgments

This form is called a "Garnishment Earnings Disclosure" or "Disclosure." It is for the employer to fill out. The "debtor" is the person who owes money. The debtor gets a copy of this form for their own information. The debtor is also called a "judgment debtor."

The "creditor" is the party owed the money. The creditor is also called a "judgment creditor."

The "employer" is the "third party" or "garnishee." If the debtor asks how the calculations in this document were made, the employer **must** provide information about it.

Definitions

329.1 **"Earnings":** ~~For the purpose of garnishment, "earnings" means compensation~~ what is
329.2 paid or payable to an employee, independent contractor or self-employed person for personal
329.3 services or (a job). Also called compensation. Compensation can be wages, salary,
329.4 commission, bonus, payments, profit-sharing distributions, severance payment, fees or
329.5 other. It includes periodic payments from a pension or retirement. It can also be compensation
329.6 paid or payable to the a producer for the sale of agricultural products;. This can be things
329.7 like milk or milk products; or fruit or other horticultural products. Or things produced when
329.8 the producer is operating in the operation of a family farm, a family farm corporation, or
329.9 an authorized farm corporation, as. This is defined in section 500.24, subdivision 2, whether
329.10 denominated as wages, salary, commission, bonus, or otherwise, and includes periodic
329.11 payments pursuant to a pension or retirement.

329.12 **"Disposable Earnings":** ~~Means that the part of the a person's earnings of an individual~~
329.13 ~~remaining after the deduction from those earnings of that are left after subtracting the~~
329.14 ~~amounts required by law to be withheld. (Amounts~~ **Note:** Amounts ~~required by law to be~~
329.15 ~~withheld do not include items such as things like health insurance, charitable contributions,~~
329.16 ~~or other voluntary wage deductions.)~~

329.17 **"Payday":** ~~For the purpose of garnishment, "payday(s)" means the date(s) upon which~~
329.18 ~~the date when the employer pays earnings to the debtor in the ordinary course of business~~
329.19 ~~for doing their job. If the debtor has no regular payday, payday(s) then "payday" means the~~
329.20 ~~fifteenth~~ 15th and the last day of each month.

329.21 **The Employer/Garnishee Must Answer The Following Questions:**

329.22 1. ~~Do you~~ Right now owe, or within 90 days from the date the garnishment summons
329.23 ~~was served on you, will you or,~~ do you expect to owe money to the debtor for earnings?

329.24 Yes No

329.25 Yes No

329.26 2. Within 90 days from the date you were served with the garnishment, will you or may
329.27 you owe money to the debtor for earnings?

329.28 Yes No

329.29 ~~2~~ 3. Does the debtor earn more than \$..... per week? (This amount is the greater of
329.30 \$9.50 per hour or the current Minnesota or federal minimum wage per week.)? (use the
329.31 number that is more)

329.32 Yes No

329.33 Yes No

~~INSTRUCTIONS FOR COMPLETING THE~~
~~EARNINGS DISCLOSURE~~

~~A. If your answer to either question 1 or 2 is "No," then you must sign the affirmation on Page 2 and return this disclosure to the creditor's attorney (or the creditor if not represented by an attorney) within 20 days after it was served on you, and you do not need to answer the remaining questions.~~

~~B. If your answers to both questions 1 and 2 are "Yes," you must complete this form and the Earnings Disclosure Worksheet as follows:~~

A. If you answer "No" to question 1, 2, or 3, you don't need to answer the rest of the questions. You don't have to do the Earnings Disclosure Worksheet. Sign the Earnings Disclosure Affirmation below and return this disclosure form to the creditor's attorney (or the creditor if not represented by an attorney). You must return it within 20 days after it was served on you.

B. If you answer "Yes" to question 1 or 2, and "Yes" to question 3, sign the Earnings Disclosure Affirmation below. You must return it to the creditor's attorney (or the creditor if not represented by an attorney) within 20 days. You must also fill out the rest of this form. Read the instructions for the Earnings Disclosure Worksheet.

Earnings Disclosure Affirmation

I, (person signing Affirmation), am the third party/employer or I am authorized by the third party/employer to complete this earnings disclosure and have done so truthfully and to the best of my knowledge.

Date:

Signature of Third Party/Employer:

.....

Title:

Phone:

Instructions for Completing the Earnings Disclosure Worksheet

For each payday that falls within 90 days from the date the garnishment summons was served on you, you **must** calculate the amount of earnings to be retained by completing Steps 3 through 11, and enter the amounts on the Earnings Disclosure Worksheet. UPON REQUEST, THE EMPLOYER MUST PROVIDE THE DEBTOR WITH INFORMATION AS TO HOW THE CALCULATIONS REQUIRED BY THIS

331.1 ~~DISCLOSURE WERE MADE.~~ withheld. Enter the amounts on the Earnings Disclosure
331.2 Worksheet.

331.3 ~~Each payday, you must retain the amount of earnings listed in Column I on the Earnings~~
331.4 ~~Disclosure Worksheet.~~

331.5 ~~You must return this Earnings Disclosure Form and the Earnings Disclosure Worksheet~~
331.6 ~~to the creditor's attorney (or the creditor if not represented by an attorney) and deliver~~
331.7 ~~a copy to the debtor within ten days after the last payday that falls within the 90-day~~
331.8 ~~period.~~

331.9 ~~If the claim is wholly satisfied or if the debtor's employment ends before the expiration~~
331.10 ~~of the 90-day period, your disclosure should be made within ten days after the last payday~~
331.11 ~~for which earnings were attached.~~

331.12 ~~For Steps 3 through 11, "Columns" refers to columns on the Earnings Disclosure Worksheet.~~

- | | | | |
|--------|-----|-----------|--|
| 331.13 | 3. | COLUMN A. | Enter the date of debtor's payday. |
| 331.14 | 4. | COLUMN B. | Enter debtor's gross earnings for each payday. |
| 331.15 | 5. | COLUMN C. | Enter debtor's disposable earnings for each payday. |
| 331.16 | 6. | COLUMN D. | Enter 25 percent of disposable earnings. (Multiply |
| 331.17 | | | Column C by .25.) |
| 331.18 | 7. | COLUMN E. | Enter here the greater of 40 times \$9.50 or 40 times the |
| 331.19 | | | hourly federal minimum wage (\$.....) times the |
| 331.20 | | | number of work weeks included in each payday. (Note: |
| 331.21 | | | If a pay period includes days in excess of whole work |
| 331.22 | | | weeks, the additional days should be counted as a |
| 331.23 | | | fraction of a work week equal to the number of |
| 331.24 | | | workdays in excess of a whole work week divided by |
| 331.25 | | | the number of workdays in a normal work week.) |
| 331.26 | 8. | COLUMN F. | Subtract the amount in Column E from the amount in |
| 331.27 | | | Column C, and enter here. |
| 331.28 | 9. | COLUMN G. | Enter here the lesser of the amount in Column D and |
| 331.29 | | | the amount in Column F. |
| 331.30 | 10. | COLUMN H. | Enter here any amount claimed by you as a setoff, |
| 331.31 | | | defense, lien, or claim, or any amount claimed by any |
| 331.32 | | | other person as an exemption or adverse interest which |
| 331.33 | | | would reduce the amount of earnings owing to the |
| 331.34 | | | debtor. (Note: Any indebtedness to you incurred by the |
| 331.35 | | | debtor within the ten days before the receipt of the first |
| 331.36 | | | garnishment on a debt may not be set off against |
| 331.37 | | | amounts otherwise subject to the garnishment. Any |
| 331.38 | | | assignment of earnings made by the debtor to any party |
| 331.39 | | | within ten days before the receipt of the first |
| 331.40 | | | garnishment on a debt is void.) |

331.41 ~~You must also describe your claim(s) and the claims of~~
331.42 ~~others, if known, in the space provided below the~~

332.1

332.2

worksheet and state the name(s) and address(es) of these persons.

332.3

332.4

332.5

Enter zero in Column H if there are no claims by you or others which would reduce the amount of earnings owing to the debtor.

332.6

332.7

332.8

332.9

11. COLUMN I. Subtract the amount in Column H from the amount in Column G and enter here. This is the amount of earnings that you must retain for the payday for which the calculations were made.

332.10

AFFIRMATION

332.11

332.12

332.13

I, (person signing Affirmation), am the garnishee or I am authorized by the garnishee to complete this earnings disclosure, and have done so truthfully and to the best of my knowledge.

332.14

Dated:

332.15

Signature

332.16

.....

332.17

Title

332.18

.....

332.19

Telephone Number

332.20

EARNINGS DISCLOSURE WORKSHEET

332.21

.....

332.22

Debtor's Name

332.23

You must:

332.24

332.25

1. Withhold the amount of earnings listed in column I on the Earnings Disclosure Worksheet each payday.

332.26

332.27

332.28

2. After 90 days, return this Earnings Disclosure Worksheet to the creditor's attorney (or the creditor if not represented by an attorney). Include all the money withheld. Sign the Affirmation at the end of the worksheet before returning.

332.29

332.30

3. Deliver a copy of the disclosure and worksheet to the debtor within 10 days after the last payday that falls within the 90-day period.

332.31

332.32

332.33

If the debt (judgment) is fully paid off or if the debtor's job ends before the 90-day period is over, you need to do the last disclosure and withholdings within 10 days of their last payday that you withheld money.

332.34

Calculating Percentage of Disposable Earnings

333.1 **Note to Creditor:** You must fill out this chart before sending this form to the employer.

333.2 Use the current minimum wage found online at: <https://www.dli.mn.gov/minwage>.

333.3	<u>Minimum Wage = \$MW/hour.</u>	
333.4		<u>then this percentage of the disposable</u>
333.5	<u>if the weekly gross earnings are:</u>	<u>earnings are withheld:</u>
333.6	<u>Less than [40 X MW]</u>	<u>0%</u>
333.7	<u>[40 X MW + .01] to [60 X MW]</u>	<u>10%</u>
333.8	<u>[60 X MW + .01] to [80 X MW]</u>	<u>15%</u>
333.9	<u>[80 X MW + .01] or more</u>	<u>25%</u>

333.10 **Employer:** Use this creditor's calculation chart to know what percentage of earnings

333.11 should be withheld.

333.12 **Earnings Disclosure Worksheet**

333.13

333.14 Debtor's Name

333.15	A	B	C
333.16	Payday Date	Gross Earnings	Disposable
333.17			Earnings
333.18	1.	\$.....	\$.....
333.19	2. ....	.....	.....
333.20	3. ....	.....	.....
333.21	4. ....	.....	.....
333.22	5. ....	.....	.....
333.23	6. ....	.....	.....
333.24	7. ....	.....	.....
333.25	8. ....	.....	.....
333.26	9. ....	.....	.....
333.27	10. ....	.....	.....

333.28 **Column A.** Enter the debtor's payday.

333.29 **Column B.** Enter the debtor's gross earnings for each payday.

333.30 **Column C.** Enter the debtor's disposable earnings for each payday.

333.31	D	E	F
333.32	25% of <u>withholding</u>	Greater of 40 X	
333.33	of Column C	\$9.50 or 40 X	
333.34	<u>(Use the creditor's</u>	<u>MN or Fed. Min.</u>	Column C minus
333.35	<u>calculation chart)</u>	<u>Wage</u>	Column E

334.1	1.	.....	.....	.....
334.2	2.	.....	.....	.....
334.3	3.	.....	.....	.....
334.4	4.	.....	.....	.....
334.5	5.	.....	.....	.....
334.6	6.	.....	.....	.....
334.7	7.	.....	.....	.....
334.8	8.	.....	.....	.....
334.9	9.	.....	.....	.....
334.10	10.	.....	.....	.....

334.11 **Column D.** Enter the percentage of disposable earnings that will be withheld. Get this
334.12 number from the creditor's calculation chart.

334.13 **Column E.** Calculate 40 times the current Minnesota minimum wage (or 40 times the
334.14 current federal minimum wage) times the number of work weeks in each payday. Enter the
334.15 bigger number here. **Note:** If a payday has extra days that are more than a full work week,
334.16 count those extra days as part of a work week. Do this by dividing the number of extra
334.17 workdays by the number of workdays in a normal week.

334.18 **Column F.** Subtract the amount in column E from the amount in column C and enter
334.19 here.

334.20	G	H	I
334.21		Setoff, Lien,	
334.22	Lesser of Column D	Adverse Interest,	Column G minus
334.23	and Column F	or Other Claims	Column H

334.24	1.	.....	.....	.....
334.25	2.	.....	.....	.....
334.26	3.	.....	.....	.....
334.27	4.	.....	.....	.....
334.28	5.	.....	.....	.....
334.29	6.	.....	.....	.....
334.30	7.	.....	.....	.....
334.31	8.	=====	=====	=====
334.32	9.	=====	=====	=====
334.33	10.	=====	=====	=====

334.34 Total of Column I= \$

334.35 **Column G.** Look at column D and column F. Enter the smaller amount of the two here

334.36 in column G.

335.1 **Column H.** Enter any amount claimed by you that would lower the amount of earnings

335.2 that will go to the debtor. Things like:

335.3 (i) a setoff,

335.4 (ii) a defense,

335.5 (iii) a lien,

335.6 (iv) a claim, or

335.7 (v) any amount claimed by any other person as an exemption or adverse interest.

335.8 **Note:** You must describe your claim(s) and the claims of others, if known, in the spaces
335.9 after this worksheet.

335.10 Enter zero in column H if there are no claims by you or others which would lower the
335.11 amount of earnings owed to the debtor.

335.12 **Note:** Any debt that happened within 10 days before you got the first garnishment on a
335.13 debt may not be set off against the earnings that are affected by this garnishment. Any wage
335.14 assignment made by the debtor within 10 days before you got the first garnishment on a
335.15 debt is void. Wage assignment is when a debtor voluntarily agrees to money being taken
335.16 out of their earnings.

335.17 **Column I.** Subtract the amount in column H from the amount in column G and enter

335.18 here. This is the amount of earnings that go to the creditor.

335.19 ***If you entered any amount in Column H for any pay day(s), you must pay day, describe**
335.20 **those claims below either. It doesn't matter if they are your claims, or the claims of others.**
335.21 **For amounts claimed claims by others you must both state, list the names and addresses of**
335.22 **these persons each, and the nature of describe their claim claims, if known you know.**

335.23

335.24

335.25

335.26 ~~AFFIRMATION~~

335.27 Earnings Worksheet Affirmation

335.28 I, (person signing Affirmation), am the third ~~party~~ party/employer or I
335.29 am authorized by the third ~~party~~ party/employer to complete this earnings disclosure
335.30 ~~worksheet~~, and have done so truthfully and to the best of my knowledge.

336.1

~~Dated:~~

336.2

~~Signature~~

336.3

~~Title~~

336.4

~~Telephone Number (....)~~

336.5

Date:

336.6

Third Party's Name:

336.7

Third Party's Signature:

336.8

Phone: Fax:

336.9

Email:

336.10

EARNINGS DISCLOSURE FORM AND WORKSHEET

336.11

FOR CHILD SUPPORT DEBTOR

336.12

STATE OF MINNESOTA

DISTRICT COURT

336.13

COUNTY OF

..... JUDICIAL DISTRICT

336.14

..... (Creditor)

336.15

..... (Debtor)

GARNISHMENT

336.16

..... (Garnishee)

EARNINGS DISCLOSURE

336.17

DEFINITIONS

336.18

"EARNINGS": For the purpose of execution, "earnings" means compensation paid or

336.19

payable to an employee for personal services or compensation paid or payable to the producer

336.20

for the sale of agricultural products; milk or milk products; or fruit or other horticultural

336.21

products produced when the producer is operating a family farm, a family farm corporation,

336.22

or an authorized farm corporation, as defined in section 500.24, subdivision 2, whether

336.23

denominated as wages, salary, commission, bonus, or otherwise, and includes periodic

336.24

payments pursuant to a pension or retirement, workers' compensation, or unemployment

336.25

benefits.

336.26

"DISPOSABLE EARNINGS": Means that part of the earnings of an individual remaining

336.27

after the deduction from those earnings of amounts required by law to be withheld. (Amounts

336.28

required by law to be withheld do not include items such as health insurance, charitable

336.29

contributions, or other voluntary wage deductions.)

336.30

"PAYDAY": For the purpose of execution, "payday(s)" means the date(s) upon which

336.31

the employer pays earnings to the debtor in the ordinary course of business. If the judgment

336.32

debtor has no regular payday, payday(s) means the 15th and the last day of each month.

336.33

THE GARNISHEE MUST ANSWER THE FOLLOWING QUESTION:

(1) Do you now owe, or within 90 days from the date the execution levy was served on you, will you or may you owe money to the debtor for earnings?

Yes

No

INSTRUCTIONS FOR COMPLETING THE
EARNINGS DISCLOSURE

A. If your answer to question 1 is "No," then you must sign the affirmation below and return this disclosure to the creditor's attorney (or the creditor if not represented by an attorney) within 20 days after it was served on you, and you do not need to answer the remaining questions.

B. If your answer to question 1 is "Yes," you must complete this form and the Earnings Disclosure Worksheet as follows:

For each payday that falls within 90 days from the date the garnishment summons was served on you, YOU MUST calculate the amount of earnings to be retained by completing steps 2 through 8 on page 2, and enter the amounts on the Earnings Disclosure Worksheet. UPON REQUEST, THE EMPLOYER MUST PROVIDE THE DEBTOR WITH INFORMATION AS TO HOW THE CALCULATIONS REQUIRED BY THIS DISCLOSURE WERE MADE.

Each payday, you must retain the amount of earnings listed in column G on the Earnings Disclosure Worksheet.

You must pay the attached earnings and return this earnings disclosure form and the Earnings Disclosure Worksheet to the creditor's attorney (or the creditor if not represented by an attorney) and deliver a copy to the debtor within ten days after the last payday that falls within the 90-day period. If the claim is wholly satisfied or if the debtor's employment ends before the expiration of the 90-day period, your disclosure should be made within ten days after the last payday for which earnings were attached.

For steps 2 through 8, "columns" refers to columns on the Earnings Disclosure Worksheet.

(2) COLUMN A. Enter the date of debtor's payday.

(3) COLUMN B. Enter debtor's gross earnings for each payday.

(4) COLUMN C. Enter debtor's disposable earnings for each payday.

(5) COLUMN D. Enter either 50, 55, 60, or 65 percent of disposable earnings, based on which of the following descriptions fits the child support judgment debtor:

(a) 50 percent of the judgment debtor's disposable income, if the judgment debtor is supporting a spouse or dependent child and the judgment is 12 weeks old or less (12 weeks to be calculated to the beginning of the work week in which the execution levy is received);

(b) 55 percent of the judgment debtor's disposable income, if the judgment debtor is supporting a spouse or dependent child, and the judgment is over 12 weeks old (12 weeks to be calculated to the beginning of the work week in which the execution levy is received);

(c) 60 percent of the judgment debtor's disposable income, if the judgment debtor is not supporting a spouse or dependent child and the judgment is 12 weeks old or less (12 weeks to be calculated to the beginning of the work week in which the execution levy is received);

or

(d) 65 percent of the judgment debtor's disposable income, if the judgment debtor is not supporting a spouse or dependent child, and the judgment is over 12 weeks old (12 weeks to be calculated to the beginning of the work week in which the execution levy is received).

(Multiply column C by .50, .55, .60, or .65, as appropriate.)

(6) COLUMN E. Enter here any amount claimed by you as a setoff, defense, lien, or claim, or any amount claimed by any other person as an exemption or adverse interest that would reduce the amount of earnings owing to the debtor. (Note: Any assignment of earnings made by the debtor to any party within ten days before the receipt of the first garnishment on a debt is void. Any indebtedness to you incurred by the debtor within the ten days before the receipt of the first garnishment on a debt may not be set off against amounts otherwise subject to the garnishment.)

You must also describe your claim(s) and the claims of others, if known, in the space provided below the worksheet and state the name(s) and address(es) of these persons.

Enter zero in column E if there are no claims by you or others that would reduce the amount of earnings owing to the judgment debtor.

(7) COLUMN F. Subtract the amount in column E from the amount in column D and enter here. This is the amount of earnings that you must remit for the payday for which the calculations were made.

AFFIRMATION

I, (person signing Affirmation), am the garnishee or I am authorized by the garnishee to complete this earnings disclosure, and have done so truthfully and to the best of my knowledge.

339.1

Dated:

339.2

Signature

339.3

.....

339.4

Title

339.5

.....

339.6

Telephone Number

339.7

EARNINGS DISCLOSURE

339.8

WORKSHEET

339.9

Debtor's Name

339.10	A	B	C
339.11	Payday Date	Gross Earnings	Disposable
339.12			Earnings
339.13	1.	\$.....	\$.....
339.14	2. ....	.....	.....
339.15	3. ....	.....	.....
339.16	4. ....	.....	.....
339.17	5. ....	.....	.....
339.18	6. ....	.....	.....
339.19	7. ....	.....	.....
339.20	8. ....	.....	.....
339.21	9. ....	.....	.....
339.22	10. ....	.....	.....
339.23	D	E	F
339.24	Either 50, 55, 60, or	Setoff, Lien,	Column D minus
339.25	65% of Column C	Adverse Interest,	Column E
339.26		or Other Claims	
339.27	1. ....	.....	.....
339.28	2. ....	.....	.....
339.29	3. ....	.....	.....
339.30	4. ....	.....	.....
339.31	5. ....	.....	.....
339.32	6. ....	.....	.....
339.33	7. ....	.....	.....
339.34	8. ....	.....	.....
339.35	9. ....	.....	.....
339.36	10. ....	.....	.....
339.37		TOTAL OF COLUMN F	\$.....

*If you entered any amount in column E for any payday(s), you must describe below either your claims, or the claims of others. For amounts claimed by others, you must both state the names and addresses of such persons, and the nature of their claim, if known.

.....

.....

.....

AFFIRMATION

I, (person signing Affirmation), am the third party or I am authorized by the third party to complete this earnings disclosure worksheet, and have done so truthfully and to the best of my knowledge.

.....

Signature

Dated: (....)

TitlePhone Number

NONEARNINGS DISCLOSURE FORM

~~STATE OF MINNESOTA~~

DISTRICT COURT

COUNTY OF JUDICIAL DISTRICT

..... (Creditor)

against

..... (Debtor)NONEARNINGS DISCLOSURE

and

..... (Garnishee)

~~On the day of,, the time of service of garnishment summons herein, there was due and owing the debtor from the garnishee the following:~~

State of Minnesota

District Court

County of:Judicial District:

.....Court File Number:

.....Case Type:

Creditor's full name

Non-Earnings Disclosure

againstFor Non-Child Support Judgments

Debtor's full name

.....

341.1 and

341.2 Third Party (bank, employer, or other)

341.3

341.4 This form is called a "Non-Earnings Disclosure" or "Disclosure." It is being sent to you
341.5 because you might be holding property that belongs to the debtor, or you might owe money
341.6 to the debtor.

341.7 You are the "third party" or "garnishee." The "debtor" is the person who owes money.
341.8 The debtor is also called the "judgment debtor." The "creditor" is the person the debtor owes
341.9 money to. The creditor is also called the "judgment creditor." The debtor owes \$.....
341.10 to the creditor.

341.11 You must list any money or property you owe the debtor on the lines below and sign
341.12 the affirmation. Write "none" on the line if that is your answer. You must then return this
341.13 disclosure to the creditor (or the creditor's lawyer) within 20 days after you got it.

341.14 Fill in the date you got this disclosure:

341.15 (month) (day), (year)

341.16 On the date you got this disclosure, you owed the debtor:

341.17 ~~(1) Money. Enter on the line below any amounts due and owing the debtor, except~~
341.18 ~~earnings, from the garnishee~~ Write down the amount of money you owe the debtor (except
341.19 earnings).

341.20

341.21 ~~(2) Property. Describe on the line below~~ Write a short description of any personal
341.22 property, instruments, or papers belonging to the debtor and in the possession of the garnishee
341.23 that you have in your possession. List the monetary value of each thing.

341.24

341.25 ~~(3) Setoff. Enter on the line below the amount of any~~ If you claim a setoff, defense, lien,
341.26 or claim which the garnishee claims against the amount set forth on lines (1) and (2) above
341.27 enter that amount on the line below. State the facts by which the setoff, defense, lien, or
341.28 about your claim is claimed. (Any indebtedness to a garnishee incurred by the debtor within
341.29 the ten days before the receipt of the first garnishment on a debt may not be set off against
341.30 amounts otherwise subject to the garnishment.) Note: Any payment the debtor makes to
341.31 the garnishee within the 10 days before they get the first garnishment order on that debt
341.32 can't be used to lower the amount that is being garnished.

342.1

342.2 (4) Exemption. Enter on the line below any amounts or property claimed by the debtor
342.3 ~~to be exempt from execution~~ that the debtor claims is exempt on the line below.

342.4

342.5 (5) Adverse Interest. Enter on the line below any amounts ~~claimed by other persons by~~
342.6 ~~reason of ownership or interest in the debtor's property~~ of the debtor's property that other
342.7 people claim they own or have interest in.

342.8

342.9 (6) Enter on the line below the total of lines (3), (4), and (5) on the line below.

342.10

342.11 (7) Enter ~~on the line below~~ the difference obtained (never less than zero) when line (6)

342.12 is subtracted from the sum of lines (1) and (2) on the line below.

342.13

342.14 (8) ~~Enter on the line below~~ Figure out 110 percent of the amount of the creditor's claim

342.15 ~~which remains~~ is still unpaid. Enter it on the line below.

342.16

342.17 (9) ~~Enter on the line below the lesser of line~~ Look at (7) and line (8). ~~Retain~~ Put the
342.18 smaller number on the line below. Hold this amount only if it is \$10 or more.

342.19

342.20 **AFFIRMATION**

342.21 I, (person signing Affirmation), am the garnishee or I am authorized
342.22 by the garnishee to complete this nonearnings garnishment disclosure, ~~and~~ I have done so
342.23 truthfully and to the best of my knowledge.

342.24 **Dated:**

342.25 Signature

342.26

342.27	Title
--------	-------

342.28

342.29 ~~Telephone Number~~

342.30 Date:

342.31 Name:

343.1

Signature:

343.2

Title:

343.3

Phone: Email:

343.4

Sec. 16. Minnesota Statutes 2024, section 571.912, is amended to read:

343.5

571.912 FORM OF NOTICE, INSTRUCTIONS, AND EXEMPTION NOTICE.

343.6

Subdivision 1. **Form of notice.** The notice, instructions, and exemption notice informing

343.7

a debtor that a garnishment summons has been used to attach funds of the debtor to satisfy

343.8

a claim must be a separate notice and must be substantially in the following form:

343.9

STATE OF MINNESOTA

DISTRICT COURT

343.10

COUNTY OF

.....JUDICIAL DISTRICT

343.11

.....(Creditor)

343.12

.....(Debtor)

343.13

.....(Financial institution)

343.14

State of Minnesota

District Court

343.15

County of:

Judicial District:

343.16

Court File Number:

343.17

Case Type:

343.18

Creditor's full name

343.19

.....

343.20

Debtor's full name

343.21

.....

343.22

Third Party (bank, employer, or other)

343.23

.....

343.24

Important Notice

343.25

~~**YOUR FUNDS HAVE BEEN GARNISHED**~~

343.26

Money in Your Account Has Been Frozen

343.27

The Creditor has frozen money in your account at your ~~financial institution~~ bank.

343.28

Your account balance is \$.....

343.29

The amount being held is \$.....

343.30

The amount being held ~~will be~~ is frozen for 14 days from the date of this notice.

Some of your money in your account may be protected (the legal word is exempt). You may be able to get it sooner than 14 days if you act quickly and follow the instructions on the next page.

The attached exemption form lists some different ~~sources of~~ ways money in your account that may be protected. If your money is comes from ~~one or more of these sources~~, place a benefit on the list, put a check on the line ~~on the form next to the sources of your money.~~ ~~If it is from one of these sources,~~ next to it. The creditor ~~cannot~~ can't take it.

BUT, if you want the bank to unfreeze your money, you must follow the instructions and return the exemption form and with copies of your bank statements from the last 60 days to have the bank unfreeze your money. Instructions and the form are attached. If you ~~do not~~ don't follow the instructions ~~or your Creditor gets an order from the court or writ of execution,~~ your ~~financial institution will give~~ bank gives the money to your creditor. If your creditor gets an order from the court or writ of execution, your bank gives the money to them. If that happens and ~~if~~ your money is protected, you can still get it back from the creditor later, ~~But that is not as easy to do as~~ filling in out the form now is easiest.

See next pages for instructions and the exemption form.

Subd. 2. **Form of instructions.** The instructions required must be in a separate form and must be substantially in the following form:

Instructions

Note: The creditor is who you owe the money to. You are the debtor.

1. Fill out **both** of the attached exemption forms in this packet.

If you check one of the lines, you should also give proof. Use proof that shows ~~show~~ that some or all of the money in your account is from one or more of the protected sources. This might be letters or account statements. Creditors may ask for a hearing if they question your exemptions.

To avoid a hearing:

(i) Case numbers should be added to the form.

(ii) Copies of documents should be sent with the form.

Notice: You must send ~~to the creditor's attorney (or to the creditor, if no attorney)~~ copies of your bank statements for the past 60 days before the garnishment. Send them to the creditor (or to the creditor's lawyer). Keep a copy of your bank statements in case there are questions about your claim. If you ~~do not~~ don't send bank statements to the ~~creditor's attorney~~

345.1 ~~(or to the creditor, if no attorney)~~ bank statements creditor (or to the creditor's lawyer) along
345.2 with your exemption claim, the financial institution may ~~release~~ give your money to the
345.3 creditor. They would do this once the creditor gives ~~the financial institution~~ them a court
345.4 order ~~directing it~~ saying they have to turn over the funds.

345.5 2. **Sign the exemption forms. Make ~~one~~ a copy to keep for yourself.**

345.6 **3. Mail or deliver** the other copies of the form by (insert date).

345.7 Both Copies Must Be Mailed or Delivered the Same Day.

345.8 One copy of the form and the copies of your bank statements go to:

345.9

345.10 ~~(Insert name of creditor or creditor's attorney)~~

345.11

345.12 ~~(Insert address of creditor or creditor's attorney)~~

345.13 Creditor's Name:

345.14 (or creditor's lawyer's name)

345.15 Street Address:

345.16 City/State/Zip:

345.17 Phone: Fax:

345.18 Email:

345.19 One copy goes to:

345.20

345.21 ~~(Insert name of bank)~~

345.22

345.23 ~~(Insert address of bank)~~

345.24 Bank's Name:

345.25 Street Address:

345.26 City/State/Zip:

345.27 Phone: Fax:

345.28 Email:

345.29 How The Process Works

345.30 If You Do Not Don't Send in the Exemption Form and Bank Statements:

14 days after the date of this letter some or all of your money may be turned over to the creditor. This happens once they get an order from the court telling the financial institution bank to do this.

If You Do Send in the Exemption Form and Bank Statements:

Any money that is NOT protected can be turned over to the creditor once they get an order from the court.

If the Creditor Does Not Object to Your Claimed Exemptions:

The ~~financial institution will~~ bank should unfreeze your money ~~six~~ 6 business days after ~~the institution gets~~ they get your completed form. If they don't, ask the creditor or the creditor's lawyer to send a release letter to the bank.

If the Creditor Objects to Your Claimed Exemptions:

The money you ~~have~~ said is protected on the form ~~will be~~ is held by the bank. The creditor has ~~six~~ 6 business days to object (disagree) and ask the court to hold a hearing. You ~~will receive~~ get a Notice of Objection and a Notice of Hearing.

The ~~financial institution will hold~~ bank holds the money until a court decides ~~whether~~ if your money is protected or not. Some reasons a creditor may object are because you ~~did not~~ didn't send copies of your bank statements or other proof of the benefits you ~~received~~ got. Be sure to include these when you send your exemption form.

You may want to talk to a lawyer for advice about this process. If you are low income you can call Legal Aid statewide at 1(877) 696-6529.

PENALTIES:

Warnings and Fines

If you claim that your money is protected and a court decides you made that claim in bad faith, ~~the court~~ they can order you to pay costs, actual damages, ~~attorney~~ lawyer fees, and ~~an additional amount of a fine~~ up to \$100. Bad faith is when someone does something wrong on purpose. For example, it may be bad faith if you claim you ~~receive~~ get government benefits ~~that you do not receive~~ and you don't.

If the creditor made a bad faith objection to your claim that your money is protected, the court can order them to pay costs, actual damages, ~~attorney~~ lawyer fees, and ~~an additional amount of a fine~~ up to \$100.

Subd. 3. **Exemption notice.** The exemption notice must be a separate form and must be in substantially the following form:

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF

.....JUDICIAL DISTRICT

.....(Creditor)

347.1(Debtor)

347.2(Financial institution)

347.3 State of Minnesota

District Court

347.4 County of:

Judicial District:

347.5

Court File Number:

347.6

Case Type:

347.7 Creditor's full name

347.8

Exemption Form

347.9 vs.

347.10 Debtor's full name

347.11

347.12 Bank's name

347.13

347.14 ~~EXEMPTION FORM~~

347.15 A. **How Much Money is Protected (exempt)**

347.16 I claim ALL of the money being frozen by the bank is protected.

347.17 I claim SOME of the money is protected. The amount I claim is protected is \$.....

347.18 B. **Why The Money is Protected**

347.19 My money is protected because I get it from one or more of the following places:
347.20 **(Check all that apply)**

347.21 **Earnings (Wages)**

347.22 ALL or SOME of my wages may be protected.

347.23 ... **Some** of my wages are protected because they were only deposited in my account
347.24 in the last 20 days.

347.25 For wages that were deposited in your account within the last 20 days, the amount
347.26 protected is whichever is more:

347.27 (i) 75% of your wages or more (after taxes are taken out), or

347.28 (ii) The current minimum wage times 40 per week. You can find the current minimum
347.29 wage here: <https://www.dli.mn.gov/minwage>.

347.30 All of my wages are protected because:

347.31 ... I get government benefits (a list of government benefits is on the next page)

347.32 ... I am getting other assistance based on need

347.33 ... I have gotten government benefits in the last 6 months

347.34 ... I was in jail or prison in the last 6 months

347.35 If you check one of these 4 boxes, your wages are only protected for 60 days after
347.36 they are deposited in your account. You **MUST send the creditor copies of bank**
347.37 **statements** that show what was in your account **for the 60 days right before the**
347.38 **bank froze your money.**

347.39 **Government Benefits**

348.1 Government benefits can include, but are not limited to, the following many things.
348.2 For example:
348.3 ... MFIP - Minnesota Family Investment Program;
348.4 ... DWP - MFIP Diversionary Work Program;
348.5 ... SNAP - Supplemental Nutrition Assistance Program
348.6 ~~Work participation cash benefit,~~
348.7 ... GA - General Assistance;
348.8 ~~EA - emergency assistance;~~
348.9 ~~MA - medical assistance;~~
348.10 ... EGA - Emergency General Assistance;
348.11 ... MSA - Minnesota Supplemental Aid;
348.12 ... MSA-EA - MSA Emergency Assistance;
348.13 ... EA - Emergency Assistance
348.14 ... Energy or Fuel Assistance
348.15 ... Work Participation Cash Benefit
348.16 ... MA - Medical Assistance
348.17 ~~Supplemental Nutrition Assistance Program (SNAP),~~
348.18 ~~SSI - Supplemental Security Income,~~
348.19 ... MinnesotaCare;
348.20 ... Medicare Part B - Premium Payments; help
348.21 ... Medicare Part D - Extra help;
348.22 ~~Energy or fuel assistance.~~
348.23 ... SSI - Supplemental Security Income
348.24 ... Tax Credits - federal Earned Income Tax Credit (EITC), Minnesota Working
348.25 Family Credit
348.26 ... Renter's Refund (also called Renter's Property Tax Credit)

348.27 ~~LIST SOURCE(S) OF FUNDING IN YOUR ACCOUNT~~

348.28

348.29 ~~LIST THE CASE NUMBER AND COUNTY~~

348.30 Case Number:

348.31 County:

348.32 ~~Government benefits also include:~~

348.33 ~~Social Security benefits~~

348.34 ~~Unemployment benefits~~

348.35 ~~Workers' compensation~~

348.36 ~~Veterans benefits~~

349.1 ~~If you receive any of these government benefits, include copies of any documents~~

349.2 ~~you have that show you receive Social Security, unemployment, workers'~~

349.3 ~~compensation, or veterans benefits.~~

349.4 ~~Other assistance based on need~~

349.5 ~~You may have assistance based on need from another source that is not on the list. If you~~

349.6 ~~do, check this box, and fill in the source of your money on the line below:~~

349.7 ~~Source:.....~~

349.8 ~~Include copies of any documents you have that show the source of this money.~~

349.9 **EARNINGS**

349.10 ~~ALL or SOME of your earnings (wages) may also be protected.~~

349.11 ~~All of your earnings (wages) are protected if:~~

349.12 ~~You get government benefits (see list of government benefits)~~

349.13 ~~You currently receive other assistance based on need~~

349.14 ~~You have received government benefits in the last six months~~

349.15 ~~You were in jail or prison in the last six months~~

349.16 ~~If you check one of these lines, your wages are only protected for 60 days after~~

349.17 ~~they are deposited in your account so you MUST send the creditor a copy of~~

349.18 ~~BANK STATEMENTS that show what was in your account for the 60 days right~~

349.19 ~~before the bank froze your money.~~

349.20 ~~Some of your earnings (wages) are protected.~~

349.21 ~~If all of your earnings are not exempt, then some of your earnings are still protected~~

349.22 ~~for 20 days after they were deposited in your account. The amount protected is the~~

349.23 ~~larger amount of:~~

349.24 ~~75 percent of your wages (after taxes are taken out); or~~

349.25 ~~(insert the sum of the current federal minimum wage) multiplied by 40.~~

349.26 **OTHER EXEMPT FUNDS**

349.27 ~~The money from the following are also completely protected after they are deposited~~

349.28 ~~in your account.~~

349.29 ~~An accident, disability, or retirement pension or annuity~~

349.30 ~~Payments to you from a life insurance policy~~

349.31 ~~Earnings of your child who is under 18 years of age~~

349.32 ~~Child support~~

349.33 ~~Money paid to you from a claim for damage or destruction of property~~ ~~Property~~

349.34 ~~includes household goods, farm tools or machinery, tools for your job, business~~

349.35 ~~equipment, a mobile home, a car, a musical instrument, a pew or burial lot, clothes,~~

349.36 ~~furniture, or appliances.~~

349.37 ~~Death benefits paid to you~~

349.38 List the case number and county for every

349.39 box you checked:

349.40 Case Number: County:

350.1 Case Number: County:

350.2 Case Number: County:

350.3 Government benefits also include:

350.4 ... Social Security benefits

350.5 ... Unemployment benefits

350.6 ... Workers' compensation

350.7 ... Veterans' benefits

350.8 If you get any of these government benefits, include copies of any documents that show
350.9 you get them.

350.10 ... I get other assistance based on need that is not on the list. It comes from:

350.11

350.12 Make sure you include copies of any documents that show this.

350.13 **C. Other Protected Funds**

350.14 The money from these things are also completely protected after they are deposited in
350.15 my account.

350.16 ... Child Support

350.17 ... A retirement, disability, or accident pension or annuity

350.18 ... Earnings of my child who is under 18 years of age

350.19 ... Payments to me from a life insurance policy

350.20 ... Money paid to me from a claim for damage or destruction of property. Property
350.21 includes household goods, farm tools or machinery, tools for my job, business equipment,
350.22 a mobile home, a car, a musical instrument, a pew or burial lot, clothes, furniture, or
350.23 appliances

350.24 ... Death benefits paid to me

350.25 I give my permission to any agency that has given me ~~cash~~ benefits to give information
350.26 about my benefits to the ~~above-named~~ creditor; named above or ~~its attorney~~ to the creditor's
350.27 lawyer. The information will **ONLY** ~~concern whether~~ be if I get ~~benefits or not, or whether~~
350.28 ~~I have gotten them~~ assistance, or if I have gotten assistance in the past ~~six~~ 6 months. If I
350.29 was an inmate in the last 6 months, I give my permission to the correctional institution to
350.30 tell the creditor named above or the creditor's lawyer that I was an inmate there.

350.31 ~~If I was an inmate in the last six months, I give my permission to the correctional~~
350.32 ~~institution to tell the above-named creditor that I was an inmate there.~~

351.1

351.2

351.3

351.4

You must sign this form and send ~~THIS FORM~~ it back to the creditor's ~~ATTORNEY~~ lawyer (or to the creditor, if there is no ~~ATTORNEY~~ lawyer) and the bank. Remember to include a copy of your bank statements for the past 60 days. Fill in the blanks below and go back to the instructions to make sure you ~~do~~ did it correctly.

351.5

351.6

I ~~have~~ mailed or delivered a copy of this form to: the creditor (or to the creditor's lawyer) at the address listed below.

351.7

.....

351.8

~~(Insert name of creditor or creditor's attorney)~~

351.9

.....

351.10

~~(Insert address of creditor or creditor's attorney)~~

351.11

Creditor's Signature:

351.12

(or creditor's lawyer's signature)

351.13

Creditor's Name:

351.14

(or creditor's lawyer's name)

351.15

Street Address:

351.16

City/State/Zip:

351.17

Phone: Fax:

351.18

Email:

351.19

351.20

I ~~have~~ also mailed or delivered a copy of this exemption form to my bank at the address listed ~~in the instructions.~~ below:

351.21

~~DATED:~~

351.22

~~DEBTOR~~

351.23

.....

351.24

~~DEBTOR ADDRESS~~

351.25

.....

351.26

~~DEBTOR TELEPHONE NUMBER~~

351.27

Bank's Name:

351.28

Street Address:

351.29

City/State/Zip:

351.30

Phone: Fax:

351.31

Email:

351.32

Date:

351.33

Debtor's Signature:

351.34

Debtor's Name:

351.35

Street Address:

352.1

City/State/Zip:

352.2

Phone:

352.3

Email:

352.4

Sec. 17. Minnesota Statutes 2024, section 571.914, subdivision 2, is amended to read:

352.5

Subd. 2. **Form of Notice of Objection and Notice of Hearing.** The Written Objection

352.6

and Notice of Hearing must be in substantially the following form:

352.7

STATE OF MINNESOTA

352.8

COUNTY OF

352.9

.....(Creditor)

352.10

.....(Debtor)

352.11

352.12

.....(Garnishee)

352.13

.....

352.14

.....

352.15

.....

352.16

(CREDITOR OR CREDITOR'S

352.17

ATTORNEY)

NOTICE OF HEARING

The creditor objects to your exemption claim.

This hearing is to resolve your exemption

claim.

Hearing Date:

Time:

Hearing Place:

352.25

State of Minnesota

352.26

County of:

352.27

352.28

352.29

Creditor's full name

352.30

.....

352.31

and

352.32

Debtor's full name

352.33

.....

352.34

Third Party (bank, employer, or other)

352.35

.....

District Court

Judicial District:

Court File Number:

Case Type:

Creditor's Notice of Objection and

Notice of Hearing on Exemption Claim

352.36

Hearing Notice

353.1 The creditor objects to your exemption claim. This hearing is to decide if your exemption

353.2 claim is valid.

353.3 The hearing will be at:

353.4 Place: Date: Time:

353.5 The creditor objects to your claim of exemption from garnishment for the following

353.6 reason(s):

353.7
353.8
353.9

353.10 ~~(Note: Bring with you to the hearing all documents and materials supporting your~~

353.11 ~~exemption claim. Failure to do so could delay the court's decision.)~~

353.12 ~~If the creditor receives all documents and materials supporting your exemption claim~~

353.13 ~~before the hearing date, the creditor may agree with your claim and you can avoid a hearing.~~

353.14 ~~Because a court hearing will be held on your claim that your funds are protected, your~~

353.15 ~~financial institution will retain the funds until it receives an order from the court.~~

353.16 **Note: Bring all your documents and materials that support your exemption claim**

353.17 **to the hearing.** If you don't, the court's decision could be held up.

353.18 You can send your documents and materials to the creditor before the hearing. If they

353.19 review them and agree with your claim, you can avoid a hearing.

353.20 Because there is a court hearing scheduled about your exemption claim, your bank will

353.21 keep your funds until it gets an order from the court.

353.22 Date:

353.23 Creditor's Signature:

353.24 (or creditor's lawyer's signature)

353.25 Creditor's Name:

353.26 (or creditor's lawyer's name)

353.27 Street Address:

353.28 City/State/Zip:

353.29 Phone: Fax:

353.30 Email:

354.1 Sec. 18. Minnesota Statutes 2024, section 571.925, is amended to read:

354.2 **571.925 FORM OF NOTICE.**

354.3 The ten-day notice informing a debtor that a garnishment summons may be used to
354.4 garnish the earnings of an individual must be substantially in the following form:

354.5	STATE OF MINNESOTA	DISTRICT COURT
354.6	COUNTY OF .....	.....JUDICIAL DISTRICT
354.7	.....(Creditor)	
354.8	against	
354.9		GARNISHMENT EXEMPTION
354.10	.....(Debtor)	NOTICE AND NOTICE OF
354.11	and	INTENT TO GARNISH EARNINGS
354.12	.....(Garnishee)	

354.13 ~~PLEASE TAKE NOTICE that a garnishment summons or levy may be served upon~~
354.14 ~~your employer or other third parties, without any further court proceedings or notice to you,~~
354.15 ~~ten days or more from the date hereof. Some or all of your earnings are exempt from~~
354.16 ~~garnishment. If your earnings are garnished, your employer must show you how the amount~~
354.17 ~~that is garnished from your earnings was calculated. You have the right to request a hearing~~
354.18 ~~if you claim the garnishment is incorrect.~~

354.19 ~~Your earnings are completely exempt from garnishment if you are now a recipient of~~
354.20 ~~assistance based on need, if you have been a recipient of assistance based on need within~~
354.21 ~~the last six months, or if you have been an inmate of a correctional institution in the last six~~
354.22 ~~months.~~

354.23 ~~Assistance based on need includes, but is not limited to:~~

354.24	<u>State of Minnesota</u>	<u>District Court</u>
354.25	<u>County of:</u>	<u>Judicial District:</u>
354.26		<u>Court File Number:</u>
354.27		<u>Case Type:</u>
354.28	<u>Creditor's full name</u>	
354.29	<u>.....</u>	<u>Garnishment Exemption Notice and</u>
354.30	<u>and</u>	<u>Notice of Intent to Garnish Earnings</u>
354.31	<u>Debtor's full name</u>	
354.32	<u>.....</u>	
354.33	<u>Third Party (bank, employer, or other)</u>	
354.34	<u>.....</u>	

355.1 **Notice:** A garnishment may be served on your employer or other third parties.

355.2 **Garnishment means that part of your earnings can be taken to pay off debts that you**
 355.3 **owe.** This can happen in 10 days or more after you get this notice. This can happen without
 355.4 any other court action or notice to you. **But some of your money may be protected.**

355.5 **Your earnings cannot be taken if:**

355.6 (i) you are getting government assistance based on need,

355.7 (ii) you got any government assistance based on need in the last 6 months, or

355.8 (iii) you were an inmate of a correctional institution in the last 6 months.

355.9 **These are called exemptions. Your money is NOT protected unless you fill out the**
 355.10 **Exemption Claim Notice attached and send it back to the creditor or the creditor's**
 355.11 **lawyer.** If you are not sure if you have any exemptions, talk to a lawyer.

355.12 You can also contact the creditor or their lawyer to talk about a settlement of the debt.

355.13 Examples of government assistance based on need:

355.14 (i) **MFIP** - Minnesota Family Investment Program;

355.15 (ii) **DWP** - MFIP Diversionary Work Program;

355.16 (iii) **SNAP** - Supplemental Nutrition Assistance Program

355.17 ~~**Work participation cash benefit;**~~

355.18 (iv) **GA** - General Assistance;

355.19 ~~**EA** - emergency assistance;~~

355.20 ~~**MA** - medical assistance;~~

355.21 (v) **EGA** - Emergency General Assistance;

355.22 (vi) **MSA** - Minnesota Supplemental Aid;

355.23 (vii) **MSA-EA** - MSA Emergency Assistance;

355.24 ~~**Supplemental Nutrition Assistance Program (SNAP);**~~

355.25 ~~**SSI** - Supplemental Security Income;~~

355.26 (viii) **EA** - Emergency Assistance

355.27 (ix) **Energy or Fuel Assistance**

355.28 (x) **Work Participation Cash Benefit**

355.29 (xi) **MA** - Medical Assistance

355.30 (xii) **MinnesotaCare**;

355.31 (xiii) **Medicare Part B** - Premium Payments; help

355.32 (xiv) **Medicare Part D** - Extra ~~help~~;

355.33 ~~**Energy or fuel assistance.**~~

355.34 (xv) **SSI** - Supplemental Security Income

- 356.1

(xvi) Tax Credits - federal Earned Income Tax Credit (EITC), Minnesota Working
- 356.2

Family Credit
- 356.3

(xvii) Renter's Refund (also called Renter's Property Tax Credit)

~~If you wish to claim an exemption, you should fill out the appropriate form below, sign it, and send it to the creditor's attorney and the garnishee.~~

~~You may wish to contact the attorney for the creditor in order to arrange for a settlement of the debt or contact an attorney to advise you about exemptions or other rights.~~

PENALTIES

~~(1) Be advised that even if you claim an exemption, a garnishment summons may still be served on your employer. If your earnings are garnished after you claim an exemption, you may petition the court for a determination of your exemption. If the court finds that the creditor disregarded your claim of exemption in bad faith, you will be entitled to costs, reasonable attorney fees, actual damages, and an amount not to exceed \$100.~~

~~(2) HOWEVER, BE WARNED if you claim an exemption, the creditor can also petition the court for a determination of your exemption, and if the court finds that you claimed an exemption in bad faith, you will be assessed costs and reasonable attorney's fees plus an amount not to exceed \$100.~~

~~(3) If after receipt of this notice, you in bad faith take action to frustrate the garnishment, thus requiring the creditor to petition the court to resolve the problem, you will be liable to the creditor for costs and reasonable attorney's fees plus an amount not to exceed \$100.~~

Dated:

.....

(Attorney for) Creditor

.....

Address

.....

Telephone

Warnings and Fines

(1) Even if you claim an exemption, a levy may still be served on your employer. If they take money from you after you claim an exemption, you may ask the court to review your exemption. If the court finds that the creditor ignored your claim of exemption in bad faith, you are entitled to costs, reasonable lawyer fees, actual damages, and a fine up to \$100. Bad faith is when someone does something wrong on purpose.

(2) BUT if you claim an exemption, the creditor can also ask the court to review your exemption. If the court finds that you claimed an exemption in bad faith, you are charged costs and reasonable lawyer fees, and a fine up to \$100.

(3) If you get this notice, then do something in bad faith to try to block or stop the levy and the creditor has to take you to court because of it, you will have to pay the creditor's costs, and reasonable lawyer's fees, and a fine up to \$100.

Date:

Creditor's Signature:

(or creditor's lawyer's signature)

Creditor's Name:

(or creditor's lawyer's name)

Street Address:

City/State/Zip:

Phone: Fax:

Email:

DEBTOR'S EXEMPTION CLAIM NOTICE

State of Minnesota

District Court

County of:

Judicial District:

Court File Number:

Case Type:

Creditor's full name

.....

and

Debtor's full name

.....

and

Third Party (bank, employer, or other)

.....

I hereby claim that my earnings are exempt from this garnishment because: (check all that apply)

(1) I am presently a recipient of relief based on need. (Specify the program, case number, and the county from which relief is being received.)

.....

Program

Case Number (if known)

County

358.1

(2) I am not now receiving relief based on need, but I have received relief based on need

358.2

within the last six months. (Specify the program, case number, and the county from

358.3

which relief has been received.)

358.4

.....

358.5

ProgramCase Number (if known)County

358.6

(3) I have been an inmate of a correctional institution within the last six months. (Specify

358.7

the correctional institution and location.)

358.8

.....

358.9

Correctional InstitutionLocation

358.10

I hereby authorize any agency that has distributed relief to me or any correctional

358.11

institution in which I was an inmate to disclose to the above-named creditor or the creditor's

358.12

attorney only whether or not I am or have been a recipient of relief based on need or an

358.13

inmate of a correctional institution within the last six months. I have mailed or delivered a

358.14

copy of this form to the creditor or creditor's attorney.

358.15

.....

358.16

DateDebtor

358.17

.....

358.18

Address

358.19

.....

358.20

Debtor Telephone Number

358.21

STATE OF MINNESOTA

358.22

COUNTY OF

358.23

.....(Creditor)

358.24

.....(Debtor)

358.25

.....(Financial institution)

358.26

...

358.27

...

358.28

Program: Case #: County:

358.29

Program: Case #: County:

358.30

Program: Case #: County:

358.31

... I am not getting assistance based on need right now, but I did get government assistance

358.32

based on need within the last 6 months. (State the program, case number if you know it,

358.33

and the county you got it from.)

359.1 Program: Case #: County:
359.2 Program: Case #: County:
359.3 Program: Case #: County:

359.4 ... I was an inmate of a correctional institution within the last 6 months. (State the
359.5 correctional institution and location.)

359.6 Correctional Institution Location

359.7 I give my permission to any agency listed above to give information about my benefits
359.8 to the creditor named above, or to the creditor's lawyer. The information will **ONLY** be if
359.9 I get assistance, or if I have gotten assistance in the past 6 months. If I was an inmate in the
359.10 last 6 months, I give my permission to the correctional institution to tell the creditor named
359.11 above or the creditor's lawyer that I was an inmate there.

359.12 **Sign and send this form back to the creditor or the creditor's lawyer.**

359.13 **Fill in the blanks below.**

359.14 I mailed or delivered a copy of this form to the creditor or to the creditor's lawyer if they
359.15 have one, at the address listed below.

359.16 Date:
359.17 Creditor's Signature:
359.18 (or creditor's lawyer's signature)
359.19 Creditor's Name:
359.20 (or creditor's lawyer's name)
359.21 Street Address:
359.22 City/State/Zip:
359.23 Phone: Fax:
359.24 Email:

359.25 Date:
359.26 Debtor's Signature:
359.27 Debtor's Name:
359.28 Street Address:
359.29 City/State/Zip:
359.30 Phone:
359.31 Email:

Sec. 19. Minnesota Statutes 2024, section 571.931, subdivision 6, is amended to read:

Subd. 6. **Notice.** The debtor shall be served with a copy of the prejudgment garnishment order issued pursuant to this section together with a copy of all pleadings and other documents not previously served, including any affidavits upon which the claimant intends to rely at the subsequent hearing and a transcript of any oral testimony given at the prejudgment garnishment hearing upon which the creditor intends to rely and a notice of hearing. Service must be in the manner prescribed for personal service of a summons unless that service is impracticable or would be ineffective and the court prescribes an alternative method of service calculated to provide actual notice to the debtor.

The notice of hearing served upon the debtor must be signed by the creditor or the attorney for the creditor and must be accompanied by an exemption notice. The notice of hearing must be accompanied by an exemption notice, and both notices must provide, at a minimum, the following information in substantially the following language:

NOTICE OF HEARING

Hearing Notice

TO:

~~(the debtor)~~ (debtor's full name)

The (insert the name of court) Court has ordered the prejudgment garnishment of some of your property ~~in the possession or control of a third party. This is about property that a third party has or controls.~~ Some of your property may be exempt ~~from seizure and can't be taken.~~ See the exemption notice below.

The Court issued this Order ~~based upon the claim of~~ because (insert name of creditor) ~~that (insert name of creditor) is~~ claims they are entitled to a court order for garnishment ~~take some of your property to secure your payment of any money judgment that (insert name of creditor) may later be obtained against you and that immediate action was necessary.~~ They do this to make sure you pay any money they might win in a future case against you. They felt immediate action was needed.

You have the legal right to challenge (insert name of creditor) claims at a court hearing before a judge.

The hearing will be at:

Place: Date: Time:

~~The hearing will be held at the (insert place) on (insert date) at (insert time). You may attend~~ can go to the court hearing alone or with an attorney a lawyer. After you have presented your side of the matter, the court will decide You get to tell the court your side of the issue. Then the court decides what should be done with your property until the lawsuit against you is finally decided.

~~If you do not attend~~ don't go to this hearing, the court may order garnishment of your property.

Exemption Notice

Some of your property may be exempt and ~~cannot be garnished~~ can't be taken. 'Exempt' means protected. The following is a list of some of the more common exemptions. It is not a complete ~~and is subject to~~ list. For full details and dollar amounts set by law see section 550.37, and other state and federal laws of the Minnesota Statutes. If you have questions about an exemption, ~~you should obtain competent~~ contact a lawyer for legal advice.

These things you or your family might have are protected:

(1) ~~a homestead or the proceeds from the sale of a homestead.~~ equity in your home, or money from recently selling your home - up to \$510,000 total;

(2)(i) all clothing, one watch, utensils, and foodstuffs;

(ii) household furniture, household appliances, phonographs, radios, and computers, tablets, televisions up to a total current value of \$4,500 at the time of attachment, printers, cell phones, smart phones, and other consumer electronics up to \$12,150 in all; and

(iii) jewelry - total value can't be more than \$3,308;

(3) ~~a manufactured (mobile) home used as your home.~~ you live in;

(4) ~~one motor vehicle currently worth less than \$2,000 after deducting any security interest,~~ counting only the amount you have paid off:

(i) \$10,000;

(ii) \$12,500 if it is necessary for your business, trade, or profession;

(iii) \$25,000 if used by or to help someone with a disability that makes it hard to walk;

or

(iv) \$100,000 if designed or modified for someone with a disability that makes it hard to walk;

362.1 (5) farm machinery ~~used by someone principally engaged in farming, or if your main~~
 362.2 ~~business is farming.~~ Tools, machines, or office furniture used in your business ~~or trade.~~ This
 362.3 ~~exemption is limited to \$10,000.~~ the total value can't be more than \$13,000;

362.4 (6) relief based on need. This includes ~~the~~ :

362.5 (i) MFIP - Minnesota Family Investment Program (MFIP), Emergency Assistance (EA),
 362.6 Work First Program, Medical Assistance (MA);

362.7 (ii) DWP - MFIP Diversionary Work Program;

362.8 (iii) SNAP - Supplemental Nutrition Assistance Program;

362.9 (iv) GA - General Assistance (GA);

362.10 (v) EGA - Emergency General Assistance (EGA);

362.11 (vi) MSA - Minnesota Supplemental Aid (MSA);

362.12 (vii) MSA-EA - MSA Emergency Assistance (MSA-EA), Supplemental Security Income
 362.13 (SSI), and Energy Assistance;

362.14 (viii) EA - Emergency Assistance;

362.15 (ix) Energy or Fuel Assistance;

362.16 (x) Work Participation Cash Benefit;

362.17 (xi) MA - Medical Assistance;

362.18 (xii) MinnesotaCare;

362.19 (xiii) Medicare Part B - Premium Payments help;

362.20 (xiv) Medicare Part D - Extra;

362.21 (xv) SSI - Supplemental Security Income;

362.22 (xvi) Tax Credits - federal Earned Income Tax Credit (EITC), Minnesota Working
 362.23 Family Credit; and

362.24 (xvii) Renter's Refund (also called Renter's Property Tax Credit);

362.25 (7) wages. 100% is protected if you get government assistance based on need. Otherwise,
 362.26 between 75-100% is protected depending on how much you earn;

362.27 (8) retirement benefits - the total interest under all plans and contracts can't be more than
 362.28 \$81,000;

362.29 ~~(7)~~ (9) Social Security benefits;

- 363.1 ~~(8)~~ (10) unemployment benefits, workers' compensation, or veterans' benefits;
- 363.2 ~~(9) An accident, disability or retirement~~ (11) a retirement, disability, or accident pension
- 363.3 or annuity;
- 363.4 ~~(10)~~ (12) life insurance proceeds; that are not more than \$54,000;
- 363.5 ~~(11) The~~ (13) earnings of your minor child;
- 363.6 ~~(12)~~ (14) money from a claim for damage or destruction of exempt property ~~(such as -~~
- 363.7 like household goods, farm tools, business equipment, a manufactured (mobile) home, or
- 363.8 ~~a car).~~ car;
- 363.9 (15) sacred possessions - like the Bible, Torah, Qur'an, prayer rug, and other religious
- 363.10 items. Total value can't be more than \$2,000;
- 363.11 (16) personal library - total value can't be more than \$750;
- 363.12 (17) musical instruments - total value can't be more than \$2,000;
- 363.13 (18) family pets - current value can't be more than \$1,000;
- 363.14 (19) a seat or pew in any house or place of public worship and a lot in any burial ground;
- 363.15 (20) tools you need to work in your business or profession - the total value can't be more
- 363.16 than \$13,500;
- 363.17 (21) household tools and equipment - things like hand and power tools, snow removal
- 363.18 equipment, lawnmowers, and more. Total value can't be more than \$3,000; and
- 363.19 (22) health savings accounts, medical savings accounts - the total value can't be more
- 363.20 than \$25,000.

363.21 Sec. 20. Minnesota Statutes 2024, section 571.932, subdivision 2, is amended to read:

363.22 Subd. 2. **Service.** The creditor's motion to obtain an order of garnishment together with

363.23 the creditor's affidavit and notice of hearing must be served in the manner prescribed for

363.24 service of a summons in a civil action in district court unless that service is impracticable

363.25 or would be ineffective and the court prescribes an alternative method of service calculated

363.26 to provide actual notice to the debtor. If the debtor has already appeared in the action, the

363.27 motion must be served in the manner prescribed for service of pleadings subsequent to the

363.28 summons. The date of the hearing must be fixed in accordance with rule 6 of the Minnesota

363.29 Rules of Civil Procedure for the District Courts, unless a different date is fixed by order of

363.30 the court.

The notice of hearing served upon the debtor shall be signed by the creditor or the attorney for the creditor and shall provide, at a minimum, the following information in substantially the following language:

~~NOTICE OF HEARING~~

Hearing Notice

TO:

~~(the debtor)~~ (debtor's full name)

~~A hearing will be held (insert place) on (insert date) at (insert time) to determine whether nonexempt property belonging to you will be garnished to secure a judgment that may be entered against you.~~

There will be a hearing to decide if your nonexempt property will be garnished to help pay a judgment that may be entered against you.

The hearing will be at:

Place: Date: Time:

~~You may attend~~ can go to the court hearing alone or with ~~an attorney~~ a lawyer. ~~After you have presented your side of the matter, the court will decide whether~~ You get to tell the court your side of the issue. Then the court decides if your property should be garnished until the lawsuit which has been commenced against you is finally decided.

~~If the court directs the issuance of~~ issues a garnishment summons ~~while~~ during the lawsuit ~~is pending~~, you ~~may still~~ can keep the property until the lawsuit is decided if you file a bond ~~in an amount~~. The amount of the bond is set by the court.

~~If you DO NOT ATTEND THIS~~ don't go to this hearing, the court may order **garnishment of your nonexempt property** ~~TO BE GARNISHED.~~

Exemption Notice

Some of your property may be exempt and ~~cannot~~ can't be ~~garnished~~ taken. 'Exempt' means protected. The following is a list of some ~~of the more~~ common exemptions. It is not a complete and is subject to list. For full details and dollar amounts set by law see section 550.37, and other state and federal laws of the Minnesota Statutes. ~~The dollar amounts contained in this list are subject to the provisions of section 550.37, subdivision 4a, at the time of the garnishment.~~ If you have questions about an exemption, ~~you should obtain competent~~ contact a lawyer for legal advice.

These things you or your family might have are protected:

- 365.1 (1) ~~A homestead or the proceeds from the sale of a homestead.~~ equity in your home, or
365.2 money from recently selling your home - up to \$510,000 total;
- 365.3 (2)(i) all clothing, one watch, utensils, and foodstuffs;
- 365.4 (ii) household furniture, household appliances, ~~phonographs~~, radios, and computers,
365.5 tablets, televisions up to a total current value of \$5,850., printers, cell phones, smart phones,
365.6 and other consumer electronics up to \$12,150 in all; and
- 365.7 (iii) jewelry - total value can't be more than \$3,308;
- 365.8 (3) a manufactured (mobile) home used as your home. you live in;
- 365.9 (4) one motor vehicle currently worth less than \$2,600 after deducting any security
365.10 interests., counting only the amount you have paid off:
- 365.11 (i) \$10,000;
- 365.12 (ii) \$12,500 if it is necessary for your business, trade, or profession;
- 365.13 (iii) \$25,000 if used by or to help someone with a disability that makes it hard to walk;
365.14 or
- 365.15 (iv) \$100,000 if designed or modified for someone with a disability that makes it hard
365.16 to walk;
- 365.17 (5) farm machinery used by an individual principally engaged in farming, or if your
365.18 main business is farming. Tools, machines, or office furniture used in your business or trade.
365.19 This exemption is limited to - the total value can't be more than \$13,000.;
- 365.20 (6) relief based on need. This includes the:
- 365.21 (i) MFIP - Minnesota Family Investment Program (MFIP), Emergency Assistance (EA),
365.22 Work First Program, Medical Assistance (MA).;
- 365.23 (ii) DWP - MFIP Diversionary Work Program;
- 365.24 (iii) SNAP - Supplemental Nutrition Assistance Program;
- 365.25 (iv) GA - General Assistance (GA).;
- 365.26 (v) EGA - Emergency General Assistance (EGA).;
- 365.27 (vi) MSA - Minnesota Supplemental Aid (MSA).;
- 365.28 (vii) MSA-EA - MSA Emergency Assistance (MSA-EA), Supplemental Security Income
365.29 (SSI), and Energy Assistance.;
- 365.30 (viii) EA - Emergency Assistance;

- 366.1 (ix) Energy or Fuel Assistance;
- 366.2 (x) Work Participation Cash Benefit;
- 366.3 (xi) MA - Medical Assistance;
- 366.4 (xii) MinnesotaCare;
- 366.5 (xiii) Medicare Part B - Premium Payments help;
- 366.6 (xiv) Medicare Part D - Extra;
- 366.7 (xv) SSI - Supplemental Security Income;
- 366.8 (xvi) Tax Credits - federal Earned Income Tax Credit (EITC), Minnesota Working
- 366.9 Family Credit; and
- 366.10 (xvii) Renter's Refund (also called Renter's Property Tax Credit);
- 366.11 (7) wages. 100% is protected if you get government assistance based on need. Otherwise,
- 366.12 between 75-100% is protected depending on how much you earn;
- 366.13 (8) retirement benefits - the total interest under all plans and contracts can't be more than
- 366.14 \$81,000;
- 366.15 ~~(7)~~ (9) Social Security benefits;
- 366.16 ~~(8)~~ (10) unemployment benefits, workers' compensation, or veterans' benefits;
- 366.17 ~~(9) An accident, disability or retirement~~ (11) a retirement, disability, or accident pension
- 366.18 or annuity;
- 366.19 ~~(10)~~ (12) life insurance proceeds- that are not more than \$54,000;
- 366.20 ~~(11) The~~ (13) earnings of your minor child;
- 366.21 ~~(12)~~ (14) money from a claim for damage or destruction of exempt property (such as -
- 366.22 like household goods, farm tools, business equipment, a manufactured (mobile) home, or
- 366.23 a car);
- 366.24 (15) sacred possessions - like the Bible, Torah, Qur'an, prayer rug, and other religious
- 366.25 items. Total value can't be more than \$2,000;
- 366.26 (16) personal library - total value can't be more than \$750;
- 366.27 (17) musical instruments - total value can't be more than \$2,000;
- 366.28 (18) family pets - current value can't be more than \$1,000;
- 366.29 (19) a seat or pew in any house or place of public worship and a lot in any burial ground;

367.1 (20) tools you need to work in your business or profession - the total value can't be more
367.2 than \$13,500;

367.3 (21) household tools and equipment - things like hand and power tools, snow removal
367.4 equipment, lawnmowers, and more. Total value can't be more than \$3,000; and

367.5 (22) health savings accounts, medical savings accounts - the total value can't be more
367.6 than \$25,000.

367.7 Sec. 21. Laws 2024, chapter 114, article 3, section 101, the effective date, is amended to
367.8 read:

367.9 **EFFECTIVE DATE.** This section is effective ~~April~~ June 1, 2025, and applies to causes
367.10 of action commenced on or after that date.

367.11 **EFFECTIVE DATE.** This section is effective retroactively from March 1, 2025.

367.12 Sec. 22. **CONSTRUCTION AND APPLICATION.**

367.13 The forms in sections 1 to 20 must be made available on the state court website on or
367.14 before June 1, 2025. The failure to use the forms as amended by sections 1 to 20 before
367.15 June 1, 2025, is not a basis for a complaint or violation of a federal statute, Minnesota
367.16 Statutes, or the Minnesota Rules of Professional Conduct.

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

367.18 Sec. 23. **EFFECTIVE DATE.**

367.19 Sections 1 to 20 are effective June 1, 2025.

APPENDIX
Article locations for s1417-1

ARTICLE 1 JUDICIARY APPROPRIATIONS..... Page.Ln 2.52

ARTICLE 2 PUBLIC SAFETY APPROPRIATIONS..... Page.Ln 8.14

ARTICLE 3 FINANCIAL CRIMES AND FRAUD INVESTIGATIONS..... Page.Ln 49.1

ARTICLE 4 CRIMINAL PROVISIONS..... Page.Ln 68.18

ARTICLE 5 PUBLIC SAFETY PROVISIONS..... Page.Ln 94.20

ARTICLE 6 CRIMINAL JUSTICE-RELATED JUDICIAL PROVISIONS..... Page.Ln 109.19

ARTICLE 7 CRIME VICTIMS PROVISIONS..... Page.Ln 123.14

ARTICLE 8 CORRECTIONAL PROVISIONS..... Page.Ln 128.14

ARTICLE 9 CIVIL COMMITMENT COORDINATING DIVISION..... Page.Ln 159.10

ARTICLE 10 COURTS..... Page.Ln 164.1

ARTICLE 11 DATA PRACTICES..... Page.Ln 169.13

ARTICLE 12 MINNESOTA BUSINESS CORPORATION ACT..... Page.Ln 189.19

ARTICLE 13 TRUSTS..... Page.Ln 210.18

ARTICLE 14 MORTGAGE FORECLOSURE..... Page.Ln 232.13

ARTICLE 15 CIVIL LAW..... Page.Ln 244.14

ARTICLE 16 STATUTORY FORMS FOR GARNISHMENT..... Page.Ln 267.7

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.