

SENATE
STATE OF MINNESOTA
NINETY-FOURTH SESSION

S.F. No. 2868

(SENATE AUTHORS: CLARK, Abeler, Champion, Boldon and Mann)

DATE	D-PG	OFFICIAL STATUS
03/24/2025	1003	Introduction and first reading Referred to Health and Human Services
03/27/2025	1116	Author added Champion
02/17/2026	6324	Author added Boldon
03/18/2026	6805a	Comm report: To pass as amended
	6807	Second reading
03/23/2026	6918	Author added Mann

1.1 A bill for an act

1.2 relating to public assistance; removing drug testing requirements for persons

1.3 receiving certain benefits; amending Minnesota Statutes 2024, section 142G.18,

1.4 subdivision 1; repealing Minnesota Statutes 2024, section 256D.024, subdivision

1.5 1.

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

1.7 Section 1. Minnesota Statutes 2024, section 142G.18, subdivision 1, is amended to read:

1.8 Subdivision 1. **Person convicted of drug offenses.** (a) An individual who has been

1.9 convicted of a felony level drug offense during the previous ten years from the date of

1.10 application or recertification ~~is subject to the following:~~ may, if otherwise eligible, receive

1.11 MFIP benefits.

1.12 ~~(1) Benefits for the entire assistance unit must be paid in vendor form for shelter and~~

1.13 ~~utilities during any time the applicant is part of the assistance unit.~~

1.14 ~~(2) The convicted applicant or participant may be subject to random drug testing.~~

1.15 ~~Following any positive test for an illegal controlled substance, the county must provide~~

1.16 ~~information about substance use disorder treatment programs to the applicant or participant.~~

1.17 (b) Applicants requesting only SNAP benefits or participants receiving only SNAP

1.18 benefits, who have been convicted of a felony-level drug offense during the previous ten

1.19 years from the date of application or recertification may, if otherwise eligible, receive SNAP

1.20 benefits. ~~The convicted applicant or participant may be subject to random drug testing.~~

1.21 ~~Following a positive test for an illegal controlled substance, the county must provide~~

1.22 ~~information about substance use disorder treatment programs to the applicant or participant.~~

2.1 (c) For the purposes of this subdivision, "drug offense" means a conviction that occurred
2.2 during the previous ten years from the date of application or recertification of sections
2.3 152.021 to 152.025, 152.0261, 152.0262, 152.096, or 152.137. Drug offense also means a
2.4 conviction in another jurisdiction of the possession, use, or distribution of a controlled
2.5 substance, or conspiracy to commit any of these offenses, if the conviction occurred during
2.6 the previous ten years from the date of application or recertification and the conviction is
2.7 for a crime that would be a felony if committed in Minnesota.

2.8 (d) This subdivision does not apply for convictions or positive test results related to
2.9 cannabis, marijuana, or tetrahydrocannabinols.

2.10 Sec. 2. **REPEALER.**

2.11 Minnesota Statutes 2024, section 256D.024, subdivision 1, is repealed.

256D.024 PERSONS PROHIBITED FROM RECEIVING BENEFITS.

Subdivision 1. **Person convicted of drug offenses.** (a) An individual who has been convicted of a felony-level drug offense during the previous ten years from the date of application or recertification may be subject to random drug testing. The county must provide information about substance use disorder treatment programs to a person who tests positive for an illegal controlled substance.

(b) For the purposes of this subdivision, "drug offense" means a conviction that occurred during the previous ten years from the date of application or recertification of sections 152.021 to 152.025, 152.0261, 152.0262, or 152.096. Drug offense also means a conviction in another jurisdiction of the possession, use, or distribution of a controlled substance, or conspiracy to commit any of these offenses, if the conviction occurred during the previous ten years from the date of application or recertification and the conviction is for a crime that would be a felony if committed in Minnesota.

(c) This subdivision does not apply for convictions or positive test results related to cannabis, marijuana, or tetrahydrocannabinols.