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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FOURTH SESSION

H. F. No. 5149

05/14/2026 Authored by Sencer-Mura, Stephenson, Long, Kozlowski, Pérez-Vega and others
The bill was read for the first time and referred to the Committee on Judiciary Finance and Civil Law

A bill for an act

relating to immigration enforcement; restricting law enforcement access to sensitive locations; establishing civil remedies; modifying the concealing identity crime; expanding the scope of use of force investigations; limiting access to certain information; amending Minnesota Statutes 2024, sections 13.319, by adding a subdivision; 13.32, subdivision 3; 123B.51, by adding a subdivision; 299C.80, subdivision 1; 609.662, by adding a subdivision; 609.735; Minnesota Statutes 2025 Supplement, section 13.32, subdivision 5; proposing coding for new law in Minnesota Statutes, chapters 120A; 135A; 142B; 144; 604; proposing coding for new law as Minnesota Statutes, chapter 480C.

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

ARTICLE 1

COURT ACCESS

Section 1. **[480C.01] DEFINITIONS.**

Subdivision 1. **Definitions.** For purposes of sections 480C.01 to 480C.04, the following terms have the meanings given.

Subd. 2. **Civil arrest.** "Civil arrest" means taking a person into custody for an alleged civil immigration violation or conducting a brief stop to serve an individual with a Form I-862, notice to appear, or other similar document that initiates a removal proceeding. Civil arrest does not include an arrest:

(1) for an alleged criminal violation of any federal, state, or local law;

(2) for a violation of a condition of probation, parole, pretrial release, conditional release, or supervised release for which arrest is otherwise authorized by law; or

(3) supported by a judicial warrant or judicial order authorizing the arrest.

Subd. 3. **Court companion.** "Court companion" means:

(1) a spouse, domestic partner, or person who has a romantic relationship with a party, witness, or potential witness;

(2) a biological parent, foster parent, adoptive parent, or stepparent of a party, witness, or potential witness;

(3) minor children or other persons under the care of a party, witness, or potential witness;

(4) an interpreter or translator assisting a party, witness, or potential witness;

(5) a person assisting a party, witness, or potential witness with reading or completing court forms or documents;

(6) a person providing health care or assistance to a party, witness, or potential witness to allow that individual to participate in the court proceeding;

(7) a case manager, social worker, domestic violence advocate, or sexual assault advocate for a party, witness, or potential witness; or

(8) a person transporting a party, witness, or potential witness to or from a court proceeding.

Subd. 4. **Court proceeding.** "Court proceeding" means a matter pending under the jurisdiction or supervision of a state or administrative court, including but not limited to:

(1) civil proceedings;

(2) criminal proceedings; and

(3) administrative proceedings before the Court of Administrative Hearings, the Workers' Compensation Court of Appeals, or Tax Court.

Subd. 5. **Judicial warrant.** "Judicial warrant" or "judicial order authorizing the arrest" means a written order from a state court or federal Article III court that authorizes a law enforcement agency or another person specifically named in the order to arrest a person.

Subd. 6. **Law enforcement agency.** "Law enforcement agency" means any local, state, or federal entity with statutory police powers and the ability to employ individuals authorized to make arrests.

Sec. 2. **[480C.02] CIVIL ARREST PROHIBITED; CERTAIN LOCATIONS.**

Subdivision 1. **Privilege from civil arrest.** A person attending a court proceeding in which the person is a party, witness, potential witness, or court companion is privileged

from civil arrest while going to, remaining at, and returning from the court proceeding, including:

(1) at the location of the court proceedings, including a location where the party, witness, potential witness, or court companion accesses a court proceeding held remotely;

(2) within the courthouse building;

(3) on the premises of the courthouse, including parking facilities serving the courthouse; and

(4) on any sidewalk, parkway, or street surrounding the courthouse and its premises.

Subd. 2. **Construction.** (a) Nothing in this section shall be construed to narrow, or in any way lessen, any common law or other right or privilege of a person privileged from arrest under this section or otherwise.

(b) The protections in this section apply regardless of whether a judicial order is issued under subdivision 4 or a court otherwise implements this section by a rule or order.

Subd. 3. **Criminal law violations.** Nothing in this section precludes the execution of a criminal arrest warrant issued by a judge or a criminal arrest based on probable cause for a violation of criminal law.

Subd. 4. **Court order.** In order to maintain access to the court and open judicial proceedings for all persons in their individual capacity and to prevent interference with the needs of judicial administration, a court may issue appropriate judicial orders to protect the privilege from arrest under this section.

Sec. 3. **[480C.03] CIVIL ACTION; REMEDIES.**

(a) A person who violates section 480C.02 is liable for civil damages for false imprisonment, including actual damages and statutory damages of $10,000, if that person knew or reasonably should have known that the person arrested was a party, witness, potential witness, or court companion going to, remaining at, or returning from the court proceeding at the time of the arrest.

(b) A court may grant any other equitable or declaratory relief it deems appropriate and just.

(c) A court may award to a prevailing plaintiff costs and reasonable attorney fees.

Sec. 4. **[480C.04] LIABILITY LIMITATION.**

(a) A judicial branch employee, acting in good faith, is not liable in a criminal, civil, or administrative proceeding for the employee's compliance with sections 480C.01 to 480C.03.

(b) Nothing in sections 480C.01 to 480C.03 affects any right or defense available under other law.

Sec. 5. **EFFECTIVE DATE.**

Sections 1 to 4 are effective the day following final enactment.

ARTICLE 2
HEALTH CARE FACILITIES

Section 1. **[144.6575] DEFINITIONS.**

Subdivision 1. **Definitions.** For purposes of sections 144.6575 to 144.6578, the following terms have the meanings given.

Subd. 2. **Commissioner.** "Commissioner" means the commissioner of health.

Subd. 3. **Health care facility.** "Health care facility" means:

(1) a hospital licensed under sections 144.50 to 144.56;

(2) a medical facility as defined in section 144.561;

(3) a physician's office or health care clinic where licensed practitioners provide health care to patients;

(4) a nonprofit community clinic, including a federally qualified health center, a rural health clinic, public health clinic, or other community clinic that provides health care;

(5) a nursing home as defined in section 144A.01, subdivision 5; or

(6) an assisted living facility as defined in section 144G.08, subdivision 7.

Subd. 4. **Law enforcement agency.** "Law enforcement agency" means any local, state, or federal entity with statutory police powers and the ability to employ individuals authorized to make arrests.

Subd. 5. **Judicial warrant.** "Judicial warrant" means a written order from a state court or federal Article III court that authorizes a law enforcement agency or another person specifically named in the order to arrest a person.

Subd. 6. **Law enforcement agent.** "Law enforcement agent" means a person employed by a law enforcement agency who is authorized to make a civil arrest.

Subd. 7. **Patient.** "Patient" means a person who receives health care services at a health care facility.

Subd. 8. **Resident.** "Resident" means a person admitted to a nursing home or assisted living facility.

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

Sec. 2. **[144.6576] LIMITS ON ACCESS TO PREMISES BY LAW ENFORCEMENT AGENTS ENGAGED IN CIVIL IMMIGRATION ENFORCEMENT.**

Subdivision 1. **Limits on access to health care facility premises.** A health care facility employee must not consent to a law enforcement agent entering a health care facility for purposes of civil immigration enforcement unless the law enforcement agent provides the health care facility employee with a valid judicial warrant. The health care facility employee must request that the law enforcement agent provide valid identification and must grant entry only to the areas identified in the judicial warrant.

Subd. 2. **Notification required.** A health care facility employee granting entry to a law enforcement agent engaged in civil immigration enforcement must immediately notify the person with administrative control of the health care facility and the health care facility's general counsel or other designated legal representative.

Subd. 3. **Scope of duty.** A health care facility or employee is obligated only to request the items described in subdivision 1. The facility or employee is not required to take any additional actions under subdivision 1. The requirements of subdivision 1 do not apply under exigent or emergency circumstances.

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

Sec. 3. **[144.6577] HEALTH CARE FACILITIES; POLICIES REGARDING CIVIL IMMIGRATION ENFORCEMENT ON PREMISES.**

Subdivision 1. **Policies regarding law enforcement agent present at health care facility.** By December 31, 2026, a health care facility must develop and implement a policy regarding interactions between health care facility employees and law enforcement agents present at the health care facility and involved in civil immigration activities. Each policy must be consistent with the requirements of section 144.6576, subdivision 1, and include:

(1) the name and contact information of a person or persons designated to be notified of the presence of a law enforcement agent at the health care facility. The designated contact person or persons must be legal counsel of the health care facility or other persons within the management or administration of the health care facility;

(2) procedures to verify the identity and authority of any law enforcement agent present at the health care facility, including but not limited to requesting and documenting the first and last name of the law enforcement agent, the name of the law enforcement agency, and the badge number of any law enforcement agent present with a patient or resident or requesting information about a patient or resident; and

(3) procedures regarding a law enforcement agent's access to the health care facility premises. A law enforcement agent must not access nonpublic areas of a health care facility as defined in the policy unless the law enforcement agent provides to a health care facility employee a valid judicial warrant or is requested by health care facility staff to respond to a safety or security issue within the health care facility.

Subd. 2. **Policies regarding release of information to law enforcement agent.** By December 31, 2026, a health care facility must develop and implement a policy regarding releasing patient or resident information to a law enforcement agent present at the health care facility. Each policy must include:

(1) procedures to ensure that any protected health information requested by a law enforcement agent is released in accordance with all applicable state and federal laws, including the Minnesota Health Records Act contained in sections 144.291 to 144.298 and the Health Insurance Portability and Accountability Act (HIPAA), if applicable; and

(2) procedures that provide that, unless required by state or federal law, a health care facility employee may only release patient or resident information to a law enforcement agent engaging in civil immigration enforcement if the law enforcement agent provides:

(i) a valid subpoena issued by a federal judge or magistrate;

(ii) a valid order issued by a federal judge or magistrate to require access to the health care facility premises; or

(iii) a valid warrant issued by a federal judge or magistrate.

Subd. 3. **Policies protecting patient and resident information.** By December 31, 2026, a health care facility must develop procedures to ensure that patients and residents are provided with the following documents:

(1) if the health care facility is subject to the Minnesota Health Records Act contained in sections 144.291 to 144.298 or HIPAA, a notice of privacy practices for protected health information, including information about the patient's or resident's right to request an amendment to any protected health information or record about the patient or resident maintained in a designated record set, which may include a request that any of the following information be deleted, redacted, or amended: place of birth; immigration or citizenship status; or information from a birth certificate, passport, permanent resident card, alien registration card, or employment authorization documents; and

(2) a form enabling a patient or resident to authorize the health care facility to disclose the patient's or resident's health status, including admission and discharge information, to the parents, guardians, relatives, or other designees of the patient or resident.

Subd. 4. **Health care facility employee training.** A health care facility must provide health care facility employees, security personnel, and designated contact persons with training annually on the policies in subdivisions 1 and 2.

Subd. 5. **Policy provided to commissioner.** A health care facility must submit the policies required in subdivisions 1 and 2 to the commissioner by December 31, 2026. A health care facility that fails to comply with the requirements in subdivisions 1 and 2 will be notified of noncompliance by the commissioner and may be subject to the imposition of a fine by the commissioner.

Subd. 6. **Investigation.** The commissioner may investigate and respond to complaints from patients, residents, health care facility employees, and the public alleging noncompliance with this section. A health care facility and its agents must not retaliate against a patient, a resident, employees, or an agent who files a complaint under this section.

Subd. 7. **Posting immigration rights information on premises.** A health care facility must post, either by physical or electronic means, a document providing the phone number that individuals may call to learn about immigration rights. The document must be posted on the premises of the health care facility in a conspicuous location that is accessible to patients, residents, employees, and visitors. The commissioner must develop and provide the document to health care facilities.

Sec. 4. **[144.6578] LIABILITY LIMITATION.**

(a) A health care facility employee, acting in good faith, is not liable in a criminal, civil, or administrative proceeding for the employee's compliance with sections 144.6575 to 144.6577.

(b) Nothing in sections 144.6575 to 144.6577 affects any right or defense available under other law.

ARTICLE 3
EDUCATIONAL INSTITUTIONS

Section 1. Minnesota Statutes 2024, section 13.319, is amended by adding a subdivision to read:

Subd. 9. **Citizenship or immigration status.** Treatment of data relating to a student's actual or perceived citizenship or immigration status is governed by section 120A.50.

Sec. 2. Minnesota Statutes 2024, section 13.32, subdivision 3, is amended to read:

Subd. 3. **Private data; when disclosure is permitted.** Except as provided in subdivision 5, educational data is private data on individuals and shall not be disclosed except as follows:

(a) pursuant to section 13.05;

(b) pursuant to a valid court order;

(c) pursuant to a statute specifically authorizing access to the private data;

(d) to disclose information in health, including mental health, and safety emergencies pursuant to the provisions of United States Code, title 20, section 1232g(b)(1)(I), and Code of Federal Regulations, title 34, section 99.36;

(e) pursuant to the provisions of United States Code, title 20, sections 1232g(b)(1), (b)(4)(A), (b)(4)(B), (b)(1)(B), (b)(3), (b)(6), (b)(7), and (i), and Code of Federal Regulations, title 34, sections 99.31, 99.32, 99.33, 99.34, 99.35, and 99.39, except that no disclosure may be made for purposes of civil immigration enforcement pursuant to United States Code, title 20, section 1232g(b)(1)(J)(ii), or Code of Federal Regulations, title 34, subtitle A, section 99.31(a)(9)(i)-(ii), in the absence of a judicial order or judicially issued subpoena;

(f) to appropriate health authorities to the extent necessary to administer immunization programs and for bona fide epidemiologic investigations which the commissioner of health determines are necessary to prevent disease or disability to individuals in the public educational agency or institution in which the investigation is being conducted;

(g) when disclosure is required for institutions that participate in a program under title IV of the Higher Education Act, United States Code, title 20, section 1092;

(h) to the appropriate school district officials to the extent necessary under subdivision 6, annually to indicate the extent and content of remedial instruction, including the results

of assessment testing and academic performance at a postsecondary institution during the previous academic year by a student who graduated from a Minnesota school district within two years before receiving the remedial instruction;

(i) to appropriate authorities as provided in United States Code, title 20, section 1232g(b)(1)(E)(ii), if the data concern the juvenile justice system and the ability of the system to effectively serve, prior to adjudication, the student whose records are released; provided that the authorities to whom the data are released submit a written request for the data that certifies that the data will not be disclosed to any other person except as authorized by law without the written consent of the parent of the student and the request and a record of the release are maintained in the student's file;

(j) to volunteers who are determined to have a legitimate educational interest in the data and who are conducting activities and events sponsored by or endorsed by the educational agency or institution for students or former students;

(k) to provide student recruiting information, from educational data held by colleges and universities, as required by and subject to Code of Federal Regulations, title 32, section 216;

(l) to the juvenile justice system if information about the behavior of a student who poses a risk of harm is reasonably necessary to protect the health or safety of the student or other individuals;

(m) with respect to Social Security numbers of students in the adult basic education system, to Minnesota State Colleges and Universities and the Department of Employment and Economic Development for the purpose and in the manner described in section 124D.52, subdivision 7;

(n) to the commissioner of education for purposes of an assessment or investigation of a report of alleged maltreatment of a student as mandated by chapter 260E. Upon request by the commissioner of education, data that are relevant to a report of maltreatment and are from charter school and school district investigations of alleged maltreatment of a student must be disclosed to the commissioner, including~~,~~ but not limited to~~,~~ the following:

(1) information regarding the student alleged to have been maltreated;

(2) information regarding student and employee witnesses;

(3) information regarding the alleged perpetrator; and

(4) what corrective or protective action was taken, if any, by the school facility in response to a report of maltreatment by an employee or agent of the school or school district;

(o) when the disclosure is of the final results of a disciplinary proceeding on a charge of a crime of violence or nonforcible sex offense to the extent authorized under United States Code, title 20, section 1232g(b)(6)(A) and (B), and Code of Federal Regulations, title 34, sections 99.31(a)(13) and (14);

(p) when the disclosure is information provided to the institution under United States Code, title 42, section 14071, concerning registered sex offenders to the extent authorized under United States Code, title 20, section 1232g(b)(7);

(q) when the disclosure is to a parent of a student at an institution of postsecondary education regarding the student's violation of any federal, state, or local law or of any rule or policy of the institution, governing the use or possession of alcohol or of a controlled substance, to the extent authorized under United States Code, title 20, section 1232g(i), and Code of Federal Regulations, title 34, section 99.31(a)(15), and provided the institution has an information release form signed by the student authorizing disclosure to a parent. The institution must notify parents and students about the purpose and availability of the information release forms. At a minimum, the institution must distribute the information release forms at parent and student orientation meetings;

(r) a student's name, home address, telephone number, email address, or other personal contact information may be disclosed to a public library for purposes of issuing a library card to the student; or

(s) with federally recognized Tribal Nations about Tribally enrolled or descendant students to the extent necessary for the Tribal Nation and school district or charter school to support the educational attainment of the student.

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

Sec. 3. Minnesota Statutes 2025 Supplement, section 13.32, subdivision 5, is amended to read:

Subd. 5. **Directory information; data on parents.** (a) Educational data designated as directory information is public data on individuals to the extent required under federal law. Directory information must be designated pursuant to the provisions of:

(1) this subdivision; and

(2) United States Code, title 20, section 1232g, and Code of Federal Regulations, title 34, section 99.37, which were in effect on January 3, 2012.

(b) When conducting the directory information designation and notice process required by federal law, an educational agency or institution shall give parents and students notice of the right to refuse to let the agency or institution designate specified data about the student as directory information. This notice may be given by any means reasonably likely to inform the parents and students of the right.

(c) An educational agency or institution may not designate a student's or parent's home address, telephone number, email address, or other personal contact information as directory information under this subdivision. This paragraph does not apply to a postsecondary institution.

(d) When requested, educational agencies or institutions must share personal student or parent contact information and directory information, whether public or private, with the Minnesota Department of Education, as required for federal reporting purposes.

(e) When requested, and in accordance with requirements for parental consent in the Code of Federal Regulations, title 34, section 300.622 (b)(2), and part 99, educational agencies or institutions may share personal student or parent contact information and directory information for students served in special education with postsecondary transition planning and services under section 125A.08, paragraph (b), clause (1), whether public or private, with the Department of Employment and Economic Development, as required for coordination of services to students with disabilities under sections ~~125A.08, paragraph (b), clause (1); 125A.023; and 125A.027~~ 125A.023; 125A.027; and 125A.08, paragraph (b), clause (1).

(f) Data concerning parents is private data on individuals but may be treated as directory information if the same procedures that are used by a school district to designate student data as directory information under this subdivision are followed, except that a parent's home address, telephone number, email address, or other personal contact information may not be treated as directory information under this subdivision.

(g) An educational agency or institution may not designate as directory information data on individuals that indicates or otherwise has the effect of identifying that an individual is not a citizen or national of the United States, including the individual's status as an international student.

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

Sec. 4. **[120A.50] DENIAL OF FREE PUBLIC EDUCATION PROHIBITED.**

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

(b) "Citizenship or immigration status" means all matters regarding citizenship of the United States or any other country or the authority or lack thereof to reside in or otherwise to be present in the United States, including an individual's nationality and country of citizenship.

(c) "Law enforcement agent" means a peace officer as defined in section 626.84, subdivision 1, paragraph (c), or a federal law enforcement officer as defined in section 626.77, subdivision 3. Law enforcement agent does not include a school resource officer as defined in section 626.8482.

(d) "Nonjudicial warrant" means any immigration detainer or civil immigration warrant issued by a federal agency. Nonjudicial warrant does not include a search warrant as defined in section 626.05, subdivision 1, or a warrant issued by a judge for the apprehension of a person charged with offenses.

(e) "School" means a school district, charter school, or cooperative unit as defined in section 123A.24, subdivision 2.

Subd. 2. **Right to free public education.** (a) No child may be denied a free kindergarten through grade 12 public education while in Minnesota based on the child's actual or perceived immigration status or the actual or perceived citizenship or immigration status of the child's parent or guardian.

(b) A school must not exclude a child from participation in or deny a child the benefits of any program or activity on the grounds of that child's actual or perceived immigration status or the actual or perceived citizenship or immigration status of the child's parent or guardian.

(c) A school must not use policies or procedures or engage in practices that have the effect of excluding a child from participation in or denying the benefits of any program or activity or the effect of excluding participation of the child's parent or guardian from parental engagement activities or programs because of the child's actual or perceived immigration status or the actual or perceived immigration status of the child's parent or guardian. These policies, procedures, and practices include:

(1) requesting or collecting information or documentation from a student or the student's parent or guardian about citizenship or immigration status unless required by state or federal law; and

(2) designating immigration status, citizenship, place of birth, nationality, or national origin as directory information, as defined by federal and state law.

(d) A school must not:

(1) threaten to disclose anything related to the actual or perceived citizenship or immigration status of a child or a person associated with the child to any other person or entity or an immigration or law enforcement agency;

(2) disclose any information related to the actual or perceived citizenship or immigration status of a child or a person associated with the child to any other person or entity or an immigration or law enforcement agency; or

(3) disclose any information related to the actual or perceived citizenship or immigration status of a child or a person associated with the child to any other person or nongovernmental entity.

(e) Nothing in paragraph (d), clause (2) or (3), may be construed to:

(1) permit the disclosure of student records or information without complying with state and federal requirements governing the disclosure of the records or information; or

(2) prohibit or restrict an entity from sending to or receiving from the United States Department of Homeland Security or any other federal, state, or local governmental entity information regarding the citizenship or immigration status of an individual, in accordance with United States Code, title 8, sections 1373 and 1644.

Subd. 3. **Required procedures.** By December 31, 2026, a school must develop procedures for reviewing and authorizing requests from law enforcement agents attempting to enter a school or school facility for purposes of civil immigration enforcement. The procedures must comply with the requirements of subdivision 2, paragraph (a), and at a minimum, include procedures for:

(1) reviewing and contacting a designated authorized person at the school or school facility and the district superintendent's office or school administrative office, who may contact the school's legal counsel, and procedures for that authorized person or legal counsel to review requests to enter a school or school facility, including judicial warrants, nonjudicial warrants, and subpoenas;

(2) monitoring, accompanying, and documenting all interactions with law enforcement agents while on the school's premises; and

(3) notifying and seeking consent from a student's parent or guardian, or from the student if the student is 18 years old or older or emancipated, if a law enforcement agent requests access to a student for immigration enforcement purposes, unless access is in compliance with a judicial warrant or subpoena that restricts the disclosure of the information to the student's parent or guardian.

Subd. 4. **Required policy.** By December 31, 2026, a school must adopt a policy for complying with subdivisions 2 and 3.

Subd. 5. **Liability limitation.** A school employee, acting in good faith, is not liable in a criminal, civil, or administrative proceeding for the employee's compliance with this section. Nothing in this section affects any right or defense available under other law.

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

Sec. 5. Minnesota Statutes 2024, section 123B.51, is amended by adding a subdivision to read:

Subd. 8. **Limits on access by agents engaged in immigration enforcement.** (a) As used in this subdivision:

(1) "law enforcement agency" means any local, state, or federal entity with statutory police powers and the ability to employ individuals authorized to make arrests;

(2) "law enforcement agent" means a person employed by a law enforcement agency who is authorized to make a civil arrest;

(3) "school property" has the meaning given in section 609.66, subdivision 1d, paragraph (e), clause (4), items (i), (iii), and (iv), but does not include the described areas as they relate to private schools; and

(4) "school official" means a school employee, contracted service provider, school bus driver, or a person having administrative control over a building or facility described in section 609.66, subdivision 1d, paragraph (e), clause (4), item (iv).

(b) A school official must not consent to a law enforcement agent entering school property for purposes of immigration enforcement unless the agent provides the school official with a valid judicial warrant. The school official must request the agent to provide valid identification and must grant entry to only the areas identified in the judicial warrant.

(c) A school official granting entry to a law enforcement agent engaged in immigration enforcement must immediately notify the person having administrative control of the school, and the school's general counsel or other designated legal representative.

(d) This subdivision does not prohibit entry by a law enforcement agent administering a state or federally supported educational program.

(e) A school official, acting in good faith, is not liable in a criminal, civil, or administrative proceeding for the official's compliance with this section. Nothing in this section affects any right or defense available under other law.

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

Sec. 6. **[135A.1455] LIMITS ON ACCESS BY LAW ENFORCEMENT AGENTS.**

Subdivision 1. **Applicability.** This section applies to: (1) public postsecondary institutions governed by either the Board of Trustees of the Minnesota State Colleges and Universities or the Board of Regents of the University of Minnesota; and (2) private postsecondary institutions that offer in-person courses on a campus located in Minnesota and that are eligible institutions as defined in section 136A.103, subdivision 1, paragraph (a). The Board of Regents of the University of Minnesota is requested to comply with this section.

Subd. 2. **Definitions.** For purposes of this section, the following terms have the meanings given:

(1) "campus" means:

(i) any building or property owned or controlled by a postsecondary institution within the same reasonably contiguous geographic area of the institution and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including but not limited to residence halls; and

(ii) property within the same reasonably contiguous geographic area of the institution that is owned by the institution but controlled by another person, is used by students, and supports institutional purposes, including but not limited to a food or other retail vendor;

(2) "judicial warrant" means a written order from a state court or federal Article III court that authorizes a law enforcement agency or another person specifically named in the order to arrest a person;

(3) "law enforcement agency" means any local, state, or federal entity with statutory police powers and the ability to employ individuals authorized to make arrests; and

(4) "law enforcement agent" means a person employed by a law enforcement agency who is authorized to make a civil arrest.

Subd. 3. **Limits on access.** (a) Except as provided in paragraph (d), an official, staff member, or other employee of a postsecondary institution must not consent to a law enforcement agent entering the institution's campus for purposes of civil immigration enforcement unless the agent provides valid identification and a valid judicial warrant that authorizes access to the campus.

(b) An official, staff member, or other employee of the postsecondary institution granting entry to a law enforcement agent engaged in civil immigration enforcement must notify: (1) the chief administrative official of the public postsecondary system, if the institution is a public postsecondary institution; or (2) the president of the postsecondary institution, if the institution is a private postsecondary institution. A chief administrative official or president may designate another school official, staff member, or employee to receive this notification on their behalf.

(c) If a law enforcement agent meets the requirements of paragraph (a), the official, staff member, or other employee of the postsecondary institution must grant entry to only the places, times, and individuals authorized under the judicial warrant.

(d) Paragraph (a) does not restrict campus access by a law enforcement agent that is:

(1) required by state or federal law;

(2) required to administer a state or federally supported education program; or

(3) for purposes of voluntary training, outreach, and support provided through the federal student exchange and visitor program.

Subd. 4. **Required procedures.** By December 31, 2026, a postsecondary institution must develop and adopt procedures for reviewing and authorizing requests from law enforcement agents to enter an institution or any of its facilities for purposes of civil immigration enforcement. The procedures must comply with the requirements of subdivision 3 and, at a minimum, include procedures for:

(1) reviewing requests and contacting the chief administrative official, president, or designee at the institution or facility, who may contact the school's legal counsel, and procedures for that authorized person or legal counsel to review requests to enter an institution or facility, including judicial warrants, nonjudicial warrants, and subpoenas;

(2) monitoring, accompanying, and documenting all interactions with law enforcement agents while on the institution or facility's premises; and

(3) notifying and seeking consent from a student's parent or guardian, or from the student if the student is 18 years old or older or emancipated, if a law enforcement agent requests access to a student for immigration enforcement purposes, unless access is in compliance with a judicial warrant or subpoena that restricts the disclosure of the information to the student's parent or guardian.

Subd. 5. **Information to students.** (a) During student registration, a postsecondary institution must provide each student with information regarding:

(1) a student's constitutional rights with regard to civil immigration enforcement;

(2) recommended best practices for student safety when interacting with a federal immigration officer; and

(3) the requirements imposed on the postsecondary institution by this section.

A copy of this information also shall be posted at appropriate locations on campus at all times.

(b) The commissioner of the Office of Higher Education, in consultation with the attorney general, must develop standardized language that a postsecondary institution may use to meet the requirements of paragraph (a).

Subd. 6. **Liability limitation.** A postsecondary institution employee, acting in good faith, is not liable in a criminal, civil, or administrative proceeding for the employee's compliance with this section. Nothing in this section affects any right or defense available under other law.

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

ARTICLE 4
CHILD CARE CENTERS

Section 1. **[142B.665] CHILD CARE CENTER ACCESS.**

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

(b) "Child care center" means:

(1) a child care center licensed under chapter 142B and Minnesota Rules, chapter 9503; and

(2) a certified license-exempt child care center authorized under chapter 142C.

(c) "Employee" means the license holder, authorized agent, controlling individual, director, staff persons, substitutes, and unsupervised volunteers of a licensed child care center or a certified license-exempt child care center.

(d) "Judicial warrant" means a written order from a state court or federal Article III court that authorizes a law enforcement agency or another person specifically named in the order to arrest a person.

(e) "Law enforcement agency" means any local, state, or federal entity with statutory police powers and the ability to employ individuals authorized to make arrests.

(f) "Law enforcement agent" means a person employed by a law enforcement agency who is authorized to make a civil arrest.

Subd. 2. **Limits on access by officials engaged in immigration enforcement.** (a) An employee of a child care center must not consent to a law enforcement agent entering a child care center for the purposes of civil immigration enforcement unless the official provides the employee with a valid judicial warrant and valid identification.

(b) If a law enforcement agent engaged in civil immigration enforcement enters a child care center, an on-duty employee must immediately notify the child care center license holder or authorized agent.

(c) This section does not prohibit entry to a child care center by a law enforcement agent administering a state or federally supported child care program.

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

Sec. 2. **[142B.667] CHILD CARE PROGRAMS; POLICIES REGARDING CIVIL IMMIGRATION ENFORCEMENT.**

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

(b) "Child care program" means a child care center licensed under chapter 142B and Minnesota Rules, chapter 9503, or a certified license-exempt child care center licensed under chapter 142C.

(c) "Employee" has the meaning given in section 142B.665, subdivision 1.

(d) "Law enforcement agent" has the meaning given in section 142B.665, subdivision 1.

Subd. 2. **Policies on law enforcement agent present at child care program.** (a) By December 31, 2026, a child care program must develop and implement policies regarding interactions between child care program employees and law enforcement agents present at the child care program and involved in civil immigration activities. The policies must be consistent with section 142B.665 and must include:

(1) procedures for notifying and seeking written consent from a child's parents or legal guardian if a law enforcement agent requests access to personally identifiable information from the child's records, unless such access is compliant with a judicial warrant or order or a subpoena that restricts the disclosure of the information to the child's parents or guardian;

(2) procedures to verify the identity and authority of any law enforcement agent present at the child care program, including but not limited to requesting and documenting the first and last name of the law enforcement agent, the name of the law enforcement agency, and the badge number of the law enforcement agent;

(3) procedures for notifying parents or guardians and the commissioner of children, youth, and families if an immigration enforcement action occurs at the child care program or its surrounding premises; and

(4) a written plan of action for interacting with law enforcement agents at the child care program that must be shared with a child's parent or legal guardian. The plan must include:

(i) a designation of spaces deemed to be private within the child care program's facility;

(ii) a designation of the child care program's director or the center director's designee to serve as the primary point of contact for interacting with law enforcement agents; and

(iii) procedures that a child care program's primary point of contact must follow to review and respond to any request for entry to the child care program by law enforcement, including judicial warrants, orders, and subpoenas.

(b) The child care program must ensure that all employees are trained on the policies under this subdivision.

Subd. 3. **Disclosing immigration information.** A child care program must not disclose or threaten to disclose to any other person, entity, or agency information regarding or relating to the actual or perceived citizenship or immigration status of a child or an associated person, unless disclosure is required by state or federal law.

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

Sec. 3. **[142B.668] LIABILITY LIMITATION.**

Subdivision 1. **Definition.** For purposes of this section, "employee" has the meaning given in section 142B.655, subdivision 1.

Subd. 2. **Liability limitation.** An employee, acting in good faith, is not liable in a criminal, civil, or administrative proceeding for the employee's compliance with sections 142B.665 and 142B.667.

Subd. 3. **Other rights and defenses.** Nothing in section 142B.655 or 142B.667 affects any right or defense available under other law.

ARTICLE 5
CIVIL ACTIONS

Section 1. **[604.51] CIVIL CAUSE OF ACTION FOR VIOLATIONS OF THE STATE AND FEDERAL CONSTITUTIONS.**

Subdivision 1. **Minnesota Constitution.** Any person who, under color of any statute, ordinance, regulation, custom, or usage of this state, or any other state or territory or the District of Columbia, subjects or causes to be subjected any citizen of this state or other person within the jurisdiction of this state to the deprivation of any rights, privileges, or immunities secured by the Minnesota Constitution shall be liable to the party injured in an action at law, suit in equity, or other proper proceedings for redress.

Subd. 2. **Federal constitution.** Any person who, under color of any statute, ordinance, regulation, custom, or usage of the United States, this state, or of any other state or territory or the District of Columbia, subjects or causes to be subjected any citizen of this state or other person within the jurisdiction of this state to the deprivation of any rights, privileges, or immunities secured by the United States Constitution shall be liable to the party injured in an action at law, suit in equity, or other proper proceedings for redress.

Subd. 3. **Damages.** In addition to any damages, injunctive relief, or other appropriate relief, in an action or proceeding brought under this section, the court may award to a prevailing plaintiff reasonable attorney fees and costs.

Subd. 4. **Statute of limitations.** An action under this section may not be commenced later than three years after the cause of action accrues.

Subd. 5. **Punitive damages.** In an action brought under this section based on a cause of action that accrued before the effective date of this section, the plaintiff is not entitled to an award of punitive damages under section 549.20.

EFFECTIVE DATE. This section is effective the day following final enactment and applies to causes of action accruing on or after December 1, 2025.

Sec. 2. Minnesota Statutes 2024, section 609.662, is amended by adding a subdivision to read:

Subd. 6. **Civil action.** A person who is injured by a violation of this section may bring a civil action for recovery of damages, together with costs and disbursements, including reasonable attorney fees. In addition to proving that the defendant failed to investigate and render assistance as required under this section, the plaintiff must prove by a preponderance of the evidence that the defendant could have investigated and rendered assistance as required under this section without significant risk of bodily harm to the defendant or others.

EFFECTIVE DATE. This section is effective the day following final enactment and applies to causes of action accruing on or after December 1, 2025.

ARTICLE 6
MISCELLANEOUS PROVISIONS

Section 1. Minnesota Statutes 2024, section 299C.80, subdivision 1, is amended to read:

Subdivision 1. **Definitions.** (a) As used in this section, the following terms have the meanings provided.

(b) "Federal agent" means an officer or employee of the Federal Bureau of Investigation, the Drug Enforcement Administration, the United States Marshal Service, the Secret Service, the Bureau of Alcohol, Tobacco, Firearms and Explosives, the Department of Homeland Security, or the United States Postal Inspection Service, or their successor agencies.

~~(b)~~ (c) "Law enforcement agency" has the meaning given in section 626.84, subdivision 1, paragraph (f).

~~(c)~~ (d) "Officer-involved death" means the death of another that results from a federal agent or a peace officer's use of force while the agent or officer is on duty or off duty but performing activities that are within the scope of the agent or officer's law enforcement duties.

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

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

~~(f)~~ (g) "Unit" means the independent Use of Force Investigations Unit.

EFFECTIVE DATE. This section is effective the day following final enactment and applies retroactively to officer-involved deaths that occurred on or after December 1, 2025.

Sec. 2. Minnesota Statutes 2024, section 609.735, is amended to read:

609.735 CONCEALING IDENTITY.

(a) A person whose identity is concealed by the person in a public place by means of a robe, mask, or other disguise, unless based on religious beliefs, or incidental to amusement, entertainment, protection from weather, protection from smoke, gas, or other airborne toxin, or medical treatment, is guilty of a misdemeanor.

(b) This section does not apply to a peace officer, as defined in section 626.84, subdivision 1, paragraph (c), or a federal law enforcement officer, as defined in section 626.77, subdivision 3, while performing official duties as:

(1) an undercover officer and concealment of the officer's identity is necessary to preserve the integrity of the investigation or the officer's safety; or

(2) a member of a tactical response team when a face mask will substantially reduce a known risk of serious permanent disfigurement to the officer's face.

(c) For the purposes of this section:

(1) "undercover officer" means a peace officer or federal law enforcement officer who, for the purpose of conducting a criminal investigation, acts under an assumed name or cover identity that intentionally conceals the officer's law enforcement status. Undercover officer does not include a plain clothes officer; and

(2) "plain clothes officer" means a peace officer or federal law enforcement officer who is not in uniform but is not conducting a criminal investigation and does not use an assumed name or cover identity to conceal the officer's law enforcement status.

APPENDIX
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