

SENATE
STATE OF MINNESOTA
NINETY-FOURTH SESSION

S.F. No. 4176

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DATE	D-PG	OFFICIAL STATUS
03/05/2026	6519	Introduction and first reading Referred to Judiciary and Public Safety
03/09/2026	6580	Author added Pha
03/18/2026	6580	Withdrawn and re-referred to State and Local Government Comm report: To pass as amended and re-refer to Judiciary and Public Safety

1.1 A bill for an act

1.2 relating to immigration; limiting state and local government participation in federal

1.3 civil immigration enforcement efforts; restricting where certain arrests can be

1.4 made; creating a cause of action for certain violations of constitutional rights;

1.5 requiring hospitals to establish and implement policies for interactions with law

1.6 enforcement agents; providing for enforcement; providing immunity for certain

1.7 acts; prohibiting denial of an education based on immigration status; providing a

1.8 civil cause of action when right to education is denied based on immigration status;

1.9 classifying data; requiring reports; appropriating money; amending Minnesota

1.10 Statutes 2025 Supplement, sections 13.32, subdivision 5; 181.932, subdivision 1;

1.11 proposing coding for new law in Minnesota Statutes, chapters 13; 120A; 135A;

1.12 144; 604; 629; repealing Minnesota Statutes 2024, sections 631.50; 631.51.

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

1.14 ARTICLE 1

1.15 LIMITATIONS ON CIVIL IMMIGRATION ENFORCEMENT

1.16 Section 1. **[629.80] CIVIL IMMIGRATION ENFORCEMENT; ACTIVITIES**

1.17 **PROHIBITED; POLICIES REQUIRED.**

1.18 Subdivision 1. Definitions. (a) For purposes of sections 629.80 to 629.82, the following

1.19 terms have the meanings given.

1.20 (b) "Civil immigration enforcement" means all efforts to: (1) investigate, detect,

1.21 apprehend, or detain an individual with the purpose of enforcing or executing federal

1.22 immigration statutes relating to removal, exclusion, or deportation proceedings; deportation

1.23 or removal orders; or removal from the United States; or (2) assist in the investigation of,

1.24 or civil arrest of, any persons for the purposes of enforcing federal civil immigration law,

1.25 including but not limited to violations of United States Code, title 8, sections 1182 and

1.26 1227. Civil immigration enforcement does not apply to efforts to assist individuals in

2.1 applying for immigration benefits or efforts to prevent deportation or removal from the
2.2 United States. Civil immigration enforcement does not include the enforcement of criminal
2.3 law.

2.4 (c) "Civil immigration warrant" means a document that is not approved or ordered by a
2.5 judge that can form the basis for an individual's arrest or detention for a civil immigration
2.6 enforcement purpose. Civil immigration warrant includes Form I-200 Warrant for the Arrest
2.7 of Alien, Form I-203 Order to Detain or Release Alien, Form I-205 Warrant of
2.8 Removal/Deportation, Form I-286 Notice of Custody Determination, any predecessor or
2.9 successor form, and all warrants, hits, or requests contained in the Immigration Violator
2.10 File of the FBI's National Crime Information Center database.

2.11 (d) "Federal immigration authority" means an officer, employee, personnel, or agent of
2.12 a federal agency that is charged with civil immigration enforcement, including but not
2.13 limited to the United States Immigration and Customs Enforcement and the United States
2.14 Customs and Border Protection.

2.15 (e) "Government personnel" means a person employed by a government unit.

2.16 (f) "Government unit" means a state department, agency, commission, council, board,
2.17 task force, or committee; a constitutional office; a court entity; the Minnesota State Colleges
2.18 and Universities; a county, statutory or home rule charter city, or town; a school district; a
2.19 special district; or any other board, commission, district, or authority created under law,
2.20 local ordinance, or charter provision.

2.21 (g) "Judicial warrant" means a warrant based upon probable cause issued by a state or
2.22 federal judge or federal magistrate judge.

2.23 (h) "Public safety agency" means:

2.24 (1) a law enforcement agency as defined in section 626.84, subdivision 1, paragraph (f);

2.25 (2) a correctional facility as defined in section 241.021, subdivision 1i, including a
2.26 juvenile facility licensed by the commissioner of human services and subject to section
2.27 241.021, subdivision 2;

2.28 (3) an agency providing probation services under section 244.19, subdivision 3; and

2.29 (4) a public or private entity providing security services to an entity that is controlled
2.30 by the state of Minnesota, including but not limited to public schools, public universities,
2.31 health care facilities, drug rehabilitation facilities, and hospitals.

2.32 (i) "Public safety personnel" means a person employed by a public safety agency.

3.1 Subd. 2. Purpose. (a) The purpose of this section is to direct the state of Minnesota's
3.2 limited resources to matters of greatest concern to state and local government and to protect
3.3 the safety, well-being, and privacy rights of the people of Minnesota.

3.4 (b) The legislature recognizes that the enforcement of federal civil immigration laws is
3.5 the exclusive purview of the federal government and that the state should not play a role in
3.6 the enforcement of the federal policies, including but not limited to the use of state, county,
3.7 and local resources in the detention of individuals not held for criminal or state purposes.

3.8 (c) The legislature finds that the resources of the state are better spent on promoting
3.9 public safety, trust in state government and its institutions, and the privacy of its residents.
3.10 Trust in state government is central to the public safety and well-being of the people of
3.11 Minnesota. Public safety and well-being are eroded when state and local government agencies
3.12 participate in federal civil immigration enforcement efforts, as these actions cause immigrant
3.13 community members to fear approaching law enforcement to report crimes and deter
3.14 community members from accessing basic services, including but not limited to health care
3.15 and public education.

3.16 (d) Nothing in this section is intended to hinder, obstruct, or prevent cooperation between
3.17 the state and the federal government for purposes of detection, investigation, or enforcement
3.18 of criminal activity.

3.19 Subd. 3. Government restrictions. (a) A government unit and government personnel
3.20 must not:

3.21 (1) apply for money from the State Criminal Alien Assistance Program, or any program
3.22 that requires increased information sharing for civil immigration enforcement purposes or
3.23 that requires any type of immigration enforcement action by government personnel; or

3.24 (2) enter into, amend provisions of, or renew any contract, intergovernmental service
3.25 agreement, or other agreement to house or detain individuals for civil immigration
3.26 enforcement purposes.

3.27 (b) A government unit and the unit's personnel must:

3.28 (1) by September 1, 2026, terminate any contract, agreement, or intergovernmental
3.29 service agreement that authorizes a government unit, government personnel, a public safety
3.30 agency, or public safety personnel to house or detain any person for civil immigration
3.31 enforcement purposes;

4.1 (2) by September 1, 2026, terminate any provision of an existing contract, agreement,
4.2 or intergovernmental service agreement that applies to the housing or detention of any
4.3 person for civil immigration enforcement purposes; and

4.4 (3) create written policies to ensure that:

4.5 (i) government personnel comply with the obligations in this section; and

4.6 (ii) access to any state or local programs or benefits are not unduly restricted based on
4.7 immigration or citizenship status unless required by federal or state law.

4.8 Subd. 4. **Public safety agency restrictions.** (a) A public safety agency and public safety
4.9 personnel must not:

4.10 (1) comply with a detainer, hold, notification, civil immigration warrant, or transfer
4.11 request from federal immigration authorities;

4.12 (2) make, assist in, or participate in any civil immigration enforcement operations,
4.13 including but not limited to conducting an arrest or detention of any individual for the
4.14 purpose of enforcing civil immigration law, or the establishment of traffic perimeters or
4.15 road checkpoints for federal immigration authorities. This paragraph does not apply to any
4.16 support provided by a public safety agency to an individual or family impacted by federal
4.17 immigration enforcement, even if the support occurs concurrently with the federal
4.18 immigration enforcement action;

4.19 (3) apply for or receive federal money, or participate in a program or effort, with the
4.20 purpose of using government personnel to assist or otherwise participate in civil immigration
4.21 enforcement activities, whether pursuant to United States Code, title 8, section 1357(g), or
4.22 any other formal or informal law, regulation, policy, or request;

4.23 (4) investigate, arrest, stop, or detain a person on the basis of a suspected civil
4.24 immigration violation, including but not limited to inquiries into a person's citizenship,
4.25 immigration status, or birthplace;

4.26 (5) request or use federal immigration authorities for language assistance, translation,
4.27 or interpretation during an encounter with public safety or government unit personnel as
4.28 the result of but not limited to a traffic stop, an investigation or investigatory stop, a 911
4.29 call, an arrest, or any legal proceeding;

4.30 (6) provide facilities, personnel, assistance, or other access other than that provided to
4.31 the general public to federal immigration authorities to investigate, interview, or question
4.32 for the purpose of civil immigration enforcement a person who is detained or otherwise in
4.33 the care of a public safety agency;

5.1 (7) provide access to a database or data that a public safety agency or public safety
5.2 personnel has access to, whether or not owned or controlled by a governmental unit, to
5.3 federal immigration authorities if the data will be used for purposes of civil immigration
5.4 enforcement without a judicial warrant, unless otherwise required by federal law;

5.5 (8) transfer care or control of a person in the custody of a public safety agency to federal
5.6 immigration authorities for the purpose of civil immigration enforcement without a judicial
5.7 warrant;

5.8 (9) notwithstanding the provisions of chapter 13 and unless an individual is being detained
5.9 for a removable offense under federal immigration law, notify or provide information to
5.10 federal immigration authorities of an individual's pending release from a public safety
5.11 agency's control, court dates, or any information about an individual. This information
5.12 includes but is not limited to address information, vehicle registry information, or other data
5.13 collected by a government unit, unless required by a judicial warrant or federal law. This
5.14 restriction does not apply to a request to complete Form I-918 Supplement B, U
5.15 Nonimmigrant Status Certification; Form I-914 Supplement B, Declaration of Law
5.16 Enforcement Officer for Victim of Trafficking in Persons; Form I-854, Inter-Agency Alien
5.17 Witness and Informant Record; or other request for documentation from a noncitizen victim
5.18 of a crime;

5.19 (10) deny access to a program or benefit relating to work release, including but not
5.20 limited to the challenge incarceration program under section 244.17 or any other program
5.21 that provides release from detention, because of the existence of a detainer, civil immigration
5.22 warrant, or other notifications from federal immigration authorities; or

5.23 (11) participate in, or provide access or assistance to, a federal immigration authority to
5.24 conduct civil immigration enforcement activities at state courthouses, hospitals, health care
5.25 clinics, churches or other places of worship, or schools without a judicial warrant.

5.26 (b) A public safety agency must:

5.27 (1) create or amend written policies that reflect the policies in this section;

5.28 (2) create a written record of data requests from federal immigration authorities, regardless
5.29 of whether data or information was shared, and, if data or information was shared with
5.30 federal immigration authorities, information as to the justification used must also be recorded;

5.31 (3) create policies in coordination with government units to ensure that all state and local
5.32 government offices, public schools, hospitals, and courthouses remain safe and accessible
5.33 to all Minnesota residents, regardless of immigration or citizenship status; and

6.1 (4) ensure compliance with all treaty obligations, including consular notification, and
6.2 state and federal laws by explaining in writing to any individual committed into the custody
6.3 of or detained by the public safety agency, with interpretation into another language if
6.4 requested:

6.5 (i) the individual's right to refuse to disclose the individual's nationality, citizenship,
6.6 country of birth, or immigration status; and

6.7 (ii) that disclosure of the individual's nationality, citizenship, country of birth, or
6.8 immigration status may result in civil or criminal immigration enforcement, including
6.9 removal from the United States.

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

6.11 **Sec. 2. [629.81] ENFORCEMENT ACTIONS.**

6.12 Subdivision 1. **Entities that may enforce this section.** The following individuals and
6.13 entities may seek relief for a violation of this section or section 629.80 by bringing an action
6.14 in state district court:

6.15 (1) an agency or instrumentality of the state;

6.16 (2) a political subdivision of the state or an agency or instrumentality of a political
6.17 subdivision of the state;

6.18 (3) an individual who has suffered injury due to a violation, or that individual's family
6.19 member or domestic partner; and

6.20 (4) an organization or other entity in the state that, as a primary part of its mission, assists,
6.21 represents, advocates for, or otherwise serves Minnesota residents who are not United States
6.22 citizens.

6.23 Subd. 2. **Definition.** For purposes of this section, "injury" means a grievance or damage
6.24 arising from a violation of section 13.375, being subject to civil immigration enforcement
6.25 after a violation of section 629.80, or any other harm suffered as a result of a violation of
6.26 this section or section 13.375 or 629.80.

6.27 Subd. 3. **Defendants.** The party bringing the enforcement action may sue any person or
6.28 entity that has violated section 629.80, including but not limited to the certification provisions
6.29 in section 629.80, subdivision 3.

6.30 Subd. 4. **Relief.** The court may award the following forms of relief:

6.31 (1) to all enforcing parties:

7.1 (i) preliminary and equitable relief, including injunctions, as the court determines
 7.2 necessary in order to correct or prevent further violations; and

7.3 (ii) reasonable attorney fees and costs; and

7.4 (2) to the parties identified in subdivision 1, clause (3):

7.5 (i) actual damages, or liquidated damages of \$1,000 per violation, whichever is greater;
 7.6 and

7.7 (ii) punitive damages upon proof of knowing or reckless disregard of the law.

7.8 Subd. 5. **Nonrestriction of other rights.** Nothing in this section restricts the right of a
 7.9 person or class of persons to seek enforcement of this section or section 13.375 or 629.80
 7.10 under any other statute or common law or to seek any other form of relief available at law
 7.11 or equity.

7.12 **EFFECTIVE DATE.** Subdivision 4, clause (2), is effective one year after the date of
 7.13 final enactment of Minnesota Statutes, sections 629.80 and 629.81, or the date on which a
 7.14 written policy has been implemented in compliance with Minnesota Statutes, section 629.80,
 7.15 subdivisions 3, paragraph (b), clause (4), and 4, paragraph (b), clause (1), whichever occurs
 7.16 first.

7.17 Sec. 3. **REPEALER.**

7.18 Minnesota Statutes 2024, sections 631.50; and 631.51, are repealed.

7.19 **ARTICLE 2**
 7.20 **PROTECT OUR COURTS ACT**

7.21 Section 1. **[629.311] CIVIL ARREST; CERTAIN LOCATIONS.**

7.22 Subdivision 1. **Title.** This section shall be known as the "Protect Our Courts Act."

7.23 Subd. 2. **Definitions.** (a) For purposes of this section, the following terms have the
 7.24 meanings given.

7.25 (b) "Civil arrest" means an arrest that is not:

7.26 (1) for the sole or primary purpose of preparing the person subject to arrest for criminal
 7.27 prosecution for an alleged violation of the criminal law of:

7.28 (i) this state, or another state, when a sentence of a term of imprisonment is authorized
 7.29 by law; or

8.1 (ii) the United States, when a sentence of a term of imprisonment is authorized by law
8.2 and when federal law requires an initial appearance before a federal judge, federal magistrate,
8.3 or other judicial officer pursuant to the Federal Rules of Criminal Procedure that govern
8.4 initial appearances; or

8.5 (2) for contempt of the court in which the court proceeding is taking place or will be
8.6 taking place.

8.7 (c) "Court proceeding" means any appearance in a court of this state before a judge,
8.8 justice, or referee of this state ordered or scheduled by the judge, justice, or referee, or the
8.9 filing of papers designed to initiate an appearance before a judge, justice, or referee of this
8.10 state.

8.11 (d) "Family or household member" has the meaning given in section 518B.01, subdivision
8.12 1, paragraph (b).

8.13 (e) "Judicial warrant" or "judicial order authorizing civil arrest" means an arrest warrant
8.14 or other judicial order, issued by a judicial officer sitting in the judicial branch of a local or
8.15 state government or of the federal government, authorizing a civil arrest and issued by the
8.16 court in which proceedings following such arrest will be heard and determined.

8.17 Subd. 3. **Privilege from arrest.** A person duly and in good faith attending a court
8.18 proceeding in which the person is a party or potential witness, or in which a family or
8.19 household member is a party or potential witness, is privileged from civil arrest while going
8.20 to, remaining at, and returning from the place of a court proceeding, unless civil arrest is
8.21 supported by a judicial warrant or judicial order authorizing civil arrest.

8.22 Subd. 4. **Violations.** It is a contempt of the court and false imprisonment for any person
8.23 to willfully violate subdivision 3 or an order of the court by executing an arrest prohibited
8.24 by subdivision 3 or willfully assisting an arrest prohibited by subdivision 3. Nothing in this
8.25 subdivision affects any right or defense of any person, police officer, peace officer, public
8.26 officer, or any Minnesota judicial branch personnel acting lawfully pursuant to their duty
8.27 to maintain safety and order in the courts.

8.28 Subd. 5. **Civil action.** Regardless of whether a proceeding for contempt of the court
8.29 pursuant to subdivision 4 has been initiated:

8.30 (1) a person described in subdivision 3 may bring a civil action for appropriate equitable
8.31 and declaratory relief if the person has reasonable cause to believe a violation of this section
8.32 has occurred or may occur; and

9.1 (2) the attorney general may bring a civil action in the name of the people of Minnesota
9.2 to obtain appropriate equitable and declaratory relief if the attorney general has reasonable
9.3 cause to believe that a violation of this section has occurred or may occur.

9.4 Subd. 6. **Attorney fees.** In any successful action under subdivision 5, a plaintiff or
9.5 petitioner may recover costs and reasonable attorney fees.

9.6 Subd. 7. **Preservation of rights and privileges.** This section must not be construed to
9.7 narrow, or in any way lessen, any common law or other right or privilege of a person
9.8 privileged from arrest under this section or otherwise.

9.9 Subd. 8. **Immunity from suit.** No action or proceeding may be commenced under this
9.10 section against the Minnesota judicial branch or any Minnesota judicial branch personnel
9.11 acting lawfully pursuant to their duty to maintain safety and order in the courts.

9.12 Subd. 9. **Certain powers of the courts regarding civil arrests.** In order to maintain
9.13 access to the court and open judicial proceedings for all persons in their individual capacity
9.14 and to prevent interference with the needs of judicial administration, a court has the power
9.15 to issue appropriate judicial orders to protect the privilege from civil arrest.

9.16 Subd. 10. **Court rules; report.** (a) In order to maintain access to the court and open
9.17 judicial proceedings for all persons in their individual capacity and to prevent interference
9.18 with the needs of judicial administration, the Minnesota judicial branch must promulgate
9.19 rules to ensure the following:

9.20 (1) any representative of a law enforcement agency who, while acting in an official
9.21 capacity, enters a Minnesota state courthouse intending to observe an individual or take an
9.22 individual into custody must identify themselves to Minnesota judicial branch personnel
9.23 and state their specific law enforcement purpose and the proposed enforcement action to
9.24 be taken. Any representative who has a warrant or order concerning the intended arrest must
9.25 provide a copy of the warrant or order to court personnel;

9.26 (2) any warrant or order concerning an intended enforcement action must be promptly
9.27 reviewed by a judge or court attorney;

9.28 (3) information about any proposed enforcement action must be transmitted to and
9.29 reviewed by appropriate court system personnel, including the judge presiding over any
9.30 case involving the subject of that enforcement action;

9.31 (4) except in extraordinary circumstances, no arrest may be made by a representative of
9.32 a law enforcement agency in a courtroom absent leave of the court;

10.1 (5) a civil arrest must not be executed inside a Minnesota courthouse except pursuant
 10.2 to a judicial warrant or judicial order authorizing the civil arrest;

10.3 (6) an unusual occurrence report must be filed by court system personnel for every
 10.4 enforcement action taken inside the courthouse, including the observation of court
 10.5 proceedings by a representative of a law enforcement agency acting in the person's official
 10.6 capacity; and

10.7 (7) copies of all judicial warrants and judicial orders authorizing an arrest and provided
 10.8 to court personnel and rules promulgated under this subdivision must be maintained by the
 10.9 chief administrator in a central record repository, appropriately indexed or filed alphabetically
 10.10 by name.

10.11 (b) The chief administrator must publish on the Minnesota judicial branch website and
 10.12 provide to the governor, the speaker of the house, and the majority leader of the senate an
 10.13 annual report compiling statistics, aggregated by county, setting forth the date each judicial
 10.14 warrant or judicial order was signed, the judge and court that issued the judicial warrant or
 10.15 judicial order and the location of that court as shown by the document, the date the judicial
 10.16 warrant or judicial order was presented to counsel, a description of the type of judicial
 10.17 warrant or judicial order, and, to the extent known to court personnel, whether or not an
 10.18 arrest occurred with respect to the warrant and the date and specific location of the arrest.

10.19 Subd. 11. **Severability clause.** If any clause, sentence, paragraph, subdivision, or part
 10.20 of this section is adjudged by any court of competent jurisdiction to be invalid, the judgment
 10.21 does not affect, impair, or invalidate the remainder of this section but must be confined in
 10.22 its operation to the clause, sentence, paragraph, subdivision, or part of this section directly
 10.23 involved in the controversy in which the judgment was rendered. It is the intent of the
 10.24 legislature that this section would have been enacted even without the invalid provisions.

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

10.26 **ARTICLE 3**

10.27 **MINNESOTA BIVENS ACT**

10.28 Section 1. Minnesota Statutes 2025 Supplement, section 181.932, subdivision 1, is amended
 10.29 to read:

10.30 Subdivision 1. **Prohibited action.** An employer shall not discharge, discipline, penalize,
 10.31 interfere with, threaten, restrain, coerce, or otherwise retaliate or discriminate against an
 10.32 employee regarding the employee's compensation, terms, conditions, location, or privileges
 10.33 of employment because:

11.1 (1) the employee, or a person acting on behalf of an employee, in good faith, reports a
 11.2 violation, suspected violation, or planned violation of any federal or state law or common
 11.3 law or rule adopted pursuant to law to an employer or to any governmental body or law
 11.4 enforcement official;

11.5 (2) the employee is requested by a public body or office to participate in an investigation,
 11.6 hearing, inquiry;

11.7 (3) the employee refuses an employer's order to perform an action that the employee
 11.8 has an objective basis in fact to believe violates any state or federal law or rule or regulation
 11.9 adopted pursuant to law, and the employee informs the employer that the order is being
 11.10 refused for that reason;

11.11 (4) the employee, in good faith, reports a situation in which the quality of health care
 11.12 services provided by a health care facility, organization, or health care provider violates a
 11.13 standard established by federal or state law or a professionally recognized national clinical
 11.14 or ethical standard and potentially places the public at risk of harm;

11.15 (5) a public employee communicates the findings of a scientific or technical study that
 11.16 the employee, in good faith, believes to be truthful and accurate, including reports to a
 11.17 governmental body or law enforcement official; ~~or~~

11.18 (6) a state employee communicates information that the employee, in good faith, believes
 11.19 to be truthful and accurate, and that relates to state programs, services, or financing, including
 11.20 but not limited to fraud or misuse within state programs, services, or financing, to:

11.21 (i) a legislator or the legislative auditor;

11.22 (ii) a constitutional officer;

11.23 (iii) an employer;

11.24 (iv) any governmental body; or

11.25 (v) a law enforcement official; or

11.26 (7) an employee discloses or threatens to disclose in good faith any violation of section
 11.27 604.50.

11.28 The disclosures protected pursuant to this section do not authorize the disclosure of data
 11.29 otherwise protected by law.

12.1 Sec. 2. [604.50] CONSTITUTIONAL RIGHTS VIOLATIONS; CIVIL
 12.2 IMMIGRATION ENFORCEMENT.

12.3 Subdivision 1. Title. This section shall be known as the "Minnesota Bivens Act."

12.4 Subd. 2. Definitions. (a) For purposes of this section, the following terms have the
 12.5 meanings given.

12.6 (b) "Civil immigration enforcement" includes actions taken related to the enforcement
 12.7 of an immigration action, including but not limited to the enforcement of:

12.8 (1) a warrant of arrest;

12.9 (2) an order to detain or release aliens;

12.10 (3) a notice of custody determination, notice to appear, or removal order;

12.11 (4) a warrant of removal; or

12.12 (5) any other document issued by the office of Immigration Customs Enforcement that
 12.13 can form the basis for an individual's arrest or detention for a civil immigration enforcement
 12.14 purpose.

12.15 Civil immigration enforcement does not include any criminal warrants issued upon a judicial
 12.16 determination of probable cause and in compliance with the requirements of the Fourth
 12.17 Amendment to the United States Constitution and the Minnesota Constitution. Civil
 12.18 immigration enforcement does not include an action committed by a law enforcement officer
 12.19 or peace officer that is acting within the officer's powers and duties consistent with Minnesota
 12.20 law.

12.21 (c) "Crowd control equipment" includes, but is not limited to, kinetic impact projectiles;
 12.22 compressed air launchers, such as PLS and FN303; oleoresin capsicum spray, CS gas, CN
 12.23 gas, or other chemical irritants; 40 millimeter munitions launchers; less-lethal shotguns;
 12.24 less-lethal specialty impact-chemical munitions; controlled noise and light distraction
 12.25 devices; and electronic control weapons.

12.26 (d) "Facial covering" means any opaque mask, garment, helmet, headgear, or other item
 12.27 that conceals or obscures the facial identity of an individual, including, but not limited to,
 12.28 a balaclava, tactical mask, gaiter mask, ski mask, or any similar type of facial covering or
 12.29 face-shielding item. Facial covering does not include a medical grade mask designed to
 12.30 prevent the transmission of diseases; a facial covering designed to protect against exposure
 12.31 to smoke during a state of emergency related to wildfires; or protective gear used by Special

13.1 Weapons and Tactics (SWAT) team officers necessary to protect their faces from harm
13.2 while officers perform official SWAT responsibilities.

13.3 Subd. 3. **Deprivation of constitutional rights; liability.** (a) Any individual may bring
13.4 a civil action against any person who, while conducting civil immigration enforcement or
13.5 related activities, including surveillance, knowingly and intentionally engages in conduct
13.6 that violates the Minnesota Constitution or the United States Constitution. An individual
13.7 bringing an action under this section is entitled to general and special damages, injunctive
13.8 relief, declaratory relief, and punitive damages as provided in section 549.20 and consistent
13.9 with paragraph (b).

13.10 (b) If a plaintiff seeks punitive damages against a defendant who committed a violation
13.11 of this section and who claims that the defendant acted under color of federal law, Minnesota
13.12 law, or other state law, the following facts shall be factors in determining punitive damages
13.13 consistent with section 549.20:

13.14 (1) whether the defendant wore a facial covering while committing the violation in order
13.15 to conceal their identity or to intimidate others;

13.16 (2) whether, at the time of the violation, the defendant was a law enforcement officer
13.17 who failed to identify or disclose that the defendant was a law enforcement officer either
13.18 verbally or by wearing identifying insignia, such as a badge, agency logo, or patch, or by
13.19 providing the defendant's name, badge or identification number, and the defendant's
13.20 employing agency or department;

13.21 (3) whether, at the time of the violation, the defendant was a law enforcement officer
13.22 who was required by state or federal law or regulation or agency policy to wear and use an
13.23 officer-worn body camera during the violation and failed to do so;

13.24 (4) whether the defendant was operating or using a motor vehicle without a license plate,
13.25 with a non-Minnesota license plate, or with an illegally switched plate;

13.26 (5) whether the defendant used crowd control equipment at the time of the violation; or

13.27 (6) whether the defendant intentionally violated or failed to comply with any material
13.28 term or condition of a court order or consent decree that was issued by a court that was in
13.29 effect at the time of the violation of this act, that applied to the person acting under color
13.30 of federal law, and that was issued or entered into in part to address or prevent future
13.31 violations of this section.

14.1 (c) Upon motion, a court shall award reasonable attorney fees and costs, including expert
14.2 witness fees and other litigation expenses, to a plaintiff who is a prevailing party in any
14.3 action brought under this section.

14.4 ARTICLE 4

14.5 MINNESOTA HEALTH CARE SANCTITY AND PRIVACY ACT

14.6 Section 1. [144.601] HEALTH CARE SANCTITY AND PRIVACY; HOSPITAL
14.7 POLICY.

14.8 Subdivision 1. Short title. This section may be cited as the "Health Care Sanctity and
14.9 Privacy Act."

14.10 Subd. 2. Definitions. (a) For purposes of this section, the following terms have the
14.11 meanings given.

14.12 (b) "Administrative volunteer" means an individual who serves as a volunteer at a hospital
14.13 in an administrative capacity only.

14.14 (c) "Commissioner" means the commissioner of health.

14.15 (d) "Health record" has the meaning given in section 144.291, subdivision 2.

14.16 (e) "Hospital" means a facility licensed as a hospital under sections 144.50 to 144.56.

14.17 (f) "Law enforcement agent" means an agent of federal, state, or local law enforcement
14.18 authorized to arrest or detain individuals, or manage the custody of detained individuals,
14.19 for civil immigration enforcement.

14.20 (g) "Patient" means an individual who received or is receiving health care services at a
14.21 hospital on an inpatient or outpatient basis.

14.22 (h) "Protected health information" has the meaning given in Code of Federal Regulations,
14.23 title 45, section 160.103.

14.24 Subd. 3. Policy required. By December 1, 2026, each hospital must adopt and implement
14.25 a policy regarding interactions with law enforcement agents. A policy required under this
14.26 subdivision must include at least the following:

14.27 (1) designation of a contact person or persons for the hospital who must be notified if
14.28 one or more law enforcement agents are present at the hospital or if a law enforcement agent
14.29 requests information from the hospital. The hospital's designated contact person or persons
14.30 must be the hospital's legal counsel, hospital administrator, or other individuals in the
14.31 hospital's leadership;

- 15.1 (2) procedures for responding to requests for information from a law enforcement agent;
- 15.2 (3) procedures for verifying the identity and authority of law enforcement agents involved
- 15.3 in civil immigration activities at the hospital, including but not limited to using best efforts
- 15.4 to request and document the first and last name of each law enforcement agent, the name
- 15.5 of the law enforcement agency with which each law enforcement agent is affiliated, and
- 15.6 the law enforcement agent's badge number for each law enforcement agent presenting with
- 15.7 a patient or requesting information about a patient;
- 15.8 (4) procedures for designating space at the hospital for law enforcement agents to remain
- 15.9 and wait, considering interests of the public, staff safety, and patient needs, except that a
- 15.10 law enforcement agent may access areas of the hospital approved by a designated contact
- 15.11 person of the hospital so long as:
- 15.12 (i) the law enforcement agent complies with hospital policies and with state and federal
- 15.13 law, including but not limited to having a valid judicial warrant or a court order signed by
- 15.14 a judge or magistrate authorizing the law enforcement agent to accompany a patient in the
- 15.15 law enforcement agent's custody or otherwise be present in the facility; or
- 15.16 (ii) the law enforcement agent is responding to a request from hospital personnel to
- 15.17 address a safety or security issue at the hospital;
- 15.18 (5) procedures to ensure patients are provided with:
- 15.19 (i) a notice of privacy practices in accordance with Code of Federal Regulations, title
- 15.20 45, section 164.520. The notice of privacy practices must be made available in each of the
- 15.21 languages spoken by more than five percent of the population living in the geographic area
- 15.22 served by the hospital;
- 15.23 (ii) information about a patient's right to request an amendment to the patient's health
- 15.24 record and information on how to request that any of the following information in the
- 15.25 patient's health record is deleted, redacted, or amended: place of birth; immigration or
- 15.26 citizenship status; or information from a patient's birth certificate, passport, permanent
- 15.27 resident card, alien registration card, or employment authorization documents; and
- 15.28 (iii) an opportunity, at the earliest reasonable moment, to sign a consent form to permit
- 15.29 the hospital to disclose information to parents, guardians, relatives, or other designees of
- 15.30 the patient about the patient's health status or hospital admission and discharge status. The
- 15.31 hospital must make this consent form available in each of the languages spoken by more
- 15.32 than five percent of the population living in the geographic area served by the hospital;

16.1 (6) procedures to ensure the hospital releases to a law enforcement agent only health
 16.2 records and protected health information requested by the law enforcement agent in strict
 16.3 accordance with all applicable state and federal laws and regulations, including but not
 16.4 limited to sections 144.291 to 144.298; the Health Insurance Portability and Accountability
 16.5 Act of 1996, as amended; and Code of Federal Regulations, title 45, parts 160 and 164;

16.6 (7) for a hospital that releases health records or protected health information to a law
 16.7 enforcement agent, procedures to provide notice of the release to the patient whose health
 16.8 records or protected health information was released;

16.9 (8) a procedure for the hospital to release information to a law enforcement agent for
 16.10 the purpose of immigration enforcement to the extent permitted under Code of Federal
 16.11 Regulations, title 45, section 164.512(e) or (f) and in strict compliance with:

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

16.13 (ii) a valid, accurate order issued by a federal judge or magistrate; or

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

16.15 For a request for information for civil immigration enforcement and regarding a patient
 16.16 whose health care services are covered by medical assistance and who is an alien not lawfully
 16.17 residing in the United States, a hospital must not release more than the following information
 16.18 to a law enforcement agent: the patient's citizenship and immigration status, address,
 16.19 telephone number, date of birth, and Medicaid identification;

16.20 (9) procedures to ensure all hospital policies comply with this section; and

16.21 (10) a provision prohibiting the hospital or the hospital's agents from retaliating against
 16.22 a patient, employee, or member of the public who files a complaint under subdivision 8.

16.23 Subd. 4. **Training.** A hospital must provide training on the policy required under
 16.24 subdivision 3 at least annually, or more frequently if deemed necessary by the hospital, to:

16.25 (1) all clinical health care personnel at the hospital, including but not limited to intake
 16.26 personnel, emergency room personnel, and independent contractors who provide clinical
 16.27 services;

16.28 (2) hospital security personnel;

16.29 (3) the hospital's designated contact person or persons under subdivision 3, clause (1);
 16.30 and

16.31 (4) administrative volunteers.

17.1 Subd. 5. **Submission to commissioner.** By January 1, 2027, each hospital must submit
17.2 to the commissioner the hospital's policy adopted under subdivision 3.

17.3 Subd. 6. **Notice; immigration rights.** Each hospital must post, in a conspicuous place
17.4 in the hospital that is accessible to patients, employees, and visitors, a notice about
17.5 immigration rights and a telephone number that individuals may call to learn about
17.6 immigration rights. The notice must be made available in each of the languages spoken by
17.7 more than five percent of the population living in the geographic area served by the hospital.
17.8 The commissioner must develop and provide to hospitals the notice required under this
17.9 subdivision.

17.10 Subd. 7. **Enforcement; submission to commissioner.** (a) By February 1, 2027, the
17.11 commissioner must notify a hospital that failed to submit the policy required under
17.12 subdivision 3 to the commissioner that the hospital must submit the policy within seven
17.13 business days after receiving the notice.

17.14 (b) Notwithstanding section 144.653, subdivision 6, if a hospital fails to submit the
17.15 policy required under subdivision 3 within seven business days after receiving the notice
17.16 under paragraph (a), the commissioner may impose a fine on the hospital of up to \$500 per
17.17 day until the hospital submits the policy to the commissioner.

17.18 Subd. 8. **Complaint investigation.** The commissioner, through the Office of Health
17.19 Facility Complaints, must accept, investigate, and respond to complaints from patients,
17.20 employees, and the public alleging that a hospital failed to comply with the hospital's policy
17.21 adopted under subdivision 3.

17.22 Subd. 9. **Immunity.** Hospital personnel, including but not limited to administrative
17.23 volunteers, who act in good faith to comply with this section are immune from administrative
17.24 liability, civil liability, or criminal prosecution that might arise from the action taken.

17.25 Subd. 10. **Existing duties.** Nothing in this section negates the duty of hospital personnel
17.26 to:

17.27 (1) file a report under section 260E.06 or 626.557; file a report with a health-related
17.28 licensing board as defined under section 214.01, subdivision 2, or with the commissioner
17.29 as required under licensure or registration laws for health professionals; or otherwise file a
17.30 report as required by law; or

17.31 (2) respond to a suspected crime at the hospital.

17.32 Subd. 11. **Conflict of laws.** Nothing in this section shall be construed to conflict with
17.33 federal law or limit the enforcement of federal law.

18.1 Sec. 2. **APPROPRIATION; HEALTH CARE SANCTITY AND PRIVACY ACT.**

18.2 \$..... in fiscal year 2027 is appropriated from the general fund to the commissioner of
18.3 health for purposes of Minnesota Statutes, section 144.601.

18.4 **ARTICLE 5**

18.5 **MINNESOTA SAFE SCHOOL ACT**

18.6 Section 1. **[120A.50] DENIAL OF FREE PUBLIC EDUCATION PROHIBITED.**

18.7 Subdivision 1. **Purpose.** The purpose of this section is to secure the right of every child
18.8 to equal access to a free public education and a school that is safe from intimidation and
18.9 fear, consistent with the United States Supreme Court decision in *Plyler v. Doe*, 457 U.S.
18.10 202 (1982), which held that it is unconstitutional for a state to deny children a free public
18.11 education on the basis of immigration status. In order to promote the right to educational
18.12 equality, as established under the decision in *Plyler v. Doe*, schools must take steps to protect
18.13 the integrity of school learning environments for all children so that no parent is discouraged
18.14 from sending their child to school and no child is discouraged from attending school,
18.15 including protection from the threat of immigration enforcement or other law enforcement
18.16 activity on a school campus.

18.17 Subd. 2. **Definitions.** (a) For purposes of this section, the following terms have the
18.18 meanings given.

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

18.23 (c) "Law enforcement agent" means a peace officer as defined in section 626.84,
18.24 subdivision 1, paragraph (c), or a federal law enforcement officer as defined in section
18.25 626.77, subdivision 3. Law enforcement agent does not include a school resource officer
18.26 as defined in section 626.8482.

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

18.31 (e) "Prevailing party" includes any party:

19.1 (1) who obtains some or all requested relief through a judicial judgment in the party's
19.2 favor;

19.3 (2) who obtains some requested relief through a settlement agreement approved by the
19.4 court; or

19.5 (3) whose pursuit of a nonfrivolous claim was a catalyst for a change in position by the
19.6 opposing party relative to the relief sought.

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

19.9 Subd. 3. **Right to free public education.** (a) No child may be denied a free kindergarten
19.10 through grade 12 public education while in Minnesota based on the child's actual or perceived
19.11 immigration status or the actual or perceived citizenship or immigration status of the child's
19.12 parent or guardian.

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

19.17 (c) A school must not use policies or procedures or engage in practices that have the
19.18 effect of excluding a child from participation in or denying the benefits of any program or
19.19 activity or the effect of excluding participation of the child's parent or guardian from parental
19.20 engagement activities or programs because of the child's actual or perceived immigration
19.21 status or the actual or perceived immigration status of the child's parent or guardian. This
19.22 paragraph applies to any policies, procedures, or practices that violate section 13.375.

19.23 Subd. 4. **Required procedures.** By July 1, 2027, a school must develop procedures for
19.24 reviewing and authorizing requests from law enforcement agents attempting to enter a school
19.25 or school facility. The procedures must comply with the requirements of subdivision 3,
19.26 paragraph (a), and at a minimum, include procedures for:

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

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

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

20.6 Subd. 5. **Required policy.** By July 1, 2027, a school must adopt a policy for complying
 20.7 with subdivisions 3 and 4.

20.8 Subd. 6. **Civil lawsuit.** (a) Beginning July 1, 2027, any party aggrieved by conduct that
 20.9 violates subdivision 3 or 4 may bring a civil lawsuit. The lawsuit must be brought no later
 20.10 than two years after the violation of subdivision 3 or 4. If the court finds that a violation of
 20.11 subdivision 3 has occurred, the court may award general or special damages. The court may
 20.12 grant injunctive relief or a temporary restraining order, as the court deems appropriate. An
 20.13 action filed pursuant to this section may be commenced in the county where the individual
 20.14 alleging damage or seeking relief resides or in the county where the school is located.

20.15 (b) Nothing in this section may be construed to require an exhaustion of the administrative
 20.16 complaint process before civil law remedies may be pursued.

20.17 (c) Upon a motion, a court may award reasonable attorney fees and costs to a plaintiff
 20.18 who is a prevailing party in any action brought under this section.

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

20.20 **ARTICLE 6**

20.21 **MINNESOTA HIGHER EDUCATION IMMIGRATION ENFORCEMENT** 20.22 **ACCOUNTABILITY ACT**

20.23 **Section 1. [135A.152] IMMIGRATION ENFORCEMENT POLICY AND**
 20.24 **PRACTICES.**

20.25 Subdivision 1. **Applicability.** (a) This section applies to the following postsecondary
 20.26 institutions:

20.27 (1) institutions governed by the Board of Trustees of the Minnesota State Colleges and
 20.28 Universities; and

20.29 (2) private postsecondary institutions that offer in-person courses on a campus located
 20.30 in Minnesota and which are eligible institutions as defined in section 136A.103, paragraph
 20.31 (a), that are participating in the federal program under Title IV of the Higher Education Act
 20.32 of 1965, Public Law 89-329, as amended.

21.1 (b) Institutions governed by the Board of Regents of the University of Minnesota are
 21.2 requested to comply with this section.

21.3 Subd. 2. **Definitions.** (a) For purposes of this section, the following terms have the
 21.4 meanings given.

21.5 (b) "Immigration enforcement activity" includes any arrests or detentions conducted by
 21.6 agents or officers of the United States Department of Homeland Security, United States
 21.7 Immigration and Customs Enforcement, or United States Customs and Border Protection
 21.8 or any other individual or entity with the power to arrest or detain individuals or manage
 21.9 custody of detained individuals for purposes of civil immigration enforcement.

21.10 (c) "Law enforcement agent" means an agent of a federal, state, or local law enforcement
 21.11 agency authorized with the power to arrest or detain individuals, or manage the custody of
 21.12 detained individuals, for purposes of civil immigration enforcement. Law enforcement agent
 21.13 does not include an agent of a postsecondary institution's police department or campus
 21.14 security department.

21.15 Subd. 3. **Student data and information; application to private institutions.** A private
 21.16 postsecondary institution subject to this section must comply with section 13.375 as if it
 21.17 were a government entity.

21.18 Subd. 4. **Required procedures.** (a) A postsecondary institution must adopt procedures
 21.19 for reviewing and authorizing requests from a law enforcement agent attempting to enter a
 21.20 postsecondary institution's campus for purposes of civil immigration enforcement. The
 21.21 procedures must, at a minimum, include the following:

21.22 (1) procedures for reviewing and contacting a designated person, office, or department
 21.23 at the postsecondary institution or postsecondary institution facility to review requests to
 21.24 enter a postsecondary institution's campus, including judicial warrants or orders, nonjudicial
 21.25 warrants, and subpoenas;

21.26 (2) procedures for documenting the activity of a law enforcement agent on the
 21.27 postsecondary institution's campus, including verification of the first and last name, employer
 21.28 or agency, and badge number of the lead law enforcement agent; and

21.29 (3) procedures for notifying and seeking consent from any employee or student if a law
 21.30 enforcement agent requests access to a person, property, or information related to an
 21.31 employee or student, unless notification and consent is prohibited by a judicial warrant or
 21.32 subpoena.

21.33 (b) A postsecondary institution must adopt procedures designed to:

22.1 (1) determine if an immigration enforcement activity is occurring or has occurred on
 22.2 the institution's campus; and

22.3 (2) notify students and employees of any confirmed immigration enforcement activity
 22.4 if that activity could adversely impact campus safety or operations.

22.5 Subd. 5. **Information posting.** (a) A postsecondary institution must provide information
 22.6 on its website about who employees and students should contact if a law enforcement agent
 22.7 seeks to enter the postsecondary institution campus, enters the postsecondary institution
 22.8 campus, or engages in nonconsensual interactions with members of the postsecondary
 22.9 institution community, including employees or students.

22.10 (b) A postsecondary institution shall provide immigration enforcement resources on its
 22.11 website to help students and employees understand their constitutional rights and access
 22.12 immigration-related guidance. This information shall be posted in a clear and easily accessible
 22.13 location on the postsecondary institution's primary website.

22.14 Subd. 6. **Protection of rights.** A postsecondary institution must not impede a student
 22.15 or employee from or retaliate against a student or employee for offering, attending, or
 22.16 participating in training on constitutional rights and immigration-related guidance, including,
 22.17 but not limited to, attending know-your-rights training or sharing know-your-rights flyers.

22.18 **EFFECTIVE DATE.** This section is effective the day following final enactment. By
 22.19, a postsecondary institution must adopt the procedures required under subdivision 4
 22.20 and post all information required under subdivision 5.

22.21 Sec. 2. **REPORT ON REQUIRED PROCEDURES.**

22.22 A postsecondary institution must submit to the commissioner of the Office of Higher
 22.23 Education a copy of the procedures developed to implement Minnesota Statutes, section
 22.24 135A.152, subdivision 4. By, the commissioner must compile the submitted policies
 22.25 and report them to the chairs and ranking minority members of the legislative committees
 22.26 with primary jurisdiction over higher education policy and finance.

23.1

ARTICLE 7

23.2

IMMIGRATION DATA

23.3 Section 1. Minnesota Statutes 2025 Supplement, section 13.32, subdivision 5, is amended
23.4 to read:

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

23.8 (1) this subdivision; and

23.9 (2) United States Code, title 20, section 1232g, and Code of Federal Regulations, title
23.10 34, section 99.37, which were in effect on January 3, 2012.

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

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

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

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

23.31 (f) Data concerning parents is private data on individuals but may be treated as directory
23.32 information if the same procedures that are used by a school district to designate student
23.33 data as directory information under this subdivision are followed, except that a parent's

24.1 home address, telephone number, email address, or other personal contact information may
24.2 not be treated as directory information under this subdivision.

24.3 (g) An educational agency or institution may not designate a student's or parent's
24.4 immigration status data, as defined in section 13.375, as directory information under this
24.5 subdivision.

24.6 **Sec. 2. [13.375] IMMIGRATION STATUS DATA.**

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

24.9 (b) "Immigration status data" means data on individuals that indicate or otherwise have
24.10 the effect of identifying that an individual is not, or is likely or suspected not to be, a citizen
24.11 or national of the United States.

24.12 (c) "Judicial warrant" means a warrant based upon probable cause issued by a state or
24.13 federal judge or federal magistrate judge.

24.14 Subd. 2. Classification; threats to disclose. (a) Immigration status data are classified
24.15 as private data on individuals.

24.16 (b) A government entity must not threaten to unlawfully disclose immigration status
24.17 data.

24.18 Subd. 3. Restriction on use; contracts and agreements. (a) A government entity must
24.19 not collect, create, receive, maintain, or disseminate immigration status data unless the data
24.20 are necessary to fulfill or administer a state or local program, investigate or prosecute a state
24.21 crime, fulfill consular notification requirements under international treaty, or as otherwise
24.22 required by state or federal law.

24.23 (b) Notwithstanding section 138.17, a government entity must destroy any immigration
24.24 status data it maintains as soon as permissible under state or federal law and as soon as
24.25 possible for purposes of fulfilling or administering the state or local program for which the
24.26 data were collected or created.

24.27 (c) Section 13.05, subdivision 11, applies to this section except that, for purposes of this
24.28 section, a "private person" includes any person that is not a government entity, and a
24.29 "contract" includes any agreement.

24.30 Subd. 4. Any data on individuals; restricting dissemination. (a) Unless required by
24.31 federal law, a judicial warrant, or other court order, a government entity must not share or
24.32 disseminate any data on individuals if the data will be used for civil immigration enforcement,

25.1 as defined by section 629.80. This paragraph applies regardless of the data's classification
25.2 and notwithstanding any other state law. Without written certification to the contrary from
25.3 the federal immigration authority receiving the data, any data on individuals shared or
25.4 disseminated to a federal immigration authority, as defined by section 629.80, are presumed
25.5 to be used for civil immigration enforcement.

25.6 (b) To ensure compliance with paragraph (a), a government entity that shares data on
25.7 individuals to a private person other than the subject of the data must require a written
25.8 certification that the information will not be:

25.9 (1) used for civil immigration enforcement; or

25.10 (2) be disseminated to a person for use in civil immigration enforcement.

25.11 Subd. 5. **Relationship to other federal law.** Nothing in this section may be construed
25.12 to prohibit or restrict an entity from sending to or receiving from the United States
25.13 Department of Homeland Security or any other federal, state, or local governmental entity
25.14 information regarding the citizenship or immigration status of an individual, in accordance
25.15 with United States Code, title 8, sections 1373 and 1644.

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

APPENDIX
Article locations for 26-07086

ARTICLE 1	LIMITATIONS ON CIVIL IMMIGRATION ENFORCEMENT.....	Page.Ln 1.14
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631.50 ALIEN INMATES OR MENTALLY ILL PERSONS; NOTICE TO UNITED STATES IMMIGRATION OFFICERS.

When a person who is convicted of a felony or is found to be a person who is mentally ill is committed to the Minnesota Correctional Facility-Stillwater, the Minnesota Correctional Facility-St. Cloud, the county jail, or any other state or county institution which is supported, wholly or in part, by public funds, the chief executive officer, sheriff, or other officer in charge of the state or county institution shall at once inquire into the nationality of the person. If it appears that the person is an alien, the officer shall immediately notify the United States immigration officer in charge of the district in which the correctional facility, jail, or other institution is located of (1) the date of and the reasons for the alien commitment, (2) the length of time for which committed, (3) the country of which the alien is a citizen, and (4) the date on which and the port at which the alien last entered the United States.

631.51 CERTIFIED COPIES OF INDICTMENT OR COMPLAINT FURNISHED TO IMMIGRATION OFFICERS.

Upon the official request of a United States immigration officer to a court committing an alien after conviction of a felony, the court administrator of the committing court shall furnish the officer without charge a certified copy of the complaint or indictment, the judgment, sentence, and any other record pertaining to the case of the convicted alien if:

(1) the immigration officer is in charge of the district or territory in which the court is located; and

(2) the state or county institution is supported, in whole or in part, by public funds.