

**SENATE
STATE OF MINNESOTA
NINETY-FOURTH SESSION**

S.F. No. 4257

(SENATE AUTHORS: LATZ and Champion)

DATE	D-PG	OFFICIAL STATUS
03/09/2026	6569	Introduction and first reading Referred to Judiciary and Public Safety
03/11/2026	6602	Author added Champion
03/25/2026	6927a	Comm report: To pass as amended
	6974	Second reading

1.1 A bill for an act

1.2 relating to public safety; authorizing a victim of domestic violence to petition a

1.3 court for an order releasing the victim from a shared wireless plan; amending

1.4 Minnesota Statutes 2024, section 518B.01, subdivision 6; proposing coding for

1.5 new law in Minnesota Statutes, chapter 518B.

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

1.7 Section 1. Minnesota Statutes 2024, section 518B.01, subdivision 6, is amended to read:

1.8 Subd. 6. **Relief by court.** (a) Upon notice and hearing, the court may provide relief as

1.9 follows:

1.10 (1) restrain the abusing party from committing acts of domestic abuse;

1.11 (2) exclude the abusing party from the dwelling which the parties share or from the

1.12 residence of the petitioner;

1.13 (3) exclude the abusing party from a reasonable area surrounding the dwelling or

1.14 residence, which area shall be described specifically in the order;

1.15 (4) award temporary custody or establish temporary parenting time with regard to minor

1.16 children of the parties on a basis which gives primary consideration to the safety of the

1.17 victim and the children. In addition to the primary safety considerations, the court may

1.18 consider particular best interest factors that are found to be relevant to the temporary custody

1.19 and parenting time award. Findings under section 257.025, 518.17, or 518.175 are not

1.20 required with respect to the particular best interest factors not considered by the court. If

1.21 the court finds that the safety of the victim or the children will be jeopardized by unsupervised

1.22 or unrestricted parenting time, the court shall condition or restrict parenting time as to time,

1.23 place, duration, or supervision, or deny parenting time entirely, as needed to guard the safety

2.1 of the victim and the children. The court's decision on custody and parenting time shall in
2.2 no way delay the issuance of an order for protection granting other relief provided for in
2.3 this section. The court must not enter a parenting plan under section 518.1705 as part of an
2.4 action for an order for protection;

2.5 (5) on the same basis as is provided in chapter 518 or 518A, establish temporary support
2.6 for minor children or a spouse, and order the withholding of support from the income of
2.7 the person obligated to pay the support according to chapter 518A;

2.8 (6) provide upon request of the petitioner counseling or other social services for the
2.9 parties, if married, or if there are minor children;

2.10 (7) order the abusing party to participate in treatment or counseling services, including
2.11 requiring the abusing party to successfully complete a domestic abuse counseling program
2.12 or educational program under section 518B.02;

2.13 (8) award temporary use and possession of property and restrain one or both parties from
2.14 transferring, encumbering, concealing, or disposing of property except in the usual course
2.15 of business or for the necessities of life, and to account to the court for all such transfers,
2.16 encumbrances, dispositions, and expenditures made after the order is served or communicated
2.17 to the party restrained in open court;

2.18 (9) exclude the abusing party from the place of employment of the petitioner, or otherwise
2.19 limit access to the petitioner by the abusing party at the petitioner's place of employment;

2.20 (10) order the abusing party to have no contact with the petitioner whether in person,
2.21 by telephone, mail, or electronic mail or messaging, through a third party, or by any other
2.22 means;

2.23 (11) order the abusing party to pay restitution to the petitioner;

2.24 (12) order the continuance of all currently available insurance coverage without change
2.25 in coverage or beneficiary designation;

2.26 (13) order, in its discretion, other relief as it deems necessary for the protection of a
2.27 family or household member, including orders or directives to the sheriff or other law
2.28 enforcement or corrections officer as provided by this section;

2.29 (14) direct the care, possession, or control of a pet or companion animal owned,
2.30 possessed, or kept by the petitioner or respondent or a child of the petitioner or respondent;
2.31 **and**

3.1 (15) direct the respondent to refrain from physically abusing or injuring any pet or
3.2 companion animal, without legal justification, known to be owned, possessed, kept, or held
3.3 by either party or a minor child residing in the residence or household of either party as an
3.4 indirect means of intentionally threatening the safety of such person; and

3.5 (16) if requested by the petitioner, issue a separate order under section 518B.03.

3.6 (b) Any relief granted by the order for protection shall be for a period not to exceed two
3.7 years, except when the court determines a longer period is appropriate. When a referee
3.8 presides at the hearing on the petition, the order granting relief becomes effective upon the
3.9 referee's signature.

3.10 (c) An order granting the relief authorized in paragraph (a), clause (1), may not be vacated
3.11 or modified in a proceeding for dissolution of marriage or legal separation, except that the
3.12 court may hear a motion for modification of an order for protection concurrently with a
3.13 proceeding for dissolution of marriage upon notice of motion and motion. The notice required
3.14 by court rule shall not be waived. If the proceedings are consolidated and the motion to
3.15 modify is granted, a separate order for modification of an order for protection shall be issued.

3.16 (d) An order granting the relief authorized in paragraph (a), clause (2) or (3), is not
3.17 voided by the admittance of the abusing party into the dwelling from which the abusing
3.18 party is excluded.

3.19 (e) If a proceeding for dissolution of marriage or legal separation is pending between
3.20 the parties, the court shall provide a copy of the order for protection to the court with
3.21 jurisdiction over the dissolution or separation proceeding for inclusion in its file.

3.22 (f) An order for restitution issued under this subdivision is enforceable as civil judgment.

3.23 (g) An order granting relief shall prohibit the abusing party from possessing firearms
3.24 for the length the order is in effect if the order (1) restrains the abusing party from harassing,
3.25 stalking, or threatening the petitioner or restrains the abusing party from engaging in other
3.26 conduct that would place the petitioner in reasonable fear of bodily injury, and (2) includes
3.27 a finding that the abusing party represents a credible threat to the physical safety of the
3.28 petitioner or prohibits the abusing party from using, attempting to use, or threatening to use
3.29 physical force against the petitioner. The order shall inform the abusing party of that party's
3.30 prohibited status. Except as provided in paragraph (i), the court shall order the abusing party
3.31 to transfer any firearms that the person possesses, within three business days, to a federally
3.32 licensed firearms dealer, a law enforcement agency, or a third party who may lawfully
3.33 receive them. The transfer may be permanent or temporary. A temporary firearm transfer
3.34 only entitles the receiving party to possess the firearm. A temporary transfer does not transfer

4.1 ownership or title. An abusing party may not transfer firearms to a third party who resides
4.2 with the abusing party. If an abusing party makes a temporary transfer, a federally licensed
4.3 firearms dealer or law enforcement agency may charge the abusing party a reasonable fee
4.4 to store the person's firearms and may establish policies for disposal of abandoned firearms,
4.5 provided such policies require that the person be notified via certified mail prior to disposal
4.6 of abandoned firearms. For temporary firearms transfers under this paragraph, a law
4.7 enforcement agency, federally licensed firearms dealer, or third party shall exercise due
4.8 care to preserve the quality and function of the transferred firearms and shall return the
4.9 transferred firearms to the person upon request after the expiration of the prohibiting time
4.10 period, provided the person is not otherwise prohibited from possessing firearms under state
4.11 or federal law. The return of temporarily transferred firearms to an abusing party shall
4.12 comply with state and federal law. If an abusing party permanently transfers the abusing
4.13 party's firearms to a law enforcement agency, the agency is not required to compensate the
4.14 abusing party and may charge the abusing party a reasonable processing fee. A law
4.15 enforcement agency is not required to accept an abusing party's firearm under this paragraph.

4.16 (h) An abusing party who is ordered to transfer firearms under paragraph (g) must file
4.17 proof of transfer as provided for in this paragraph. If the transfer is made to a third party,
4.18 the third party must sign an affidavit under oath before a notary public either acknowledging
4.19 that the abusing party permanently transferred the abusing party's firearms to the third party
4.20 or agreeing to temporarily store the abusing party's firearms until such time as the abusing
4.21 party is legally permitted to possess firearms. The affidavit shall indicate the serial number,
4.22 make, and model of all firearms transferred by the abusing party to the third party. The third
4.23 party shall acknowledge in the affidavit that the third party may be held criminally and
4.24 civilly responsible under section 624.7144 if the abusing party gains access to a transferred
4.25 firearm while the firearm is in the custody of the third party. If the transfer is to a law
4.26 enforcement agency or federally licensed firearms dealer, the law enforcement agency or
4.27 federally licensed firearms dealer shall provide proof of transfer to the abusing party. The
4.28 proof of transfer must specify whether the firearms were permanently or temporarily
4.29 transferred and include the name of the abusing party, date of transfer, and the serial number,
4.30 make, and model of all transferred firearms. The abusing party shall provide the court with
4.31 a signed and notarized affidavit or proof of transfer as described in this section within two
4.32 business days of the firearms transfer. The court shall seal affidavits and proofs of transfer
4.33 filed pursuant to this paragraph.

4.34 (i) When a court issues an order containing a firearms restriction provided for in paragraph
4.35 (g), the court shall determine by a preponderance of evidence if an abusing party poses an

5.1 imminent risk of causing another person substantial bodily harm. Upon a finding of imminent
 5.2 risk, the court shall order that the local law enforcement agency take immediate possession
 5.3 of all firearms in the abusing party's possession. The local law enforcement agency shall
 5.4 exercise due care to preserve the quality and function of the abusing party's firearms and
 5.5 shall return the firearms to the person upon request after the expiration of the prohibiting
 5.6 time period, provided the person is not otherwise prohibited from possessing firearms under
 5.7 state or federal law. The local law enforcement agency shall, upon written notice from the
 5.8 abusing party, transfer the firearms to a federally licensed firearms dealer or a third party
 5.9 who may lawfully receive them. Before a local law enforcement agency transfers a firearm
 5.10 under this paragraph, the agency shall require the third party or federally licensed firearms
 5.11 dealer receiving the firearm to submit an affidavit or proof of transfer that complies with
 5.12 the requirements for affidavits or proofs of transfer established in paragraph (h). The agency
 5.13 shall file all affidavits or proofs of transfer received with the court within two business days
 5.14 of the transfer. The court shall seal all affidavits or proofs of transfer filed pursuant to this
 5.15 paragraph. A federally licensed firearms dealer or third party who accepts a firearm transfer
 5.16 pursuant to this paragraph shall comply with paragraphs (g) and (h) as if accepting transfer
 5.17 from the abusing party. If the law enforcement agency does not receive written notice from
 5.18 the abusing party within three business days, the agency may charge a reasonable fee to
 5.19 store the abusing party's firearms. A law enforcement agency may establish policies for
 5.20 disposal of abandoned firearms, provided such policies require that the abusing party be
 5.21 notified via certified mail prior to disposal of abandoned firearms.

5.22 **Sec. 2. [518B.03] TRANSFER OR RELEASE OF DOMESTIC ABUSE VICTIMS**
 5.23 **FROM SHARED WIRELESS PLANS.**

5.24 Subdivision 1. **Application.** The remedy in this section applies if the respondent and
 5.25 petitioner or a protected party subject to an order for protection under section 518B.01 share
 5.26 a wireless plan and the respondent is the account holder.

5.27 Subd. 2. **Definitions.** (a) For purposes of this section the following terms have the
 5.28 meanings given.

5.29 (b) "Wireless telecommunications service" has the same meaning as "commercial mobile
 5.30 radio service" as defined in Code of Federal Regulations, title 47, section 20.3.

5.31 (c) "Wireless telecommunications service provider" means a provider of wireless
 5.32 telecommunications service.

5.33 Subd. 3. **Court order; account transfer or release.** (a) If the petitioner is the protected
 5.34 party named in an order for protection granted under this chapter, a court may issue an order

6.1 requiring a wireless telecommunications service provider, without charge, penalty, or fee,
 6.2 to:

6.3 (1) transfer the billing authority and all rights to the wireless telephone number or
 6.4 numbers of a shared wireless plan to the petitioner; or

6.5 (2) remove or release the petitioner from a shared wireless plan and assign a substitute
 6.6 telephone number or numbers.

6.7 (b) If the petitioner is not the protected party named in an order for protection granted
 6.8 under this chapter, a court may issue an order requiring a wireless telecommunications
 6.9 service provider, without charge, penalty, or fee, to:

6.10 (1) transfer the billing authority and rights to the wireless telephone number or numbers
 6.11 of a shared wireless plan:

6.12 (i) if the protected party is a minor, to a parent or legal guardian of the minor other than
 6.13 the respondent; or

6.14 (ii) if the protected party is not a minor, to another person who shall serve as the account
 6.15 holder with the protected party's approval; or

6.16 (2) remove or release the protected party from a shared wireless plan and assign a
 6.17 substitute telephone number or numbers and:

6.18 (i) if the protected party is a minor, order the parent or legal guardian of the minor, other
 6.19 than the respondent, to be the account holder for the substitute telephone number or numbers;

6.20 or

6.21 (ii) if the protected party is not a minor, order another person, with the protected party's
 6.22 approval, to be the account holder for the substitute telephone number or numbers.

6.23 (c) At a protected party's request, the court may order a wireless telecommunications
 6.24 service provider to transfer without charge, penalty, or fee any and all devices associated
 6.25 with the petitioner or protected party's phone number to a substitute telephone number or
 6.26 numbers.

6.27 Subd. 4. **Separate order; content.** (a) The order issued pursuant to subdivision 3 must
 6.28 be a separate order from one issued under section 518B.01 that is directed to the wireless
 6.29 telecommunications service provider, but may be addressed in the same proceeding for an
 6.30 order under section 518B.01 or in a separate proceeding after an order under section 518B.01
 6.31 is issued.

7.1 (b) The order shall list the name and billing telephone number of the account holder,
7.2 the name of the person to whom the telephone number or numbers are to be transferred,
7.3 and each telephone number to be transferred.

7.4 Subd. 5. **Filing fee.** The filing fees for an order under this section are waived.

7.5 Subd. 6. **Hearing.** A hearing for an order under this section is not required unless the
7.6 court declines to issue the requested relief or the petitioner requests a hearing. A hearing
7.7 may be held concurrently with a hearing under section 518B.01 upon the petitioner's request
7.8 and if the court deems it appropriate.

7.9 Subd. 7. **Deadline to transfer.** Upon receipt of an order issued under this section, a
7.10 wireless telecommunications service provider must abide by the terms of the order by the
7.11 end of the following billing cycle.

7.12 Subd. 8. **Confidentiality.** A wireless telecommunications service provider must treat
7.13 an order and any supporting information received under this section as confidential and
7.14 must not disclose the order or the information, except to the extent necessary to comply
7.15 with the order.

7.16 Subd. 9. **Unpaid balance.** (a) A person who is the account holder before an order is
7.17 issued under this section remains liable for an unpaid balance incurred before an account
7.18 is transferred pursuant to an order issued under this section.

7.19 (b) A wireless telecommunications service provider must provide the petitioner or
7.20 protected party with a partitioned telephone line and additional time to pay off the outstanding
7.21 balance.

7.22 Subd. 10. **Immunity.** A cause of action shall not lie against a wireless telecommunications
7.23 service provider or its officers, employees, or agents for the actions taken that are related
7.24 to the transfer of the billing authority and rights to the wireless telephone number or numbers
7.25 in accordance with the terms of a court order issued pursuant to this section.