

SENATE
STATE OF MINNESOTA
NINETY-FOURTH SESSION

S.F. No. 4301

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DATE	D-PG	OFFICIAL STATUS
03/09/2026	6577	Introduction and first reading Referred to Judiciary and Public Safety
03/25/2026	6994	Author added Gustafson
04/07/2026	7721a	Comm report: To pass as amended
	7904	Second reading
04/13/2026	8004	Author added Oumou Verbeten

1.1 A bill for an act

1.2 relating to public safety; requiring law enforcement agencies to report certain

1.3 information in domestic abuse cases; authorizing certain arrests for suspected

1.4 nonfelony domestic abuse; modifying pretrial release provisions for persons arrested

1.5 for suspected domestic abuse; requiring reports; amending Minnesota Statutes

1.6 2024, sections 611A.0311, subdivision 1; 629.341, subdivisions 1, 4; 629.72,

1.7 subdivisions 1a, 2, 6; Minnesota Statutes 2025 Supplement, section 299C.80,

1.8 subdivision 6; proposing coding for new law in Minnesota Statutes, chapter 626;

1.9 repealing Minnesota Statutes 2024, section 629.72, subdivision 3.

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

1.11 Section 1. Minnesota Statutes 2025 Supplement, section 299C.80, subdivision 6, is amended

1.12 to read:

1.13 Subd. 6. **Reporting.** (a) As provided for in chapter 13, the superintendent must make

1.14 all inactive investigative data for officer-involved death investigations that are public under

1.15 section 13.82, subdivision 7, or other applicable law available on the bureau's website within

1.16 30 days of the case becoming inactive as defined in section 13.82, subdivision 7, except

1.17 any video that does not record, describe, or otherwise document actions and circumstances

1.18 surrounding the officer-involved death.

1.19 (b) By February 1 of each year, the superintendent shall report to the commissioner, the

1.20 governor, and the chairs and ranking minority members of the legislative committees with

1.21 jurisdiction over public safety finance and policy the following information about the unit:

1.22 the number of investigations initiated; the number of incidents that began with a law

1.23 enforcement response to a situation involving suspected or alleged domestic abuse, as

1.24 defined in section 626.5537, subdivision 1; the number of incidents investigated; the

1.25 outcomes or current status of each investigation; the charging decisions made by the

2.1 prosecuting authority of incidents investigated by the unit; the number of plea agreements
 2.2 reached in incidents investigated by the unit; and any other information relevant to the unit's
 2.3 mission.

2.4 (c) Nothing in this subdivision modifies the requirements of chapter 13 or the
 2.5 classification of data.

2.6 Sec. 2. Minnesota Statutes 2024, section 611A.0311, subdivision 1, is amended to read:

2.7 Subdivision 1. **Definitions.** (a) "Domestic abuse" has the meaning given in section
 2.8 518B.01, subdivision 2.

2.9 (b) "Domestic abuse case" means a prosecution for:

2.10 (1) a crime that involves domestic abuse;

2.11 (2) violation of a condition of release following an arrest for a crime that involves
 2.12 domestic abuse; ~~or~~

2.13 (3) violation of a domestic abuse order for protection issued pursuant to section 518B.01;

2.14 (4) violation of a harassment restraining order issued pursuant to section 609.748
 2.15 committed against a family or household member by a family or household member;

2.16 (5) harassment or stalking within the meaning of section 609.749 committed against a
 2.17 family or household member by a family or household member; or

2.18 (6) violation of a domestic abuse no contact order issued pursuant to section 629.75.

2.19 Sec. 3. [626.5537] DOMESTIC ABUSE; REPORTING.

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

2.22 (b) "Domestic abuse" has the meaning given in section 518B.01, subdivision 2, paragraph
 2.23 (a), and also includes the following, if committed against a family or household member
 2.24 by a family or household member:

2.25 (1) violation of an order for protection within the meaning of section 518B.01, subdivision
 2.26 14;

2.27 (2) violation of a harassment restraining order within the meaning of section 609.748,
 2.28 subdivision 6;

2.29 (3) harassment or stalking within the meaning of section 609.749; and

3.1 (4) violation of a domestic abuse no contact order within the meaning of section 629.75,
3.2 subdivision 2.

3.3 (c) "Family or household member" has the meaning given in section 518B.01, subdivision
3.4 2, paragraph (b).

3.5 Subd. 2. **Collection of information; reporting.** The head of a local law enforcement
3.6 agency or state law enforcement department that employs peace officers, as defined in
3.7 section 626.84, subdivision 1, paragraph (c), must report every incident a peace officer
3.8 reasonably believes, or a victim alleges, constitutes an act of domestic abuse to the
3.9 commissioner of public safety by January 15 each year. The superintendent of the Bureau
3.10 of Criminal Apprehension must adopt a reporting form to be used by law enforcement
3.11 agencies in making the reports required under this section. The reports must include all of
3.12 the following for each incident:

3.13 (1) the date of the incident;

3.14 (2) the location of the incident;

3.15 (3) the crime suspected to have been committed;

3.16 (4) whether the response began as a call for service alleging an act of domestic abuse;

3.17 (5) the perceived gender of the alleged victim and suspect;

3.18 (6) the perceived race of the alleged victim and suspect;

3.19 (7) whether a suspect was arrested at the time of the incident;

3.20 (8) whether a suspect was arrested at a later date and, if so, the time between the incident
3.21 and the arrest;

3.22 (9) whether the alleged victim was arrested at the time of the incident and, if so, any
3.23 alleged crime that formed the basis for the arrest;

3.24 (10) whether the alleged offender possessed, or was reported to possess, a firearm at the
3.25 time of the incident;

3.26 (11) whether the case was referred for prosecution;

3.27 (12) whether the determination that the incident constituted an act of domestic abuse
3.28 was based on an officer's reasonable belief, the victim's allegation, or both; and

3.29 (13) any additional information the superintendent deems necessary for the acquisition
3.30 of accurate and relevant data.

4.1 Subd. 3. **Annual report.** The commissioner of public safety must summarize and analyze
 4.2 the information received under subdivision 2 and provide an annual report to the chairs and
 4.3 ranking minority members of the legislative committees with jurisdiction over public safety.
 4.4 The annual report may be included in the department's annual uniform crime report.

4.5 **EFFECTIVE DATE.** This section is effective January 1, 2028.

4.6 Sec. 4. Minnesota Statutes 2024, section 629.341, subdivision 1, is amended to read:

4.7 Subdivision 1. **Arrest; referral for prosecution.** (a) Notwithstanding section 629.34
 4.8 or any other law or rule, a peace officer may arrest a person anywhere without a warrant,
 4.9 including at the person's residence, if the peace officer has probable cause to believe that
 4.10 within the preceding ~~72 hours~~ 28 days, exclusive of the day probable cause was established,
 4.11 the person has committed nonfelony domestic abuse, as defined in section 518B.01,
 4.12 subdivision 2. The arrest may be made even though the assault did not take place in the
 4.13 presence of the peace officer.

4.14 (b) If a peace officer has probable cause to believe that a person has committed any act
 4.15 that constitutes harassing or stalking any person in violation of section 609.749; domestic
 4.16 abuse as defined in section 518B.01, subdivision 2; violation of an order for protection as
 4.17 described in section 518B.01, subdivision 14; or violation of a domestic abuse no contact
 4.18 order as described in section 629.75 and the person was not arrested, the peace officer should
 4.19 seek a warrant from a judge for the person's arrest without undue delay. A warrant issued
 4.20 under this paragraph is not subject to the limitations described in section 629.31.

4.21 Sec. 5. Minnesota Statutes 2024, section 629.341, subdivision 4, is amended to read:

4.22 Subd. 4. **Report required.** (a) Whenever a peace officer investigates an allegation that
 4.23 ~~an incident described in subdivision 1 has occurred, whether or not an arrest is made, a~~
 4.24 person has committed a qualified domestic violence-related offense and the victim is a
 4.25 family or household member, the officer shall make a written police report of the alleged
 4.26 incident regardless of whether an arrest is made. The report must contain at least the following
 4.27 information: the name, address and telephone number of the victim, if provided by the
 4.28 victim, a statement as to whether an arrest occurred, the name of the arrested person, and a
 4.29 brief summary of the incident. Data that identify a victim who has made a request under
 4.30 section 13.82, subdivision 17, paragraph (d), and that are private data under that subdivision,
 4.31 shall be private in the report required by this section. A copy of this report must be provided
 4.32 upon request, at no cost, to the victim of domestic abuse, the victim's attorney, or
 4.33 organizations designated by the Office of Justice Programs in the Department of Public

5.1 Safety that are providing services to victims of domestic abuse. The officer shall submit the
5.2 report to the officer's supervisor or other person to whom the employer's rules or policies
5.3 require reports of similar allegations of criminal activity to be made.

5.4 (b) As used in this subdivision:

5.5 (1) "qualified domestic violence-related offense" has the meaning given in section 609.02,
5.6 subdivision 16; and

5.7 (2) "family or household member" has the meaning given in section 518B.01, subdivision
5.8 2, paragraph (b).

5.9 Sec. 6. Minnesota Statutes 2024, section 629.72, subdivision 1a, is amended to read:

5.10 Subd. 1a. **Detention in lieu of citation; release.** (a) Notwithstanding any other law or
5.11 rule, an arresting officer may not issue a citation in lieu of arrest and detention to an
5.12 individual charged with harassing or stalking, domestic abuse, violation of an order for
5.13 protection, or violation of a domestic abuse no contact order.

5.14 (b) Notwithstanding any other law or rule, an individual who is arrested on a charge of
5.15 harassing or stalking any person, domestic abuse, violation of an order for protection, or
5.16 violation of a domestic abuse no contact order, must be brought to the police station or
5.17 county jail. An individual who is arrested on a charge of violation of an order for protection
5.18 or violation of a domestic abuse no contact order must be detained until the person's first
5.19 court appearance as required under sections 518B.01, subdivision 14, paragraph (e), and
5.20 629.75, subdivision 3. The officer in charge of the police station or the county sheriff in
5.21 charge of the jail shall issue a citation in lieu of continued detention for a charge of harassing
5.22 or stalking any person or for domestic abuse unless it reasonably appears to the officer or
5.23 sheriff that release of the person (1) poses a threat to the alleged victim or another family
5.24 or household member, (2) poses a threat to public safety, or (3) involves a substantial
5.25 likelihood the arrested person will fail to appear at subsequent proceedings. In determining
5.26 if the person poses a threat to the alleged victim or another family or household member,
5.27 the officer in charge of the police station or the county sheriff in charge of the jail must
5.28 consider the person's history of domestic violence, including but not limited to:

5.29 (1) any previous arrest or conviction for harassing or stalking any person, domestic
5.30 abuse, violation of an order for protection, or violation of a domestic abuse no contact order;

5.31 (2) any order for protection, harassment restraining order, or domestic abuse no contact
5.32 order in which the person was identified as the subject of the order; and

6.1 (3) any pending petitions for an order for protection or a harassment restraining order
6.2 in which the person is a respondent.

6.3 (c) If the arrested person is not issued a citation by the officer in charge of the police
6.4 station or the county sheriff, the arrested person must be brought before the nearest available
6.5 judge of the district court in the county in which the alleged harassing or stalking, domestic
6.6 abuse, violation of an order for protection, or violation of a domestic abuse no contact order
6.7 took place without unnecessary delay as provided by court rule.

6.8 Sec. 7. Minnesota Statutes 2024, section 629.72, subdivision 2, is amended to read:

6.9 Subd. 2. **Judicial review; release; bail.** (a) The judge before whom the arrested person
6.10 is brought shall review the facts surrounding the arrest and detention of a person arrested
6.11 for domestic abuse, harassing or stalking, violation of an order for protection, or violation
6.12 of a domestic abuse no contact order. The prosecutor or prosecutor's designee shall present
6.13 relevant information involving the victim's or the victim's family's account of the alleged
6.14 crime to the judge to be considered in determining the arrested person's release. If the person
6.15 was arrested for violation of an order for protection or violation of a domestic abuse no
6.16 contact order, the prosecutor or prosecutor's designee must describe the allegations in the
6.17 underlying petition or criminal case. The prosecutor or prosecutor's designee may present
6.18 information and bail recommendations in person or by filing it with the court through the
6.19 appropriate electronic filing system. In making a decision concerning pretrial release
6.20 conditions of a person arrested for domestic abuse, harassing or stalking, violation of an
6.21 order for protection, or violation of a domestic abuse no contact order, the judge shall review
6.22 the facts of the arrest and detention of the person and the relevant information presented or
6.23 filed by the prosecutor or prosecutor's designee and determine whether: (1) release of the
6.24 person poses a threat to the alleged victim, another family or household member, or public
6.25 safety; or (2) there is a substantial likelihood the person will fail to appear at subsequent
6.26 proceedings. Before releasing a person arrested for or charged with a crime of domestic
6.27 abuse, harassing or stalking, violation of an order for protection, or violation of a domestic
6.28 abuse no contact order, the judge shall make findings on the record, to the extent possible,
6.29 concerning the determination made in accordance with the factors specified in clauses (1)
6.30 and (2). The findings should describe whether the person:

6.31 (1) was previously arrested for, or convicted of, harassing or stalking any person, domestic
6.32 abuse, violation of an order for protection, or violation of a domestic abuse no contact order;

7.1 (2) has ever been the subject of an order for protection, harassment restraining order, or
7.2 domestic abuse no contact order and, if so, the nature of the allegations or charges that gave
7.3 rise to the order; and

7.4 (3) is the respondent in any pending petition for an order for protection or harassment
7.5 restraining order and, if so, the nature of the allegations in any petition.

7.6 (b) The judge may impose conditions of release or bail, or both, on the person to protect
7.7 the alleged victim or other family or household members and to ensure the appearance of
7.8 the person at subsequent proceedings. These conditions may include an order:

7.9 (1) enjoining the person from threatening to commit or committing acts of domestic
7.10 abuse or harassing or stalking against the alleged victim or other family or household
7.11 members or from violating an order for protection or a domestic abuse no contact order;

7.12 (2) prohibiting the person from harassing, annoying, telephoning, contacting, or otherwise
7.13 communicating with the alleged victim, either directly or indirectly;

7.14 (3) directing the person to vacate or stay away from the home of the alleged victim and
7.15 to stay away from any other location where the alleged victim is likely to be;

7.16 (4) prohibiting the person from possessing a firearm or other weapon specified by the
7.17 court;

7.18 (5) prohibiting the person from possessing or consuming alcohol or controlled substances;
7.19 and

7.20 (6) specifying any other matter required to protect the safety of the alleged victim and
7.21 to ensure the appearance of the person at subsequent proceedings.

7.22 (c) If conditions of release are imposed, the judge shall issue a written order for
7.23 conditional release. The court administrator shall immediately distribute a copy of the order
7.24 for conditional release to the agency having custody of the arrested person and shall provide
7.25 the agency having custody of the arrested person with any available information on the
7.26 location of the victim in a manner that protects the victim's safety. Either the court or its
7.27 designee or the agency having custody of the arrested person shall serve upon the defendant
7.28 a copy of the order. Failure to serve the arrested person with a copy of the order for
7.29 conditional release does not invalidate the conditions of release.

7.30 (d) If the judge imposes as a condition of release a requirement that the person have no
7.31 contact with the alleged victim, the judge may also, on its own motion or that of the
7.32 prosecutor or on request of the victim, issue an ex parte temporary restraining order under
7.33 section 609.748, subdivision 4, or an ex parte temporary order for protection under section

8.1 518B.01, subdivision 7. Notwithstanding section 518B.01, subdivision 7, paragraph (b), or
8.2 609.748, subdivision 4, paragraph (c), the temporary order is effective until the defendant
8.3 is convicted or acquitted, or the charge is dismissed, provided that upon request the defendant
8.4 is entitled to a full hearing on the restraining order under section 609.748, subdivision 5, or
8.5 on the order for protection under section 518B.01. The hearing must be held within seven
8.6 days of the defendant's request.

8.7 Sec. 8. Minnesota Statutes 2024, section 629.72, subdivision 6, is amended to read:

8.8 Subd. 6. **Notice; release of arrested person.** (a) Immediately after ~~issuance of a citation~~
8.9 ~~in lieu of continued detention under subdivision 1, or~~ the entry of an order for release under
8.10 subdivision 2, but before the arrested person is released, the agency having custody of the
8.11 arrested person or its designee must make a reasonable and good faith effort to inform orally
8.12 the alleged victim, local law enforcement agencies known to be involved in the case, if
8.13 different from the agency having custody, and, at the victim's request any local battered
8.14 women's and domestic abuse programs established under section 611A.32 or sexual assault
8.15 programs of:

8.16 (1) the conditions of release, if any;

8.17 (2) the time of release;

8.18 (3) the time, date, and place of the next scheduled court appearance of the arrested person
8.19 and the victim's right to be present at the court appearance; and

8.20 (4) if the arrested person is charged with domestic abuse, the location and telephone
8.21 number of the area program that provides services to victims of domestic abuse as designated
8.22 by the Office of Justice Programs in the Department of Public Safety.

8.23 (b) As soon as practicable after an order for conditional release is entered, the agency
8.24 having custody of the arrested person or its designee must personally deliver or mail to the
8.25 alleged victim a copy of the written order and written notice of the information in paragraph
8.26 (a), clauses (2) and (3).

8.27 (c) Data on the victim and the notice provided by the custodial authority are private data
8.28 on individuals as defined in section 13.02, subdivision 12, and are accessible only to the
8.29 victim.

8.30 Sec. 9. **REPEALER.**

8.31 Minnesota Statutes 2024, section 629.72, subdivision 3, is repealed.

APPENDIX
Repealed Minnesota Statutes: S4301-1

629.72 BAIL; DOMESTIC ABUSE; HARASSMENT; VIOLATION OF ORDER FOR PROTECTION; OR NO CONTACT ORDER.

Subd. 3. **Release.** If the arrested person is not issued a citation by the officer in charge of the police station or the county sheriff pursuant to subdivision 1, and is not brought before a judge within the time limits prescribed by court rule, the arrested person shall be released by the arresting authorities, and a citation must be issued in lieu of continued detention.