

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

S.F. No. 5022

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DATE	D-PG	OFFICIAL STATUS
04/09/2026	7934	Introduction and first reading Referred to Judiciary and Public Safety

1.1 A bill for an act

1.2 relating to public safety; expanding the obstructing legal process crime; requiring

1.3 sheriffs to hold persons subject to an immigration detainer; adding exception to

1.4 commonality of powers requirement; prohibiting local ordinances that limit

1.5 cooperation with federal immigration officials; amending Minnesota Statutes 2024,

1.6 sections 471.59, subdivision 8; 609.50, subdivision 1, by adding a subdivision;

1.7 631.50; proposing coding for new law in Minnesota Statutes, chapter 471.

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

1.9 Section 1. Minnesota Statutes 2024, section 471.59, subdivision 8, is amended to read:

1.10 Subd. 8. **Services performed by county, or sheriff; commonality of powers.** (a)

1.11 Notwithstanding the provisions of subdivision 1 requiring commonality of powers between

1.12 parties to any agreement the board of county commissioners of any county may by resolution

1.13 enter into agreements with any other governmental unit as defined in subdivision 1 to

1.14 perform on behalf of that unit any service or function which that unit would be authorized

1.15 to provide for itself.

1.16 (b) Notwithstanding the provisions of subdivision 1 requiring commonality of powers,

1.17 a county sheriff must enter into an agreement under United States Code, title 8, section

1.18 1357(g), with the federal agency to perform services or functions that the federal agency

1.19 would be authorized to provide for itself. A county sheriff does not require authorization

1.20 from a county board of commissioners before entering into the agreement.

1.21 Sec. 2. **[471.9999] SEPARATION ORDINANCES.**

1.22 Subdivision 1. **Definition.** For purposes of this section, "municipality" means a city,

1.23 however organized, or a county.

2.1 Subd. 2. **Certain ordinances prohibited.** (a) A municipality must not adopt, enforce,
2.2 or endorse an ordinance or policy under which the municipality or instrumentalities of the
2.3 municipality prohibit or materially limit the enforcement of immigration laws. Policies
2.4 prohibited under this section include but are not limited to any policy that limits or prohibits
2.5 an employee or agent of a municipality from:

2.6 (1) communicating or cooperating with federal agencies or officials to verify or report
2.7 the immigration status of a person; or

2.8 (2) soliciting or inquiring about a person's immigration status in the course of their duties.

2.9 (b) A policy or ordinance adopted in violation of this section is invalid as of the date of
2.10 its adoption and has no force or effect.

2.11 Sec. 3. Minnesota Statutes 2024, section 609.50, subdivision 1, is amended to read:

2.12 Subdivision 1. **Crime.** (a) Whoever intentionally does any of the following may be
2.13 sentenced as provided in subdivision 2:

2.14 (1) obstructs, hinders, or prevents the lawful execution of any legal process, civil or
2.15 criminal, or apprehension of another on a charge or conviction of a criminal offense;

2.16 (2) obstructs, resists, or interferes with a peace officer while the officer is engaged in
2.17 the performance of official duties;

2.18 (3) interferes with or obstructs a firefighter while the firefighter is engaged in the
2.19 performance of official duties;

2.20 (4) interferes with or obstructs a member of an ambulance service personnel crew, as
2.21 defined in section 144E.001, subdivision 3a, who is providing, or attempting to provide,
2.22 emergency care; or

2.23 (5) by force or threat of force endeavors to obstruct any employee of the Department of
2.24 Revenue, Department of Public Safety Driver and Vehicle Services Division, a driver's
2.25 license agent appointed under section 171.061, or a deputy registrar appointed under section
2.26 168.33 while the employee is lawfully engaged in the performance of official duties for the
2.27 purpose of deterring or interfering with the performance of those duties.

2.28 (b) It is a crime punishable as provided in subdivision 2 for a person to approach or
2.29 remain within 25 feet of a peace officer:

2.30 (1) while knowing or having reason to know of the officer's status and that the officer
2.31 is actively engaged in:

- 3.1 (i) a lawful arrest;
- 3.2 (ii) the transportation or supervision of an arrested person;
- 3.3 (iii) crowd control related to an arrest or potential arrest; or
- 3.4 (iv) the investigation of a criminal act;
- 3.5 (2) after having received a verbal warning from the officer, or another officer on the
- 3.6 scene, not to approach or to back away; and
- 3.7 (3) with the intent to impede or interfere with the officer's ability to perform the activity.

3.8 **EFFECTIVE DATE.** This section is effective August 1, 2026, and applies to crimes

3.9 committed on or after that date.

3.10 Sec. 4. Minnesota Statutes 2024, section 609.50, is amended by adding a subdivision to

3.11 read:

3.12 Subd. 3. **Definition.** As used in this section, "peace officer" has the meaning given in

3.13 section 626.84, subdivision 1, and includes a federal law enforcement officer as defined in

3.14 section 626.77, subdivision 3.

3.15 **EFFECTIVE DATE.** This section is effective August 1, 2026, and applies to crimes

3.16 committed on or after that date.

3.17 Sec. 5. Minnesota Statutes 2024, section 631.50, is amended to read:

3.18 **631.50 ALIEN INMATES OR MENTALLY ILL PERSONS; NOTICE TO UNITED**

3.19 **STATES IMMIGRATION OFFICERS.**

3.20 (a) When a person who is convicted of a felony or is found to be a person who is mentally

3.21 ill is committed to the Minnesota Correctional Facility-Stillwater, the Minnesota Correctional

3.22 Facility-St. Cloud, the county jail, or any other state or county institution which is supported,

3.23 wholly or in part, by public funds, the chief executive officer, sheriff, or other officer in

3.24 charge of the state or county institution shall at once inquire into the nationality of the

3.25 person. If it appears that the person is an alien, the officer shall immediately notify the

3.26 United States immigration officer in charge of the district in which the correctional facility,

3.27 jail, or other institution is located of (1) the date of and the reasons for the alien commitment,

3.28 (2) the length of time for which committed, (3) the country of which the alien is a citizen,

3.29 and (4) the date on which and the port at which the alien last entered the United States.

3.30 (b) A sheriff acting pursuant to an agreement entered into under United States Code,

3.31 title 8, section 1357(g), shall detain and hold a person who is named as the subject of a valid

4.1 immigration detainer, and who is currently incarcerated in the local detention facility under
4.2 the sheriff's control, for a period not to exceed 48 hours, excluding Saturdays, Sundays, and
4.3 holidays, from the time the person would otherwise be released from custody. The authority
4.4 to hold a person under this paragraph is independent of the authority to hold the person
4.5 related to a state criminal charge or conviction.

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