

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

S.F. No. 5299

(SENATE AUTHORS: FATEH)

DATE
05/15/2026

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OFFICIAL STATUS
Introduction and first reading
Referred to Judiciary and Public Safety

1.1 A bill for an act
1.2 relating to immigration enforcement; restricting law enforcement access to sensitive
1.3 locations; establishing civil remedies; modifying the concealing identity crime;
1.4 expanding the scope of use of force investigations; limiting access to certain
1.5 information; amending Minnesota Statutes 2024, sections 13.319, by adding a
1.6 subdivision; 13.32, subdivision 3; 123B.51, by adding a subdivision; 299C.80,
1.7 subdivision 1; 609.662, by adding a subdivision; 609.735; Minnesota Statutes
1.8 2025 Supplement, section 13.32, subdivision 5; proposing coding for new law in
1.9 Minnesota Statutes, chapters 120A; 135A; 142B; 144; 604; proposing coding for
1.10 new law as Minnesota Statutes, chapter 480C.

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

1.12 **ARTICLE 1**
1.13 **COURT ACCESS**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

2.18 (1) civil proceedings;

2.19 (2) criminal proceedings; and

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

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

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

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

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

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

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

3.5 (2) within the courthouse building;

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

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

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

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

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

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

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

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

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

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

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

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

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

4.6 Sec. 5. **EFFECTIVE DATE.**

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

4.8 **ARTICLE 2**
4.9 **HEALTH CARE FACILITIES**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

7.31 (a) A health care facility employee, acting in good faith, is not liable in a criminal, civil,
7.32 or administrative proceeding for the employee's compliance with sections 144.6575 to
7.33 144.6577.

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

8.3 ARTICLE 3

8.4 EDUCATIONAL INSTITUTIONS

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

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

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

8.10 Subd. 3. **Private data; when disclosure is permitted.** Except as provided in subdivision
8.11 5, educational data is private data on individuals and shall not be disclosed except as follows:

8.12 (a) pursuant to section 13.05;

8.13 (b) pursuant to a valid court order;

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

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

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

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

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

8.30 (h) to the appropriate school district officials to the extent necessary under subdivision
8.31 6, annually to indicate the extent and content of remedial instruction, including the results

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

9.4 (i) to appropriate authorities as provided in United States Code, title 20, section
9.5 1232g(b)(1)(E)(ii), if the data concern the juvenile justice system and the ability of the
9.6 system to effectively serve, prior to adjudication, the student whose records are released;
9.7 provided that the authorities to whom the data are released submit a written request for the
9.8 data that certifies that the data will not be disclosed to any other person except as authorized
9.9 by law without the written consent of the parent of the student and the request and a record
9.10 of the release are maintained in the student's file;

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

9.14 (k) to provide student recruiting information, from educational data held by colleges
9.15 and universities, as required by and subject to Code of Federal Regulations, title 32, section
9.16 216;

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

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

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

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

9.30 (2) information regarding student and employee witnesses;

9.31 (3) information regarding the alleged perpetrator; and

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

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

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

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

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

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

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

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

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

10.29 (1) this subdivision; and

10.30 (2) United States Code, title 20, section 1232g, and Code of Federal Regulations, title
 10.31 34, section 99.37, which were in effect on January 3, 2012.

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

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

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

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

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

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

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

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

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

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

12.8 (c) "Law enforcement agent" means a peace officer as defined in section 626.84,
12.9 subdivision 1, paragraph (c), or a federal law enforcement officer as defined in section
12.10 626.77, subdivision 3. Law enforcement agent does not include a school resource officer
12.11 as defined in section 626.8482.

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

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

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

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

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

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

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

13.6 (d) A school must not:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

15.19 (1) "campus" means:

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

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

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

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

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

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

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

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

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

16.19 (1) required by state or federal law;

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

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

16.23 Subd. 4. **Required procedures.** By December 31, 2026, a postsecondary institution
16.24 must develop and adopt procedures for reviewing and authorizing requests from law
16.25 enforcement agents to enter an institution or any of its facilities for purposes of civil
16.26 immigration enforcement. The procedures must comply with the requirements of subdivision
16.27 3 and, at a minimum, include procedures for:

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

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

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

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

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

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

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

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

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

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

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

17.22 **ARTICLE 4**

17.23 **CHILD CARE CENTERS**

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

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

17.27 (b) "Child care center" means:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

18.29 (d) "Law enforcement agent" has the meaning given in section 142B.665, subdivision
18.30 1.

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

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

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

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

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

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

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

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

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

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

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

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

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

20.4 Subd. 2. Liability limitation. An employee, acting in good faith, is not liable in a
20.5 criminal, civil, or administrative proceeding for the employee's compliance with sections
20.6 142B.665 and 142B.667.

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

20.9 **ARTICLE 5**

20.10 **CIVIL ACTIONS**

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

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

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

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

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

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

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

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

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

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

21.13 **ARTICLE 6**

21.14 **MISCELLANEOUS PROVISIONS**

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

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

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

21.22 ~~(b)~~ (c) "Law enforcement agency" has the meaning given in section 626.84, subdivision
 21.23 1, paragraph (f).

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

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

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

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

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

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

22.5 **609.735 CONCEALING IDENTITY.**

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

22.10 (b) This section does not apply to a peace officer, as defined in section 626.84, subdivision
 22.11 1, paragraph (c), or a federal law enforcement officer, as defined in section 626.77,
 22.12 subdivision 3, while performing official duties as:

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

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

22.17 (c) For the purposes of this section:

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

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

APPENDIX
Article locations for 26-08620

ARTICLE 1	COURT ACCESS.....	Page.Ln 1.12
ARTICLE 2	HEALTH CARE FACILITIES.....	Page.Ln 4.8
ARTICLE 3	EDUCATIONAL INSTITUTIONS.....	Page.Ln 8.3
ARTICLE 4	CHILD CARE CENTERS.....	Page.Ln 17.22
ARTICLE 5	CIVIL ACTIONS.....	Page.Ln 20.9
ARTICLE 6	MISCELLANEOUS PROVISIONS.....	Page.Ln 21.13