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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 2665

01/31/2022 Authored by Hollins, Feist, Reyer, Agbaje, Keeler and others
The bill was read for the first time and referred to the Committee on Judiciary Finance and Civil Law

1.1 A bill for an act
1.2 relating to courts; permitting certain emancipated minors to seek harassment
1.3 restraining orders on their own behalf; amending Minnesota Statutes 2020, section
1.4 609.748, subdivision 2.

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

1.6 Section 1. Minnesota Statutes 2020, section 609.748, subdivision 2, is amended to read:

1.7 Subd. 2. Restraining order; court jurisdiction. (a) A person who is a victim of
1.8 harassment or the victim's guardian or conservator may seek a restraining order from the
1.9 district court in the manner provided in this section.

1.10 (b) The parent, guardian or conservator, or stepparent of a minor who is a victim of
1.11 harassment may seek a restraining order from the district court on behalf of the minor.

1.12 (c) An emancipated minor may seek a restraining order on the emancipated minor's own
1.13 behalf if the court determines that the minor has sufficient maturity and judgment and that
1.14 it is in the best interests of the minor. If the court does not permit the emancipated minor
1.15 to seek an order on the emancipated minor's own behalf, the court may permit a reputable
1.16 adult age 25 or older to seek an order on behalf of the emancipated minor provided the court
1.17 finds that it is in the best interests of the minor.

1.18 (d) An application for relief under this section may be filed in the county of residence
1.19 of either party or in the county in which the alleged harassment occurred. There are no
1.20 residency requirements that apply to a petition for a harassment restraining order.

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