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State of Minnesota
HOUSE OF REPRESENTATIVES
NINETIETH SESSION

H. F. No. 3304

03/05/2018 Authored by Zerwas, Hamilton, Moran, Clark, Theis and others
The bill was read for the first time and referred to the Committee on Health and Human Services Reform

1.1 A bill for an act
1.2 relating to public health; establishing a domestic violence and sexual assault
1.3 prevention program; modifying fees; requiring reports; amending Minnesota
1.4 Statutes 2016, section 517.08, subdivisions 1b, 1c; proposing coding for new law
1.5 in Minnesota Statutes, chapter 145.

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

1.7 Section 1. [145.987] DOMESTIC VIOLENCE AND SEXUAL ASSAULT
1.8 PREVENTION PROGRAM.

1.9 Subdivision 1. Program establishment. The commissioner of health, through the
1.10 Department of Health's injury and prevention unit, shall administer the domestic violence
1.11 and sexual assault prevention program as established under this section.

1.12 Subd. 2. Fund created. A domestic violence and sexual assault prevention account is
1.13 created in the special revenue fund for deposits of receipts from civil marriage license fees
1.14 under section 517.08, subdivision 1c, paragraph (a), clause (6), and paragraph (b), clause
1.15 (3). The funds available in the account are annually appropriated to the commissioner of
1.16 health for the purposes of this section.

1.17 Subd. 3. Grant criteria. (a) The commissioner shall award grants from the domestic
1.18 violence and sexual assault prevention fund to nonprofit organizations for the purpose of
1.19 funding programs that incorporate community-driven and culturally relevant practices to
1.20 prevent domestic violence and sexual assault. Grants made pursuant to this section may
1.21 either (1) encourage the development and deployment of new prevention efforts, or (2)
1.22 enhance, sustain, or expand existing prevention efforts.

2.1 (b) The commissioner of health shall award grants to nonprofit organizations supporting
 2.2 activities that:

2.3 (1) promote the general development of domestic violence and sexual assault prevention
 2.4 programs and activities;

2.5 (2) implement prevention activities through community outreach that address the root
 2.6 causes of domestic violence and sexual assault;

2.7 (3) identify risk and protective factors to develop domestic violence and sexual assault
 2.8 prevention strategies and outreach activities;

2.9 (4) provide trauma-informed domestic violence and sexual assault prevention services;

2.10 (5) educate youth and adults about healthy relationships and changing social norms;

2.11 (6) develop culturally and linguistically appropriate domestic violence and sexual assault
 2.12 prevention programs for historically underserved communities;

2.13 (7) work collaboratively with educational institutions to implement domestic violence
 2.14 and sexual assault prevention strategies for students, teachers, and administrators; or

2.15 (8) work collaboratively with other nonprofit organizations, school districts, for-profit
 2.16 organizations, and other community-based organizations to implement domestic violence
 2.17 and sexual assault prevention strategies within their communities.

2.18 Subd. 4. **Definition.** For purposes of this section, "domestic violence and sexual assault"
 2.19 includes, but is not limited to, the following:

2.20 (1) intimate partner violence, including emotional and psychological abuse;

2.21 (2) sex trafficking as defined in section 609.321, subdivision 7a;

2.22 (3) domestic abuse as defined in section 518B.01, subdivision 2;

2.23 (4) any sexual assault crime in sections 609.342 to 609.3453;

2.24 (5) abusive international marriage; and

2.25 (6) forced marriage.

2.26 Subd. 5. **Promotion; administration.** The commissioner may spend up to 15 percent
 2.27 of the total program funding for each fiscal year to promote and administer the program
 2.28 authorized under this section and to provide technical assistance to program grantees.

2.29 Subd. 6. **Nonstate sources.** The commissioner may accept contributions from nonstate
 2.30 sources to supplement state appropriations for the program authorized under this section.

3.1 Contributions received under this subdivision are appropriated to the commissioner for
 3.2 purposes of this section.

3.3 Subd. 7. **Program evaluation.** The commissioner of health shall report by February 28
 3.4 of each even-numbered year to the legislative committees with jurisdiction over health
 3.5 detailed the expenditures of funds authorized under this section. The commissioner shall
 3.6 use the data to evaluate the effectiveness of the program. The commissioner must include
 3.7 in the report:

3.8 (1) the number of organizations receiving grant money under this section;

3.9 (2) the number of individuals served by the grant program;

3.10 (3) a description and analysis of the best practices implemented by program grantees;

3.11 and

3.12 (4) best practices recommendations to prevent domestic violence and sexual assault,
 3.13 including best practices recommendations that are culturally relevant to historically
 3.14 underserved communities.

3.15 (b) Any organization receiving grant money under this section must collect and make
 3.16 available to the commissioner of health aggregate data related to the activity funded by the
 3.17 grant program under this section.

3.18 Sec. 2. Minnesota Statutes 2016, section 517.08, subdivision 1b, is amended to read:

3.19 Subd. 1b. **Term of license; fee; premarital education.** (a) The local registrar shall
 3.20 examine upon oath the parties applying for a license relative to the legality of the
 3.21 contemplated civil marriage. If one party is unable to appear in person, the party appearing
 3.22 may complete the absent applicant's information. The local registrar shall provide a copy
 3.23 of the civil marriage application to the party who is unable to appear, who must verify the
 3.24 accuracy of the appearing party's information in a notarized statement. The civil marriage
 3.25 license must not be released until the verification statement has been received by the local
 3.26 registrar. If the local registrar is satisfied that there is no legal impediment to it, including
 3.27 the restriction contained in section 259.13, the local registrar shall issue the license,
 3.28 containing the full names of the parties before and after the civil marriage, and county and
 3.29 state of residence, with the county seal attached, and make a record of the date of issuance.
 3.30 The license shall be valid for a period of six months. Except as provided in paragraph (b),
 3.31 the local registrar shall collect from the applicant a fee of ~~\$115~~ \$130 for administering the
 3.32 oath, issuing, recording, and filing all papers required, and preparing and transmitting to
 3.33 the state registrar of vital records the reports of civil marriage required by this section. If

4.1 the license should not be used within the period of six months due to illness or other
 4.2 extenuating circumstances, it may be surrendered to the local registrar for cancellation, and
 4.3 in that case a new license shall issue upon request of the parties of the original license
 4.4 without fee. A local registrar who knowingly issues or signs a civil marriage license in any
 4.5 manner other than as provided in this section shall pay to the parties aggrieved an amount
 4.6 not to exceed \$1,000.

4.7 (b) The civil marriage license fee for parties who have completed at least 12 hours of
 4.8 premarital education is ~~\$40~~ \$55. In order to qualify for the reduced license fee, the parties
 4.9 must submit at the time of applying for the civil marriage license a statement that is signed,
 4.10 dated, and notarized or marked with a church seal from the person who provided the
 4.11 premarital education on their letterhead confirming that it was received. The premarital
 4.12 education must be provided by a licensed or ordained minister or the minister's designee,
 4.13 a person authorized to solemnize civil marriages under section 517.18, or a person authorized
 4.14 to practice marriage and family therapy under section 148B.33. The education must include
 4.15 the use of a premarital inventory and the teaching of communication and conflict management
 4.16 skills.

4.17 (c) The statement from the person who provided the premarital education under paragraph
 4.18 (b) must be in the following form:

4.19 "I, (name of educator), confirm that (names of both
 4.20 parties) received at least 12 hours of premarital education that included the use of a premarital
 4.21 inventory and the teaching of communication and conflict management skills. I am a licensed
 4.22 or ordained minister, a person authorized to solemnize civil marriages under Minnesota
 4.23 Statutes, section 517.18, or a person licensed to practice marriage and family therapy under
 4.24 Minnesota Statutes, section 148B.33."

4.25 The names of the parties in the educator's statement must be identical to the legal names
 4.26 of the parties as they appear in the civil marriage license application. Notwithstanding
 4.27 section 138.17, the educator's statement must be retained for seven years, after which time
 4.28 it may be destroyed.

4.29 (d) If section 259.13 applies to the request for a civil marriage license, the local registrar
 4.30 shall grant the civil marriage license without the requested name change. Alternatively, the
 4.31 local registrar may delay the granting of the civil marriage license until the party with the
 4.32 conviction:

5.1 (1) certifies under oath that 30 days have passed since service of the notice for a name
5.2 change upon the prosecuting authority and, if applicable, the attorney general and no
5.3 objection has been filed under section 259.13; or

5.4 (2) provides a certified copy of the court order granting it. The parties seeking the civil
5.5 marriage license shall have the right to choose to have the license granted without the name
5.6 change or to delay its granting pending further action on the name change request.

5.7 Sec. 3. Minnesota Statutes 2016, section 517.08, subdivision 1c, is amended to read:

5.8 Subd. 1c. **Disposition of license fee.** (a) Of the civil marriage license fee collected
5.9 pursuant to subdivision 1b, paragraph (a), \$25 must be retained by the county. The local
5.10 registrar must pay ~~\$90~~ \$105 to the commissioner of management and budget to be deposited
5.11 as follows:

5.12 (1) \$55 in the general fund;

5.13 (2) \$3 in the state government special revenue fund to be appropriated to the
5.14 commissioner of public safety for parenting time centers under section 119A.37;

5.15 (3) \$2 in the special revenue fund to be appropriated to the commissioner of health for
5.16 developing and implementing the MN ENABL program under section 145.9255;

5.17 (4) \$25 in the special revenue fund is appropriated to the commissioner of employment
5.18 and economic development for the displaced homemaker program under section 116L.96;
5.19 ~~and~~

5.20 (5) \$5 in the special revenue fund, which is appropriated to the Board of Regents of the
5.21 University of Minnesota for the Minnesota couples on the brink project under section
5.22 137.32-; and

5.23 (6) \$15 in the special revenue fund, which is appropriated to the commissioner of health
5.24 for the domestic violence and sexual assault prevention program under section 145.987.

5.25 (b) Of the ~~\$40~~ \$55 fee under subdivision 1b, paragraph (b), \$25 must be retained by the
5.26 county. The local registrar must pay ~~\$15~~ \$30 to the commissioner of management and
5.27 budget to be deposited as follows:

5.28 (1) \$5 as provided in paragraph (a), clauses (2) and (3); ~~and~~

5.29 (2) \$10 in the special revenue fund is appropriated to the commissioner of employment
5.30 and economic development for the displaced homemaker program under section 116L.96-;
5.31 and

6.1 (3) \$15 as provided in paragraph (a), clause (6).