

1.1 A bill for an act

1.2 relating to public safety; modifying certain provisions relating to courts, public
1.3 safety, firefighters, corrections, crime, disaster assistance, and controlled
1.4 substances; requesting reports; providing for penalties; appropriating money
1.5 for public safety, courts, corrections, Guardian Ad Litem Board, Uniform
1.6 Laws Commission, Board on Judicial Standards, Board of Public Defense, and
1.7 Sentencing Guidelines; amending Minnesota Statutes 2014, sections 5B.11;
1.8 12.221, subdivision 6; 12A.15, subdivision 1; 12B.15, subdivision 2, by adding
1.9 a subdivision; 12B.25, subdivision 1; 12B.40; 13.03, subdivision 6; 13.82,
1.10 subdivision 17; 43A.241; 97B.031, subdivision 4; 152.02, subdivisions 2, 3, 4, 5,
1.11 6; 168A.1501, subdivisions 1, 6; 169.13, subdivisions 1, 3; 169.475, subdivision
1.12 2; 169A.03, subdivision 3; 169A.07; 169A.275, subdivision 5; 169A.285,
1.13 subdivision 1; 169A.46, subdivision 1; 169A.53, subdivision 3; 181.06,
1.14 subdivision 2; 181.101; 241.88, subdivision 1, by adding a subdivision; 241.89,
1.15 subdivisions 1, 2; 243.166, subdivision 1b; 244.05, by adding a subdivision;
1.16 244.15, subdivision 6; 253B.08, subdivision 2a; 253B.12, subdivision 2a;
1.17 253D.28, subdivision 2; 260.012; 260B.198, by adding a subdivision; 260C.301,
1.18 subdivisions 1, 8; 271.08, subdivision 1; 271.21, subdivision 2; 299A.73,
1.19 subdivision 2; 299C.35; 299C.38; 299C.46, subdivisions 2, 2a; 299F.012,
1.20 subdivision 1; 299N.02, subdivision 2; 299N.03, subdivisions 5, 6, 7; 299N.04,
1.21 subdivision 3; 299N.05, subdivisions 1, 5, 6, 7, 8; 325E.21, subdivisions 1, 2;
1.22 352B.011, subdivision 10; 401.10, subdivision 1; 486.10, subdivisions 2, 3;
1.23 549.09, subdivision 1; 609.1095, subdivision 1; 609.2111; 609.2112, subdivision
1.24 1; 609.2114, subdivision 1; 609.2231, subdivision 3a; 609.2232; 609.324,
1.25 subdivision 1; 609.325, subdivision 4, by adding a subdivision; 609.3451,
1.26 subdivision 1; 609.3471; 609.475; 609.531, subdivision 1; 609.564; 609.5641,
1.27 subdivision 1a; 609.66, subdivisions 1a, 1g, by adding a subdivision; 609.746, by
1.28 adding a subdivision; 609.765; 611A.26, subdivisions 1, 6; 611A.31, subdivision
1.29 1; 611A.33; 611A.35; 617.242, subdivision 6; 624.71; 624.714, subdivision
1.30 16; 628.26; 631.461; Laws 2013, chapter 86, article 1, sections 7; 9; proposing
1.31 coding for new law in Minnesota Statutes, chapters 299C; 299N; 609; 624;
1.32 626; repealing Minnesota Statutes 2014, sections 168A.1501, subdivisions 5,
1.33 5a; 299C.36; 299N.05, subdivision 3; 325E.21, subdivisions 1c, 1d; 609.66,
1.34 subdivision 1h; Laws 2014, chapter 190, sections 10; 11.

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

2.1 **ARTICLE 1**

2.2 **APPROPRIATIONS**

2.3 Section 1. **APPROPRIATIONS.**

2.4 The sums shown in the columns marked "Appropriations" are appropriated to the
 2.5 agencies and for the purposes specified in this article. The appropriations are from the
 2.6 general fund, or another named fund, and are available for the fiscal years indicated
 2.7 for each purpose. The figures "2016" and "2017" used in this article mean that the
 2.8 appropriations listed under them are available for the fiscal year ending June 30, 2016, or
 2.9 June 30, 2017, respectively. "The first year" is fiscal year 2016. "The second year" is fiscal
 2.10 year 2017. "The biennium" is fiscal years 2016 and 2017. Appropriations for the fiscal
 2.11 year ending June 30, 2015, are effective the day following final enactment.

2.12 **APPROPRIATIONS**
 2.13 **Available for the Year**
 2.14 **Ending June 30**
 2.15 **2016** **2017**

2.16 Sec. 2. **SUPREME COURT**

2.17 **Subdivision 1. Total Appropriation** \$ **45,826,000** \$ **46,426,000**

2.18 The amounts that may be spent for each
 2.19 purpose are specified in the following
 2.20 subdivisions.

2.21 **Subd. 2. Supreme Court Operations** **33,060,000** **33,660,000**

2.22 **Contingent Account**

2.23 \$5,000 each year is for a contingent account
 2.24 for expenses necessary for the normal
 2.25 operation of the court for which no other
 2.26 reimbursement is provided.

2.27 **Subd. 3. Civil Legal Services** **12,766,000** **12,766,000**

2.28 **Legal Services to Low-Income Clients in**
 2.29 **Family Law Matters**

2.30 \$948,000 each year is to improve the access
 2.31 of low-income clients to legal representation
 2.32 in family law matters. This appropriation
 2.33 must be distributed under Minnesota Statutes,

3.1 section 480.242, to the qualified legal
 3.2 services program described in Minnesota
 3.3 Statutes, section 480.242, subdivision 2,
 3.4 paragraph (a). Any unencumbered balance
 3.5 remaining in the first year does not cancel
 3.6 and is available in the second year.

3.7 Sec. 3. **COURT OF APPEALS** \$ 11,306,000 \$ 11,547,000

3.8 Sec. 4. **DISTRICT COURTS** \$ 261,597,000 \$ 267,129,000

3.9 \$50,000 each year is to expand specialty
 3.10 courts.

3.11 Sec. 5. **GUARDIAN AD LITEM BOARD** \$ 14,063,000 \$ 14,411,000

3.12 Sec. 6. **TAX COURT** \$ 1,976,000 \$ 1,753,000

3.13 This appropriation includes funds for
 3.14 information technology project services
 3.15 and support subject to the provisions of
 3.16 Minnesota Statutes, section 16E.0466. Any
 3.17 ongoing information technology costs will be
 3.18 incorporated into the service level agreement
 3.19 and will be paid to the Office of MN.IT
 3.20 Services by the Tax Court under the rates and
 3.21 mechanism specified in that agreement.

3.22 The base appropriation for the Tax Court
 3.23 shall be \$1,288,000 in fiscal year 2018 and
 3.24 \$1,288,000 in fiscal year 2019.

3.25 Sec. 7. **UNIFORM LAWS COMMISSION** \$ 88,000 \$ 93,000

3.26 Sec. 8. **BOARD ON JUDICIAL STANDARDS** \$ 486,000 \$ 486,000

3.27 **Major Disciplinary Actions**

3.28 \$125,000 each year is for special
 3.29 investigative and hearing costs for major
 3.30 disciplinary actions undertaken by the

5.1 \$405,000 the first year and \$410,000 the
 5.2 second year from the general fund are for the
 5.3 school safety center to provide for school
 5.4 safety.

5.5 **(c) Combating Terrorism Recruitment**

5.6 \$250,000 the first year is for the
 5.7 commissioner to develop strategies and
 5.8 make efforts to combat the recruitment of
 5.9 Minnesota residents by terrorist organizations
 5.10 such as ISIS and al-Shabaab. At least half
 5.11 of this amount must be distributed through
 5.12 grants to local governments with identified
 5.13 populations who are at-risk for recruitment.

5.14 The commissioner must collaborate
 5.15 with federal, state, and local agencies in
 5.16 developing the required strategies. The
 5.17 commissioner shall prepare a report that
 5.18 explains in detail the strategies proposed
 5.19 and steps to implement the strategies. The
 5.20 commissioner must submit the report to
 5.21 the chairs and ranking minority members
 5.22 of the house and senate committees with
 5.23 jurisdiction over public safety by February
 5.24 1, 2016.

5.25 **(d) Disaster Assistance Account**

5.26 \$2,500,000 in 2016 is for the disaster
 5.27 assistance contingency account in Minnesota
 5.28 Statutes, section 12.221. These funds are
 5.29 available until spent.

5.30 **Subd. 3. Criminal Apprehension** 53,637,000 51,189,000

5.31	<u>Appropriations by Fund</u>	
5.32	<u>General</u>	<u>51,335,000</u>
		<u>48,857,000</u>
5.33	<u>State Government</u>	
5.34	<u>Special Revenue</u>	<u>7,000</u>
		<u>7,000</u>
5.35	<u>Trunk Highway</u>	<u>2,295,000</u>
		<u>2,325,000</u>

6.1 **(a) DWI Lab Analysis; Trunk Highway Fund**

6.2 Notwithstanding Minnesota Statutes, section
6.3 161.20, subdivision 3, \$1,941,000 each year
6.4 is from the trunk highway fund for laboratory
6.5 analysis related to driving-while-impaired
6.6 cases.

6.7 **(b) BCA Investment Initiative**

6.8 \$2,223,000 the first year and \$2,795,000 the
6.9 second year are from the general fund for the
6.10 Bureau of Criminal Apprehension:

6.11 (1) for two permanent latent fingerprint
6.12 examiner positions;

6.13 (2) for one permanent mitochondrial DNA
6.14 analyst positions;

6.15 (3) to replace equipment and instruments in
6.16 the forensic laboratory;

6.17 (4) to purchase supplies for the forensic
6.18 laboratory;

6.19 (5) for nine permanent positions to form a
6.20 digital forensics examination unit;

6.21 (6) for five permanent positions to form a
6.22 financial crimes unit; and

6.23 (7) for 13 permanent positions to increase the
6.24 capabilities of the predatory crimes section.

6.25 **(c) Livescan Replacement**

6.26 \$650,000 each year is from the general fund
6.27 for the Bureau of Criminal Apprehension
6.28 to replace electronic fingerprint capture
6.29 equipment in criminal justice agencies
6.30 around the state. The equipment is to be used
6.31 to automatically submit the fingerprints to
6.32 the bureau for identification of the person
6.33 and processing. For each of fiscal years 2018

7.1 and 2019, \$650,000 is added to the base for
 7.2 livescan replacement.

7.3 **(d) Report**

7.4 If the vehicle services special revenue account
 7.5 accrues an unallocated balance in excess
 7.6 of 50 percent of the previous fiscal year's
 7.7 expenditures, the commissioner of public
 7.8 safety shall submit a report to the chairs
 7.9 and ranking minority members of the house
 7.10 of representatives and senate committees
 7.11 with jurisdiction over transportation and
 7.12 public safety policy and finance. The report
 7.13 must contain specific policy and legislative
 7.14 recommendations for reducing the fund
 7.15 balance and avoiding future excessive fund
 7.16 balances. The report is due within three
 7.17 months of the fund balance exceeding the
 7.18 threshold established in this paragraph.

7.19 **Subd. 4. Fire Marshal** 15,668,000 12,722,000

	<u>Appropriations by Fund</u>	
<u>General</u>	<u>18,000</u>	<u>-0-</u>
<u>Special Revenue</u>	<u>15,650,000</u>	<u>12,722,000</u>

7.23 This appropriation is from the fire safety
 7.24 account in the special revenue fund and is for
 7.25 activities under Minnesota Statutes, section
 7.26 299F.012. Of this amount:

7.27 (1) \$4,673,000 the first year and \$3,270,000
 7.28 the second year are for an increase to the
 7.29 Minnesota Board of Firefighter Training. Of
 7.30 these amounts, \$75,000 each year is onetime
 7.31 spending;

7.32 (2) \$2,200,000 the first year and \$1,200,000
 7.33 the second year are for an increase to
 7.34 Minnesota Task Force 1; and

8.1 (3) \$190,000 each year is to fund the

8.2 Minnesota Air Rescue Team.

8.3 **Subd. 5. Alcohol and Gambling Enforcement** 2,338,000 2,373,000

8.4 Appropriations by Fund

8.5 General 1,606,000 1,632,000

8.6 Special Revenue 732,000 741,000

8.7 \$662,000 the first year and \$671,000 the

8.8 second year are from the alcohol enforcement

8.9 account in the special revenue fund. Of this

8.10 appropriation, \$500,000 each year shall be

8.11 transferred to the general fund.

8.12 \$70,000 each year is appropriated from the

8.13 lawful gambling regulation account in the

8.14 special revenue fund.

8.15 **Subd. 6. Office of Justice Programs** 36,442,000 36,479,000

8.16 Appropriations by Fund

8.17 General 36,346,000 36,383,000

8.18 State Government

8.19 Special Revenue 96,000 96,000

8.20 **(a) OJP Administration Costs**

8.21 Up to 2.5 percent of the grant funds

8.22 appropriated in this subdivision may be used

8.23 by the commissioner to administer the grant

8.24 program.

8.25 **(b) Crime Victim Services**

8.26 \$50,000 each year is for additional grants to

8.27 organizations awarded grants in fiscal years

8.28 2014 and 2015. These appropriations are

8.29 available through June 30, 2017.

8.30 **(c) Child Advocacy Centers**

8.31 \$50,000 each year is for grants to

8.32 existing child advocacy centers whose

8.33 primary purposes are (1) to coordinate the

8.34 investigation, treatment, and management of

9.1 abuse cases and (2) to provide direct services
9.2 to abuse victims.

9.3 **(d) Prosecutor and Law Enforcement Training**

9.4 \$100,000 each year is for a grant to the
9.5 Minnesota County Attorneys Association for
9.6 prosecutor and law enforcement training.

9.7 **(e) Crime Victim Support**

9.8 \$50,000 each year is for a grant to a
9.9 nonprofit organization dedicated to providing
9.10 immediate and long-term emotional support
9.11 and practical help for the families and friends
9.12 of individuals who have died by suicide,
9.13 overdose, accident, or homicide, including
9.14 but not limited to domestic violence.

9.15 **(f) Sex Trafficking Investigations**

9.16 \$250,000 each year is for grants to state and
9.17 local units of government for the following
9.18 purposes:

9.19 (1) to support new or existing
9.20 multijurisdictional entities to investigate sex
9.21 trafficking crimes; and

9.22 (2) to provide technical assistance, including
9.23 training and case consultation, to law
9.24 enforcement agencies statewide.

9.25 **(g) Alternatives to Juvenile Detention**

9.26 \$50,000 each year is for grants to nonprofit
9.27 organizations to conduct training, technical
9.28 support, and peer learning opportunities for
9.29 counties interested in implementing juvenile
9.30 detention reform and addressing disparities
9.31 in the juvenile justice system to accomplish
9.32 cost-effective interventions that leverage the

10.1 strength of families and communities. This
 10.2 funding is added to the base.

10.3 (h) \$50,000 in fiscal year 2016 and \$50,000
 10.4 in fiscal year 2017 are appropriated from the
 10.5 general fund to the commissioner of public
 10.6 safety for the purposes of the lifesaver grant
 10.7 program under section 299C.563.

10.8 <u>Subd. 7. Emergency Communication Networks</u>	<u>77,068,000</u>	<u>77,085,000</u>
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10.9 This appropriation is from the state
 10.10 government special revenue fund for 911
 10.11 emergency telecommunications services.

10.12 **(a) Public Safety Answering Points**

10.13 \$13,664,000 each year is to be distributed
 10.14 as provided in Minnesota Statutes, section
 10.15 403.113, subdivision 2.

10.16 This appropriation includes funds for
 10.17 information technology project services
 10.18 and support subject to the provisions of
 10.19 Minnesota Statutes, section 16E.0466. Any
 10.20 ongoing information technology costs will be
 10.21 incorporated into the service level agreement
 10.22 and will be paid to the Office of MN.IT
 10.23 Services by the Department of Public Safety
 10.24 under the rates and mechanism specified in
 10.25 that agreement.

10.26 **(b) Medical Resource Communication Centers**

10.27 \$683,000 each year is for grants to the
 10.28 Minnesota Emergency Medical Services
 10.29 Regulatory Board for the Metro East
 10.30 and Metro West Medical Resource
 10.31 Communication Centers that were in
 10.32 operation before January 1, 2000.

10.33 **(c) ARMER Debt Service**

11.1 \$22,261,000 each year is to the commissioner
 11.2 of management and budget to pay debt
 11.3 service on revenue bonds issued under
 11.4 Minnesota Statutes, section 403.275.

11.5 Any portion of this appropriation not needed
 11.6 to pay debt service in a fiscal year may be
 11.7 used by the commissioner of public safety to
 11.8 pay cash for any of the capital improvements
 11.9 for which bond proceeds were appropriated
 11.10 by Laws 2005, chapter 136, article 1, section
 11.11 9, subdivision 8; or Laws 2007, chapter 54,
 11.12 article 1, section 10, subdivision 8.

11.13 **(d) ARMER State Backbone Operating**
 11.14 **Costs**

11.15 \$9,650,000 each year is to the commissioner
 11.16 of transportation for costs of maintaining and
 11.17 operating the first and third phases of the
 11.18 statewide radio system backbone.

11.19 **(e) ARMER Improvements**

11.20 \$1,000,000 each year is to the Statewide
 11.21 Radio Board for costs of design, construction,
 11.22 and maintenance of, and improvements
 11.23 to, those elements of the statewide public
 11.24 safety radio and communication system
 11.25 that support mutual aid communications
 11.26 and emergency medical services or provide
 11.27 interim enhancement of public safety
 11.28 communication interoperability in those
 11.29 areas of the state where the statewide public
 11.30 safety radio and communication system is
 11.31 not yet implemented.

11.32 **Sec. 12. PEACE OFFICER STANDARDS**
 11.33 **AND TRAINING (POST) BOARD**

\$ 3,987,000 \$ 4,004,000

11.34 **(a) Excess Amounts Transferred**

12.1 This appropriation is from the peace officer
 12.2 training account in the special revenue fund.
 12.3 Any new receipts credited to that account in
 12.4 the first year in excess of \$3,887,000 must be
 12.5 transferred and credited to the general fund.
 12.6 Any new receipts credited to that account in
 12.7 the second year in excess of \$3,904,000 must
 12.8 be transferred and credited to the general
 12.9 fund.

12.10 **(b) Peace Officer Training**

12.11 **Reimbursements**

12.12 \$2,734,000 each year is for reimbursements
 12.13 to local governments for peace officer
 12.14 training costs.

12.15 **(c) De-escalation Training**

12.16 \$100,000 each year is for training state and
 12.17 local community safety personnel in the use
 12.18 of crisis de-escalation techniques.

12.19 Sec. 13. **PRIVATE DETECTIVE BOARD** \$ 122,000 \$ 124,000

12.20 Sec. 14. **CORRECTIONS**

12.21 **Subdivision 1. Total Appropriation** \$ 526,638,000 \$ 537,845,000

12.22 The amounts that may be spent for each
 12.23 purpose are specified in the following
 12.24 subdivisions.

12.25 **Subd. 2. Correctional Institutions** 381,152,000 390,892,000

12.26 **(a) Informational Technology**

12.27 This appropriation includes funds for
 12.28 information technology project services
 12.29 and support subject to the provisions of
 12.30 Minnesota Statutes, section 16E.0466. Any
 12.31 ongoing information technology costs will be
 12.32 incorporated into the service level agreement

13.1 and will be paid to the Office of MN.IT
 13.2 Services by the Department of Corrections
 13.3 under the rates and mechanism specified in
 13.4 that agreement.

13.5 **(b) Fugitive Apprehension Unit**

13.6 \$541,000 in fiscal year 2016 and \$670,000 in
 13.7 fiscal year 2017 are to increase the number
 13.8 of full-time equivalent positions in the
 13.9 department's fugitive apprehension unit. The
 13.10 base for this item is \$642,000 in each of
 13.11 fiscal years 2018 and 2019.

13.12 <u>Subd. 3. Community Services</u>	<u>120,674,000</u>	<u>121,688,000</u>
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13.13 **(a) Intensive Supervised Release Agents**

13.14 \$1,000,000 each year is to increase the
 13.15 number of supervision agents for offenders
 13.16 on intensive supervised release as described
 13.17 in Minnesota Statutes, section 244.13,
 13.18 subdivision 2.

13.19 **(b) Challenge Incarceration**

13.20 \$250,000 each year is to increase the
 13.21 number of supervision agents for offenders
 13.22 participating in the department's challenge
 13.23 incarceration program as described in
 13.24 Minnesota Statutes, section 244.172,
 13.25 subdivisions 2 and 3.

13.26 **(c) Community Corrections Act**

13.27 \$1,550,000 each year is added to the
 13.28 Community Corrections Act subsidy, as
 13.29 described in Minnesota Statutes, section
 13.30 401.14.

13.31 **(d) County Probation Officer**

13.32 **Reimbursements**

14.1 \$200,000 each year is added to the county
 14.2 probation officers reimbursement, as
 14.3 described in Minnesota Statutes, section
 14.4 244.19, subdivision 6.

14.5 **(e) Scott County Correctional Services**

14.6 \$85,000 each year is for a probation caseload
 14.7 and workload reduction grant to Scott County
 14.8 to provide correctional services.

14.9 **Subd. 4. Operations Support** 24,812,000 25,265,000

14.10 \$500,000 each year is to support technology
 14.11 needs.

14.12 This appropriation includes funds for
 14.13 information technology project services
 14.14 and support subject to the provisions of
 14.15 Minnesota Statutes, section 16E.0466. Any
 14.16 ongoing information technology costs will be
 14.17 incorporated into the service level agreement
 14.18 and will be paid to the Office of MN.IT
 14.19 Services by the Department of Corrections
 14.20 under the rates and mechanism specified in
 14.21 that agreement.

14.22 **Sec. 15. TRANSFERS**

14.23 \$825,000 the first year and \$2,450,000
 14.24 the second year are transferred from the
 14.25 MINNCOR fund to the general fund.

14.26 Sec. 16. Laws 2013, chapter 86, article 1, section 7, is amended to read:

14.27 **Sec. 7. TAX COURT** **\$ 1,023,000** **\$ 1,035,000**

14.28 **(a) Additional Resources**

14.29 \$161,000 each year is for ~~two law clerks,~~
 14.30 ~~continuing legal education costs, and~~
 14.31 ~~Westlaw costs~~ operating expenses. Any

15.1 amount not expended in the first year does
 15.2 not cancel and is available in the second year.

15.3 **(b) Case Management System**

15.4 \$25,000 each year is for the implementation
 15.5 and maintenance of a modern case
 15.6 management system.

15.7 **EFFECTIVE DATE.** This section is effective retroactively from July 1, 2013.

15.8 Sec. 17. Laws 2013, chapter 86, article 1, section 9, is amended to read:

15.9 Sec. 9. **BOARD ON JUDICIAL STANDARDS** \$ **756,000** \$ **456,000**

15.10 **(a) Deficiencies**

15.11 \$300,000 the first year is for deficiencies
 15.12 occurring in fiscal year 2013. This
 15.13 appropriation is available for expenditure the
 15.14 day following final enactment.

15.15 **(b) Major Disciplinary Actions**

15.16 \$125,000 each year is for special
 15.17 investigative and hearing costs for major
 15.18 disciplinary actions undertaken by the
 15.19 board. This appropriation does not cancel.
 15.20 Any ~~encumbered~~ unencumbered and
 15.21 unspent balances remain available for these
 15.22 expenditures in subsequent fiscal years.

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

15.24 **ARTICLE 2**

15.25 **COURTS**

15.26 Section 1. Minnesota Statutes 2014, section 253B.08, subdivision 2a, is amended to
 15.27 read:

15.28 Subd. 2a. **Place of hearing.** The hearing shall be conducted in a manner consistent
 15.29 with orderly procedure. The hearing shall be held at a courtroom meeting standards
 15.30 prescribed by local court rule which may be at a treatment facility. The hearing may be

16.1 conducted by interactive video conference under General Rules of Practice, rule 131, and
16.2 Minnesota Rules of Civil Commitment, rule 14.

16.3 Sec. 2. Minnesota Statutes 2014, section 253B.12, subdivision 2a, is amended to read:

16.4 Subd. 2a. **Time and place for hearing.** (a) Unless the proceedings are terminated
16.5 under subdivision 1, paragraph (e), a review hearing must be held within 14 days after
16.6 receipt by the committing court of the report required under subdivision 1, paragraph (c)
16.7 or (d), and before the time the commitment expires. For good cause shown, the court
16.8 may continue the hearing for up to an additional 14 days and extend any orders until
16.9 the review hearing is held.

16.10 (b) The patient, the patient's counsel, the petitioner, and other persons as the court
16.11 directs must be given at least five days' notice of the time and place of the hearing.

16.12 The hearing may be conducted by interactive video conference under General Rules of
16.13 Practice, rule 131, and Minnesota Rules of Civil Commitment, rule 14.

16.14 Sec. 3. Minnesota Statutes 2014, section 253D.28, subdivision 2, is amended to read:

16.15 Subd. 2. **Procedure.** (a) The Supreme Court shall refer a petition for rehearing and
16.16 reconsideration to the chief judge of the judicial appeal panel. The chief judge shall notify
16.17 the committed person, the county attorneys of the county of commitment and county of
16.18 financial responsibility, the commissioner, the executive director, any interested person,
16.19 and other persons the chief judge designates, of the time and place of the hearing on
16.20 the petition. The notice shall be given at least 14 days prior to the date of the hearing.

16.21 The hearing may be conducted by interactive video conference under General Rules of
16.22 Practice, rule 131, and Minnesota Rules of Civil Commitment, rule 14.

16.23 (b) Any person may oppose the petition. The committed person, the committed
16.24 person's counsel, the county attorneys of the committing county and county of financial
16.25 responsibility, and the commissioner shall participate as parties to the proceeding pending
16.26 before the judicial appeal panel and shall, no later than 20 days before the hearing on the
16.27 petition, inform the judicial appeal panel and the opposing party in writing whether they
16.28 support or oppose the petition and provide a summary of facts in support of their position.

16.29 (c) The judicial appeal panel may appoint examiners and may adjourn the hearing
16.30 from time to time. It shall hear and receive all relevant testimony and evidence and make
16.31 a record of all proceedings. The committed person, the committed person's counsel, and
16.32 the county attorney of the committing county or the county of financial responsibility have
16.33 the right to be present and may present and cross-examine all witnesses and offer a factual
16.34 and legal basis in support of their positions.

17.1 (d) The petitioning party seeking discharge or provisional discharge bears the
17.2 burden of going forward with the evidence, which means presenting a prima facie case
17.3 with competent evidence to show that the person is entitled to the requested relief. If
17.4 the petitioning party has met this burden, the party opposing discharge or provisional
17.5 discharge bears the burden of proof by clear and convincing evidence that the discharge or
17.6 provisional discharge should be denied.

17.7 (e) A party seeking transfer under section 253D.29 must establish by a preponderance
17.8 of the evidence that the transfer is appropriate.

17.9 Sec. 4. Minnesota Statutes 2014, section 260.012, is amended to read:

17.10 **260.012 DUTY TO ENSURE PLACEMENT PREVENTION AND FAMILY**
17.11 **REUNIFICATION; REASONABLE EFFORTS.**

17.12 (a) Once a child alleged to be in need of protection or services is under the court's
17.13 jurisdiction, the court shall ensure that reasonable efforts, including culturally appropriate
17.14 services, by the social services agency are made to prevent placement or to eliminate the
17.15 need for removal and to reunite the child with the child's family at the earliest possible
17.16 time, and the court must ensure that the responsible social services agency makes
17.17 reasonable efforts to finalize an alternative permanent plan for the child as provided in
17.18 paragraph (e). In determining reasonable efforts to be made with respect to a child and in
17.19 making those reasonable efforts, the child's best interests, health, and safety must be of
17.20 paramount concern. Reasonable efforts to prevent placement and for rehabilitation and
17.21 reunification are always required except upon a determination by the court that a petition
17.22 has been filed stating a prima facie case that:

17.23 (1) the parent has subjected a child to egregious harm as defined in section
17.24 260C.007, subdivision 14;

17.25 (2) the parental rights of the parent to another child have been terminated
17.26 involuntarily;

17.27 (3) the child is an abandoned infant under section 260C.301, subdivision 2,
17.28 paragraph (a), clause (2);

17.29 (4) the parent's custodial rights to another child have been involuntarily transferred
17.30 to a relative under Minnesota Statutes 2010, section 260C.201, subdivision 11, paragraph
17.31 (d), clause (1), section 260C.515, subdivision 4, or a similar law of another jurisdiction;

17.32 (5) the parent has committed sexual abuse as defined in section 626.556, subdivision
17.33 2, against the child or another child of the parent;

17.34 (6) the parent has committed an offense that requires registration as a predatory
17.35 offender under section 243.166, subdivision 1b, paragraph (a) or (b); or

18.1 (7) the provision of services or further services for the purpose of reunification is
18.2 futile and therefore unreasonable under the circumstances; or

18.3 (8) the child was conceived as the result of a parent committing an act of sexual
18.4 assault against the mother that involved sexual penetration, as defined in section 609.341,
18.5 subdivision 12, and the mother did not grant consent, as defined in section 609.341,
18.6 subdivision 4, to the sexual penetration, or pursuant to a violation of a similar law
18.7 of another state, territory, possession, or an Indian tribe where the offense occurred.
18.8 However, reasonable efforts to prevent placement and for rehabilitation and reunification
18.9 may be pursued when the conditions under section 260C.301, subdivision 1, paragraph
18.10 (b), clause (10), item (iii) apply.

18.11 (b) When the court makes one of the prima facie determinations under paragraph (a),
18.12 either permanency pleadings under section 260C.505, or a termination of parental rights
18.13 petition under sections 260C.141 and 260C.301 must be filed. A permanency hearing
18.14 under sections 260C.503 to 260C.521 must be held within 30 days of this determination.

18.15 (c) In the case of an Indian child, in proceedings under sections 260B.178, 260C.178,
18.16 260C.201, 260C.202, 260C.204, 260C.301, or 260C.503 to 260C.521, the juvenile court
18.17 must make findings and conclusions consistent with the Indian Child Welfare Act of
18.18 1978, United States Code, title 25, section 1901 et seq., as to the provision of active
18.19 efforts. In cases governed by the Indian Child Welfare Act of 1978, United States Code,
18.20 title 25, section 1901, the responsible social services agency must provide active efforts as
18.21 required under United States Code, title 25, section 1911(d).

18.22 (d) "Reasonable efforts to prevent placement" means:

18.23 (1) the agency has made reasonable efforts to prevent the placement of the child in
18.24 foster care by working with the family to develop and implement a safety plan; or

18.25 (2) given the particular circumstances of the child and family at the time of the
18.26 child's removal, there are no services or efforts available which could allow the child to
18.27 safely remain in the home.

18.28 (e) "Reasonable efforts to finalize a permanent plan for the child" means due
18.29 diligence by the responsible social services agency to:

18.30 (1) reunify the child with the parent or guardian from whom the child was removed;

18.31 (2) assess a noncustodial parent's ability to provide day-to-day care for the child and,
18.32 where appropriate, provide services necessary to enable the noncustodial parent to safely
18.33 provide the care, as required by section 260C.219;

18.34 (3) conduct a relative search to identify and provide notice to adult relatives as
18.35 required under section 260C.221;

19.1 (4) place siblings removed from their home in the same home for foster care or
19.2 adoption, or transfer permanent legal and physical custody to a relative. Visitation
19.3 between siblings who are not in the same foster care, adoption, or custodial placement or
19.4 facility shall be consistent with section 260C.212, subdivision 2; and

19.5 (5) when the child cannot return to the parent or guardian from whom the child was
19.6 removed, to plan for and finalize a safe and legally permanent alternative home for the
19.7 child, and considers permanent alternative homes for the child inside or outside of the
19.8 state, preferably through adoption or transfer of permanent legal and physical custody of
19.9 the child.

19.10 (f) Reasonable efforts are made upon the exercise of due diligence by the responsible
19.11 social services agency to use culturally appropriate and available services to meet the needs
19.12 of the child and the child's family. Services may include those provided by the responsible
19.13 social services agency and other culturally appropriate services available in the community.
19.14 At each stage of the proceedings where the court is required to review the appropriateness
19.15 of the responsible social services agency's reasonable efforts as described in paragraphs
19.16 (a), (d), and (e), the social services agency has the burden of demonstrating that:

19.17 (1) it has made reasonable efforts to prevent placement of the child in foster care;

19.18 (2) it has made reasonable efforts to eliminate the need for removal of the child from
19.19 the child's home and to reunify the child with the child's family at the earliest possible time;

19.20 (3) it has made reasonable efforts to finalize an alternative permanent home for
19.21 the child, and considers permanent alternative homes for the child inside or outside of
19.22 the state; or

19.23 (4) reasonable efforts to prevent placement and to reunify the child with the parent
19.24 or guardian are not required. The agency may meet this burden by stating facts in a sworn
19.25 petition filed under section 260C.141, by filing an affidavit summarizing the agency's
19.26 reasonable efforts or facts the agency believes demonstrate there is no need for reasonable
19.27 efforts to reunify the parent and child, or through testimony or a certified report required
19.28 under juvenile court rules.

19.29 (g) Once the court determines that reasonable efforts for reunification are not
19.30 required because the court has made one of the prima facie determinations under paragraph
19.31 (a), the court may only require reasonable efforts for reunification after a hearing
19.32 according to section 260C.163, where the court finds there is not clear and convincing
19.33 evidence of the facts upon which the court based its prima facie determination. In this
19.34 case when there is clear and convincing evidence that the child is in need of protection or
19.35 services, the court may find the child in need of protection or services and order any of

20.1 the dispositions available under section 260C.201, subdivision 1. Reunification of a child
20.2 with a parent is not required if the parent has been convicted of:

20.3 (1) a violation of, or an attempt or conspiracy to commit a violation of, sections
20.4 609.185 to 609.20; 609.222, subdivision 2; or 609.223 in regard to another child of the
20.5 parent;

20.6 (2) a violation of section 609.222, subdivision 2; or 609.223, in regard to the child;

20.7 (3) a violation of, or an attempt or conspiracy to commit a violation of, United States
20.8 Code, title 18, section 1111(a) or 1112(a), in regard to another child of the parent;

20.9 (4) committing sexual abuse as defined in section 626.556, subdivision 2, against
20.10 the child or another child of the parent; or

20.11 (5) an offense that requires registration as a predatory offender under section
20.12 243.166, subdivision 1b, paragraph (a) or (b).

20.13 (h) The juvenile court, in proceedings under sections 260B.178, 260C.178,
20.14 260C.201, 260C.202, 260C.204, 260C.301, or 260C.503 to 260C.521, shall make findings
20.15 and conclusions as to the provision of reasonable efforts. When determining whether
20.16 reasonable efforts have been made, the court shall consider whether services to the child
20.17 and family were:

20.18 (1) relevant to the safety and protection of the child;

20.19 (2) adequate to meet the needs of the child and family;

20.20 (3) culturally appropriate;

20.21 (4) available and accessible;

20.22 (5) consistent and timely; and

20.23 (6) realistic under the circumstances.

20.24 In the alternative, the court may determine that provision of services or further
20.25 services for the purpose of rehabilitation is futile and therefore unreasonable under the
20.26 circumstances or that reasonable efforts are not required as provided in paragraph (a).

20.27 (i) This section does not prevent out-of-home placement for treatment of a child with
20.28 a mental disability when it is determined to be medically necessary as a result of the child's
20.29 diagnostic assessment or individual treatment plan indicates that appropriate and necessary
20.30 treatment cannot be effectively provided outside of a residential or inpatient treatment
20.31 program and the level or intensity of supervision and treatment cannot be effectively and
20.32 safely provided in the child's home or community and it is determined that a residential
20.33 treatment setting is the least restrictive setting that is appropriate to the needs of the child.

20.34 (j) If continuation of reasonable efforts to prevent placement or reunify the child
20.35 with the parent or guardian from whom the child was removed is determined by the court
20.36 to be inconsistent with the permanent plan for the child or upon the court making one of

21.1 the prima facie determinations under paragraph (a), reasonable efforts must be made to
21.2 place the child in a timely manner in a safe and permanent home and to complete whatever
21.3 steps are necessary to legally finalize the permanent placement of the child.

21.4 (k) Reasonable efforts to place a child for adoption or in another permanent
21.5 placement may be made concurrently with reasonable efforts to prevent placement or to
21.6 reunify the child with the parent or guardian from whom the child was removed. When
21.7 the responsible social services agency decides to concurrently make reasonable efforts for
21.8 both reunification and permanent placement away from the parent under paragraph (a), the
21.9 agency shall disclose its decision and both plans for concurrent reasonable efforts to all
21.10 parties and the court. When the agency discloses its decision to proceed on both plans for
21.11 reunification and permanent placement away from the parent, the court's review of the
21.12 agency's reasonable efforts shall include the agency's efforts under both plans.

21.13 Sec. 5. Minnesota Statutes 2014, section 260C.301, subdivision 1, is amended to read:

21.14 Subdivision 1. **Voluntary and involuntary.** The juvenile court may upon petition,
21.15 terminate all rights of a parent to a child:

21.16 (a) with the written consent of a parent who for good cause desires to terminate
21.17 parental rights; or

21.18 (b) if it finds that one or more of the following conditions exist:

21.19 (1) that the parent has abandoned the child;

21.20 (2) that the parent has substantially, continuously, or repeatedly refused or neglected
21.21 to comply with the duties imposed upon that parent by the parent and child relationship,
21.22 including but not limited to providing the child with necessary food, clothing, shelter,
21.23 education, and other care and control necessary for the child's physical, mental, or
21.24 emotional health and development, if the parent is physically and financially able, and
21.25 either reasonable efforts by the social services agency have failed to correct the conditions
21.26 that formed the basis of the petition or reasonable efforts would be futile and therefore
21.27 unreasonable;

21.28 (3) that a parent has been ordered to contribute to the support of the child or
21.29 financially aid in the child's birth and has continuously failed to do so without good cause.
21.30 This clause shall not be construed to state a grounds for termination of parental rights of a
21.31 noncustodial parent if that parent has not been ordered to or cannot financially contribute
21.32 to the support of the child or aid in the child's birth;

21.33 (4) that a parent is palpably unfit to be a party to the parent and child relationship
21.34 because of a consistent pattern of specific conduct before the child or of specific conditions
21.35 directly relating to the parent and child relationship either of which are determined by

22.1 the court to be of a duration or nature that renders the parent unable, for the reasonably
22.2 foreseeable future, to care appropriately for the ongoing physical, mental, or emotional
22.3 needs of the child. It is presumed that a parent is palpably unfit to be a party to the parent
22.4 and child relationship upon a showing that the parent's parental rights to one or more other
22.5 children were involuntarily terminated or that the parent's custodial rights to another child
22.6 have been involuntarily transferred to a relative under Minnesota Statutes 2010, section
22.7 260C.201, subdivision 11, paragraph (e), clause (1), section 260C.515, subdivision 4, or a
22.8 similar law of another jurisdiction;

22.9 (5) that following the child's placement out of the home, reasonable efforts, under the
22.10 direction of the court, have failed to correct the conditions leading to the child's placement.
22.11 It is presumed that reasonable efforts under this clause have failed upon a showing that:

22.12 (i) a child has resided out of the parental home under court order for a cumulative
22.13 period of 12 months within the preceding 22 months. In the case of a child under age eight
22.14 at the time the petition was filed alleging the child to be in need of protection or services,
22.15 the presumption arises when the child has resided out of the parental home under court
22.16 order for six months unless the parent has maintained regular contact with the child and
22.17 the parent is complying with the out-of-home placement plan;

22.18 (ii) the court has approved the out-of-home placement plan required under section
22.19 260C.212 and filed with the court under section 260C.178;

22.20 (iii) conditions leading to the out-of-home placement have not been corrected. It
22.21 is presumed that conditions leading to a child's out-of-home placement have not been
22.22 corrected upon a showing that the parent or parents have not substantially complied with
22.23 the court's orders and a reasonable case plan; and

22.24 (iv) reasonable efforts have been made by the social services agency to rehabilitate
22.25 the parent and reunite the family.

22.26 This clause does not prohibit the termination of parental rights prior to one year, or
22.27 in the case of a child under age eight, prior to six months after a child has been placed
22.28 out of the home.

22.29 It is also presumed that reasonable efforts have failed under this clause upon a
22.30 showing that:

22.31 (A) the parent has been diagnosed as chemically dependent by a professional
22.32 certified to make the diagnosis;

22.33 (B) the parent has been required by a case plan to participate in a chemical
22.34 dependency treatment program;

22.35 (C) the treatment programs offered to the parent were culturally, linguistically,
22.36 and clinically appropriate;

23.1 (D) the parent has either failed two or more times to successfully complete a
23.2 treatment program or has refused at two or more separate meetings with a caseworker
23.3 to participate in a treatment program; and

23.4 (E) the parent continues to abuse chemicals.

23.5 (6) that a child has experienced egregious harm in the parent's care which is of a
23.6 nature, duration, or chronicity that indicates a lack of regard for the child's well-being,
23.7 such that a reasonable person would believe it contrary to the best interest of the child
23.8 or of any child to be in the parent's care;

23.9 (7) that in the case of a child born to a mother who was not married to the child's
23.10 father when the child was conceived nor when the child was born the person is not entitled
23.11 to notice of an adoption hearing under section 259.49 and the person has not registered
23.12 with the fathers' adoption registry under section 259.52;

23.13 (8) that the child is neglected and in foster care; ~~or~~

23.14 (9) that the parent has been convicted of a crime listed in section 260.012, paragraph
23.15 (g), clauses (1) to (5); or

23.16 (10) the court determines that the child was conceived as the result of the parent
23.17 committing an act of sexual assault against the mother that involved sexual penetration, as
23.18 defined in section 609.341, subdivision 12, and the mother did not grant consent, as defined
23.19 in section 609.341, subdivision 4, to the sexual penetration, or pursuant to violation of a
23.20 similar law of another state, territory, possession, or Indian tribe where the offense occurred.

23.21 (i) A guilty plea, conviction, or adjudication of the parent who committed an act
23.22 of sexual assault as defined in this clause is not required.

23.23 (ii) It is presumed that the termination of parental rights of the parent who committed
23.24 an act of sexual assault against the mother as defined in this clause is in the best interest of
23.25 the child if the child was conceived as a result of that act.

23.26 (iii) It is not presumed that termination of parental rights is in the best interest of the
23.27 child if the act involved sexual penetration as defined in section 609.344, subdivision 1,
23.28 paragraph (b) when the actor was no more than 48 months but more the 24 months older
23.29 than the complainant who was at least 13, but less than 16 years of age and there are no
23.30 other factors that threaten the child's best interests, health, and safety.

23.31 (iv) A petition for termination of parental rights under this clause may be filed at
23.32 any time.

23.33 In an action involving an American Indian child, sections 260.751 to 260.835 and
23.34 the Indian Child Welfare Act, United States Code, title 25, sections 1901 to 1923, control
23.35 to the extent that the provisions of this section are inconsistent with those laws.

24.1 Sec. 6. Minnesota Statutes 2014, section 260C.301, subdivision 8, is amended to read:

24.2 Subd. 8. **Findings regarding reasonable efforts.** In any proceeding under this
24.3 section, the court shall make specific findings:

24.4 (1) that reasonable efforts to finalize the permanency plan to reunify the child and
24.5 the parent were made including individualized and explicit findings regarding the nature
24.6 and extent of efforts made by the social services agency to rehabilitate the parent and
24.7 reunite the family; ~~or~~

24.8 (2) that reasonable efforts for reunification are not required as provided under
24.9 section 260.012; or

24.10 (3) that reasonable efforts for reunification are not required because the termination
24.11 is based on the factors in subdivision 1, paragraph (b), clause (10), items (i) or (ii).

24.12 Sec. 7. Minnesota Statutes 2014, section 271.08, subdivision 1, is amended to read:

24.13 Subdivision 1. **Written order.** The Tax Court, except in Small Claims Division,
24.14 shall determine every appeal by written order containing findings of fact and the decision
24.15 of the tax court. A memorandum of the grounds of the decision shall be appended. Notice
24.16 of the entry of the order and of the substance of the decision shall be mailed to all parties.
24.17 A motion for rehearing, which includes a motion for amended findings of fact, conclusions
24.18 of law, or a new trial, must be served by the moving party within ~~15~~ 30 days after mailing
24.19 of the notice by the court as specified in this subdivision, and the motion must be heard
24.20 within ~~30~~ 60 days thereafter, unless the time for hearing is extended by the court within
24.21 the ~~30-day~~ 60-day period for good cause shown.

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

24.23 Sec. 8. Minnesota Statutes 2014, section 271.21, subdivision 2, is amended to read:

24.24 Subd. 2. **Jurisdiction.** At the election of the taxpayer, the Small Claims Division
24.25 shall have jurisdiction only in the following matters:

24.26 (a) cases involving valuation, assessment, or taxation of real or personal property, if:

24.27 (i) the issue is a denial of a current year application for the homestead classification
24.28 for the taxpayer's property;

24.29 (ii) only one parcel is included in the petition, the entire parcel is classified as
24.30 homestead class 1a or 1b under section 273.13, and the parcel contains no more than
24.31 one dwelling unit;

24.32 (iii) the entire property is classified as agricultural homestead class 2a or 1b under
24.33 section 273.13; or

25.1 (iv) the assessor's estimated market value of the property included in the petition
25.2 is less than \$300,000; or

25.3 (b) any case not involving valuation, assessment, or taxation of real and personal
25.4 property in which the amount in controversy does not exceed ~~\$5,000~~ \$15,000, including
25.5 penalty and interest.

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

25.7 Sec. 9. Minnesota Statutes 2014, section 486.10, subdivision 2, is amended to read:

25.8 Subd. 2. **Disclosure; court reporter requirements; objections.** (a) The existence
25.9 of a contract or an exclusive agreement with a court reporter or court reporting firm for
25.10 court reporting services must be disclosed as provided by this paragraph. Written notice of
25.11 a contract or agreement must be included in the notice of taking deposition or the notice of
25.12 legal proceeding before commencement of a legal proceeding at which court reporting
25.13 services are being provided. Oral disclosure of a contract or agreement must be made on
25.14 the record by the court reporter at the commencement of the legal proceeding.

25.15 (b) A freelance court reporter or court reporting firm:

25.16 (1) shall treat all parties to an action equally, providing comparable services to
25.17 all parties;

25.18 (2) shall charge the same rate for copies of the same transcript to all parties according
25.19 to Minnesota Rules of Civil Procedure, rule 30.06;

25.20 ~~(2)~~ (3) may not act as an advocate for any party or act partially to any party to
25.21 an action; and

25.22 ~~(3)~~ (4) shall comply with all state and federal court rules that govern the activities
25.23 of court reporters.

25.24 (c) An attorney shall state the reason for the objection to the provision of court
25.25 reporting services by a freelance court reporter or court reporting firm and shall note
25.26 the objection and the reason on the record.

25.27 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to legal
25.28 proceedings commencing on or after that date.

25.29 Sec. 10. Minnesota Statutes 2014, section 486.10, subdivision 3, is amended to read:

25.30 Subd. 3. **Remedies.** Through objection by a party to the proceedings and upon
25.31 the court's or presiding officer's learning determination of a violation of subdivision 2,
25.32 paragraph (a), the court or presiding officer may: (1) declare that the record for which the
25.33 court reporting services were provided is void and may order that the legal proceeding be

26.1 reconducted; or (2) impose sanctions against the party violating subdivision 2, paragraph
26.2 (a), including civil contempt of court, costs, and reasonable attorney fees resulting from
26.3 the violation. If the legal proceedings are reconducted, the parties who violate violated
26.4 subdivision 2, paragraph (a), are jointly and severally liable for costs associated with
26.5 reconducting the legal proceeding and preparing the new record. Costs include, but are not
26.6 limited to, attorney, witness, and freelance court reporter appearance and transcript fees.

26.7 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to legal
26.8 proceedings commencing on or after that date.

26.9 Sec. 11. Minnesota Statutes 2014, section 549.09, subdivision 1, is amended to read:

26.10 Subdivision 1. **When owed; rate.** (a) When a judgment or award is for the recovery
26.11 of money, including a judgment for the recovery of taxes, interest from the time of the
26.12 verdict, award, or report until judgment is finally entered shall be computed by the court
26.13 administrator or arbitrator as provided in paragraph (c) and added to the judgment or award.

26.14 (b) Except as otherwise provided by contract or allowed by law, preverdict,
26.15 preaward, or prereport interest on pecuniary damages shall be computed as provided in
26.16 paragraph (c), clause (1), regardless of the amount, from the time of the commencement of
26.17 the action or a demand for arbitration, or the time of a written notice of claim, whichever
26.18 occurs first, except as provided herein. The action must be commenced within two years
26.19 of a written notice of claim for interest to begin to accrue from the time of the notice of
26.20 claim. If either party serves a written offer of settlement, the other party may serve a
26.21 written acceptance or a written counteroffer within 30 days. After that time, interest on the
26.22 judgment or award shall be calculated by the judge or arbitrator in the following manner.
26.23 The prevailing party shall receive interest on any judgment or award from the time of
26.24 commencement of the action or a demand for arbitration, or the time of a written notice
26.25 of claim, or as to special damages from the time when special damages were incurred, if
26.26 later, until the time of verdict, award, or report only if the amount of its offer is closer to
26.27 the judgment or award than the amount of the opposing party's offer. If the amount of
26.28 the losing party's offer was closer to the judgment or award than the prevailing party's
26.29 offer, the prevailing party shall receive interest only on the amount of the settlement offer
26.30 or the judgment or award, whichever is less, and only from the time of commencement
26.31 of the action or a demand for arbitration, or the time of a written notice of claim, or as
26.32 to special damages from when the special damages were incurred, if later, until the time
26.33 the settlement offer was made. Subsequent offers and counteroffers supersede the legal
26.34 effect of earlier offers and counteroffers. For the purposes of clause (2), the amount of
26.35 settlement offer must be allocated between past and future damages in the same proportion

27.1 as determined by the trier of fact. Except as otherwise provided by contract or allowed by
27.2 law, preverdict, preaward, or prereport interest shall not be awarded on the following:

27.3 (1) judgments, awards, or benefits in workers' compensation cases, but not including
27.4 third-party actions;

27.5 (2) judgments or awards for future damages;

27.6 (3) punitive damages, fines, or other damages that are noncompensatory in nature;

27.7 (4) judgments or awards not in excess of the amount specified in section 491A.01; and

27.8 (5) that portion of any verdict, award, or report which is founded upon interest, or
27.9 costs, disbursements, attorney fees, or other similar items added by the court or arbitrator.

27.10 (c)(1) For a judgment or award of \$50,000 or less or a judgment or award for
27.11 or against the state or a political subdivision of the state, regardless of the amount, the
27.12 interest shall be computed as simple interest per annum. The rate of interest shall be based
27.13 on the secondary market yield of one year United States Treasury bills, calculated on a
27.14 bank discount basis as provided in this section.

27.15 On or before the 20th day of December of each year the state court administrator
27.16 shall determine the rate from the one-year constant maturity treasury yield for the most
27.17 recent calendar month, reported on a monthly basis in the latest statistical release of the
27.18 board of governors of the Federal Reserve System. This yield, rounded to the nearest one
27.19 percent, or four percent, whichever is greater, shall be the annual interest rate during the
27.20 succeeding calendar year. The state court administrator shall communicate the interest
27.21 rates to the court administrators and sheriffs for use in computing the interest on verdicts
27.22 and shall make the interest rates available to arbitrators.

27.23 This clause applies to any section that references section 549.09 by citation for the
27.24 purposes of computing an interest rate on any amount owed to or by the state or a political
27.25 subdivision of the state, regardless of the amount.

27.26 (2) For a judgment or award over \$50,000, other than a judgment or award for or
27.27 against the state or a political subdivision of the state, the interest rate shall be ten percent
27.28 per year until paid.

27.29 (3) When a judgment creditor, or the judgment creditor's attorney or agent, has
27.30 received a payment after entry of judgment, whether the payment is made voluntarily by
27.31 or on behalf of the judgment debtor, or is collected by legal process other than execution
27.32 levy where a proper return has been filed with the court administrator, the judgment
27.33 creditor, or the judgment creditor's attorney, before applying to the court administrator
27.34 for an execution shall file with the court administrator an affidavit of partial satisfaction.
27.35 The affidavit must state the dates and amounts of payments made upon the judgment after
27.36 the most recent affidavit of partial satisfaction filed, if any; the part of each payment that

28.1 is applied to taxable disbursements and to accrued interest and to the unpaid principal
28.2 balance of the judgment; and the accrued, but the unpaid interest owing, if any, after
28.3 application of each payment.

28.4 (d) This section does not apply to arbitrations between employers and employees
28.5 under chapter 179 or 179A. An arbitrator is neither required to nor prohibited from
28.6 awarding interest under chapter 179 or under section 179A.16 for essential employees.

28.7 (e) For purposes of this subdivision:

28.8 (1) "state" includes a department, board, agency, commission, court, or other entity
28.9 in the executive, legislative, or judicial branch of the state; and

28.10 (2) "political subdivision" includes a town, statutory or home rule charter city,
28.11 county, school district, or any other political subdivision of the state.

28.12 (f) This section does not apply to a judgment or award upon which interest is entitled
28.13 to be recovered under section 60A.0811.

28.14 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to
28.15 judgments and awards entered on or after that date.

28.16 **ARTICLE 3**

28.17 **PUBLIC SAFETY**

28.18 Section 1. Minnesota Statutes 2014, section 5B.11, is amended to read:

28.19 **5B.11 LEGAL PROCEEDINGS; PROTECTIVE ORDER.**

28.20 If a program participant is involved in a legal proceeding as a party or witness, If a
28.21 program participant's address is protected under section 5B.05, no person or entity shall
28.22 be compelled to disclose the participant's actual address during the discovery phase of or
28.23 during a proceeding before a court or other tribunal unless the court or tribunal finds that:

28.24 (1) there is a reasonable belief that the address is needed to obtain information or
28.25 evidence without which the investigation, prosecution, or litigation cannot proceed; and

28.26 (2) there is no other practicable way of obtaining the information or evidence.

28.27 The court must provide the program participant with notice that address disclosure
28.28 is sought and an opportunity to present evidence regarding the potential harm to the
28.29 safety of the program participant if the address is disclosed. In determining whether to
28.30 compel disclosure, the court must consider whether the potential harm to the safety of the
28.31 participant is outweighed by the interest in disclosure. In a criminal proceeding, the court
28.32 must order disclosure of a program participant's address if protecting the address would
28.33 violate a defendant's constitutional right to confront a witness.

29.1 Disclosure of a participant's actual address under this section shall be limited under
29.2 the terms of the order to ensure that the disclosure and dissemination of the actual address
29.3 will be no wider than necessary for the purposes of the investigation, prosecution, or
29.4 litigation.

29.5 Nothing in this section prevents the court or other tribunal ~~may issue~~ from issuing a
29.6 protective order to prevent disclosure of information other than the participant's actual
29.7 address that could reasonably lead to the discovery of the program participant's location.

29.8 Sec. 2. Minnesota Statutes 2014, section 13.03, subdivision 6, is amended to read:

29.9 Subd. 6. **Discoverability of not public data.** If a government entity opposes
29.10 discovery of government data or release of data pursuant to court order on the grounds
29.11 that the data are classified as not public, the party that seeks access to the data may bring
29.12 before the appropriate presiding judicial officer, arbitrator, or administrative law judge an
29.13 action to compel discovery or an action in the nature of an action to compel discovery.

29.14 The presiding officer shall first decide whether the data are discoverable or releasable
29.15 pursuant to the rules of evidence and of criminal, civil, or administrative procedure
29.16 appropriate to the action.

29.17 If the data are discoverable the presiding officer shall decide whether the benefit to
29.18 the party seeking access to the data outweighs any harm to the confidentiality interests
29.19 of the entity maintaining the data, or of any person who has provided the data or who
29.20 is the subject of the data, or to the privacy interest of an individual identified in the
29.21 data. In making the decision, the presiding officer shall consider whether notice to the
29.22 subject of the data is warranted and, if warranted, what type of notice must be given. The
29.23 presiding officer may fashion and issue any protective orders necessary to assure proper
29.24 handling of the data by the parties. If the data are a videotape of a child victim or alleged
29.25 victim alleging, explaining, denying, or describing an act of physical or sexual abuse,
29.26 the presiding officer shall consider the provisions of section 611A.90, subdivision 2,
29.27 paragraph (b). If the data are data subject to the protections under chapter 5B or section
29.28 13.045, the presiding officer shall consider the provisions of section 5B.11.

29.29 Sec. 3. Minnesota Statutes 2014, section 97B.031, subdivision 4, is amended to read:

29.30 Subd. 4. ~~Silencers prohibited Suppressors.~~ Except as provided in section 609.66,
29.31 subdivision 1h, a person may not own or possess a silencer for a firearm or a firearm
29.32 equipped to have a silencer attached. Nothing in this section prohibits the lawful use of a
29.33 suppressor or the possession of a firearm equipped to have a suppressor attached, as
29.34 defined in section 609.66, subdivision 1a, paragraph (c), while hunting.

30.1 Sec. 4. Minnesota Statutes 2014, section 168A.1501, subdivision 1, is amended to read:

30.2 Subdivision 1. **Definitions.** (a) For purposes of this section, the terms defined in
30.3 this subdivision have the meanings given.

30.4 (b) "Law enforcement agency" or "agency" means a duly authorized municipal,
30.5 county, state, or federal law enforcement agency.

30.6 (c) "Person" means an individual, partnership, limited partnership, limited liability
30.7 company, corporation, or other entity.

30.8 (d) "Scrap vehicle" means a motor vehicle purchased primarily as scrap, for its reuse
30.9 or recycling value as raw metal, or for dismantling for parts.

30.10 (e) "Scrap vehicle operator" or "operator" means the following persons who engage
30.11 in a transaction involving the purchase or acquisition of a scrap vehicle: scrap metal
30.12 processors licensed under section 168.27, subdivision 1a, paragraph (c); used vehicle parts
30.13 dealers licensed under section 168.27, subdivision 1a, paragraph (d); scrap metal dealers
30.14 under section 325E.21; and junk yards under section 471.925.

30.15 (f) ~~"Interchange file specification format" means the most recent version of the~~
30.16 ~~Minneapolis automated property system interchange file specification format.~~

30.17 ~~(g)~~ "Motor vehicle" has the meaning given in section 169.011, subdivision 42.

30.18 ~~(h)~~ (g) "Proof of identification" means a driver's license, Minnesota identification
30.19 card number, or other identification document issued for identification purposes by any
30.20 state, federal, or foreign government if the document includes the person's photograph,
30.21 full name, birth date, and signature.

30.22 ~~(i)~~ (h) "Seller" means any seller, prospective seller, or agent of the seller.

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

30.24 Sec. 5. Minnesota Statutes 2014, section 168A.1501, subdivision 6, is amended to read:

30.25 Subd. 6. **Additional reporting.** ~~In addition to the requirements under subdivision~~
30.26 ~~5 if applicable,~~ The following entities must submit information on the purchase or
30.27 acquisition of a scrap vehicle to the National Motor Vehicle Title Information System,
30.28 established pursuant to United States Code, title 49, section 30502, by the close of
30.29 business the following day:

30.30 (1) an operator who is not licensed under section 168.27; and

30.31 (2) an operator who purchases a scrap vehicle under subdivision 9.

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

30.33 Sec. 6. Minnesota Statutes 2014, section 299A.73, subdivision 2, is amended to read:

31.1 Subd. 2. **Applications.** Applications for a grant-in-aid shall be made by the
31.2 administering agency to the commissioner.

31.3 The grant-in-aid is contingent upon the agency having obtained from the community
31.4 in which the youth intervention program is established local matching money ~~two times~~
31.5 equal to the amount of the grant that is sought. The matching requirement is intended to
31.6 leverage the investment of state and community dollars in supporting the efforts of the
31.7 grantees to provide early intervention services to youth and their families.

31.8 The commissioner shall provide the application form, procedures for making
31.9 application form, criteria for review of the application, and kinds of contributions in
31.10 addition to cash that qualify as local matching money. No grant to any agency may
31.11 exceed ~~\$50,000~~ \$75,000.

31.12 Sec. 7. Minnesota Statutes 2014, section 299C.35, is amended to read:

31.13 **299C.35 BUREAU TO BROADCAST CRIMINAL INFORMATION.**

31.14 It shall be the duty of the bureau to broadcast all police dispatches and reports
31.15 submitted which, in the opinion of the superintendent, shall have a reasonable relation
31.16 to or connection with the apprehension of criminals, the prevention of crime, and the
31.17 maintenance of peace and order throughout the state. Every sheriff, peace officer, or
31.18 other person ~~employing a radio receiving set under the provisions of sections 299C.30~~
31.19 ~~to 299C.38~~ shall make ~~report~~ reports to the bureau at such times and containing such
31.20 information as the superintendent shall direct.

31.21 Sec. 8. Minnesota Statutes 2014, section 299C.38, is amended to read:

31.22 **299C.38 PRIORITY OF POLICE COMMUNICATIONS; MISDEMEANOR.**

31.23 ~~Any telegraph or telephone operator who shall fail to give priority to police~~
31.24 ~~messages or calls as provided in sections 299C.30 to 299C.38, and~~ Any person who
31.25 willfully makes any false, misleading, or unfounded report to any ~~broadcasting station~~
31.26 ~~established thereunder~~ public safety answering point for the purpose of interfering with
31.27 the operation thereof, or with the intention of misleading any officer of this state, shall be
31.28 guilty of a misdemeanor.

31.29 Sec. 9. Minnesota Statutes 2014, section 299C.46, subdivision 2, is amended to read:

31.30 Subd. 2. **Criminal justice agency defined.** For the purposes of sections 299C.46
31.31 ~~to 299C.49~~ and 299C.48, "criminal justice agency" means an agency of the state or a
31.32 political subdivision or the federal government charged with detection, enforcement,
31.33 prosecution, adjudication or incarceration in respect to the criminal or traffic laws of this

32.1 state. This definition also includes all sites identified and licensed as a detention facility
32.2 by the commissioner of corrections under section 241.021 and those federal agencies that
32.3 serve part or all of the state from an office located outside the state.

32.4 Sec. 10. Minnesota Statutes 2014, section 299C.46, subdivision 2a, is amended to read:

32.5 Subd. 2a. **Noncriminal justice agency defined.** For the purposes of sections
32.6 299C.46 ~~to 299C.49~~ and 299C.48, "noncriminal justice agency" means an agency of the
32.7 state or a political subdivision of the state charged with the responsibility of performing
32.8 checks of state databases connected to the criminal justice data communications network.

32.9 Sec. 11. **[299C.563] LIFESAVER GRANT PROGRAM.**

32.10 Subdivision 1. **Grant program.** The commissioner of public safety shall establish
32.11 a lifesaver grant program to assist local law enforcement agencies with the costs of
32.12 developing lifesaver rapid response programs designed to quickly find individuals with
32.13 medical conditions that cause wandering and result in many of these individuals becoming
32.14 lost and missing. The search and rescue program must electronically track a lost or
32.15 missing vulnerable senior citizen or an individual who is mentally impaired due to autism,
32.16 Down Syndrome, Alzheimer's disease, or other mental impairment that causes wandering.
32.17 The lifesaver program participant wears a small transmitter on the wrist to allow the local
32.18 law enforcement agency to electronically locate the participant, if necessary, using a radio
32.19 receiver. Grants may be awarded to new and existing programs. The commissioner shall
32.20 administer and promote the grant program throughout the state and serve as liaison to
32.21 lifesaver programs.

32.22 Subd. 2. **Application; eligibility.** A county law enforcement agency or two or
32.23 more county, or county and city law enforcement agencies may apply for a grant to
32.24 the commissioner of public safety for a grant in a form and manner established by the
32.25 commissioner. The application must include:

32.26 (1) an estimate of the number of people who might qualify for lifesaver assistance;

32.27 (2) an estimate of the start-up cost for new programs or expansion costs for existing
32.28 programs;

32.29 (3) a statement of the number of personnel available for tracking lost persons;

32.30 (4) a statement of available local funding sources; and

32.31 (5) other information requested by the commissioner.

32.32 Subd. 3. **Grant awards.** To the extent funds are available, the commissioner may
32.33 award, on a first-come, first-served basis, grants of up to \$4,000 to eligible applicants
32.34 to develop a new lifesaver program and up to \$2,000 to eligible applicants to expand

33.1 an existing program. Recipients developing a new lifesaver program shall be given
33.2 priority over recipients expanding an existing program. Grant recipients must be located
33.3 throughout the state to the extent feasible and consistent with this section.

33.4 Subd. 4. **Uses of grant award.** (a) A grant recipient may use an award only for
33.5 the following:

33.6 (1) to purchase emergency response kits, which shall include, at a minimum,
33.7 equipment necessary to track and triangulate searches, transmitters, receivers, or any
33.8 other related equipment; and

33.9 (2) to train search personnel.

33.10 (b) A grant recipient shall manage and provide for the operating costs of the lifesaver
33.11 program after its initial development or expansion based on whether the grant is to
33.12 develop a new program or expand an existing program.

33.13 Subd. 5. **Report by local agencies.** A grant recipient shall file a report with the
33.14 commissioner itemizing the expenditures made to develop or expand its lifesaver program
33.15 and how the recipient will provide for continued operating costs of the program.

33.16 Sec. 12. Minnesota Statutes 2014, section 325E.21, subdivision 1, is amended to read:

33.17 Subdivision 1. **Definitions.** (a) For purposes of this section, the terms defined in
33.18 this subdivision have the meanings given.

33.19 (b) "Law enforcement agency" or "agency" means a duly authorized municipal,
33.20 county, state, or federal law enforcement agency.

33.21 (c) "Person" means an individual, partnership, limited partnership, limited liability
33.22 company, corporation, or other entity.

33.23 (d) "Scrap metal" means:

33.24 (1) wire and cable commonly and customarily used by communication and electric
33.25 utilities; and

33.26 (2) copper, aluminum, or any other metal purchased primarily for its reuse or
33.27 recycling value as raw metal, including metal that is combined with other materials at the
33.28 time of purchase, but does not include a scrap vehicle as defined in section 168A.1501,
33.29 subdivision 1.

33.30 (e) "Scrap metal dealer" or "dealer" means a person engaged in the business of
33.31 buying or selling scrap metal, or both.

33.32 The terms do not include a person engaged exclusively in the business of buying or selling
33.33 new or used motor vehicles, paper or wood products, rags or furniture, or secondhand
33.34 machinery.

34.1 (f) ~~"Interchange file specification format" means the most recent version of the~~
34.2 ~~Minneapolis automated property system interchange file specification format.~~

34.3 (g) "Seller" means any seller, prospective seller, or agent of the seller.

34.4 (h) (g) "Proof of identification" means a driver's license, Minnesota identification
34.5 card number, or other identification document issued for identification purposes by any
34.6 state, federal, or foreign government if the document includes the person's photograph,
34.7 full name, birth date, and signature.

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

34.9 Sec. 13. Minnesota Statutes 2014, section 325E.21, subdivision 2, is amended to read:

34.10 Subd. 2. **Retention required.** Records required to be maintained by subdivision 1a
34.11 or 1b shall be retained by the scrap metal dealer for a period of three years.

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

34.13 Sec. 14. Minnesota Statutes 2014, section 352B.011, subdivision 10, is amended to read:

34.14 Subd. 10. **Member.** "Member" means:

34.15 (1) a State Patrol member currently employed under section 299D.03 by the state,
34.16 who is a peace officer under section 626.84, and whose salary or compensation is paid
34.17 out of state funds;

34.18 (2) a conservation officer employed under section 97A.201, currently employed by
34.19 the state, whose salary or compensation is paid out of state funds;

34.20 (3) a crime bureau officer who was employed by the crime bureau and was a member
34.21 of the Highway Patrolmen's retirement fund on July 1, 1978, whether or not that person
34.22 has the power of arrest by warrant after that date, or who is employed as police personnel,
34.23 with powers of arrest by warrant under Minnesota Statutes 2009, section 299C.04, and
34.24 who is currently employed by the state, and whose salary or compensation is paid out
34.25 of state funds;

34.26 (4) a person who is employed by the state in the Department of Public Safety in a
34.27 data processing management position with salary or compensation paid from state funds,
34.28 who was a crime bureau officer covered by the State Patrol retirement plan on August
34.29 15, 1987, and who was initially hired in the data processing management position within
34.30 the department during September 1987, or January 1988, with membership continuing
34.31 for the duration of the person's employment in that position, whether or not the person
34.32 has the power of arrest by warrant after August 15, 1987;

35.1 (5) a public safety employee who is a peace officer under section 626.84, subdivision
35.2 1, paragraph (c), and who is employed by the Division of Alcohol and Gambling
35.3 Enforcement under section 299L.01;

35.4 (6) a Fugitive Apprehension Unit officer after October 31, 2000, who is employed
35.5 by the Office of Special Investigations of the Department of Corrections and who is a
35.6 peace officer under section 626.84;

35.7 (7) an employee of the Department of Commerce defined as a peace officer in section
35.8 626.84, subdivision 1, paragraph (c), who is employed by the Commerce Fraud Bureau
35.9 under section 45.0135 after January 1, 2005, and who has not attained the mandatory
35.10 retirement age specified in section 43A.34, subdivision 4; and

35.11 (8) an employee of the Department of Public Safety, who is a licensed peace officer
35.12 under section 626.84, subdivision 1, paragraph (c), and is employed as the statewide
35.13 coordinator of the Violent Crime Coordinating Council.

35.14 Sec. 15. Minnesota Statutes 2014, section 609.66, subdivision 1a, is amended to read:

35.15 Subd. 1a. **Felony crimes; ~~silencers prohibited~~ suppressors; reckless discharge.**

35.16 (a) ~~Except as otherwise provided in subdivision 1h,~~ Whoever does any of the following is
35.17 guilty of a felony and may be sentenced as provided in paragraph (b):

35.18 (1) sells or has in possession ~~any device designed to silence or muffle the discharge~~
35.19 ~~of a firearm~~ a suppressor that is not lawfully possessed under federal law;

35.20 (2) intentionally discharges a firearm under circumstances that endanger the safety
35.21 of another; or

35.22 (3) recklessly discharges a firearm within a municipality.

35.23 (b) A person convicted under paragraph (a) may be sentenced as follows:

35.24 (1) if the act was a violation of paragraph (a), clause (2), or if the act was a violation
35.25 of paragraph (a), clause (1) or (3), and was committed in a public housing zone, as defined
35.26 in section 152.01, subdivision 19, a school zone, as defined in section 152.01, subdivision
35.27 14a, or a park zone, as defined in section 152.01, subdivision 12a, to imprisonment for not
35.28 more than five years or to payment of a fine of not more than \$10,000, or both; or

35.29 (2) otherwise, to imprisonment for not more than two years or to payment of a fine
35.30 of not more than \$5,000, or both.

35.31 (c) As used in this subdivision, "suppressor" means any device for silencing,
35.32 muffling, or diminishing the report of a portable firearm, including any combination of
35.33 parts, designed or redesigned, and intended for use in assembling or fabricating a firearm
35.34 silencer or firearm muffler, and any part intended only for use in the assembly or fabrication.

36.1 Sec. 16. Minnesota Statutes 2014, section 609.66, subdivision 1g, is amended to read:

36.2 Subd. 1g. **Felony; possession in courthouse or certain state buildings.** (a)

36.3 A person who commits either of the following acts is guilty of a felony and may be
36.4 sentenced to imprisonment for not more than five years or to payment of a fine of not
36.5 more than \$10,000, or both:

36.6 (1) possesses a dangerous weapon, ammunition, or explosives within any courthouse
36.7 complex; or

36.8 (2) possesses a dangerous weapon, ammunition, or explosives in any state building
36.9 within the Capitol Area described in chapter 15B, other than the National Guard Armory.

36.10 (b) Unless a person is otherwise prohibited or restricted by other law to possess a
36.11 dangerous weapon, this subdivision does not apply to:

36.12 (1) licensed peace officers or military personnel who are performing official duties;

36.13 (2) persons who carry pistols according to the terms of a permit issued under section
36.14 624.714 and who so notify the sheriff or the commissioner of public safety, as appropriate;

36.15 (3) persons who possess dangerous weapons for the purpose of display as
36.16 demonstrative evidence during testimony at a trial or hearing or exhibition in compliance
36.17 with advance notice and safety guidelines set by the sheriff or the commissioner of public
36.18 safety; or

36.19 (4) persons who possess dangerous weapons in a courthouse complex with the
36.20 express consent of the county sheriff or who possess dangerous weapons in a state building
36.21 with the express consent of the commissioner of public safety.

36.22 (c) For purposes of this subdivision, the issuance of a permit to carry under section
36.23 624.714 constitutes notification of the commissioner of public safety as required under
36.24 paragraph (b), clause (2).

36.25 Sec. 17. Minnesota Statutes 2014, section 609.66, is amended by adding a subdivision
36.26 to read:

36.27 Subd. 1i. **Chief law enforcement officer certification; certain firearms.** (a) As
36.28 used in this subdivision:

36.29 (1) "chief law enforcement officer" means any official or designee; the Bureau
36.30 of Alcohol, Tobacco, Firearms and Explosives; or any successor agency, identified by
36.31 regulation or otherwise as eligible to provide any required certification for the making
36.32 or transfer of a firearm;

36.33 (2) "certification" means the participation and assent of the chief law enforcement
36.34 officer necessary under federal law for the approval of the application to transfer or make
36.35 a firearm; and

37.1 (3) "firearm" has the meaning given in the National Firearms Act, United States
37.2 Code, title 26, section 5845(a).

37.3 (b) If a chief law enforcement officer's certification is required by federal law or
37.4 regulation for the transfer or making of a firearm, the chief law enforcement officer must,
37.5 within 15 days of receipt of a request for certification, provide the certification if the
37.6 applicant is not prohibited by law from receiving or possessing the firearm or is not the
37.7 subject of a proceeding that could result in the applicant being prohibited by law from
37.8 receiving or possessing the firearm. If the chief law enforcement officer is unable to make
37.9 a certification as required by this section, the chief law enforcement officer must provide
37.10 the applicant a written notification of the denial and the reason for the determination.

37.11 (c) In making the certification required by paragraph (b), a chief law enforcement
37.12 officer or designee may require the applicant to provide only the information that is
37.13 required by federal or state law to identify the applicant and conduct a criminal history
37.14 background check, including a check of the National Instant Criminal Background
37.15 Check System, or to determine the disposition of an arrest or proceeding relevant to the
37.16 applicant's eligibility to lawfully possess or receive a firearm. A person who possesses
37.17 a valid carry permit is presumed to be qualified to receive certification. A chief law
37.18 enforcement officer may not require access to or consent for an inspection of any private
37.19 premises as a condition of making a certification under this section.

37.20 (d) A chief law enforcement officer is not required to make any certification under
37.21 this section known to be untrue, but the officer may not refuse to provide certification based
37.22 on a generalized objection to private persons or entities making, possessing, or receiving
37.23 firearms or any certain type of firearm, the possession of which is not prohibited by law.

37.24 (e) Chief law enforcement officers and their employees who act in good faith are
37.25 immune from liability arising from any act or omission in making a certification as
37.26 required by this section.

37.27 (f) An applicant whose request for certification is denied may appeal the chief law
37.28 enforcement officer's decision to the district court that is located in the city or county in
37.29 which the applicant resides or maintains an address of record. The court must review the
37.30 chief law enforcement officer's decision to deny the certification de novo. The court must
37.31 order the chief law enforcement officer to issue the certification and award court costs and
37.32 reasonable attorney fees to the applicant, if the court finds that: (1) the applicant is not
37.33 prohibited by law from receiving or possessing the firearm; (2) the applicant is not the
37.34 subject of a proceeding that could result in a prohibition; and (3) no substantial evidence
37.35 supports the chief law enforcement officer's determination that the chief law enforcement
37.36 officer cannot truthfully make the certification.

38.1 Sec. 18. Minnesota Statutes 2014, section 611A.31, subdivision 1, is amended to read:

38.2 Subdivision 1. **Scope.** For the purposes of sections 611A.31 to ~~611A.36~~ 611A.35,
38.3 the following terms have the meanings given.

38.4 Sec. 19. Minnesota Statutes 2014, section 611A.33, is amended to read:

38.5 **611A.33 DUTIES OF COMMISSIONER.**

38.6 The commissioner shall:

38.7 (1) review applications for and award grants to a program pursuant to section
38.8 611A.32, subdivision 1;

38.9 (2) appoint a program director to perform the duties set forth in section 611A.35;

38.10 (3) design and implement a uniform method of collecting data on domestic abuse
38.11 victims to be used to evaluate the programs funded under section 611A.32;

38.12 (4) provide technical aid to applicants in the development of grant requests and
38.13 provide technical aid to programs in meeting the data collection requirements established
38.14 by the commissioner; and

38.15 (5) adopt, under chapter 14, all rules necessary to implement the provisions of
38.16 sections 611A.31 to ~~611A.36~~ 611A.35.

38.17 Sec. 20. Minnesota Statutes 2014, section 611A.35, is amended to read:

38.18 **611A.35 DOMESTIC ABUSE PROGRAM DIRECTOR.**

38.19 The commissioner shall appoint a program director. The program director shall
38.20 administer the funds appropriated for sections 611A.31 to ~~611A.36~~ 611A.35 and perform
38.21 other duties related to battered women's and domestic abuse programs as the commissioner
38.22 may assign. The program director shall serve at the pleasure of the commissioner in
38.23 the unclassified service.

38.24 Sec. 21. Minnesota Statutes 2014, section 624.71, is amended to read:

38.25 **624.71 GUN CONTROL; APPLICATION OF FEDERAL LAW.**

38.26 Subdivision 1. **Application.** Notwithstanding any other law to the contrary, it shall
38.27 be lawful for any federally licensed importer, manufacturer, dealer, or collector to sell and
38.28 deliver firearms and ammunition to a resident of a ~~contiguous~~ any state in any instance
38.29 where such sale and delivery is lawful under the federal Gun Control Act of 1968 (Public
38.30 Law 90-618).

38.31 Subd. 2. **Contiguous Other state purchases.** Notwithstanding any other law
38.32 to the contrary, it shall be lawful for a resident of Minnesota to purchase firearms and

39.1 ammunition in ~~a contiguous~~ any state in any instance where such sale and delivery is
39.2 lawful under the federal Gun Control Act of 1968 (Public Law 90-618).

39.3 Sec. 22. Minnesota Statutes 2014, section 624.714, subdivision 16, is amended to read:

39.4 Subd. 16. **Recognition of permits from other states.** (a) The commissioner must
39.5 annually establish and publish a list of other states that have laws governing the issuance
39.6 of permits to carry weapons that are not ~~substantially~~ similar to this section. The list
39.7 must be available on the Internet. A person holding a carry permit from a state not on
39.8 the list may use the license or permit in this state subject to the rights, privileges, and
39.9 requirements of this section.

39.10 (b) Notwithstanding paragraph (a), no license or permit from another state is valid in
39.11 this state if the holder is or becomes prohibited by law from possessing a firearm.

39.12 (c) Any sheriff or police chief may file a petition under subdivision 12 seeking an
39.13 order suspending or revoking an out-of-state permit holder's authority to carry a pistol in
39.14 this state on the grounds set forth in subdivision 6, paragraph (a), clause (3). An order shall
39.15 only be issued if the petitioner meets the burden of proof and criteria set forth in subdivision
39.16 12. If the court denies the petition, the court must award the permit holder reasonable
39.17 costs and expenses including attorney fees. The petition may be filed in any county in the
39.18 state where a person holding a license or permit from another state can be found.

39.19 (d) The commissioner must, when necessary, execute reciprocity agreements
39.20 regarding carry permits with jurisdictions whose carry permits are recognized under
39.21 paragraph (a).

39.22 Sec. 23. **[624.7192] AUTHORITY TO SEIZE AND CONFISCATE FIREARMS.**

39.23 (a) This section applies only during the effective period of a state of emergency
39.24 proclaimed by the governor relating to a public disorder or disaster.

39.25 (b) A peace officer who is acting in the lawful discharge of the officer's official duties
39.26 without a warrant may disarm a lawfully detained individual only temporarily and only if
39.27 the officer reasonably believes it is immediately necessary for the protection of the officer
39.28 or another individual. Before releasing the individual, the peace officer must return to the
39.29 individual any seized firearms and ammunition, and components thereof, any firearms
39.30 accessories and ammunition reloading equipment and supplies, and any other personal
39.31 weapons taken from the individual, unless the officer: (1) takes the individual into
39.32 physical custody for engaging in criminal activity or for observation pursuant to section
39.33 253B.05, subdivision 2; or (2) seizes the items as evidence pursuant to an investigation for
39.34 the commission of the crime for which the individual was arrested.

40.1 (c) Notwithstanding any other law to the contrary, no governmental unit, government
40.2 official, government employee, peace officer, or other person or body acting under
40.3 governmental authority or color of law may undertake any of the following actions with
40.4 regard to any firearms and ammunition, and components thereof; any firearms accessories
40.5 and ammunition reloading equipment and supplies; and any other personal weapons:

40.6 (1) prohibit, regulate, or curtail the otherwise lawful possession, carrying,
40.7 transportation, transfer, defensive use, or other lawful use of any of these items;

40.8 (2) seize, commandeer, or confiscate any of these items in any manner, except as
40.9 expressly authorized in paragraph (b);

40.10 (3) suspend or revoke a valid permit issued pursuant to section 624.7131 or 624.714,
40.11 except as expressly authorized in those sections; or

40.12 (4) close or limit the operating hours of businesses that lawfully sell or service any
40.13 of these items, unless such closing or limitation of hours applies equally to all forms
40.14 of commerce.

40.15 (d) No provision of law relating to a public disorder or disaster emergency
40.16 proclamation by the governor or any other governmental or quasi-governmental official,
40.17 including but not limited to emergency management powers pursuant to chapters 9
40.18 and 12, shall be construed as authorizing the governor or any other governmental or
40.19 quasi-governmental official of this state or any of its political subdivisions acting at
40.20 the direction of the governor or another official to act in violation of this paragraph
40.21 or paragraphs (b) and (c).

40.22 (e)(1) An individual aggrieved by a violation of this section may seek relief in an
40.23 action at law or in equity or in any other proper proceeding for damages, injunctive relief,
40.24 or other appropriate redress against a person who commits or causes the commission of
40.25 this violation. Venue must be in the district court having jurisdiction over the county in
40.26 which the aggrieved individual resides or in which the violation occurred.

40.27 (2) In addition to any other remedy available at law or in equity, an individual
40.28 aggrieved by the seizure or confiscation of an item listed in paragraph (c) in violation of
40.29 this section may make application for the immediate return of the items to the office of the
40.30 clerk of court for the county in which the items were seized and, except as provided in
40.31 paragraph (b), the court must order the immediate return of the items by the seizing or
40.32 confiscating governmental office and that office's employed officials.

40.33 (3) In an action or proceeding to enforce this section, the court must award the
40.34 prevailing plaintiff reasonable court costs and expenses, including attorney fees.

40.35 **EFFECTIVE DATE.** This section is effective August 1, 2015.

41.1 Sec. 24. **[626.96] BLUE ALERT SYSTEM.**

41.2 **Subdivision 1. Establishment.** The commissioner of public safety shall establish a
41.3 Blue Alert system to aid in the identification, location, and apprehension of an individual
41.4 or individuals suspected of killing or seriously wounding a local, state, or federal law
41.5 enforcement officer. The commissioner shall coordinate with local law enforcement
41.6 agencies and public and commercial television and radio broadcasters to provide an
41.7 effective alert system.

41.8 **Subd. 2. Criteria and procedures.** The commissioner, in consultation with
41.9 the Board of Peace Officer Standards and Training, the Minnesota Police and Peace
41.10 Officers Association, the Minnesota Chiefs of Police Association, the Minnesota Sheriffs
41.11 Association, the Minnesota Chapter of the National Emergency Number Association, the
41.12 Minnesota Chapter of the Association of Public Safety Communications Officials, and
41.13 the commissioner of transportation, shall develop criteria and procedures for the Blue
41.14 Alert system. By October 1, 2015, the commissioner shall adopt criteria and procedures
41.15 for the Blue Alert system.

41.16 **Subd. 3. Oversight.** The commissioner shall regularly review the function of the
41.17 Blue Alert system and revise its criteria and procedures to provide for efficient and
41.18 effective public notification.

41.19 **Subd. 4. Scope.** The Blue Alert system shall include all state and local agencies
41.20 capable of providing urgent and timely information to the public, together with
41.21 broadcasters and other private entities that volunteer to participate in the dissemination of
41.22 urgent public information.

41.23 **Subd. 5. Additional notice.** The commissioner may notify authorities and entities
41.24 outside of the state upon verification that the criteria established under this section have
41.25 been met.

41.26 **Subd. 6. False reports.** A person who knowingly makes a false report that triggers
41.27 an alert under this section is guilty of a misdemeanor.

41.28 **Subd. 7. Definitions.** For the purposes of this section, "law enforcement officer"
41.29 means any public servant having both the power and duty to make arrests for violations
41.30 of the laws of the state, and federal public servants authorized to carry firearms and to
41.31 make arrests for violations of the laws of the United States.

41.32 Sec. 25. **STATEWIDE ACCOUNTING OF UNTESTED RAPE KITS.**

41.33 (a) As used in this section, the following terms have the meanings provided:

41.34 (1) "bureau" means the state Bureau of Criminal Apprehension;

42.1 (2) "forensic laboratory" has the meaning provided in Minnesota Statutes, section
42.2 299C.157, subdivision 1, clause (2);

42.3 (3) "rape kit" means a sexual assault examination kit;

42.4 (4) "superintendent" means the superintendent of the bureau;

42.5 (5) "untested rape kit" means a rape kit that has not been submitted to the bureau for
42.6 DNA analysis but has been cleared for testing through the written consent of the victim; and

42.7 (6) "victim" has the meaning provided in Minnesota Statutes, section 611A.01,
42.8 paragraph (b).

42.9 (b) By August 1, 2015, the director of the bureau's forensic science division, each
42.10 executive director of a publicly funded forensic laboratory that tests rape kits, and each
42.11 sheriff and chief of police must prepare and submit a written report to the superintendent
42.12 that identifies the number of untested rape kits in the possession of the official's agency
42.13 or department. The report must be in a form prescribed by the superintendent. At a
42.14 minimum, each untested rape kit must be identified in the report by the date the evidence
42.15 was collected and reasons why each untested rape kit was not tested. This report applies
42.16 only to untested rape kits collected prior to July 1, 2015.

42.17 (c) By December 1, 2015, the superintendent must submit a report to the majority
42.18 leader of the senate, the speaker of the house, and the Office of the Attorney General
42.19 identifying, by agency and date collected, each untested rape kit disclosed in the reports
42.20 required by paragraph (b). The report must also provide a detailed plan to resolve any
42.21 backlog of untested rape kits held by the bureau and other agencies or departments.

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

42.23 **Sec. 26. REPEALER.**

42.24 (a) Minnesota Statutes 2014, sections 168A.1501, subdivisions 5 and 5a; 299C.36;
42.25 and 325E.21, subdivisions 1c and 1d, are repealed.

42.26 (b) Laws 2014, chapter 190, sections 10; and 11, are repealed.

42.27 (c) Minnesota Statutes 2014, section 609.66, subdivision 1h, is repealed.

42.28 **EFFECTIVE DATE.** Paragraphs (a) and (b) are effective the day following final
42.29 enactment. Paragraph (c) is effective August 1, 2015.

42.30 **ARTICLE 4**

42.31 **FIREFIGHTERS**

42.32 Section 1. Minnesota Statutes 2014, section 181.06, subdivision 2, is amended to read:

43.1 Subd. 2. **Payroll deductions.** A written contract may be entered into between
43.2 an employer and an employee wherein the employee authorizes the employer to make
43.3 payroll deductions for the purpose of paying union dues, premiums of any life insurance,
43.4 hospitalization and surgical insurance, group accident and health insurance, group term
43.5 life insurance, group annuities or contributions to credit unions or a community chest
43.6 fund, a local arts council, a local science council or a local arts and science council, or
43.7 Minnesota benefit association, a federally or state registered political action committee,
43.8 membership dues of a relief association governed by sections 424A.091 to 424A.096 or
43.9 Laws 2013, chapter 111, article 5, sections 31 to 42, or participation in any employee
43.10 stock purchase plan or savings plan for periods longer than 60 days, including gopher state
43.11 bonds established under section 16A.645.

43.12 **EFFECTIVE DATE.** This section is effective August 1, 2015.

43.13 Sec. 2. Minnesota Statutes 2014, section 181.101, is amended to read:

43.14 **181.101 WAGES; HOW OFTEN PAID.**

43.15 (a) Except as provided in paragraph (b), every employer must pay all wages earned
43.16 by an employee at least once every 31 days on a regular payday designated in advance by
43.17 the employer regardless of whether the employee requests payment at longer intervals.
43.18 Unless paid earlier, the wages earned during the first half of the first 31-day pay period
43.19 become due on the first regular payday following the first day of work. If wages earned
43.20 are not paid, the commissioner of labor and industry or the commissioner's representative
43.21 may demand payment on behalf of an employee. If payment is not made within ten days
43.22 of demand, the commissioner may charge and collect the wages earned and a penalty
43.23 in the amount of the employee's average daily earnings at the rate agreed upon in the
43.24 contract of employment, not exceeding 15 days in all, for each day beyond the ten-day
43.25 limit following the demand. Money collected by the commissioner must be paid to the
43.26 employee concerned. This section does not prevent an employee from prosecuting a
43.27 claim for wages. This section does not prevent a school district, other public school
43.28 entity, or other school, as defined under section 120A.22, from paying any wages earned
43.29 by its employees during a school year on regular paydays in the manner provided by an
43.30 applicable contract or collective bargaining agreement, or a personnel policy adopted by
43.31 the governing board. For purposes of this section, "employee" includes a person who
43.32 performs agricultural labor as defined in section 181.85, subdivision 2. For purposes of
43.33 this section, wages are earned on the day an employee works.

44.1 (b) An employer of a volunteer firefighter, as defined in section 424A.001,
44.2 subdivision 10, a member of an organized first responder squad that is formally recognized
44.3 by a political subdivision in the state, or a volunteer ambulance driver or attendant must
44.4 pay all wages earned by the volunteer firefighter, first responder, or volunteer ambulance
44.5 driver or attendant at least once every 31 days, unless the employer and the employee
44.6 mutually agree upon payment at longer intervals.

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

44.8 Sec. 3. Minnesota Statutes 2014, section 299F.012, subdivision 1, is amended to read:

44.9 Subdivision 1. **Authorized programs within department.** From the revenues
44.10 appropriated from the fire safety account, established under section 297I.06, subdivision
44.11 3, the commissioner of public safety may expend funds for the activities and programs
44.12 identified by the advisory committee established under subdivision 2 and recommended to
44.13 the commissioner of public safety. The commissioner shall not expend funds without the
44.14 recommendation of the advisory committee established under subdivision 2. These funds
44.15 are to be used to provide resources needed for identified activities and programs of the
44.16 Minnesota fire service and to ensure the State Fire Marshal Division responsibilities are
44.17 fulfilled. Any balance remaining in the account after the first year of the biennium must be
44.18 appropriated to the commissioner of public safety for the purposes specified in law.

44.19 Sec. 4. Minnesota Statutes 2014, section 299N.02, subdivision 2, is amended to read:

44.20 Subd. 2. **Terms; chair; compensation.** Members of the board shall serve for terms
44.21 of four years and ~~annually~~ elect a chair from among the members. Terms and filling of
44.22 vacancies are subject to section 15.0575, subdivisions 2, 4, and 5. Members serve without
44.23 compensation.

44.24 Sec. 5. Minnesota Statutes 2014, section 299N.03, subdivision 5, is amended to read:

44.25 Subd. 5. **Full-time firefighter.** A "full-time firefighter" means a person who is
44.26 employed and charged with the prevention and suppression of fires within the boundaries
44.27 of the state on a full-time, salaried basis and who is directly engaged in the hazards of
44.28 firefighting or is in charge of a designated fire company or companies that are directly
44.29 engaged in the hazards of firefighting. Full-time firefighter does not include a volunteer,
44.30 part-time, or ~~paid, on-call~~ paid-on-call firefighter.

44.31 Sec. 6. Minnesota Statutes 2014, section 299N.03, subdivision 6, is amended to read:

45.1 Subd. 6. **Licensed firefighter.** "Licensed firefighter" means a full-time firefighter,
45.2 to include a fire department employee, member, supervisor, or appointed official, who is
45.3 licensed by the board and who is charged with the prevention or suppression of fires within
45.4 the boundaries of the state. Licensed firefighter may also include a volunteer firefighter.

45.5 Sec. 7. Minnesota Statutes 2014, section 299N.03, subdivision 7, is amended to read:

45.6 Subd. 7. **Volunteer firefighter.** A "volunteer firefighter" means a person who is
45.7 charged with the prevention or suppression of fires within the boundaries of the state
45.8 on a volunteer, part-time, or ~~paid, on-call~~ paid-on-call basis. Volunteer firefighter does
45.9 not include a full-time firefighter.

45.10 Sec. 8. Minnesota Statutes 2014, section 299N.04, subdivision 3, is amended to read:

45.11 Subd. 3. **Certain baccalaureate or associate degree holders eligible to take**
45.12 **certification examination.** A person with a baccalaureate degree, or with an associate
45.13 degree in applied fire science technology, from an accredited college or university, who
45.14 has successfully completed the skills-oriented basic training course under subdivision 2,
45.15 clause (2), is eligible to take the firefighter certification examination notwithstanding the
45.16 requirements of subdivision 2, clause (1).

45.17 Sec. 9. Minnesota Statutes 2014, section 299N.05, subdivision 1, is amended to read:

45.18 Subdivision 1. **Licensure requirement.** A ~~full-time~~ firefighter employed ~~on or after~~
45.19 ~~July 1, 2011,~~ full time by a fire department is not eligible for permanent employment
45.20 without being licensed as a firefighter by the board.

45.21 Sec. 10. Minnesota Statutes 2014, section 299N.05, subdivision 5, is amended to read:

45.22 Subd. 5. ~~**Issuance of**~~ **Obtaining a firefighter license.** ~~The board shall license~~
45.23 ~~any individual who meets the requirements of subdivision 3 or 4. To obtain a license, a~~
45.24 firefighter must complete the board application process and meet the requirements of section
45.25 299N.04. A license is valid for three years from the date of issuance a three-year period
45.26 determined by the board, and the fee for the license is \$75. Fees under this subdivision
45.27 may be prorated by the board for licenses issued within a three-year licensure period.

45.28 Sec. 11. Minnesota Statutes 2014, section 299N.05, subdivision 6, is amended to read:

45.29 Subd. 6. **License renewal; expiration and reinstatement.** (a) A license shall be
45.30 renewed so long as the firefighter and the chief firefighting officer provide evidence to the
45.31 board that the licensed firefighter has had at least 72 hours of approved firefighting training

46.1 in the ~~previous three-year period~~ preceding three years and the firefighter completes the
46.2 renewal application. The fee for renewing a firefighter license is \$75, and the license is
46.3 valid for an additional three years.

46.4 (b) If a license expires, a firefighter may apply to have it reinstated. In order to
46.5 receive reinstatement, the firefighter must:

- 46.6 (1) complete a reinstatement application;
46.7 (2) satisfy all prior firefighter training requirements;
46.8 (3) pay any outstanding renewal fees; and
46.9 (4) pay the delayed renewal fee set by the board.

46.10 (c) In lieu of a reinstatement application under paragraph (b), a firefighter may
46.11 complete a new application for licensure under section 299N.04.

46.12 Sec. 12. Minnesota Statutes 2014, section 299N.05, subdivision 7, is amended to read:

46.13 Subd. 7. **Duties of chief firefighting officer.** ~~(a) It shall be the duty of Every chief~~
46.14 ~~firefighting officer has a duty to ensure that all every full-time firefighters have firefighter~~
46.15 ~~has a license from issued by the board beginning July 1, 2011. Each full-time firefighter,~~
46.16 ~~volunteer firefighter, and chief firefighting officer may apply for licensure after January 1,~~
46.17 ~~2011.~~

46.18 (b) Every chief firefighting officer, provider, and individual licensee has a duty to
46.19 ensure proper training records and reports are retained. Records must include, for the
46.20 three-year period subsequent to the license renewal date:

- 46.21 (1) the dates, subjects, and duration of programs;
46.22 (2) sponsoring organizations;
46.23 (3) fire training hours earned;
46.24 (4) registration receipts to prove attendance at training sessions; and
46.25 (5) other pertinent information.

46.26 (c) The board may require a licensee, provider, or fire department to provide the
46.27 information under paragraph (b) to demonstrate compliance with the 72-hour firefighting
46.28 training requirement under subdivision 6, paragraph (a).

46.29 Sec. 13. Minnesota Statutes 2014, section 299N.05, subdivision 8, is amended to read:

46.30 Subd. 8. **Revocation; suspension; denial.** (a) The board may revoke, suspend,
46.31 or deny a license issued or applied for under this section to a firefighter or applicant if
46.32 the firefighter or applicant has been convicted of any arson-related charge or a felony
46.33 recognized by the board as a crime that would disqualify the licensee from participating
46.34 in the profession of firefighting.

47.1 (b) Each applicant, licensee, or fire department must notify the board, in writing,
47.2 within ten days if the applicant or licensee has been convicted of or pled guilty or nolo
47.3 contendere to a felony, any arson-related charge, or another offense arising from the
47.4 same set of circumstances.

47.5 Sec. 14. **[299N.06] ELIGIBILITY FOR RECIPROCITY EXAMINATION**
47.6 **BASED ON RELEVANT MILITARY EXPERIENCE.**

47.7 (a) For purposes of this section:

47.8 (1) "active service" has the meaning given in section 190.05, subdivision 5; and

47.9 (2) "relevant military experience" means:

47.10 (i) four years' cumulative service experience in a military firefighting occupational
47.11 specialty;

47.12 (ii) two years' cumulative service experience in a military firefighting occupational
47.13 specialty, and completion of at least a two-year degree from a regionally accredited
47.14 postsecondary education institution; or

47.15 (iii) four years' cumulative experience as a full-time firefighter in another state
47.16 combined with cumulative service experience in a military firefighting occupational
47.17 specialty.

47.18 (b) A person is eligible to take the reciprocity examination and does not have to
47.19 otherwise meet the requirements of section 299N.04, subdivisions 2 and 3, if the person has:

47.20 (1) relevant military experience; and

47.21 (2) been honorably discharged from military active service as evidenced by the most
47.22 recent form DD-214 or is currently in active service, as evidenced by:

47.23 (i) active duty orders providing service time in a military firefighting specialty;

47.24 (ii) a United States Department of Defense Manpower Data Center status report
47.25 pursuant to the Service Members Civil Relief Act, active duty status report; or

47.26 (iii) Military Personnel Center assignment information.

47.27 (c) A person who passed the examination under paragraph (b), clause (2), shall not
47.28 be eligible to be licensed as a firefighter until honorably discharged as evidenced by the
47.29 most recent form DD-214.

47.30 (d) To receive a firefighter license, a person who passed the reciprocity certification
47.31 examination must meet the requirements of section 299N.05, subdivision 4.

47.32 Sec. 15. **REPEALER.**

47.33 Minnesota Statutes 2014, section 299N.05, subdivision 3, is repealed.

ARTICLE 5

CORRECTIONS

48.1

48.2

48.3 Section 1. Minnesota Statutes 2014, section 43A.241, is amended to read:

48.4 **43A.241 INSURANCE CONTRIBUTIONS; FORMER ~~CORRECTIONS~~**
48.5 **EMPLOYEES.**

48.6 (a) This section applies to a person who:

48.7 (1) was employed by the commissioner of the Department of Corrections ~~at a state~~
48.8 ~~institution under control of the commissioner, and in that employment was a member~~
48.9 ~~of the general plan of the Minnesota State Retirement System;~~ or by the Department
48.10 of Human Services;

48.11 (2) was covered by the correctional employee retirement plan under section 352.91
48.12 or the general state employees retirement plan of the Minnesota State Retirement System
48.13 as defined in section 352.021;

48.14 (3) while employed under clause (1), was assaulted by an inmate at a state institution
48.15 under control of the commissioner of the Department of Corrections; and:

48.16 (i) a person under correctional supervision for a criminal offense; or

48.17 (ii) a client or patient at the Minnesota sex offender program, or at a state-operated
48.18 forensic services program as defined in section 352.91, subdivision 3j, under the control of
48.19 the commissioner of the Department of Human Services; and

48.20 ~~(3)~~ (4) as a direct result of the assault under clause (3), was determined to be
48.21 totally and permanently physically disabled under laws governing the Minnesota State
48.22 Retirement System.

48.23 (b) For a person to whom this section applies, the commissioner of the Department
48.24 of Corrections or the commissioner of the Department of Human Services, using existing
48.25 budget resources, must continue to make the employer contribution for ~~hospital,~~ medical,
48.26 and dental benefits under the State Employee Group Insurance Program after the person
48.27 terminates state service. If the person had dependent coverage at the time of terminating
48.28 state service, employer contributions for dependent coverage also must continue under this
48.29 section. The employer contributions must be in the amount of the employer contribution
48.30 for active state employees at the time each payment is made. The employer contributions
48.31 must continue until the person reaches age 65, provided the person makes the required
48.32 employee contributions, in the amount required of an active state employee, at the time
48.33 and in the manner specified by the commissioner.

49.1 **EFFECTIVE DATE.** This section is effective the day following final enactment
49.2 and applies to a person assaulted by an inmate, client, or patient on or after that date.

49.3 Sec. 2. Minnesota Statutes 2014, section 241.88, subdivision 1, is amended to read:

49.4 Subdivision 1. **Restraint.** (a) A representative of a correctional facility may not
49.5 restrain a woman known to be pregnant unless the representative makes an individualized
49.6 determination that restraints are reasonably necessary for the legitimate safety and security
49.7 needs of the woman, correctional staff, other inmates, or the public. If restraints are
49.8 determined to be necessary, the restraints must be the least restrictive available and the
49.9 most reasonable under the circumstances.

49.10 (b) A representative of a correctional facility may not restrain a woman known to be
49.11 pregnant while the woman is being transported if the restraint is through the use of waist
49.12 chains or other devices that cross or otherwise touch the woman's abdomen or handcuffs
49.13 or other devices that cross or otherwise touch the woman's wrists when affixed behind the
49.14 woman's back. If used, wrist restraints should be applied in such a way that the pregnant
49.15 woman may be able to protect herself and her fetus in the event of a forward fall.

49.16 (c) A representative of a correctional facility may restrain a woman who is in labor
49.17 or who has given birth within the preceding three days only if:

49.18 (1) there is a substantial flight risk or some other extraordinary medical or security
49.19 circumstance that dictates restraints be used to ensure the safety and security of the
49.20 woman, the staff of the correctional or medical facility, other inmates, or the public;

49.21 (2) the representative has made an individualized determination that restraints are
49.22 necessary to prevent escape or injury;

49.23 (3) there is no objection from the treating medical care provider; and

49.24 (4) the restraints used are the least restrictive type and are used in the least restrictive
49.25 manner.

49.26 (d) Section 645.241 does not apply to this section.

49.27 **EFFECTIVE DATE.** This section is effective July 1, 2015.

49.28 Sec. 3. Minnesota Statutes 2014, section 241.88, is amended by adding a subdivision
49.29 to read:

49.30 Subd. 3. **Required annual report.** By February 15 of each year, the commissioner
49.31 shall report to the chairs and ranking minority members of the senate and house of
49.32 representatives committees and divisions having jurisdiction over criminal justice policy
49.33 and funding on the use of restraints on pregnant women, women in labor, and women
49.34 who have given birth in the preceding three days, who are incarcerated in state and local

50.1 correctional facilities during the preceding calendar year. For reporting purposes, the use of
50.2 restraints does not include use of handcuffs on the front of the body of a pregnant woman.

50.3 **EFFECTIVE DATE.** This section is effective July 1, 2015.

50.4 Sec. 4. Minnesota Statutes 2014, section 241.89, subdivision 1, is amended to read:

50.5 Subdivision 1. **Applicability.** This section applies only to a woman:

50.6 (1) incarcerated following conviction; ~~and~~ or

50.7 (2) incarcerated before conviction beyond the period specified for the woman's initial
50.8 appearance before the court in Rules of Criminal Procedure, rules 3.02, 4.01, and 4.02.

50.9 **EFFECTIVE DATE.** This section is effective July 1, 2015.

50.10 Sec. 5. Minnesota Statutes 2014, section 241.89, subdivision 2, is amended to read:

50.11 Subd. 2. **Requirements.** The head of each correctional facility shall ensure that
50.12 every woman incarcerated at the facility:

50.13 (1) is tested for pregnancy on or before day 14 of incarceration, if under 50 years
50.14 of age unless the inmate refuses the test;

50.15 (2) if pregnant ~~and agrees to testing, is tested for sexually transmitted diseases,~~
50.16 ~~including HIV,~~ is provided the prevailing standard of care or current practice by the
50.17 medical care provider's peer group;

50.18 (3) if pregnant or has given birth in the past six weeks, is provided appropriate
50.19 educational materials and resources related to pregnancy, childbirth, breastfeeding, and
50.20 parenting;

50.21 (4) if pregnant or has given birth in the past six weeks, has access to doula services if
50.22 these services are provided by a certified doula without charge to the correctional facility
50.23 or the incarcerated woman pays for the certified doula services;

50.24 (5) if pregnant or has given birth in the past six months, has access to a mental health
50.25 assessment and, if necessary, treatment;

50.26 (6) if pregnant or has given birth in the past six months and determined to be
50.27 suffering from a mental illness, has access to evidence-based mental health treatment
50.28 including psychotropic medication;

50.29 (7) if pregnant or has given birth in the past six months and determined to be
50.30 suffering from postpartum depression, has access to evidence-based therapeutic care for
50.31 the depression; and

50.32 (8) if pregnant or has given birth in the past six months, is advised, orally or in
50.33 writing, of applicable laws and policies governing incarcerated pregnant women.

51.1 **EFFECTIVE DATE.** This section is effective July 1, 2015.

51.2 Sec. 6. Minnesota Statutes 2014, section 244.05, is amended by adding a subdivision
51.3 to read:

51.4 **Subd. 1d. Electronic surveillance.** (a) If the commissioner orders electronic
51.5 surveillance of an inmate placed on supervised release, the commissioner may require that
51.6 the inmate be kept in custody, or that the inmate's probation agent, or the agent's designee,
51.7 directly supervise the offender until electronic surveillance is activated.

51.8 (b) It is the responsibility of the inmate placed on electronic surveillance to ensure
51.9 that the inmate's residence is properly equipped and the inmate's telecommunications
51.10 system is properly configured to support electronic surveillance prior to being released
51.11 from custody or the direct supervision of a probation agent. An inmate who fails to
51.12 comply with this paragraph may be found in violation of the inmate's conditions of release
51.13 after a revocation hearing.

51.14 Sec. 7. Minnesota Statutes 2014, section 244.15, subdivision 6, is amended to read:

51.15 **Subd. 6. Electronic surveillance.** (a) During any phase, the offender may be placed
51.16 on electronic surveillance if the intensive supervision agent so directs. If electronic
51.17 surveillance is directed during phase I, the commissioner must require that the inmate be
51.18 kept in custody, or that the inmate's intensive supervised release agent, or the agent's
51.19 designee, directly supervise the offender until electronic surveillance is activated.

51.20 (b) It is the responsibility of the inmate placed on electronic surveillance to ensure
51.21 that the inmate's residence is properly equipped and the inmate's telecommunications
51.22 system is properly configured to support electronic surveillance prior to being released
51.23 from custody or the direct supervision of an intensive supervised release agent. An
51.24 inmate who fails to comply with this paragraph may be found in violation of the inmate's
51.25 conditions of release after a revocation hearing.

51.26 Sec. 8. Minnesota Statutes 2014, section 260B.198, is amended by adding a
51.27 subdivision to read:

51.28 **Subd. 13. Electronic surveillance.** (a) If a court orders a juvenile adjudicated
51.29 delinquent to serve any portion of the juvenile's disposition on electronic surveillance,
51.30 the court may require that the juvenile be kept in custody, or that the juvenile's probation
51.31 agent directly supervise the juvenile until electronic surveillance is activated.

51.32 (b) It is the responsibility of the parent or guardian of the juvenile placed on electronic
51.33 surveillance to ensure that the juvenile's residence is properly equipped and the residence's

52.1 telecommunications system is properly configured to support electronic surveillance prior
52.2 to the juvenile being released from custody or the direct supervision of a probation agent.

52.3 Sec. 9. Minnesota Statutes 2014, section 401.10, subdivision 1, is amended to read:

52.4 Subdivision 1. **Aid calculations.** To determine the community corrections aid
52.5 amount to be paid to each participating county, the commissioner of corrections must
52.6 apply the following formula:

52.7 (1) For each of the 87 counties in the state, a percent score must be calculated for
52.8 each of the following five factors:

52.9 (i) percent of the total state population aged ten to 24 residing within the county
52.10 according to the most recent federal census, and, in the intervening years between the
52.11 taking of the federal census, according to the most recent estimate of the state demographer;

52.12 (ii) percent of the statewide total number of felony case filings occurring within the
52.13 county, as determined by the state court administrator;

52.14 (iii) percent of the statewide total number of juvenile case filings occurring within
52.15 the county, as determined by the state court administrator;

52.16 (iv) percent of the statewide total number of gross misdemeanor case filings
52.17 occurring within the county, as determined by the state court administrator; and

52.18 (v) percent of the total statewide number of convicted felony offenders who did
52.19 not receive an executed prison sentence, as monitored and reported by the Sentencing
52.20 Guidelines Commission.

52.21 The percents in items (ii) to (v) must be calculated by combining the most recent
52.22 three-year period of available data. The percents in items (i) to (v) each must sum to 100
52.23 percent across the 87 counties.

52.24 (2) For each of the 87 counties, the county's percents in clause (1), items (i) to (v),
52.25 must be weighted, summed, and divided by the sum of the weights to yield an average
52.26 percent for each county, referred to as the county's "composite need percent." When
52.27 performing this calculation, the weight for each of the percents in clause (1), items (i) to
52.28 (v), is 1.0. The composite need percent must sum to 100 percent across the 87 counties.

52.29 (3) For each of the 87 counties, the county's "adjusted net tax capacity percent" is
52.30 the county's adjusted net tax capacity amount, defined in the same manner as it is defined
52.31 for cities in section 477A.011, subdivision 20, divided by the statewide total adjusted net
52.32 tax capacity amount. The adjusted net tax capacity percent must sum to 100 percent
52.33 across the 87 counties.

52.34 (4) For each of the 87 counties, the county's composite need percent must be divided
52.35 by the county's adjusted net tax capacity percent to produce a ratio that, when multiplied

53.1 by the county's composite need percent, results in the county's "tax base adjusted need
53.2 percent."

53.3 (5) For each of the 87 counties, the county's tax base adjusted need percent must
53.4 be added to twice the composite need percent, and the sum must be divided by 3, to
53.5 yield the county's "weighted need percent."

53.6 (6) Each participating county's weighted need percent must be added to the weighted
53.7 need percent of each other participating county to yield the "total weighted need percent
53.8 for participating counties."

53.9 (7) Each participating county's weighted need percent must be divided by the total
53.10 weighted need percent for participating counties to yield the county's "share percent." The
53.11 share percents for participating counties must sum to 100 percent.

53.12 (8) Each participating county's "base funding amount" is the aid amount that the
53.13 county received under this section for fiscal year 1995 plus the amount received in
53.14 caseload or workload reduction, felony caseload reduction, and sex offender supervision
53.15 grants in fiscal year 2015, as reported by the commissioner of corrections. In fiscal year
53.16 1997 and thereafter, no county's aid amount under this section may be less than its base
53.17 funding amount, provided that the total amount appropriated for this purpose is at least as
53.18 much as the aggregate base funding amount defined in clause (9).

53.19 (9) The "aggregate base funding amount" is equal to the sum of the base funding
53.20 amounts for all participating counties. If a county that participated under this section
53.21 ~~during fiscal year 1995~~ chooses not to participate in any given year, then the aggregate
53.22 base funding amount must be reduced by that county's base funding amount. If a county
53.23 that did not participate under this section in fiscal year 1995 chooses to participate ~~in any~~
53.24 given year on or after July 1, 2015, then the aggregate base funding amount must be
53.25 increased by the amount of aid that the county would have received had it participated in
53.26 fiscal year 1995 plus the estimated amount it would have received in caseload or workload
53.27 reduction, felony caseload reduction, and sex offender supervision grants in fiscal year
53.28 2015, as reported by the commissioner of corrections, and the amount of increase shall be
53.29 that county's base funding amount.

53.30 (10) In any given year, the total amount appropriated for this purpose first must be
53.31 allocated to participating counties in accordance with each county's base funding amount.
53.32 Then, any remaining amount in excess of the aggregate base funding amount must be
53.33 allocated to participating counties in proportion to each county's share percent, and is
53.34 referred to as the county's "formula amount."

53.35 Each participating county's "community corrections aid amount" equals the sum of
53.36 (i) the county's base funding amount, and (ii) the county's formula amount.

54.1 (11) However, if in any year the total amount appropriated for the purpose of this
54.2 section is less than the aggregate base funding amount, then each participating county's
54.3 community corrections aid amount is the product of (i) the county's base funding amount
54.4 multiplied by (ii) the ratio of the total amount appropriated to the aggregate base funding
54.5 amount.

54.6 For each participating county, the county's community corrections aid amount
54.7 calculated in this subdivision is the total amount of subsidy to which the county is entitled
54.8 under sections 401.01 to 401.16.

54.9 Sec. 10. Minnesota Statutes 2014, section 631.461, is amended to read:

54.10 **631.461 IMPRISONMENT; COUNTY JAIL; ALTERNATIVES.**

54.11 (a) When a sentence for an offense includes imprisonment in a county jail, the
54.12 court may sentence the offender to imprisonment in a workhouse or correctional or work
54.13 farm if there is one in the county where the offender is tried or where the offense was
54.14 committed. If not, the court may sentence the offender to imprisonment in a workhouse or
54.15 correctional or work farm in any county in this state. However, the county board of the
54.16 county where the offender is tried shall have some agreement for the receipt, maintenance,
54.17 and confinement of inmates with the county where the offender has been sentenced to
54.18 imprisonment. The place of imprisonment must be specified in the sentence. Inmates may
54.19 be removed from one place of confinement to another as provided by statute.

54.20 (b) If a court orders or a sheriff permits an offender to serve any portion of the
54.21 offender's sentence on electronic surveillance, the court or sheriff may require that the
54.22 offender be kept in custody, or that the offender's probation agent directly supervise the
54.23 offender until electronic surveillance is activated.

54.24 (c) It is the responsibility of the offender placed on electronic surveillance to ensure
54.25 that the offender's residence is properly equipped and the offender's telecommunications
54.26 system is properly configured to support electronic surveillance prior to being released
54.27 from custody or the direct supervision of a probation agent. An offender who fails to
54.28 comply with this paragraph may be found in violation of the offender's conditions of
54.29 release after a revocation hearing.

54.30 Sec. 11. **SHERBURNE COUNTY COMMUNITY SUPERVISION GRANT.**

54.31 Notwithstanding Minnesota Statutes, section 401.10, subdivision 2, any state funds
54.32 appropriated in fiscal year 2015 for community supervision in Sherburne County that are
54.33 unallocated after funds are transferred under the Community Corrections Act formula to

55.1 fund Sherburne County's participation in the act shall be transferred by the commissioner
 55.2 to Sherburne County in the form of a caseload and workload reduction grant.

55.3 Sec. 12. **COLTON'S LAW.**

55.4 Sections 6, 7, 8, 10, and 13 shall be known as "Colton's Law."

55.5 Sec. 13. **ELECTRONIC SURVEILLANCE; PURPOSE STATEMENT.**

55.6 The purpose of electronic surveillance of adult and juvenile offenders is to provide a
 55.7 cost-effective alternative to incarceration or detention for deserving low-risk offenders.

55.8 It is a privilege for an adult or juvenile offender to be placed on electronic surveillance
 55.9 in lieu of remaining in custody to complete a period of incarceration or detention. The

55.10 parties who authorize and implement electronic surveillance shall take all reasonable
 55.11 precautions to protect public safety.

55.12 **ARTICLE 6**

55.13 **GENERAL CRIMINAL PROVISION**

55.14 Section 1. Minnesota Statutes 2014, section 13.82, subdivision 17, is amended to read:

55.15 Subd. 17. **Protection of identities.** A law enforcement agency or a law enforcement
 55.16 dispatching agency working under direction of a law enforcement agency shall withhold
 55.17 public access to data on individuals to protect the identity of individuals in the following
 55.18 circumstances:

55.19 (a) when access to the data would reveal the identity of an undercover law
 55.20 enforcement officer, as provided in section 13.43, subdivision 5;

55.21 (b) when access to the data would reveal the identity of a victim or alleged victim of
 55.22 criminal sexual conduct or ~~of a violation of~~ sex trafficking under section 609.322, 609.341
 55.23 to 609.3451, or 617.246, subdivision 2;

55.24 (c) when access to the data would reveal the identity of a paid or unpaid informant
 55.25 being used by the agency if the agency reasonably determines that revealing the identity of
 55.26 the informant would threaten the personal safety of the informant;

55.27 (d) when access to the data would reveal the identity of a victim of or witness to a
 55.28 crime if the victim or witness specifically requests not to be identified publicly, unless the
 55.29 agency reasonably determines that revealing the identity of the victim or witness would
 55.30 not threaten the personal safety or property of the individual;

55.31 (e) when access to the data would reveal the identity of a deceased person whose
 55.32 body was unlawfully removed from a cemetery in which it was interred;

56.1 (f) when access to the data would reveal the identity of a person who placed a call to a
56.2 911 system or the identity or telephone number of a service subscriber whose phone is used
56.3 to place a call to the 911 system and: (1) the agency determines that revealing the identity
56.4 may threaten the personal safety or property of any person; or (2) the object of the call is
56.5 to receive help in a mental health emergency. For the purposes of this paragraph, a voice
56.6 recording of a call placed to the 911 system is deemed to reveal the identity of the caller;

56.7 (g) when access to the data would reveal the identity of a juvenile witness and
56.8 the agency reasonably determines that the subject matter of the investigation justifies
56.9 protecting the identity of the witness; or

56.10 (h) when access to the data would reveal the identity of a mandated reporter under
56.11 section 609.456, 626.556, or 626.557.

56.12 Data concerning individuals whose identities are protected by this subdivision are
56.13 private data about those individuals. Law enforcement agencies shall establish procedures
56.14 to acquire the data and make the decisions necessary to protect the identity of individuals
56.15 described in clauses (c), (d), (f), and (g).

56.16 Sec. 2. Minnesota Statutes 2014, section 169.13, subdivision 1, is amended to read:

56.17 Subdivision 1. **Reckless driving.** ~~(a) Any person who drives any vehicle in such a~~
56.18 ~~manner as to indicate either a willful or a wanton disregard for the safety of persons or~~
56.19 ~~property is guilty of reckless driving and such reckless driving is a misdemeanor. A person~~
56.20 who drives a motor vehicle while aware of and consciously disregarding a substantial and
56.21 unjustifiable risk that the driving may result in harm to another or another's property is
56.22 guilty of reckless driving. The risk must be of such a nature and degree that disregard of it
56.23 constitutes a significant deviation from the standard of conduct that a reasonable person
56.24 would observe in the situation.

56.25 (b) A person shall not race any vehicle upon any street or highway of this state.
56.26 Any person who willfully compares or contests relative speeds by operating one or more
56.27 vehicles is guilty of racing, which constitutes reckless driving, whether or not the speed
56.28 contested or compared is in excess of the maximum speed prescribed by law.

56.29 (c) A person who violates paragraph (a) or (b) is guilty of a misdemeanor. A person
56.30 who violates paragraph (a) or (b) and causes great bodily harm or death to another is
56.31 guilty of a gross misdemeanor.

56.32 (d) For purposes of this section, "great bodily harm" has the meaning given in
56.33 section 609.02, subdivision 8.

56.34 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to crimes
56.35 committed on or after that date.

57.1 Sec. 3. Minnesota Statutes 2014, section 169.13, subdivision 3, is amended to read:

57.2 Subd. 3. **Application.** (a) The provisions of this section apply, but are not limited in
57.3 application, to any person who drives any vehicle in the manner prohibited by this section:

57.4 (1) upon the ice of any lake, stream, or river, including but not limited to the ice of
57.5 any boundary water; or

57.6 (2) in a parking lot ordinarily used by or available to the public though not as a
57.7 matter of right, and a driveway connecting the parking lot with a street or highway.

57.8 (b) This section does not apply to:

57.9 (1) an authorized emergency vehicle, when responding to an emergency call or when
57.10 in pursuit of an actual or suspected violator;

57.11 (2) the emergency operation of any vehicle when avoiding imminent danger; or

57.12 (3) any raceway, racing facility, or other public event sanctioned by the appropriate
57.13 governmental authority.

57.14 (c) Nothing in this section or section 609.035 or 609.04 shall limit the power of the
57.15 state to prosecute or punish a person for conduct that constitutes any other crime under
57.16 any other law of this state.

57.17 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to crimes
57.18 committed on or after that date.

57.19 Sec. 4. Minnesota Statutes 2014, section 169.475, subdivision 2, is amended to read:

57.20 Subd. 2. **Prohibition on use; penalty.** (a) No person may operate a motor vehicle
57.21 while using a wireless communications device to compose, read, or send an electronic
57.22 message, when the vehicle is in motion or a part of traffic.

57.23 (b) A person who is convicted of a second or subsequent violation under this section
57.24 must pay a fine of \$150 plus the amount specified in the uniform fine schedule established
57.25 by the Judicial Council.

57.26 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to
57.27 violations committed on or after that date.

57.28 Sec. 5. Minnesota Statutes 2014, section 169A.03, subdivision 3, is amended to read:

57.29 Subd. 3. **Aggravating factor.** "Aggravating factor" includes:

57.30 (1) a qualified prior impaired driving incident within the ten years immediately
57.31 preceding the current offense;

57.32 (2) having an alcohol concentration of ~~0.20~~ 0.16 or more as measured at the time, or
57.33 within two hours of the time, of the offense; or

58.1 (3) having a child under the age of 16 in the motor vehicle at the time of the offense
58.2 if the child is more than 36 months younger than the offender.

58.3 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to crimes
58.4 committed on or after that date.

58.5 Sec. 6. Minnesota Statutes 2014, section 169A.07, is amended to read:

58.6 **169A.07 FIRST-TIME DWI VIOLATOR; OFF-ROAD VEHICLE OR BOAT.**

58.7 A person who violates section 169A.20 (driving while impaired) while using an
58.8 off-road recreational vehicle or motorboat and who does not have a qualified prior
58.9 impaired driving incident is subject only to the criminal penalty provided in section
58.10 169A.25 (second-degree driving while impaired), 169A.26 (third-degree driving while
58.11 impaired), or 169A.27 (fourth-degree driving while impaired); and loss of operating
58.12 privileges as provided in section 84.91, subdivision 1 (operation of snowmobiles or
58.13 all-terrain vehicles by persons under the influence of alcohol or controlled substances), or
58.14 86B.331, subdivision 1 (operation of motorboats while using alcohol or with a physical or
58.15 mental disability), whichever is applicable. The person is not subject to the provisions
58.16 of section 169A.275, subdivision 5, (submission to the level of care recommended in
58.17 chemical use assessment for repeat offenders and offenders with alcohol concentration of
58.18 ~~0.20~~ 0.16 or more); 169A.277 (long-term monitoring); 169A.285 (penalty assessment);
58.19 169A.44 (conditional release); 169A.54 (impaired driving convictions and adjudications;
58.20 administrative penalties); or 169A.54, subdivision 11 (chemical use assessment); the
58.21 license revocation sanctions of sections 169A.50 to 169A.53 (implied consent law); or the
58.22 plate impoundment provisions of section 169A.60 (administrative impoundment of plates).

58.23 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to crimes
58.24 committed on or after that date.

58.25 Sec. 7. Minnesota Statutes 2014, section 169A.275, subdivision 5, is amended to read:

58.26 Subd. 5. **Level of care recommended in chemical use assessment.** Unless the
58.27 court commits the person to the custody of the commissioner of corrections as provided in
58.28 section 169A.276 (mandatory penalties; felony violations), in addition to other penalties
58.29 required under this section, the court shall order a person to submit to the level of care
58.30 recommended in the chemical use assessment conducted under section 169A.70 (alcohol
58.31 safety program; chemical use assessments) if the person is convicted of violating section
58.32 169A.20 (driving while impaired) while having an alcohol concentration of ~~0.20~~ 0.16 or

59.1 more as measured at the time, or within two hours of the time, of the offense or if the
59.2 violation occurs within ten years of one or more qualified prior impaired driving incidents.

59.3 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to crimes
59.4 committed on or after that date.

59.5 Sec. 8. Minnesota Statutes 2014, section 169A.285, subdivision 1, is amended to read:

59.6 Subdivision 1. **Authority; amount.** When a court sentences a person who violates
59.7 section 169A.20 (driving while impaired) while having an alcohol concentration of ~~0.20~~
59.8 0.16 or more as measured at the time, or within two hours of the time, of the violation,
59.9 the court may impose a penalty assessment of up to \$1,000. The court may impose this
59.10 assessment in addition to any other penalties or charges authorized under law.

59.11 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to crimes
59.12 committed on or after that date.

59.13 Sec. 9. Minnesota Statutes 2014, section 169A.46, subdivision 1, is amended to read:

59.14 Subdivision 1. **Impairment occurred after driving ceased.** If proven by a
59.15 preponderance of the evidence, it is an affirmative defense to a violation of section
59.16 169A.20, subdivision 1, clause (5); 1a, clause (5); 1b, clause (5); or 1c, clause (5) (driving
59.17 while impaired, alcohol concentration within two hours of driving), or 169A.20 by a person
59.18 having an alcohol concentration of ~~0.20~~ 0.16 or more as measured at the time, or within
59.19 two hours of the time, of the offense, that the defendant consumed a sufficient quantity of
59.20 alcohol after the time of the violation and before the administration of the evidentiary test
59.21 to cause the defendant's alcohol concentration to exceed the level specified in the applicable
59.22 clause. Evidence that the defendant consumed alcohol after the time of the violation may
59.23 not be admitted in defense to any alleged violation of section 169A.20, unless notice is
59.24 given to the prosecution prior to the omnibus or pretrial hearing in the matter.

59.25 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to crimes
59.26 committed on or after that date.

59.27 Sec. 10. Minnesota Statutes 2014, section 169A.53, subdivision 3, is amended to read:

59.28 Subd. 3. **Judicial hearing; issues, order, appeal.** (a) A judicial review hearing
59.29 under this section must be before a district judge in any county in the judicial district
59.30 where the alleged offense occurred. The hearing is to the court and may be conducted at
59.31 the same time and in the same manner as hearings upon pretrial motions in the criminal
59.32 prosecution under section 169A.20 (driving while impaired), if any. The hearing must be

60.1 recorded. The commissioner shall appear and be represented by the attorney general or
60.2 through the prosecuting authority for the jurisdiction involved. The hearing must be held
60.3 at the earliest practicable date, and in any event no later than 60 days following the filing
60.4 of the petition for review. The judicial district administrator shall establish procedures to
60.5 ensure efficient compliance with this subdivision. To accomplish this, the administrator
60.6 may, whenever possible, consolidate and transfer review hearings among the locations
60.7 within the judicial district where terms of district court are held.

60.8 (b) The scope of the hearing is limited to the issues in clauses (1) to ~~(10)~~ (11):

60.9 (1) Did the peace officer have probable cause to believe the person was driving,
60.10 operating, or in physical control of a motor vehicle or commercial motor vehicle in
60.11 violation of section 169A.20 (driving while impaired)?

60.12 (2) Was the person lawfully placed under arrest for violation of section 169A.20?

60.13 (3) Was the person involved in a motor vehicle accident or collision resulting in
60.14 property damage, personal injury, or death?

60.15 (4) Did the person refuse to take a screening test provided for by section 169A.41
60.16 (preliminary screening test)?

60.17 (5) If the screening test was administered, did the test indicate an alcohol
60.18 concentration of 0.08 or more?

60.19 (6) At the time of the request for the test, did the peace officer inform the person
60.20 of the person's rights and the consequences of taking or refusing the test as required by
60.21 section 169A.51, subdivision 2?

60.22 (7) Did the person refuse to permit the test?

60.23 (8) If a test was taken by a person driving, operating, or in physical control of a
60.24 motor vehicle, did the test results indicate at the time of testing:

60.25 (i) an alcohol concentration of 0.08 or more; or

60.26 (ii) the presence of a controlled substance listed in Schedule I or II or its metabolite,
60.27 other than marijuana or tetrahydrocannabinols?

60.28 (9) If a test was taken by a person driving, operating, or in physical control of a
60.29 commercial motor vehicle, did the test results indicate an alcohol concentration of 0.04 or
60.30 more at the time of testing?

60.31 (10) Was the testing method used valid and reliable and were the test results
60.32 accurately evaluated?

60.33 (11) Did the person prove the defense of necessity?

60.34 (c) It is an affirmative defense for the petitioner to prove that, at the time of the
60.35 refusal, the petitioner's refusal to permit the test was based upon reasonable grounds.

61.1 (d) Certified or otherwise authenticated copies of laboratory or medical personnel
61.2 reports, records, documents, licenses, and certificates are admissible as substantive
61.3 evidence.

61.4 (e) The court shall order that the revocation or disqualification be either rescinded or
61.5 sustained and forward the order to the commissioner. The court shall file its order within 14
61.6 days following the hearing. If the revocation or disqualification is sustained, the court shall
61.7 also forward the person's driver's license or permit to the commissioner for further action by
61.8 the commissioner if the license or permit is not already in the commissioner's possession.

61.9 (f) Any party aggrieved by the decision of the reviewing court may appeal the
61.10 decision as provided in the Rules of Appellate Procedure.

61.11 (g) The civil hearing under this section shall not give rise to an estoppel on any
61.12 issues arising from the same set of circumstances in any criminal prosecution.

61.13 (h) It is an affirmative defense for the petitioner to prove a necessity.

61.14 Sec. 11. Minnesota Statutes 2014, section 243.166, subdivision 1b, is amended to read:

61.15 Subd. 1b. **Registration required.** (a) A person shall register under this section if:

61.16 (1) the person was charged with or petitioned for a felony violation of or attempt to
61.17 violate, or aiding, abetting, or conspiracy to commit, any of the following, and convicted
61.18 of or adjudicated delinquent for that offense or another offense arising out of the same
61.19 set of circumstances:

61.20 (i) murder under section 609.185, paragraph (a), clause (2);

61.21 (ii) kidnapping under section 609.25;

61.22 (iii) criminal sexual conduct under section 609.342; 609.343; 609.344; 609.345;

61.23 609.3451, subdivision 3; or 609.3453; ~~or~~

61.24 (iv) indecent exposure under section 617.23, subdivision 3; or

61.25 (v) interference with privacy under section 609.746, subdivision 1a;

61.26 (2) the person was charged with or petitioned for a violation of, or attempt to
61.27 violate, or aiding, abetting, or conspiring to commit criminal abuse in violation of section
61.28 609.2325, subdivision 1, paragraph (b); false imprisonment in violation of section
61.29 609.255, subdivision 2; solicitation, inducement, or promotion of the prostitution of a
61.30 ~~minor or engaging in the~~ or sex trafficking of a minor in violation of section 609.322; a
61.31 prostitution offense involving a minor ~~under the age of 13 years~~ in violation of section
61.32 609.324, subdivision 1, ~~paragraph (a);~~ soliciting a minor to engage in sexual conduct in
61.33 violation of section 609.352, subdivision 2 or 2a, clause (1); using a minor in a sexual
61.34 performance in violation of section 617.246; or possessing pornographic work involving a

62.1 minor in violation of section 617.247, and convicted of or adjudicated delinquent for that
62.2 offense or another offense arising out of the same set of circumstances;

62.3 (3) the person was sentenced as a patterned sex offender under section 609.3455,
62.4 subdivision 3a; or

62.5 (4) the person was charged with or petitioned for, including pursuant to a court
62.6 martial, violating a law of the United States, including the Uniform Code of Military Justice,
62.7 similar to the offenses described in clause (1), (2), or (3), and convicted of or adjudicated
62.8 delinquent for that offense or another offense arising out of the same set of circumstances.

62.9 (b) A person also shall register under this section if:

62.10 (1) the person was charged with or petitioned for an offense in another state that
62.11 would be a violation of a law described in paragraph (a) if committed in this state and
62.12 convicted of or adjudicated delinquent for that offense or another offense arising out
62.13 of the same set of circumstances;

62.14 (2) the person enters this state to reside, work, or attend school, or enters this state
62.15 and remains for 14 days or longer; and

62.16 (3) ten years have not elapsed since the person was released from confinement
62.17 or, if the person was not confined, since the person was convicted of or adjudicated
62.18 delinquent for the offense that triggers registration, unless the person is subject to a longer
62.19 registration period under the laws of another state in which the person has been convicted
62.20 or adjudicated, or is subject to lifetime registration.

62.21 If a person described in this paragraph is subject to a longer registration period
62.22 in another state or is subject to lifetime registration, the person shall register for that
62.23 time period regardless of when the person was released from confinement, convicted, or
62.24 adjudicated delinquent.

62.25 (c) A person also shall register under this section if the person was committed
62.26 pursuant to a court commitment order under Minnesota Statutes 2012, section 253B.185,
62.27 chapter 253D, Minnesota Statutes 1992, section 526.10, or a similar law of another state
62.28 or the United States, regardless of whether the person was convicted of any offense.

62.29 (d) A person also shall register under this section if:

62.30 (1) the person was charged with or petitioned for a felony violation or attempt to
62.31 violate any of the offenses listed in paragraph (a), clause (1), or a similar law of another
62.32 state or the United States, or the person was charged with or petitioned for a violation of
62.33 any of the offenses listed in paragraph (a), clause (2), or a similar law of another state or
62.34 the United States;

63.1 (2) the person was found not guilty by reason of mental illness or mental deficiency
63.2 after a trial for that offense, or found guilty but mentally ill after a trial for that offense, in
63.3 states with a guilty but mentally ill verdict; and

63.4 (3) the person was committed pursuant to a court commitment order under section
63.5 253B.18 or a similar law of another state or the United States.

63.6 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to crimes
63.7 committed on or after that date.

63.8 Sec. 12. Minnesota Statutes 2014, section 609.1095, subdivision 1, is amended to read:

63.9 Subdivision 1. **Definitions.** (a) As used in this section, the following terms have
63.10 the meanings given.

63.11 (b) "Conviction" means any of the following accepted and recorded by the court: a
63.12 plea of guilty, a verdict of guilty by a jury, or a finding of guilty by the court. The term
63.13 includes a conviction by any court in Minnesota or another jurisdiction.

63.14 (c) "Prior conviction" means a conviction that occurred before the offender
63.15 committed the next felony resulting in a conviction and before the offense for which the
63.16 offender is being sentenced under this section.

63.17 (d) "Violent crime" means a violation of or an attempt or conspiracy to violate
63.18 any of the following laws of this state or any similar laws of the United States or any
63.19 other state: sections 152.137; 609.165; 609.185; 609.19; 609.195; 609.20; 609.205;
63.20 609.2112; 609.2113; 609.2114; 609.221; 609.222; 609.223; 609.228; 609.235; 609.24;
63.21 609.245; 609.25; 609.255; 609.2661; 609.2662; 609.2663; 609.2664; 609.2665; 609.267;
63.22 609.2671; 609.268; 609.322; 609.342; 609.343; 609.344; 609.345; 609.498, subdivision 1;
63.23 609.561; 609.562; 609.582, subdivision 1; 609.66, subdivision 1e; 609.687; and 609.855,
63.24 subdivision 5; any provision of sections 609.229; 609.377; 609.378; 609.749; and 624.713
63.25 that is punishable by a felony penalty; or any provision of chapter 152 that is punishable
63.26 by a maximum sentence of 15 years or more; or Minnesota Statutes 2012, section 609.21.

63.27 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to crimes
63.28 committed on or after that date.

63.29 Sec. 13. Minnesota Statutes 2014, section 609.2111, is amended to read:

63.30 **609.2111 DEFINITIONS.**

63.31 (a) For purposes of sections 609.2111 to 609.2114, the terms defined in this
63.32 subdivision have the meanings given them.

64.1 (b) "Motor vehicle" has the meaning given in section 609.52, subdivision 1, and
64.2 includes attached trailers.

64.3 (c) "Controlled substance" has the meaning given in section 152.01, subdivision 4.

64.4 (d) "Hazardous substance" means any chemical or chemical compound that is listed
64.5 as a hazardous substance in rules adopted under chapter 182.

64.6 (e) "Qualified prior driving offense" includes a prior conviction:

64.7 (1) for a violation of section 169A.20 under the circumstances described in section
64.8 169A.24, 169A.25, or 169A.26;

64.9 (2) for a violation of section 169A.20 under the circumstances described in section
64.10 169A.27 and involving damage to property;

64.11 (3) for a violation of section 169.13 involving damage to property or resulting in
64.12 bodily harm to or the death of another;

64.13 (4) under section 609.2112, subdivision 1, paragraph (a), clauses (2) to (6);
64.14 609.2113, subdivision 1, clauses (2) to (6); 2, clauses (2) to (6); or 3, clauses (2) to (6); or
64.15 609.2114, subdivision 1, paragraph (a), clauses (2) to (6);

64.16 (5) under Minnesota Statutes 2012, section 609.21, subdivision 1, clauses (2) to (6); or

64.17 (6) under Minnesota Statutes 2006, section 609.21, subdivision 1, clauses (2) to (6);
64.18 2, clauses (2) to (6); 2a, clauses (2) to (6); 2b, clauses (2) to (6); 3, clauses (2) to (6); or 4,
64.19 clauses (2) to (6).

64.20 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to crimes
64.21 committed on or after that date.

64.22 Sec. 14. Minnesota Statutes 2014, section 609.2112, subdivision 1, is amended to read:

64.23 Subdivision 1. **Criminal vehicular homicide.** (a) Except as provided in
64.24 paragraph (b), a person is guilty of criminal vehicular homicide and may be sentenced
64.25 to imprisonment for not more than ten years or to payment of a fine of not more than
64.26 \$20,000, or both, if the person causes the death of a human being not constituting murder
64.27 or manslaughter as a result of operating a motor vehicle:

64.28 (1) in a grossly negligent manner;

64.29 (2) in a negligent manner while under the influence of:

64.30 (i) alcohol;

64.31 (ii) a controlled substance; or

64.32 (iii) any combination of those elements;

64.33 (3) while having an alcohol concentration of 0.08 or more;

64.34 (4) while having an alcohol concentration of 0.08 or more, as measured within
64.35 two hours of the time of driving;

65.1 (5) in a negligent manner while knowingly under the influence of a hazardous
65.2 substance;

65.3 (6) in a negligent manner while any amount of a controlled substance listed in
65.4 Schedule I or II, or its metabolite, other than marijuana or tetrahydrocannabinols, is
65.5 present in the person's body;

65.6 (7) where the driver who causes the collision leaves the scene of the collision in
65.7 violation of section 169.09, subdivision 1 or 6; or

65.8 (8) where the driver had actual knowledge that a peace officer had previously issued a
65.9 citation or warning that the motor vehicle was defectively maintained, the driver had actual
65.10 knowledge that remedial action was not taken, the driver had reason to know that the defect
65.11 created a present danger to others, and the death was caused by the defective maintenance.

65.12 (b) If a person is sentenced under paragraph (a) for a violation under paragraph (a),
65.13 clauses (2) to (6), occurring within ten years of a qualified prior driving offense, the
65.14 statutory maximum sentence of imprisonment is 15 years.

65.15 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to crimes
65.16 committed on or after that date.

65.17 Sec. 15. Minnesota Statutes 2014, section 609.2114, subdivision 1, is amended to read:

65.18 Subdivision 1. **Death to an unborn child.** (a) Except as provided in paragraph (b),
65.19 a person is guilty of criminal vehicular operation resulting in death to an unborn child
65.20 and may be sentenced to imprisonment for not more than ten years or to payment of a
65.21 fine of not more than \$20,000, or both, if the person causes the death of an unborn child
65.22 as a result of operating a motor vehicle:

65.23 (1) in a grossly negligent manner;

65.24 (2) in a negligent manner while under the influence of:

65.25 (i) alcohol;

65.26 (ii) a controlled substance; or

65.27 (iii) any combination of those elements;

65.28 (3) while having an alcohol concentration of 0.08 or more;

65.29 (4) while having an alcohol concentration of 0.08 or more, as measured within
65.30 two hours of the time of driving;

65.31 (5) in a negligent manner while knowingly under the influence of a hazardous
65.32 substance;

65.33 (6) in a negligent manner while any amount of a controlled substance listed in
65.34 Schedule I or II, or its metabolite, other than marijuana or tetrahydrocannabinols, is
65.35 present in the person's body;

66.1 (7) where the driver who causes the accident leaves the scene of the accident in
66.2 violation of section 169.09, subdivision 1 or 6; or

66.3 (8) where the driver had actual knowledge that a peace officer had previously issued a
66.4 citation or warning that the motor vehicle was defectively maintained, the driver had actual
66.5 knowledge that remedial action was not taken, the driver had reason to know that the defect
66.6 created a present danger to others, and the injury was caused by the defective maintenance.

66.7 (b) If a person is sentenced under paragraph (a) for a violation under paragraph (a),
66.8 clauses (2) to (6), occurring within ten years of a qualified prior driving offense, the
66.9 statutory maximum sentence of imprisonment is 15 years.

66.10 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to crimes
66.11 committed on or after that date.

66.12 Sec. 16. Minnesota Statutes 2014, section 609.2231, subdivision 3a, is amended to read:

66.13 Subd. 3a. **Secure treatment facility personnel.** (a) As used in this subdivision,
66.14 "secure treatment facility" ~~has the meaning given~~ includes facilities listed in section
66.15 sections 253B.02, subdivision 18a, and 253D.02, subdivision 13.

66.16 (b) Whoever, while committed under chapter 253D, Minnesota Statutes 2012,
66.17 section 253B.185, or Minnesota Statutes 1992, section 526.10, commits either of the
66.18 following acts against an employee or other individual who provides care or treatment at a
66.19 secure treatment facility while the person is engaged in the performance of a duty imposed
66.20 by law, policy, or rule is guilty of a felony and may be sentenced to imprisonment for not
66.21 more than two years or to payment of a fine of not more than \$4,000, or both:

66.22 (1) assaults the person and inflicts demonstrable bodily harm; or

66.23 (2) intentionally throws or otherwise transfers bodily fluids or feces at or onto the
66.24 person.

66.25 (c) Whoever, while committed under section 253B.18, or admitted under the
66.26 provision of section 253B.10, subdivision 1, commits either of the following acts against
66.27 an employee or other individual who supervises and works directly with patients at a
66.28 secure treatment facility while the person is engaged in the performance of a duty imposed
66.29 by law, policy, or rule is guilty of a felony and may be sentenced to imprisonment for not
66.30 more than two years or to payment of a fine of not more than \$4,000, or both:

66.31 (1) assaults the person and inflicts demonstrable bodily harm; or

66.32 (2) intentionally throws or otherwise transfers bodily fluids or feces at or onto the
66.33 person.

66.34 ~~(e) (d)~~ The court shall commit a person convicted of violating ~~paragraph (b)~~ this
66.35 subdivision to the custody of the commissioner of corrections for not less than one year

67.1 and one day. The court may not, on its own motion or the prosecutor's motion, sentence a
67.2 person without regard to this paragraph. A person convicted and sentenced as required by
67.3 this paragraph is not eligible for probation, parole, discharge, work release, or supervised
67.4 release, until that person has served the full term of imprisonment as provided by law,
67.5 notwithstanding the provisions of sections 241.26, 242.19, 243.05, 244.04, 609.12, and
67.6 609.135.

67.7 ~~(d)~~ (e) Notwithstanding the statutory maximum sentence provided in ~~paragraph (b)~~
67.8 this subdivision, when a court sentences a person to the custody of the commissioner of
67.9 corrections for a violation of ~~paragraph (b)~~ this subdivision, the court shall provide that
67.10 after the person has been released from prison, the commissioner shall place the person on
67.11 conditional release for five years. The terms of conditional release are governed by sections
67.12 244.05 and 609.3455, subdivision 6, 7, or 8; and Minnesota Statutes 2004, section 609.109.

67.13 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to crimes
67.14 committed on or after that date.

67.15 Sec. 17. Minnesota Statutes 2014, section 609.2232, is amended to read:

67.16 **609.2232 CONSECUTIVE SENTENCES FOR ASSAULTS COMMITTED BY**
67.17 **STATE PRISON OR PUBLIC INSTITUTION INMATES.**

67.18 If an inmate of a state correctional facility or an inmate receiving medical assistance
67.19 services while an inpatient in a medical institution under section 256B.055, subdivision
67.20 14, paragraph (c), is convicted of violating section 609.221, 609.222, 609.223, 609.2231,
67.21 or 609.224, while confined in the facility or while in the medical institution, the sentence
67.22 imposed for the assault shall be executed and run consecutively to any unexpired portion
67.23 of the offender's earlier sentence. The inmate is not entitled to credit against the sentence
67.24 imposed for the assault for time served in confinement for the earlier sentence. The inmate
67.25 shall serve the sentence for the assault in a state correctional facility even if the assault
67.26 conviction was for a misdemeanor or gross misdemeanor.

67.27 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to crimes
67.28 committed on or after that date.

67.29 Sec. 18. Minnesota Statutes 2014, section 609.324, subdivision 1, is amended to read:

67.30 Subdivision 1. **Engaging in, hiring, or agreeing to hire minor to engage in**
67.31 **prostitution; penalties.** (a) Whoever intentionally does any of the following may be
67.32 sentenced to imprisonment for not more than 20 years or to payment of a fine of not
67.33 more than \$40,000, or both:

68.1 (1) engages in prostitution with an individual under the age of 13 years; or
68.2 (2) hires or offers or agrees to hire an individual under the age of 13 years to engage
68.3 in sexual penetration or sexual contact.

68.4 (b) Whoever intentionally does any of the following may be sentenced to
68.5 imprisonment for not more than ten years or to payment of a fine of not more than
68.6 \$20,000, or both:

68.7 (1) engages in prostitution with an individual under the age of 16 years but at least
68.8 13 years; or

68.9 (2) hires or offers or agrees to hire an individual under the age of 16 years but at
68.10 least 13 years to engage in sexual penetration or sexual contact.

68.11 (c) Whoever intentionally does any of the following may be sentenced to
68.12 imprisonment for not more than five years or to payment of a fine of not more than
68.13 \$10,000, or both:

68.14 (1) engages in prostitution with an individual under the age of 18 years but at least
68.15 16 years; ~~or~~

68.16 (2) hires or offers or agrees to hire an individual under the age of 18 years but at
68.17 least 16 years to engage in sexual penetration or sexual contact; or

68.18 (3) hires or offers or agrees to hire an individual who the actor reasonably believes
68.19 to be under the age of 18 years to engage in sexual penetration or sexual contact.

68.20 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to crimes
68.21 committed on or after that date.

68.22 Sec. 19. Minnesota Statutes 2014, section 609.325, is amended by adding a subdivision
68.23 to read:

68.24 **Subd. 3a. No defense; undercover operative.** The fact that an undercover operative
68.25 or law enforcement officer was involved in the detection or investigation of an offense
68.26 shall not be a defense to a prosecution under section 609.324.

68.27 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to crimes
68.28 committed on or after that date.

68.29 Sec. 20. Minnesota Statutes 2014, section 609.325, subdivision 4, is amended to read:

68.30 **Subd. 4. Affirmative defense.** It is an affirmative defense to a charge under section
68.31 609.324, subdivision 6 or 7, if the defendant proves by a preponderance of the evidence
68.32 that the defendant is a labor trafficking victim, as defined in section 609.281, or a sex
68.33 trafficking victim, as defined in section 609.321, and that the defendant committed the act

69.1 ~~only under compulsion by another who by explicit or implicit threats created a reasonable~~
69.2 ~~apprehension in the mind of the defendant that if the defendant did not commit the act,~~
69.3 ~~the person would inflict bodily harm upon the defendant~~ acts underlying the charge as a
69.4 result of being a labor trafficking or sex trafficking victim.

69.5 Sec. 21. Minnesota Statutes 2014, section 609.3451, subdivision 1, is amended to read:

69.6 Subdivision 1. **Crime defined.** A person is guilty of criminal sexual conduct
69.7 in the fifth degree:

69.8 (1) if the person engages in nonconsensual sexual contact; or

69.9 (2) the person engages in masturbation or lewd exhibition of the genitals in the
69.10 presence of a minor under the age of 16, knowing or having reason to know the minor
69.11 is present.

69.12 For purposes of this section, "sexual contact" has the meaning given in section
69.13 609.341, subdivision 11, paragraph (a), clauses (i) ~~and~~, (iv), and (v), but does not include
69.14 the intentional touching of the clothing covering the immediate area of the buttocks.
69.15 Sexual contact also includes the intentional removal or attempted removal of clothing
69.16 covering the complainant's intimate parts or undergarments, and the nonconsensual
69.17 touching by the complainant of the actor's intimate parts, effected by the actor, if the action
69.18 is performed with sexual or aggressive intent.

69.19 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to crimes
69.20 committed on or after that date.

69.21 Sec. 22. Minnesota Statutes 2014, section 609.3471, is amended to read:

69.22 **609.3471 RECORDS PERTAINING TO VICTIM IDENTITY**

69.23 **CONFIDENTIAL.**

69.24 Notwithstanding any provision of law to the contrary, no data contained in records or
69.25 reports relating to petitions, complaints, or indictments issued pursuant to section 609.322,
69.26 609.342, 609.343, 609.344, 609.345, or 609.3453, which specifically identifies a victim
69.27 who is a minor shall be accessible to the public, except by order of the court. Nothing
69.28 in this section authorizes denial of access to any other data contained in the records or
69.29 reports, including the identity of the defendant.

69.30 Sec. 23. Minnesota Statutes 2014, section 609.475, is amended to read:

69.31 **609.475 IMPERSONATING OFFICER.**

70.1 Whoever falsely impersonates a police ~~or military~~ officer, active or reserve
 70.2 component military service member, veteran, or public official with intent to mislead
 70.3 another into believing that the impersonator is actually such officer, service member,
 70.4 veteran, or official is guilty of a misdemeanor.

70.5 Sec. 24. Minnesota Statutes 2014, section 609.531, subdivision 1, is amended to read:

70.6 Subdivision 1. **Definitions.** For the purpose of sections 609.531 to 609.5318, the
 70.7 following terms have the meanings given them.

70.8 (a) "Conveyance device" means a device used for transportation and includes, but
 70.9 is not limited to, a motor vehicle, trailer, snowmobile, airplane, and vessel and any
 70.10 equipment attached to it. The term "conveyance device" does not include property which
 70.11 is, in fact, itself stolen or taken in violation of the law.

70.12 (b) "Weapon used" means a dangerous weapon as defined under section 609.02,
 70.13 subdivision 6, that the actor used or had in possession in furtherance of a crime.

70.14 (c) "Property" means property as defined in section 609.52, subdivision 1, clause (1).

70.15 (d) "Contraband" means property which is illegal to possess under Minnesota law.

70.16 (e) "Appropriate agency" means the Bureau of Criminal Apprehension, the
 70.17 Department of Commerce Fraud Bureau, the Minnesota Division of Driver and Vehicle
 70.18 Services, the Minnesota State Patrol, a county sheriff's department, the Three Rivers Park
 70.19 District park rangers, the Department of Natural Resources Division of Enforcement, the
 70.20 University of Minnesota Police Department, the Department of Corrections Fugitive
 70.21 Apprehension Unit, a city, metropolitan transit, or airport police department; or a
 70.22 multijurisdictional entity established under section 299A.642 or 299A.681.

70.23 (f) "Designated offense" includes:

70.24 (1) for weapons used: any violation of this chapter, chapter 152 or 624;

70.25 (2) for driver's license or identification card transactions: any violation of section
 70.26 171.22; and

70.27 (3) for all other purposes: a felony violation of, or a felony-level attempt or
 70.28 conspiracy to violate, section 325E.17; 325E.18; 609.185; 609.19; 609.195; 609.21;
 70.29 609.221; 609.222; 609.223; 609.2231; 609.2335; 609.24; 609.245; 609.25; 609.255;
 70.30 609.282; 609.283; 609.322; 609.342, subdivision 1, clauses (a) to (f); 609.343, subdivision
 70.31 1, clauses (a) to (f); 609.344, subdivision 1, clauses (a) to (e), and (h) to (j); 609.345,
 70.32 subdivision 1, clauses (a) to (e), and (h) to (j); 609.352; 609.42; 609.425; 609.466;
 70.33 609.485; 609.487; 609.52; 609.525; 609.527; 609.528; 609.53; 609.54; 609.551; 609.561;
 70.34 609.562; 609.563; 609.582; 609.59; 609.595; 609.611; 609.631; 609.66, subdivision 1e;
 70.35 609.671, subdivisions 3, 4, 5, 8, and 12; 609.687; 609.821; 609.825; 609.86; 609.88;

71.1 609.89; 609.893; 609.895; 617.246; 617.247; or a gross misdemeanor or felony violation
71.2 of section 609.891 or 624.7181; or any violation of section 609.324.

71.3 (g) "Controlled substance" has the meaning given in section 152.01, subdivision 4.

71.4 (h) "Prosecuting authority" means the attorney who is responsible for prosecuting an
71.5 offense that is the basis for a forfeiture under sections 609.531 to 609.5318.

71.6 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to crimes
71.7 committed on or after that date.

71.8 Sec. 25. **[609.5634] REAL OR PERSONAL PROPERTY ARSON RESULTING**
71.9 **IN BODILY HARM.**

71.10 Subdivision 1. **Penalty; felony.** Whoever, by means of fire or explosives,
71.11 intentionally sets fire to or burns any real or personal property and the fire or explosion
71.12 proximately causes bodily harm to any person, including a public safety officer performing
71.13 official duties, shall be sentenced as follows:

71.14 (1) if the injury results in great bodily harm, the person shall be sentenced to
71.15 imprisonment for not more than 20 years or to payment of a fine of not more than \$20,000,
71.16 or both;

71.17 (2) if the injury results in substantial bodily harm, the person shall be sentenced
71.18 to imprisonment for not more than ten years or to payment of a fine of not more than
71.19 \$15,000, or both; and

71.20 (3) if the injury results in demonstrable bodily harm, the person shall be sentenced
71.21 to imprisonment for not more than five years or to payment of a fine of not more than
71.22 \$10,000, or both.

71.23 Subd. 2. **Definitions.** (a) As used in this section, "personal property" does not
71.24 include items where fire is involved in its normally intended use or repair, such as the wick
71.25 of a candle, solder or flux in the act of welding, or logs in a campfire.

71.26 (b) As used in this section, "public safety officer" has the meaning given in section
71.27 299A.41, subdivision 4.

71.28 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to crimes
71.29 committed on or after that date.

71.30 Sec. 26. Minnesota Statutes 2014, section 609.564, is amended to read:

71.31 **609.564 EXCLUDED FIRES.**

72.1 A person does not violate section 609.561, 609.562, 609.563, 609.5634, or 609.5641
72.2 if the person sets a fire pursuant to a validly issued license or permit or with written
72.3 permission from the fire department of the jurisdiction where the fire occurs.

72.4 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to crimes
72.5 committed on or after that date.

72.6 Sec. 27. Minnesota Statutes 2014, section 609.5641, subdivision 1a, is amended to read:

72.7 Subd. 1a. **Penalty; felonies.** (a) Except as provided in paragraphs (b), (c), and (d), a
72.8 person who violates subdivision 1 may be sentenced to imprisonment for not more than
72.9 five years or to payment of a fine of not more than \$10,000, or both.

72.10 (b) A person who violates subdivision 1 where the fire threatens to damage or
72.11 damages in excess of five buildings or dwellings, burns 500 acres or more, or damages
72.12 crops in excess of \$100,000, may be sentenced to imprisonment for not more than ten
72.13 years or to payment of a fine of not more than \$15,000, or both.

72.14 (c) A person who violates subdivision 1 where the fire threatens to damage or
72.15 damages in excess of 100 buildings or dwellings, burns 1,500 acres or more, or damages
72.16 crops in excess of \$250,000, may be sentenced to imprisonment for not more than 20 years
72.17 or to payment of a fine of not more than \$25,000, or both.

72.18 (d) A person who violates subdivision 1 where the fire causes another person to
72.19 suffer ~~demonstrable~~ bodily harm may be sentenced to imprisonment for not more than
72.20 ~~ten years or to payment of a fine of \$15,000, or both~~ as provided in section 609.5634,
72.21 subdivision 1, clauses (1) to (3).

72.22 (e) For purposes of this section, a building or dwelling is threatened when there is a
72.23 probability of damage to the building or dwelling requiring evacuation for safety of life.

72.24 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to crimes
72.25 committed on or after that date.

72.26 Sec. 28. **[609.688] ADULTERATION BY BODILY FLUID.**

72.27 Subdivision 1. Definition. (a) As used in this section, the following terms have
72.28 the meanings given.

72.29 (b) "Adulterates" is the intentional adding of a bodily fluid to a substance.

72.30 (c) "Bodily fluid" means the blood, seminal fluid, vaginal fluid, urine, or feces of
72.31 a human.

73.1 Subd. 2. **Crime.** (a) Whoever adds saliva to any substance that the person knows or
73.2 should know is intended for human consumption and another person ingests the substance
73.3 without knowledge of the saliva being added is guilty of a misdemeanor.

73.4 (b) Whoever adulterates any substance that the person knows or should know is
73.5 intended for human consumption is guilty of a misdemeanor.

73.6 (c) Whoever violates paragraph (b) and another person ingests the adulterated
73.7 substance without knowledge of the adulteration is guilty of a gross misdemeanor.

73.8 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to crimes
73.9 committed on or after that date.

73.10 Sec. 29. Minnesota Statutes 2014, section 609.746, is amended by adding a subdivision
73.11 to read:

73.12 Subd. 1a. **Nonconsensual photographs and videos.** (a) A person who knowingly
73.13 takes a photograph, records a digital image, makes a video record, or transmits live video
73.14 of another person, without that person's consent, in a restroom, locker room, or changing
73.15 room is guilty of a crime and may be sentenced as provided in paragraphs (c), (d), and (e).

73.16 (b) A person who knowingly disseminates, or permits to be disseminated, a
73.17 photograph, digital image, video record, or live video that the person knows to have been
73.18 made or transmitted in violation of paragraph (a) or subdivision 1 is guilty of a crime and
73.19 may be sentenced as provided in paragraphs (f), (g), and (h).

73.20 (c) Except as provided in paragraphs (d) and (e), a person who violates paragraph (a)
73.21 is guilty of a gross misdemeanor.

73.22 (d) A person who violates paragraph (a) and the victim is a minor under the age of
73.23 18 is guilty of a felony and may be sentenced to imprisonment for not more than 36
73.24 months or to payment of a fine of not more than \$10,000, or both.

73.25 (e) A person who violates paragraph (a) and who is required to register as a predatory
73.26 offender under the laws of this state or another jurisdiction is guilty of a felony and may
73.27 be sentenced to imprisonment for not more than 36 months or to payment of a fine of
73.28 not more than \$10,000, or both.

73.29 (f) Except as provided in paragraphs (g) and (h), a person who violates paragraph (b)
73.30 is guilty of a felony and may be sentenced to imprisonment for not more than 36 months
73.31 or to payment of a fine of not more than \$10,000, or both.

73.32 (g) A person who violates paragraph (b) and the victim is a minor under the age of
73.33 18 is guilty of a felony and may be sentenced to imprisonment for not more than 60
73.34 months or to payment of a fine of not more than \$20,000, or both.

74.1 (h) A person who violates paragraph (b) and who is required to register as a
 74.2 predatory offender under the laws of this state or another jurisdiction is guilty of a felony
 74.3 and may be sentenced to imprisonment for not more than 60 months or to payment of
 74.4 a fine of not more than \$20,000, or both.

74.5 (i) This subdivision does not apply to:

74.6 (1) law enforcement officers or corrections investigators, or to those acting under
 74.7 their direction, while engaged in the performance of their lawful duties; or

74.8 (2) the owner of a commercial establishment and the owner's employees if the owner
 74.9 has posted conspicuous signs warning that the premises are under surveillance by the
 74.10 owner or the owner's employees and the recording and dissemination of a photograph,
 74.11 digital image, video record, or live video are necessary to protect the safety of employees
 74.12 or customers or to secure the establishment's property, including merchandise.

74.13 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to crimes
 74.14 committed on or after that date.

74.15 Sec. 30. Minnesota Statutes 2014, section 609.765, is amended to read:

74.16 **609.765 CRIMINAL DEFAMATION.**

74.17 Subdivision 1. **Definition.** Defamatory matter is anything which exposes a person
 74.18 or a group, class or association to hatred, contempt, ridicule, degradation or disgrace in
 74.19 society, or injury to business or occupation.

74.20 Subd. 2. **Acts constituting.** Whoever with knowledge of its false and defamatory
 74.21 character orally, in writing or by any other means, communicates any false and defamatory
 74.22 matter to a third person without the consent of the person defamed is guilty of criminal
 74.23 defamation and may be sentenced to imprisonment for not more than one year or to
 74.24 payment of a fine of not more than \$3,000, or both.

74.25 Subd. 3. **Justification.** Violation of subdivision 2 is justified if:

74.26 ~~(1) the defamatory matter is true and is communicated with good motives and for~~
 74.27 ~~justifiable ends; or~~

74.28 ~~(2) (1) the communication is absolutely privileged; or~~

74.29 ~~(3) (2) the communication consists of fair comment made in good faith with respect~~
 74.30 ~~to persons participating in matters of public concern; or~~

74.31 ~~(4) (3) the communication consists of a fair and true report or a fair summary of any~~
 74.32 ~~judicial, legislative or other public or official proceedings; or~~

75.1 ~~(5)~~ (4) the communication is between persons each having an interest or duty with
75.2 respect to the subject matter of the communication and is made with intent to further
75.3 such interest or duty.

75.4 Subd. 4. **Testimony required.** No person shall be convicted on the basis of an oral
75.5 communication of defamatory matter except upon the testimony of at least two other
75.6 persons that they heard and understood the oral statement as defamatory or upon a plea
75.7 of guilty.

75.8 Sec. 31. Minnesota Statutes 2014, section 611A.26, subdivision 1, is amended to read:

75.9 Subdivision 1. **Polygraph prohibition.** No law enforcement agency or prosecutor
75.10 shall require that a complainant of a criminal sexual conduct or sex trafficking offense
75.11 submit to a polygraph examination as part of or a condition to proceeding with the
75.12 investigation, charging, or prosecution of such offense.

75.13 Sec. 32. Minnesota Statutes 2014, section 611A.26, subdivision 6, is amended to read:

75.14 Subd. 6. **Definitions.** For the purposes of this section, the following terms have
75.15 the meanings given.

75.16 (a) "Criminal sexual conduct" means a violation of section 609.342, 609.343,
75.17 609.344, 609.345, or 609.3451.

75.18 (b) "Sex trafficking" means a violation of section 609.322.

75.19 (c) "Complainant" means a person reporting to have been subjected to criminal
75.20 sexual conduct or sex trafficking.

75.21 ~~(e)~~ (d) "Polygraph examination" means any mechanical or electrical instrument or
75.22 device of any type used or allegedly used to examine, test, or question individuals for
75.23 the purpose of determining truthfulness.

75.24 Sec. 33. Minnesota Statutes 2014, section 617.242, subdivision 6, is amended to read:

75.25 Subd. 6. **Restrictions on ownership or management by persons convicted of**
75.26 **certain crimes.** A person who has been convicted of one of the following offenses may
75.27 not operate or manage an adult business establishment for three years after discharge of
75.28 the sentence for the offense, or a similar offense in another state or jurisdiction:

75.29 (1) prostitution or sex trafficking under section 609.321; 609.322; 609.324; or
75.30 609.3242;

75.31 (2) criminal sexual conduct under sections 609.342 to 609.3451;

75.32 (3) solicitation of children under section 609.352;

75.33 (4) indecent exposure under section 617.23;

- 76.1 (5) distribution or exhibition of obscene materials and performances under section
76.2 617.241;
76.3 (6) use of a minor in a sexual performance under section 617.246; or
76.4 (7) possession of pornographic work involving minors under section 617.247.

76.5 Sec. 34. Minnesota Statutes 2014, section 628.26, is amended to read:

76.6 **628.26 LIMITATIONS.**

76.7 (a) Indictments or complaints for any crime resulting in the death of the victim may
76.8 be found or made at any time after the death of the person killed.

76.9 (b) Indictments or complaints for a violation of section 609.25 may be found or
76.10 made at any time after the commission of the offense.

76.11 (c) Indictments or complaints for violation of section 609.282 may be found or made
76.12 at any time after the commission of the offense if the victim was under the age of 18 at
76.13 the time of the offense.

76.14 (d) Indictments or complaints for violation of section 609.282 where the victim
76.15 was 18 years of age or older at the time of the offense, or 609.42, subdivision 1, clause
76.16 (1) or (2), shall be found or made and filed in the proper court within six years after
76.17 the commission of the offense.

76.18 (e) Indictments or complaints for violation of sections 609.322 and 609.342 to
76.19 609.345₂ if the victim was under the age of 18 years at the time the offense was committed,
76.20 shall be found or made and filed in the proper court within the later of nine years after
76.21 the commission of the offense or three years after the offense was reported to law
76.22 enforcement authorities.

76.23 (f) Notwithstanding the limitations in paragraph (e), indictments or complaints for
76.24 violation of sections 609.322 and 609.342 to 609.344 may be found or made and filed
76.25 in the proper court at any time after commission of the offense, if physical evidence is
76.26 collected and preserved that is capable of being tested for its DNA characteristics. If
76.27 this evidence is not collected and preserved and the victim was 18 years old or older
76.28 at the time of the offense, the prosecution must be commenced within nine years after
76.29 the commission of the offense.

76.30 (g) Indictments or complaints for violation of sections 609.466 and 609.52,
76.31 subdivision 2, clause (3), item (iii), shall be found or made and filed in the proper court
76.32 within six years after the commission of the offense.

76.33 (h) Indictments or complaints for violation of section 609.2335, 609.52, subdivision
76.34 2, clause (3), items (i) and (ii), (4), (15), or (16), 609.631, or 609.821, where the value of

77.1 the property or services stolen is more than \$35,000, shall be found or made and filed in
77.2 the proper court within five years after the commission of the offense.

77.3 (i) Except for violations relating to false material statements, representations or
77.4 omissions, indictments or complaints for violations of section 609.671 shall be found or
77.5 made and filed in the proper court within five years after the commission of the offense.

77.6 (j) Indictments or complaints for violation of sections 609.561 to 609.563, shall
77.7 be found or made and filed in the proper court within five years after the commission
77.8 of the offense.

77.9 (k) In all other cases, indictments or complaints shall be found or made and filed in
77.10 the proper court within three years after the commission of the offense.

77.11 (l) The limitations periods contained in this section shall exclude any period of time
77.12 during which the defendant was not an inhabitant of or usually resident within this state.

77.13 (m) The limitations periods contained in this section for an offense shall not include
77.14 any period during which the alleged offender participated under a written agreement in a
77.15 pretrial diversion program relating to that offense.

77.16 (n) The limitations periods contained in this section shall not include any period
77.17 of time during which physical evidence relating to the offense was undergoing DNA
77.18 analysis, as defined in section 299C.155, unless the defendant demonstrates that the
77.19 prosecuting or law enforcement agency purposefully delayed the DNA analysis process in
77.20 order to gain an unfair advantage.

77.21 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to crimes
77.22 committed on or after that date and to crimes committed before that date if the limitations
77.23 period for the crime did not expire before August 1, 2015.

77.24 Sec. 35. **JACQUELYN DEVNEY AND THOMAS CONSIDINE ROADWAY**
77.25 **SAFETY ACT.**

77.26 Sections 2 and 3 may be cited as the Jacquelyn Devney and Thomas Considine
77.27 Roadway Safety Act.

77.28 Sec. 36. **REVISOR'S INSTRUCTION.**

77.29 The revisor of statutes shall make cross-reference changes in Minnesota Statutes
77.30 consistent with re-coding changes made in sections 14 and 15.

ARTICLE 7

DISASTER ASSISTANCE

Section 1. Minnesota Statutes 2014, section 12.221, subdivision 6, is amended to read:

Subd. 6. **Disaster assistance contingency account; appropriation.** (a) A disaster assistance contingency account is created in the special revenue fund in the state treasury. Money in the disaster assistance contingency account is appropriated to the commissioner of public safety to provide:

- (1) cost-share for federal assistance under section 12A.15, subdivision 1; and
- (2) state public disaster assistance to eligible applicants under chapter 12B;
- (3) cost-share for federal assistance from the Federal Highway Administration emergency relief program under United States Code, title 23, section 125; and
- (4) cost-share for federal assistance from the United States Department of Agriculture, Natural Resources Conservation Service emergency watershed protection program under United States Code, title 16, sections 2203 to 2205.

(b) For appropriations under paragraph (a), clause (1), the amount appropriated is 100 percent of any nonfederal share for state agencies and local governments. Money appropriated under paragraph (a), clause (1), may be used to pay all or a portion of the nonfederal share for publicly owned capital improvement projects.

(c) For appropriations under paragraph (a), clause (2), the amount appropriated is the amount required to pay eligible claims under chapter 12B, as certified by the commissioner of public safety.

(d) By January 15 of each year, the commissioner of management and budget shall submit a report to the chairs and ranking minority members of the house of representatives Ways and Means Committee and the senate Finance Committee detailing state disaster assistance appropriations and expenditures under this subdivision during the previous calendar year.

(e) The governor's budget proposal submitted to the legislature under section 16A.11 must include recommended appropriations to the disaster assistance contingency account. The governor's appropriation recommendations must be informed by the commissioner of public safety's estimate of the amount of money that will be necessary to:

- (1) provide 100 percent of the nonfederal share for state agencies and local governments that will receive federal financial assistance from FEMA during the next biennium; and

(2) fully pay all eligible claims under chapter 12B.

(f) Notwithstanding section 16A.28:

79.1 (1) funds appropriated or transferred to the disaster assistance contingency account
79.2 do not lapse but remain in the account until appropriated; and

79.3 (2) funds appropriated from the disaster assistance contingency account do not lapse
79.4 and are available until expended.

79.5 Sec. 2. Minnesota Statutes 2014, section 12A.15, subdivision 1, is amended to read:

79.6 Subdivision 1. **State cost-share for federal assistance.** State appropriations may be
79.7 used to pay 100 percent of the nonfederal share for state agencies ~~and~~₂ local governments,
79.8 and utility cooperatives under section 12.221. An appropriation from the bond proceeds
79.9 fund may be used as cost-share for federal disaster assistance for publicly owned capital
79.10 improvement projects.

79.11 Sec. 3. Minnesota Statutes 2014, section 12B.15, subdivision 2, is amended to read:

79.12 Subd. 2. **Applicant.** "Applicant" means a local government or state government
79.13 agency that applies for state disaster assistance under this chapter.

79.14 Sec. 4. Minnesota Statutes 2014, section 12B.15, is amended by adding a subdivision
79.15 to read:

79.16 Subd. 3a. **County.** "County" or "county government" means each county in which
79.17 a governmental unit is located in whole or in part, or a county board of commissioners
79.18 as defined in chapter 375.

79.19 Sec. 5. Minnesota Statutes 2014, section 12B.25, subdivision 1, is amended to read:

79.20 Subdivision 1. **Payment required; eligibility criteria.** The director, serving as
79.21 the governor's authorized representative, may enter into grant agreements with eligible
79.22 applicants to provide state financial assistance made available as a result of a disaster
79.23 that satisfies all of the following criteria:

79.24 (1) the state or applicable ~~local~~ county government declares a disaster or emergency
79.25 during the incident period;

79.26 (2) damages suffered and eligible costs incurred are the direct result of the disaster;

79.27 (3) federal disaster assistance is not available to the applicant because the governor
79.28 did not request a presidential declaration of major disaster, the president denied the
79.29 governor's request, or the applicant is not eligible for federal disaster assistance because
79.30 the state or county did not meet the per capita impact indicator under FEMA's Public
79.31 Assistance Program;

80.1 (4) the applicant incurred eligible damages that, on a per capita basis, equal or
 80.2 exceed 50 percent of the countywide per capita impact indicator under FEMA's Public
 80.3 Assistance Program;

80.4 (5) the applicant assumes responsibility for 25 percent of the applicant's total
 80.5 eligible costs; and

80.6 (6) the applicant satisfies all requirements in this chapter.

80.7 Sec. 6. Minnesota Statutes 2014, section 12B.40, is amended to read:

80.8 **12B.40 APPLICATION PROCESS.**

80.9 (a) The director must develop application materials and may update the materials as
 80.10 needed. Application materials must include instructions and requirements for assistance
 80.11 under this chapter.

80.12 (b) ~~An applicant~~ A county government has 30 days from the end of the incident
 80.13 period or the president's official denial of the governor's request for a declaration of a
 80.14 major disaster to ~~provide the director with written notice of intent to apply~~ request that
 80.15 the governor declare a state disaster. The director may deny ~~an application due to a late~~
 80.16 ~~notice of intent to apply~~ a late request. The county government's request for a state
 80.17 disaster declaration must include:

80.18 (1) the cause, location of damage, and incident period;

80.19 (2) documentation of a local, tribal, county, or state disaster or emergency
 80.20 declaration in response to the disaster;

80.21 (3) a description of damages, an initial damage assessment, and the amount of
 80.22 eligible costs incurred by the applicant;

80.23 (4) a statement or evidence that the applicant has the ability to pay for at least 25
 80.24 percent of total eligible costs incurred from the disaster; and

80.25 (5) a statement or evidence that the local government has incurred damages equal to
 80.26 or exceeding 50 percent of the federal countywide threshold in effect during the incident
 80.27 period.

80.28 (c) ~~Within~~ An applicant has 60 days after the end of the incident period or the
 80.29 ~~president's official denial of~~ from the governor's request for a declaration of a major state
 80.30 disaster, the applicant must to submit a complete application for state public disaster
 80.31 assistance to the director. ~~A complete application includes the following:~~

80.32 (1) ~~the cause, location of damage, and incident period;~~

80.33 (2) ~~documentation of a local, tribal, county, or state disaster or emergency~~
 80.34 ~~declaration in response to the disaster;~~

81.1 ~~(3) a description of damages, an initial damage assessment, and the amount of~~
81.2 ~~eligible costs incurred by the applicant;~~

81.3 ~~(4) a statement or evidence that the applicant has the ability to pay for at least 25~~
81.4 ~~percent of total eligible costs incurred from the disaster; and~~

81.5 ~~(5) a statement or evidence that the local government has incurred damages equal to~~
81.6 ~~or exceeding 50 percent of the federal countywide threshold in effect during the incident~~
81.7 ~~period.~~

81.8 (d) The director must review the application and supporting documentation for
81.9 completeness and may return the application with a request for more detailed information.
81.10 The director may consult with local public officials to ensure the application reflects the
81.11 extent and magnitude of the damage and to reconcile any differences. The application is
81.12 not complete until the director receives all requested information.

81.13 (e) If the director returns an application with a request for more detailed information
81.14 or for correction of deficiencies, the applicant must submit all required information within
81.15 30 days of the applicant's receipt of the director's request. The applicant's failure to
81.16 provide the requested information in a timely manner without a reasonable explanation
81.17 may be cause for denial of the application.

81.18 (f) The director has no more than 60 days from the receipt of a complete application
81.19 to approve or deny the application, or the application is deemed approved. If the director
81.20 denies an application, the director must send a denial letter. If the director approves an
81.21 application or the application is automatically deemed approved after 60 days, the director
81.22 must notify the applicant of the steps necessary to obtain reimbursement of eligible
81.23 costs, including submission of invoices or other documentation substantiating the costs
81.24 submitted for reimbursement.

81.25 **ARTICLE 8**

81.26 **CONTROLLED SUBSTANCES**

81.27 Section 1. Minnesota Statutes 2014, section 152.02, subdivision 2, is amended to read:

81.28 Subd. 2. **Schedule I.** (a) Schedule I consists of the substances listed in this
81.29 subdivision.

81.30 (b) Opiates. Unless specifically excepted or unless listed in another schedule, any of
81.31 the following substances, including their analogs, isomers, esters, ethers, salts, and salts
81.32 of isomers, esters, and ethers, whenever the existence of the analogs, isomers, esters,
81.33 ethers, and salts is possible:

81.34 (1) acetylmethadol;

81.35 (2) allylprodine;

- 82.1 (3) alphacetylmethadol (except levo-alphacetylmethadol, also known as
82.2 levomethadyl acetate);
- 82.3 (4) alphameprodine;
- 82.4 (5) alphamethadol;
- 82.5 (6) alpha-methylfentanyl benzethidine;
- 82.6 (7) betacetylmethadol;
- 82.7 (8) betameprodine;
- 82.8 (9) betamethadol;
- 82.9 (10) betaprodine;
- 82.10 (11) clonitazene;
- 82.11 (12) dextromoramide;
- 82.12 (13) diampromide;
- 82.13 (14) diethylambutene;
- 82.14 (15) difenoxin;
- 82.15 (16) dimenoxadol;
- 82.16 (17) dimepheptanol;
- 82.17 (18) dimethylambutene;
- 82.18 (19) dioxaphetyl butyrate;
- 82.19 (20) dipipanone;
- 82.20 (21) ethylmethylthiambutene;
- 82.21 (22) etonitazene;
- 82.22 (23) etoxeridine;
- 82.23 (24) furethidine;
- 82.24 (25) hydroxypethidine;
- 82.25 (26) ketobemidone;
- 82.26 (27) levomoramide;
- 82.27 (28) levophenacilmorphan;
- 82.28 (29) 3-methylfentanyl;
- 82.29 (30) acetyl-alpha-methylfentanyl;
- 82.30 (31) alpha-methylthiofentanyl;
- 82.31 (32) benzylfentanyl beta-hydroxyfentanyl;
- 82.32 (33) beta-hydroxy-3-methylfentanyl;
- 82.33 (34) 3-methylthiofentanyl;
- 82.34 (35) thenylfentanyl;
- 82.35 (36) thiofentanyl;
- 82.36 (37) para-fluorofentanyl;

- 83.1 (38) morpheridine;
- 83.2 (39) 1-methyl-4-phenyl-4-propionoxypiperidine;
- 83.3 (40) noracymethadol;
- 83.4 (41) norlevorphanol;
- 83.5 (42) normethadone;
- 83.6 (43) norpipanone;
- 83.7 (44) 1-(2-phenylethyl)-4-phenyl-4-acetoxypiperidine (PEPAP);
- 83.8 (45) phenadoxone;
- 83.9 (46) phenampromide;
- 83.10 (47) phenomorphan;
- 83.11 (48) phenoperidine;
- 83.12 (49) piritramide;
- 83.13 (50) proheptazine;
- 83.14 (51) properidine;
- 83.15 (52) propiram;
- 83.16 (53) racemoramide;
- 83.17 (54) tilidine;
- 83.18 (55) trimeperidine;
- 83.19 (56) N-(1-Phenethylpiperidin-4-yl)-N-phenylacetamide (acetyl fentanyl).
- 83.20 (c) Opium derivatives. Any of the following substances, their analogs, salts, isomers,
- 83.21 and salts of isomers, unless specifically excepted or unless listed in another schedule,
- 83.22 whenever the existence of the analogs, salts, isomers, and salts of isomers is possible:
- 83.23 (1) acetorphine;
- 83.24 (2) acetyldihydrocodeine;
- 83.25 (3) benzylmorphine;
- 83.26 (4) codeine methylbromide;
- 83.27 (5) codeine-n-oxide;
- 83.28 (6) cyprenorphine;
- 83.29 (7) desomorphine;
- 83.30 (8) dihydromorphine;
- 83.31 (9) drotebanol;
- 83.32 (10) etorphine;
- 83.33 (11) heroin;
- 83.34 (12) hydromorphanol;
- 83.35 (13) methyl-desorphine;
- 83.36 (14) methyldihydromorphine;

- 84.1 (15) morphine methylbromide;
- 84.2 (16) morphine methylsulfonate;
- 84.3 (17) morphine-n-oxide;
- 84.4 (18) myrophine;
- 84.5 (19) nicocodeine;
- 84.6 (20) nicomorphine;
- 84.7 (21) normorphine;
- 84.8 (22) pholcodine;
- 84.9 (23) thebacon.
- 84.10 (d) Hallucinogens. Any material, compound, mixture or preparation which contains
- 84.11 any quantity of the following substances, their analogs, salts, isomers (whether optical,
- 84.12 positional, or geometric), and salts of isomers, unless specifically excepted or unless listed
- 84.13 in another schedule, whenever the existence of the analogs, salts, isomers, and salts of
- 84.14 isomers is possible:
- 84.15 (1) methylenedioxy amphetamine;
- 84.16 (2) methylenedioxymethamphetamine;
- 84.17 (3) methylenedioxy-N-ethylamphetamine (MDEA);
- 84.18 (4) n-hydroxy-methylenedioxyamphetamine;
- 84.19 (5) 4-bromo-2,5-dimethoxyamphetamine (DOB);
- 84.20 (6) 2,5-dimethoxyamphetamine (2,5-DMA);
- 84.21 (7) 4-methoxyamphetamine;
- 84.22 (8) 5-methoxy-3, 4-methylenedioxyamphetamine;
- 84.23 (9) alpha-ethyltryptamine;
- 84.24 (10) bufotenine;
- 84.25 (11) diethyltryptamine;
- 84.26 (12) dimethyltryptamine;
- 84.27 (13) 3,4,5-trimethoxyamphetamine;
- 84.28 (14) 4-methyl-2, 5-dimethoxyamphetamine (DOM);
- 84.29 (15) ibogaine;
- 84.30 (16) lysergic acid diethylamide (LSD);
- 84.31 (17) mescaline;
- 84.32 (18) parahexyl;
- 84.33 (19) N-ethyl-3-piperidyl benzilate;
- 84.34 (20) N-methyl-3-piperidyl benzilate;
- 84.35 (21) psilocybin;
- 84.36 (22) psilocyn;

- 85.1 (23) tenocyclidine (TPCP or TCP);
- 85.2 (24) N-ethyl-1-phenyl-cyclohexylamine (PCE);
- 85.3 (25) 1-(1-phenylcyclohexyl) pyrrolidine (PCPy);
- 85.4 (26) 1-[1-(2-thienyl)cyclohexyl]-pyrrolidine (TCPy);
- 85.5 (27) 4-chloro-2,5-dimethoxyamphetamine (DOC);
- 85.6 (28) 4-ethyl-2,5-dimethoxyamphetamine (DOET);
- 85.7 (29) 4-iodo-2,5-dimethoxyamphetamine (DOI);
- 85.8 (30) 4-bromo-2,5-dimethoxyphenethylamine (2C-B);
- 85.9 (31) 4-chloro-2,5-dimethoxyphenethylamine (2C-C);
- 85.10 (32) 4-methyl-2,5-dimethoxyphenethylamine (2C-D);
- 85.11 (33) 4-ethyl-2,5-dimethoxyphenethylamine (2C-E);
- 85.12 (34) 4-iodo-2,5-dimethoxyphenethylamine (2C-I);
- 85.13 (35) 4-propyl-2,5-dimethoxyphenethylamine (2C-P);
- 85.14 (36) 4-isopropylthio-2,5-dimethoxyphenethylamine (2C-T-4);
- 85.15 (37) 4-propylthio-2,5-dimethoxyphenethylamine (2C-T-7);
- 85.16 (38) 2-(8-bromo-2,3,6,7-tetrahydrofuro [2,3-f][1]benzofuran-4-yl)ethanamine
85.17 (2-CB-FLY);
- 85.18 (39) bromo-benzodifuranyl-isopropylamine (Bromo-DragonFLY);
- 85.19 (40) alpha-methyltryptamine (AMT);
- 85.20 (41) N,N-diisopropyltryptamine (DiPT);
- 85.21 (42) 4-acetoxy-N,N-dimethyltryptamine (4-AcO-DMT);
- 85.22 (43) 4-acetoxy-N,N-diethyltryptamine (4-AcO-DET);
- 85.23 (44) 4-hydroxy-N-methyl-N-propyltryptamine (4-HO-MPT);
- 85.24 (45) 4-hydroxy-N,N-dipropyltryptamine (4-HO-DPT);
- 85.25 (46) 4-hydroxy-N,N-diallyltryptamine (4-HO-DALT);
- 85.26 (47) 4-hydroxy-N,N-diisopropyltryptamine (4-HO-DiPT);
- 85.27 (48) 5-methoxy-N,N-diisopropyltryptamine (5-MeO-DiPT);
- 85.28 (49) 5-methoxy- α -methyltryptamine (5-MeO-AMT);
- 85.29 (50) 5-methoxy-N,N-dimethyltryptamine (5-MeO-DMT);
- 85.30 (51) 5-methylthio-N,N-dimethyltryptamine (5-MeS-DMT);
- 85.31 (52) 5-methoxy-N-methyl-N-propyltryptamine (5-MeO-MiPT);
- 85.32 (53) 5-methoxy- α -ethyltryptamine (5-MeO-AET);
- 85.33 (54) 5-methoxy-N,N-dipropyltryptamine (5-MeO-DPT);
- 85.34 (55) 5-methoxy-N,N-diethyltryptamine (5-MeO-DET);
- 85.35 (56) 5-methoxy-N,N-diallyltryptamine (5-MeO-DALT);
- 85.36 (57) methoxetamine (MXE);

- 86.1 (58) 5-iodo-2-aminoindane (5-IAI);
- 86.2 (59) 5,6-methylenedioxy-2-aminoindane (MDAI);
- 86.3 ~~(60) 2-(4-iodo-2,5-dimethoxyphenyl)-N-[(2-methoxyphenyl)methyl]ethanamine~~
- 86.4 (60) 2-(4-bromo-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine
- 86.5 (25B-NBOMe);
- 86.6 (61) 2-(4-chloro-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine
- 86.7 (25C-NBOMe);
- 86.8 (62) 2-(4-iodo-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine
- 86.9 (25I-NBOMe);
- 86.10 (63) 2-(2,5-Dimethoxyphenyl)ethanamine (2C-H);
- 86.11 (64) 2-(4-Ethylthio-2,5-dimethoxyphenyl)ethanamine (2C-T-2);

86.12 (e) Peyote. All parts of the plant presently classified botanically as *Lophophora*

86.13 *williamsii* Lemaire, whether growing or not, the seeds thereof, any extract from any part

86.14 of the plant, and every compound, manufacture, salts, derivative, mixture, or preparation

86.15 of the plant, its seeds or extracts. The listing of peyote as a controlled substance in

86.16 Schedule I does not apply to the nondrug use of peyote in bona fide religious ceremonies

86.17 of the American Indian Church, and members of the American Indian Church are exempt

86.18 from registration. Any person who manufactures peyote for or distributes peyote to the

86.19 American Indian Church, however, is required to obtain federal registration annually and

86.20 to comply with all other requirements of law.

86.21 (f) Central nervous system depressants. Unless specifically excepted or unless listed

86.22 in another schedule, any material compound, mixture, or preparation which contains any

86.23 quantity of the following substances, their analogs, salts, isomers, and salts of isomers

86.24 whenever the existence of the analogs, salts, isomers, and salts of isomers is possible:

- 86.25 (1) mecloqualone;
- 86.26 (2) methaqualone;
- 86.27 (3) gamma-hydroxybutyric acid (GHB), including its esters and ethers;
- 86.28 (4) flunitrazepam.

86.29 (g) Stimulants. Unless specifically excepted or unless listed in another schedule, any

86.30 material compound, mixture, or preparation which contains any quantity of the following

86.31 substances, their analogs, salts, isomers, and salts of isomers whenever the existence of

86.32 the analogs, salts, isomers, and salts of isomers is possible:

- 86.33 (1) aminorex;
- 86.34 (2) cathinone;
- 86.35 (3) fenethylamine;
- 86.36 (4) methcathinone;

- 87.1 (5) methylaminorex;
- 87.2 (6) N,N-dimethylamphetamine;
- 87.3 (7) N-benzylpiperazine (BZP);
- 87.4 (8) methylmethcathinone (mephedrone);
- 87.5 (9) 3,4-methylenedioxy-N-methylcathinone (methydone);
- 87.6 (10) methoxymethcathinone (methedrone);
- 87.7 (11) methylenedioxypropylone (MDPV);
- 87.8 (12) ~~fluoromethcathinone~~ 3-fluoro-N-methylcathinone (3-FMC);
- 87.9 (13) methylethcathinone (MEC);
- 87.10 (14) 1-benzofuran-6-ylpropan-2-amine (6-APB);
- 87.11 (15) dimethylmethcathinone (DMMC);
- 87.12 (16) fluoroamphetamine;
- 87.13 (17) fluoromethamphetamine;
- 87.14 (18) α -methylaminobutyrophenone (MABP or buphedrone);
- 87.15 (19) ~~β -keto-N-methylbenzodioxolylpropylamine (bk-MBDB or butylone)~~
- 87.16 1-(1,3-benzodioxol-5-yl)-2-(methylamino)butan-1-one (butylone);
- 87.17 (20) 2-(methylamino)-1-(4-methylphenyl)butan-1-one (4-MEMABP or BZ-6378);
- 87.18 (21) ~~naphthylpyrovalerone (naphyrone)~~ 1-(naphthalen-2-yl)-2-(pyrrolidin-1-yl)
- 87.19 pentan-1-one (naphthylpyrovalerone or naphyrone);
- 87.20 (22) ~~(RS)-1-phenyl-2-(1-pyrrolidinyl)-1-pentanone (alpha-PVP or~~
- 87.21 ~~alpha-pyrrolidinovalerophenone (alpha-pyrrolidinopentiophenone (alpha-PVP)~~;
- 87.22 (23) (RS)-1-(4-methylphenyl)-2-(1-pyrrolidinyl)-1-hexanone (4-Me-PHP or
- 87.23 MPHP); and
- 87.24 (24) 2-(1-pyrrolidinyl)-hexanophenone (Alpha-PHP);
- 87.25 (25) 4-methyl-N-ethylcathinone (4-MEC);
- 87.26 (26) 4-methyl-alpha-pyrrolidinopropiophenone (4-MePPP);
- 87.27 (27) 2-(methylamino)-1-phenylpentan-1-one (pentedrone);
- 87.28 (28) 1-(1,3-benzodioxol-5-yl)-2-(methylamino)pentan-1-one (pentydone);
- 87.29 (29) 4-fluoro-N-methylcathinone (4-FMC);
- 87.30 (30) 3,4-methylenedioxy-N-ethylcathinone (ethylone);
- 87.31 (31) alpha-pyrrolidinobutiophenone (α -PBP);
- 87.32 (32) 5-(2-Aminopropyl)-2,3-dihydrobenzofuran (5-APDB);
- 87.33 (33) 6-(2-Aminopropyl)-2,3-dihydrobenzofuran (6-APDB); and
- 87.34 ~~(24)~~ (34) any other substance, except bupropion or compounds listed under a
- 87.35 different schedule, that is structurally derived from 2-aminopropan-1-one by substitution

88.1 at the 1-position with either phenyl, naphthyl, or thiophene ring systems, whether or not
88.2 the compound is further modified in any of the following ways:

88.3 (i) by substitution in the ring system to any extent with alkyl, alkylendioxy, alkoxy,
88.4 haloalkyl, hydroxyl, or halide substituents, whether or not further substituted in the ring
88.5 system by one or more other univalent substituents;

88.6 (ii) by substitution at the 3-position with an acyclic alkyl substituent;

88.7 (iii) by substitution at the 2-amino nitrogen atom with alkyl, dialkyl, benzyl, or
88.8 methoxybenzyl groups; or

88.9 (iv) by inclusion of the 2-amino nitrogen atom in a cyclic structure.

88.10 (h) Marijuana, tetrahydrocannabinols, and synthetic cannabinoids. Unless
88.11 specifically excepted or unless listed in another schedule, any natural or synthetic material,
88.12 compound, mixture, or preparation that contains any quantity of the following substances,
88.13 their analogs, isomers, esters, ethers, salts, and salts of isomers, esters, and ethers,
88.14 whenever the existence of the isomers, esters, ethers, or salts is possible:

88.15 (1) marijuana;

88.16 (2) tetrahydrocannabinols naturally contained in a plant of the genus *Cannabis*,
88.17 synthetic equivalents of the substances contained in the cannabis plant or in the
88.18 resinous extractives of the plant, or synthetic substances with similar chemical structure
88.19 and pharmacological activity to those substances contained in the plant or resinous
88.20 extract, including, but not limited to, 1 cis or trans tetrahydrocannabinol, 6 cis or trans
88.21 tetrahydrocannabinol, and 3,4 cis or trans tetrahydrocannabinol;

88.22 (3) synthetic cannabinoids, including the following substances:

88.23 (i) Naphthoylindoles, which are any compounds containing a 3-(1-naphthoyl)indole
88.24 structure with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl,
88.25 alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidiny)methyl or
88.26 2-(4-morpholinyl)ethyl group, whether or not further substituted in the indole ring to any
88.27 extent and whether or not substituted in the naphthyl ring to any extent. Examples of
88.28 naphthoylindoles include, but are not limited to:

88.29 (A) 1-Pentyl-3-(1-naphthoyl)indole (JWH-018 and AM-678);

88.30 (B) 1-Butyl-3-(1-naphthoyl)indole (JWH-073);

88.31 (C) 1-Pentyl-3-(4-methoxy-1-naphthoyl)indole (JWH-081);

88.32 (D) 1-[2-(4-morpholinyl)ethyl]-3-(1-naphthoyl)indole (JWH-200);

88.33 (E) 1-Propyl-2-methyl-3-(1-naphthoyl)indole (JWH-015);

88.34 (F) 1-Hexyl-3-(1-naphthoyl)indole (JWH-019);

88.35 (G) 1-Pentyl-3-(4-methyl-1-naphthoyl)indole (JWH-122);

88.36 (H) 1-Pentyl-3-(4-ethyl-1-naphthoyl)indole (JWH-210);

- 89.1 (I) 1-Pentyl-3-(4-chloro-1-naphthoyl)indole (JWH-398);
- 89.2 (J) 1-(5-fluoropentyl)-3-(1-naphthoyl)indole (AM-2201).
- 89.3 (ii) Naphthylmethyloindoles, which are any compounds containing a
- 89.4 1H-indol-3-yl-(1-naphthyl)methane structure with substitution at the nitrogen atom
- 89.5 of the indole ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,
- 89.6 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or not further
- 89.7 substituted in the indole ring to any extent and whether or not substituted in the naphthyl
- 89.8 ring to any extent. Examples of naphthylmethyloindoles include, but are not limited to:
- 89.9 (A) 1-Pentyl-1H-indol-3-yl-(1-naphthyl)methane (JWH-175);
- 89.10 (B) 1-Pentyl-1H-indol-3-yl-(4-methyl-1-naphthyl)methane (JWH-184).
- 89.11 (iii) Naphthoylpyrroles, which are any compounds containing a
- 89.12 3-(1-naphthoyl)pyrrole structure with substitution at the nitrogen atom of the
- 89.13 pyrrole ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,
- 89.14 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group whether or not
- 89.15 further substituted in the pyrrole ring to any extent, whether or not substituted in the
- 89.16 naphthyl ring to any extent. Examples of naphthoylpyrroles include, but are not limited to,
- 89.17 (5-(2-fluorophenyl)-1-pentylpyrrol-3-yl)-naphthalen-1-ylmethanone (JWH-307).
- 89.18 (iv) Naphthylmethylindenes, which are any compounds containing a
- 89.19 naphthylideneindene structure with substitution at the 3-position of the indene
- 89.20 ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,
- 89.21 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group whether or not further
- 89.22 substituted in the indene ring to any extent, whether or not substituted in the naphthyl
- 89.23 ring to any extent. Examples of naphthylmethylindenes include, but are not limited to,
- 89.24 E-1-[1-(1-naphthalenylmethylene)-1H-inden-3-yl]pentane (JWH-176).
- 89.25 (v) Phenylacetyloindoles, which are any compounds containing a 3-phenylacetyloindole
- 89.26 structure with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl,
- 89.27 alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or
- 89.28 2-(4-morpholinyl)ethyl group whether or not further substituted in the indole ring to
- 89.29 any extent, whether or not substituted in the phenyl ring to any extent. Examples of
- 89.30 phenylacetyloindoles include, but are not limited to:
- 89.31 (A) 1-(2-cyclohexylethyl)-3-(2-methoxyphenylacetyl)indole (RCS-8);
- 89.32 (B) 1-pentyl-3-(2-methoxyphenylacetyl)indole (JWH-250);
- 89.33 (C) 1-pentyl-3-(2-methylphenylacetyl)indole (JWH-251);
- 89.34 (D) 1-pentyl-3-(2-chlorophenylacetyl)indole (JWH-203).
- 89.35 (vi) Cyclohexylphenols, which are compounds containing a
- 89.36 2-(3-hydroxycyclohexyl)phenol structure with substitution at the 5-position

90.1 of the phenolic ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,
90.2 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group whether or not
90.3 substituted in the cyclohexyl ring to any extent. Examples of cyclohexylphenols include,
90.4 but are not limited to:

90.5 (A) 5-(1,1-dimethylheptyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol (CP 47,497);

90.6 (B) 5-(1,1-dimethyloctyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol

90.7 (Cannabicyclohexanol or CP 47,497 C8 homologue);

90.8 (C) 5-(1,1-dimethylheptyl)-2-[(1R,2R)-5-hydroxy-2-(3-hydroxypropyl)cyclohexyl]
90.9 -phenol (CP 55,940).

90.10 (vii) Benzoylindoles, which are any compounds containing a 3-(benzoyl)indole
90.11 structure with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl,
90.12 alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or
90.13 2-(4-morpholinyl)ethyl group whether or not further substituted in the indole ring to
90.14 any extent and whether or not substituted in the phenyl ring to any extent. Examples of
90.15 benzoylindoles include, but are not limited to:

90.16 (A) 1-Pentyl-3-(4-methoxybenzoyl)indole (RCS-4);

90.17 (B) 1-(5-fluoropentyl)-3-(2-iodobenzoyl)indole (AM-694);

90.18 (C) (4-methoxyphenyl-[2-methyl-1-(2-(4-morpholinyl)ethyl)indol-3-yl]methanone
90.19 (WIN 48,098 or Pravadoline).

90.20 (viii) Others specifically named:

90.21 (A) (6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)
90.22 -6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol (HU-210);

90.23 (B) (6aS,10aS)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)
90.24 -6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol (Dexanabinol or HU-211);

90.25 (C) 2,3-dihydro-5-methyl-3-(4-morpholinylmethyl)pyrrolo[1,2,3-de]
90.26 -1,4-benzoxazin-6-yl-1-naphthalenylmethanone (WIN 55,212-2);

90.27 (D) (1-pentylindol-3-yl)-(2,2,3,3-tetramethylcyclopropyl)methanone (UR-144);

90.28 (E) (1-(5-fluoropentyl)-1H-indol-3-yl)(2,2,3,3-tetramethylcyclopropyl)methanone
90.29 (XLR-11);

90.30 (F) 1-pentyl-N-tricyclo[3.3.1.1^{3,7}]dec-1-yl-1H-indazole-3-carboxamide
90.31 (AKB-48(APINACA));

90.32 (G) N-((3s,5s,7s)-adamantan-1-yl)-1-(5-fluoropentyl)-1H-indazole-3-carboxamide
90.33 (5-Fluoro-AKB-48);

90.34 (H) 1-pentyl-8-quinolinyl ester-1H-indole-3-carboxylic acid (PB-22);

90.35 (I) 8-quinolinyl ester-1-(5-fluoropentyl)-1H-indole-3-carboxylic acid (5-Fluoro
90.36 PB-22);

- 91.1 (J) N-[(1S)-1-(aminocarbonyl)-2-methylpropyl]-1-pentyl-1H-indazole-
91.2 3-carboxamide (AB-PINACA);
- 91.3 (K) N-[(1S)-1-(aminocarbonyl)-2-methylpropyl]-1-[(4-fluorophenyl)methyl]-
91.4 1H-indazole-3-carboxamide (AB-FUBINACA);
- 91.5 (L) N-[(1S)-1-(aminocarbonyl)-2-methylpropyl]-1-(cyclohexylmethyl)-1H-
91.6 indazole-3-carboxamide(AB-CHMINACA);
- 91.7 (M) (S)-methyl 2-(1-(5-fluoropentyl)-1H-indazole-3-carboxamido)-3-
91.8 methylbutanoate (5-fluoro-AMB);
- 91.9 (N) [1-(5-fluoropentyl)-1H-indazol-3-yl](naphthalen-1-yl) methanone (THJ-2201);
- 91.10 (O) (1-(5-fluoropentyl)-1H-benzo[d]imidazol-2-yl)(naphthalen-1-yl)methanone
91.11 (FUBIMINA);
- 91.12 (P) (7-methoxy-1-(2-morpholinoethyl)-N-((1S,2S,4R)-1,3,3-trimethylbicyclo
91.13 [2.2.1]heptan-2-yl)-1H-indole-3-carboxamide (MN-25 or UR-12);
- 91.14 (Q) (S)-N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(5-fluoropentyl)
91.15 -1H-indole-3-carboxamide (5-fluoro-ABICA);
- 91.16 (R) N-(1-amino-3-phenyl-1-oxopropan-2-yl)-1-(5-fluoropentyl)
91.17 -1H-indole-3-carboxamide;
- 91.18 (S) N-(1-amino-3-phenyl-1-oxopropan-2-yl)-1-(5-fluoropentyl)
91.19 -1H-indazole-3-carboxamide; and
- 91.20 (T) methyl 2-(1-(cyclohexylmethyl)-1H-indole-3-carboxamido)
91.21 -3,3-dimethylbutanoate.
- 91.22 (i) A controlled substance analog, to the extent that it is implicitly or explicitly
91.23 intended for human consumption.
- 91.24 Sec. 2. Minnesota Statutes 2014, section 152.02, subdivision 3, is amended to read:
- 91.25 Subd. 3. **Schedule II.** (a) Schedule II consists of the substances listed in this
91.26 subdivision.
- 91.27 (b) Unless specifically excepted or unless listed in another schedule, any of
91.28 the following substances whether produced directly or indirectly by extraction from
91.29 substances of vegetable origin or independently by means of chemical synthesis, or by a
91.30 combination of extraction and chemical synthesis:
- 91.31 (1) Opium and opiate, and any salt, compound, derivative, or preparation of opium
91.32 or opiate.
- 91.33 (i) Excluding:
- 91.34 (A) apomorphine;
- 91.35 (B) thebaine-derived butorphanol;

- 92.1 (C) dextrophan;
- 92.2 (D) nalbuphine;
- 92.3 (E) nalmefene;
- 92.4 (F) naloxegol;
- 92.5 ~~(F)~~ (G) naloxone;
- 92.6 ~~(G)~~ (H) naltrexone; and
- 92.7 ~~(H)~~ and (I) their respective salts;
- 92.8 (ii) but including the following:
- 92.9 (A) opium, in all forms and extracts;
- 92.10 (B) codeine;
- 92.11 (C) dihydroetorphine;
- 92.12 (D) ethylmorphine;
- 92.13 (E) etorphine hydrochloride;
- 92.14 (F) hydrocodone;
- 92.15 (G) hydromorphone;
- 92.16 (H) metopon;
- 92.17 (I) morphine;
- 92.18 (J) oxycodone;
- 92.19 (K) oxymorphone;
- 92.20 (L) thebaine;
- 92.21 (M) oripavine;
- 92.22 (2) any salt, compound, derivative, or preparation thereof which is chemically
- 92.23 equivalent or identical with any of the substances referred to in clause (1), except that
- 92.24 these substances shall not include the isoquinoline alkaloids of opium;
- 92.25 (3) opium poppy and poppy straw;
- 92.26 (4) coca leaves and any salt, cocaine compound, derivative, or preparation of coca
- 92.27 leaves (including cocaine and ecgonine and their salts, isomers, derivatives, and salts
- 92.28 of isomers and derivatives), and any salt, compound, derivative, or preparation thereof
- 92.29 which is chemically equivalent or identical with any of these substances, except that the
- 92.30 substances shall not include decocainized coca leaves or extraction of coca leaves, which
- 92.31 extractions do not contain cocaine or ecgonine;
- 92.32 (5) concentrate of poppy straw (the crude extract of poppy straw in either liquid,
- 92.33 solid, or powder form which contains the phenanthrene alkaloids of the opium poppy).
- 92.34 (c) Any of the following opiates, including their isomers, esters, ethers, salts, and
- 92.35 salts of isomers, esters and ethers, unless specifically excepted, or unless listed in another

93.1 schedule, whenever the existence of such isomers, esters, ethers and salts is possible
93.2 within the specific chemical designation:

- 93.3 (1) alfentanil;
- 93.4 (2) alphaprodine;
- 93.5 (3) anileridine;
- 93.6 (4) bezitramide;
- 93.7 (5) bulk dextropropoxyphene (nondosage forms);
- 93.8 (6) carfentanil;
- 93.9 (7) dihydrocodeine;
- 93.10 (8) dihydromorphinone;
- 93.11 (9) diphenoxylate;
- 93.12 (10) fentanyl;
- 93.13 (11) isomethadone;
- 93.14 (12) levo-alpha-acetylmethadol (LAAM);
- 93.15 (13) levomethorphan;
- 93.16 (14) levorphanol;
- 93.17 (15) metazocine;
- 93.18 (16) methadone;
- 93.19 (17) methadone - intermediate, 4-cyano-2-dimethylamino-4, 4-diphenylbutane;
- 93.20 (18) moramide - intermediate, 2-methyl-3-morpholino-1,
93.21 1-diphenyl-propane-carboxylic acid;
- 93.22 (19) pethidine;
- 93.23 (20) pethidine - intermediate - a, 4-cyano-1-methyl-4-phenylpiperidine;
- 93.24 (21) pethidine - intermediate - b, ethyl-4-phenylpiperidine-4-carboxylate;
- 93.25 (22) pethidine - intermediate - c, 1-methyl-4-phenylpiperidine-4-carboxylic acid;
- 93.26 (23) phenazocine;
- 93.27 (24) piminodine;
- 93.28 (25) racemethorphan;
- 93.29 (26) racemorphan;
- 93.30 (27) remifentanil;
- 93.31 (28) sufentanil;
- 93.32 (29) tapentadol;
- 93.33 (30) 4-Anilino-N-phenethyl-4-piperidine (ANPP).

93.34 (d) Unless specifically excepted or unless listed in another schedule, any material,
93.35 compound, mixture, or preparation which contains any quantity of the following
93.36 substances having a stimulant effect on the central nervous system:

- 94.1 (1) amphetamine, its salts, optical isomers, and salts of its optical isomers;
- 94.2 (2) methamphetamine, its salts, isomers, and salts of its isomers;
- 94.3 (3) phenmetrazine and its salts;
- 94.4 (4) methylphenidate;
- 94.5 (5) lisdexamfetamine.
- 94.6 (e) Unless specifically excepted or unless listed in another schedule, any material,
- 94.7 compound, mixture, or preparation which contains any quantity of the following
- 94.8 substances having a depressant effect on the central nervous system, including its salts,
- 94.9 isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of
- 94.10 isomers is possible within the specific chemical designation:
- 94.11 (1) amobarbital;
- 94.12 (2) glutethimide;
- 94.13 (3) secobarbital;
- 94.14 (4) pentobarbital;
- 94.15 (5) phencyclidine;
- 94.16 (6) phencyclidine immediate precursors:
- 94.17 (i) 1-phenylcyclohexylamine;
- 94.18 (ii) 1-piperidinocyclohexanecarbonitrile;
- 94.19 (7) phenylacetone.
- 94.20 (f) Hallucinogenic substances: nabilone.

94.21 Sec. 3. Minnesota Statutes 2014, section 152.02, subdivision 4, is amended to read:

94.22 Subd. 4. **Schedule III.** (a) Schedule III consists of the substances listed in this

94.23 subdivision.

94.24 (b) Stimulants. Unless specifically excepted or unless listed in another schedule,

94.25 any material, compound, mixture, or preparation which contains any quantity of the

94.26 following substances having a potential for abuse associated with a stimulant effect on the

94.27 central nervous system, including its salts, isomers, and salts of such isomers whenever

94.28 the existence of such salts, isomers, and salts of isomers is possible within the specific

94.29 chemical designation:

- 94.30 (1) benzphetamine;
- 94.31 (2) chlorphentermine;
- 94.32 (3) clortermine;
- 94.33 (4) phendimetrazine.

94.34 (c) Depressants. Unless specifically excepted or unless listed in another schedule,

94.35 any material, compound, mixture, or preparation which contains any quantity of the

95.1 following substances having a potential for abuse associated with a depressant effect on
95.2 the central nervous system:

95.3 (1) any compound, mixture, or preparation containing amobarbital, secobarbital,
95.4 pentobarbital or any salt thereof and one or more other active medicinal ingredients which
95.5 are not listed in any schedule;

95.6 (2) any suppository dosage form containing amobarbital, secobarbital, pentobarbital,
95.7 or any salt of any of these drugs and approved by the food and drug administration for
95.8 marketing only as a suppository;

95.9 (3) any substance which contains any quantity of a derivative of barbituric acid, or
95.10 any salt of a derivative of barbituric acid, except those substances which are specifically
95.11 listed in other schedules;

95.12 (4) any drug product containing gamma hydroxybutyric acid, including its salts,
95.13 isomers, and salts of isomers, for which an application is approved under section 505 of
95.14 the federal Food, Drug, and Cosmetic Act;

95.15 (5) any of the following substances:

95.16 (i) chlorhexadol;

95.17 (ii) ketamine, its salts, isomers and salts of isomers;

95.18 (iii) lysergic acid;

95.19 (iv) lysergic acid amide;

95.20 (v) methyprylon;

95.21 (vi) sulfondiethylmethane;

95.22 (vii) sulfonethylmethane;

95.23 (viii) sulfonmethane;

95.24 (ix) tiletamine and zolazepam and any salt thereof;

95.25 (x) embutramide;

95.26 (xi) Perampanel [2-(2-oxo-1-phenyl-5-pyridin-2-yl-1,2-Dihydropyridin-3-yl)

95.27 benzotrile].

95.28 (d) Nalorphine.

95.29 (e) Narcotic drugs. Unless specifically excepted or unless listed in another schedule,
95.30 any material, compound, mixture, or preparation containing any of the following narcotic
95.31 drugs, or their salts calculated as the free anhydrous base or alkaloid, in limited quantities
95.32 as follows:

95.33 (1) not more than 1.80 grams of codeine per 100 milliliters or not more than 90
95.34 milligrams per dosage unit, with an equal or greater quantity of an isoquinoline alkaloid
95.35 of opium;

96.1 (2) not more than 1.80 grams of codeine per 100 milliliters or not more than 90
96.2 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized
96.3 therapeutic amounts;

96.4 ~~(3) not more than 300 milligrams of dihydrocodeinone per 100 milliliters or not~~
96.5 ~~more than 15 milligrams per dosage unit, with a fourfold or greater quantity of an~~
96.6 ~~isoquinoline alkaloid of opium;~~

96.7 ~~(4) not more than 300 milligrams of dihydrocodeinone per 100 milliliters or not~~
96.8 ~~more than 15 milligrams per dosage unit, with one or more active, nonnarcotic ingredients~~
96.9 ~~in recognized therapeutic amounts;~~

96.10 ~~(5)~~ (3) not more than 1.80 grams of dihydrocodeine per 100 milliliters or not more
96.11 than 90 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in
96.12 recognized therapeutic amounts;

96.13 ~~(6)~~ (4) not more than 300 milligrams of ethylmorphine per 100 milliliters or not
96.14 more than 15 milligrams per dosage unit, with one or more active, nonnarcotic ingredients
96.15 in recognized therapeutic amounts;

96.16 ~~(7)~~ (5) not more than 500 milligrams of opium per 100 milliliters or per 100 grams,
96.17 or not more than 25 milligrams per dosage unit, with one or more active, nonnarcotic
96.18 ingredients in recognized therapeutic amounts;

96.19 ~~(8)~~ (6) not more than 50 milligrams of morphine per 100 milliliters or per 100 grams
96.20 with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;

96.21 (f) Anabolic steroids ~~and~~ human growth hormone, and chorionic gonadotropin.

96.22 (1) Anabolic steroids, for purposes of this subdivision, means any drug or hormonal
96.23 substance, chemically and pharmacologically related to testosterone, other than estrogens,
96.24 progestins, corticosteroids, and dehydroepiandrosterone, and includes:

96.25 (i) 3[beta],17[beta]-dihydroxy-5[alpha]-androstane;

96.26 (ii) 3[alpha],17[beta]-dihydroxy-5[alpha]-androstane;

96.27 (iii) androstenedione (5[alpha]-androst-3,17-dione);

96.28 (iv) 1-androstenediol (3[beta],17[beta]-dihydroxy-5[alpha]-androst-1-ene);

96.29 (v) 3[alpha],17[beta]-dihydroxy-5[alpha]-androst-1-ene);

96.30 (vi) 4-androstenediol (3[beta],17[beta]-dihydroxy-androst-4-ene);

96.31 (vii) 5-androstenediol (3[beta],17[beta]-dihydroxy-androst-5-ene);

96.32 (viii) 1-androstenedione (5[alpha]-androst-1-en-3,17-dione);

96.33 (ix) 4-androstenedione (androst-4-en-3,17-dione);

96.34 (x) 5-androstenedione (androst-5-en-3,17-dione);

96.35 (xi) bolasterone (7[alpha],17[alpha]-dimethyl-17[beta]-hydroxyandrost-4-en-3-one);

96.36 (xii) boldenone (17[beta]-hydroxyandrost-1,4-diene-3-one);

- 97.1 (xiii) boldione (androsta-1,4-diene-3,17-dione);
- 97.2 (xiv) calusterone (7[beta],17[alpha]-dimethyl-17[beta]-hydroxyandrost-4-en-3-one);
- 97.3 (xv) clostebol (4-chloro-17[beta]-hydroxyandrost-4-en-3-one);
- 97.4 (xvi) dehydrochloromethyltestosterone
(4-chloro-17[beta]-hydroxy-17[alpha]-methylandrost-1,4-dien-3-one);
- 97.5 (xvii) desoxymethyltestosterone
(17[alpha]-methyl-5[alpha]-androst-2-en-17[beta]-ol);
- 97.6 (xviii) [delta]1-dihydrotestosterone-
(17[beta]-hydroxy-5[alpha]-androst-1-en-3-one);
- 97.7 (xix) 4-dihydrotestosterone (17[beta]-hydroxy-androstan-3-one);
- 97.8 (xx) drostanolone (17[beta]hydroxy-2[alpha]-methyl-5[alpha]-androstan-3-one);
- 97.9 (xxi) ethylestrenol (17[alpha]-ethyl-17[beta]-hydroxyestr-4-ene);
- 97.10 (xxii) fluoxymesterone
(9-fluoro-17[alpha]-methyl-11[beta],17[beta]-dihydroxyandrost-4-en-3-one);
- 97.11 (xxiii) formebolone
(2-formyl-17[alpha]-methyl-11[alpha],17[beta]-dihydroxyandrost-1,4-dien-3-one);
- 97.12 (xxiv) furazabol
(17[alpha]-methyl-17[beta]-hydroxyandrostano[2,3-c]-furazan)13[beta]-ethyl-17[beta]
-hydroxygon-4-en-3-one;
- 97.13 (xxv) 4-hydroxytestosterone (4,17[beta]-dihydroxyandrost-4-en-3-one);
- 97.14 (xxvi) 4-hydroxy-19-nortestosterone (4,17[beta]-dihydroxyestr-4-en-3-one);
- 97.15 (xxvii) mestanolone (17[alpha]-methyl-17[beta]-hydroxy-5[alpha]-androstan-3-one);
- 97.16 (xxviii) mesterolone (1[alpha]-methyl-17[beta]-hydroxy-5[alpha]-androstan-3-one);
- 97.17 (xxix) methandienone (17[alpha]-methyl-17[beta]-hydroxyandrost-1,4-dien-3-one);
- 97.18 (xxx) methandriol (17[alpha]-methyl-3[beta],17[beta]-dihydroxyandrost-5-ene);
- 97.19 (xxxi) methasterone (2 alpha-17 alpha-dimethyl-5 alpha-androstan-17beta-ol-3-one)
- 97.20 (~~xxxii~~) (xxxii) methenolone
(1-methyl-17[beta]-hydroxy-5[alpha]-androst-1-en-3-one);
- 97.21 (~~xxxiii~~) (xxxiii) 17[alpha]-methyl-3[beta],17[beta]-dihydroxy-5[alpha]-androstane;
- 97.22 (~~xxxiiii~~) (xxxiv) 17[alpha]-methyl-3[alpha],17[beta]-dihydroxy-5[alpha]-androstane;
- 97.23 (~~xxxv~~) (xxxv) 17[alpha]-methyl-3[beta],17[beta]-dihydroxyandrost-4-ene;
- 97.24 (~~xxxvi~~) (xxxvi) 17[alpha]-methyl-4-hydroxynandrolone
(17[alpha]-methyl-4-hydroxy-17[beta]-hydroxyestr-4-en-3-one);
- 97.25 (~~xxxvii~~) (xxxvii) methyldienolone
(17[alpha]-methyl-17[beta]-hydroxyestra-4,9(10)-dien-3-one);
- 97.26
- 97.27
- 97.28
- 97.29
- 97.30
- 97.31
- 97.32
- 97.33
- 97.34
- 97.35

- 98.1 ~~(xxxvii)~~ (xxxviii) methyltrienolone
(17[alpha]-methyl-17[beta]-hydroxyestra-4,9-11-trien-3-one);
- 98.2
- 98.3 ~~(xxxviii)~~ (xxxix) methyltestosterone
(17[alpha]-methyl-17[beta]-hydroxyandrost-4-en-3-one);
- 98.4
- 98.5 ~~(xxxix)~~ (xl) mibolerone
(7[alpha],17[alpha]-dimethyl-17[beta]-hydroxyestr-4-en-3-one);
- 98.6
- 98.7 ~~(xl)~~ (xli) 17[alpha]-methyl-[delta]1-dihydrotestosterone
(17[beta]-hydroxy-17[alpha]-methyl-5[alpha]-androst-1-en-3-one);
- 98.8
- 98.9 ~~(xli)~~ (xlii) nandrolone (17[beta]-hydroxyestr-4-en-3-one);
- 98.10
- 98.11 ~~(xlii)~~ (xliii) 19-nor-4-androstenediol (3[beta],17[beta]-dihydroxyestr-4-ene;
~~(xliii)~~ (xliv) 3[alpha],17[beta]-dihydroxyestr-4-ene); 19-nor-5-androstenediol
(3[beta],17[beta]-dihydroxyestr-5-ene);
- 98.12
- 98.13 ~~(xliv)~~ (xlv) 3[alpha],17[beta]-dihydroxyestr-5-ene);
- 98.14
- 98.15 ~~(xlv)~~ (xlvi) 19-nor-4,9(10)-androstadienedione (estra-4,9(10)-diene-3,17-dione);
- 98.16
- 98.17 ~~(xlvi)~~ (xlvii) 19-nor-5-androstenedione (estr-5-en-3,17-dione);
- 98.18
- 98.19 ~~(xlvii)~~ (xlviii) norbolethone
- 98.20
- 98.21 (13[beta],17[alpha]-diethyl-17[beta]-hydroxygon-4-en-3-one);
- 98.22
- 98.23 ~~(xlviii)~~ (xlix) norclostebol (4-chloro-17[beta]-hydroxyestr-4-en-3-one);
- 98.24
- 98.25 ~~(xlix)~~ (l) norethandrolone (17[alpha]-ethyl-17[beta]-hydroxyestr-4-en-3-one);
- 98.26
- 98.27 ~~(l)~~ (li) normethandrolone (17[alpha]-methyl-17[beta]-hydroxyestr-4-en-3-one);
- 98.28
- 98.29 ~~(li)~~ (lii) oxandrolone
- 98.30
- 98.31 (17[alpha]-methyl-17[beta]-hydroxy-2-oxa-5[alpha]-androstan-3-one);
- 98.32
- 98.33 ~~(lii)~~ (liii) oxymesterone (17[alpha]-methyl-4,17[beta]-dihydroxyandrost-4-en-3-one);
- 98.34
- 98.35 ~~(liii)~~ (liv) oxymetholone
- 98.36
- 98.37 (17[alpha]-methyl-2-hydroxymethylene-17[beta]-hydroxy-5[alpha]-androstan-3-one);
- 98.38
- 98.39 (lv) prostanazol (17 beta-hydroxy-5 alpha-androstano[3,2-C]pyrazole
- 98.40
- 98.41 ~~(liv)~~ (lvi) stanozolol
- 98.42
- 98.43 (17[alpha]-methyl-17[beta]-hydroxy-5[alpha]-androst-2-eno[3,2-c]-pyrazole);
- 98.44
- 98.45 ~~(lv)~~ (lvii) stenbolone (17[beta]-hydroxy-2-methyl-5[alpha]-androst-1-en-3-one);
- 98.46
- 98.47 ~~(lvii)~~ (lviii) testolactone (13-hydroxy-3-oxo-13,17-secoandrosta-1,4-dien-17-oic
acid lactone);
- 98.48
- 98.49 ~~(lviii)~~ (lix) testosterone (17[beta]-hydroxyandrost-4-en-3-one);
- 98.50
- 98.51 ~~(lix)~~ (lx) tetrahydrogestrinone
- 98.52
- 98.53 (13[beta],17[alpha]-diethyl-17[beta]-hydroxygon-4,9,11-trien-3-one);
- 98.54
- 98.55 ~~(lx)~~ (lxi) trenbolone (17[beta]-hydroxyestr-4,9,11-trien-3-one);
- 98.56
- 98.57 ~~(lxi)~~ (lxii) any salt, ester, or ether of a drug or substance described in this paragraph.

99.1 Anabolic steroids are not included if they are: (A) expressly intended for administration
 99.2 through implants to cattle or other nonhuman species; and (B) approved by the United
 99.3 States Food and Drug Administration for that use;

99.4 (2) Human growth hormones.

99.5 (3) Chorionic gonadotropin.

99.6 (g) Hallucinogenic substances. Dronabinol (synthetic) in sesame oil and encapsulated
 99.7 in a soft gelatin capsule in a United States Food and Drug Administration approved product.

99.8 (h) Any material, compound, mixture, or preparation containing the following
 99.9 narcotic drug or its salt: buprenorphine.

99.10 Sec. 4. Minnesota Statutes 2014, section 152.02, subdivision 5, is amended to read:

99.11 Subd. 5. **Schedule IV.** (a) Schedule IV consists of the substances listed in this
 99.12 subdivision.

99.13 (b) Narcotic drugs. Unless specifically excepted or unless listed in another schedule,
 99.14 any material, compound, mixture, or preparation containing any of the following narcotic
 99.15 drugs, or their salts calculated as the free anhydrous base or alkaloid, in limited quantities
 99.16 as follows:

99.17 (1) not more than one milligram of difenoxin and not less than 25 micrograms of
 99.18 atropine sulfate per dosage unit;

99.19 (2) dextropropoxyphene (Darvon and Darvocet);₂

99.20 (3) 2-[(dimethylamino)methyl]-1-(3-methoxyphenyl)cyclohexanol, its salts, optical
 99.21 and geometric isomers, and salts of these isomers (including tramadol).

99.22 (c) Depressants. Unless specifically excepted or unless listed in another schedule,
 99.23 any material, compound, mixture, or preparation containing any quantity of the following
 99.24 substances, including its salts, isomers, and salts of isomers whenever the existence of the
 99.25 salts, isomers, and salts of isomers is possible:

99.26 (1) Alfaxalone (5 α -pregnan-3 α -ol-11,20-dione);

99.27 (~~1~~) (2) alprazolam;

99.28 (~~2~~) (3) barbital;

99.29 (~~3~~) (4) bromazepam;

99.30 (~~4~~) (5) camazepam;

99.31 (~~5~~) (6) carisoprodol;

99.32 (~~6~~) (7) chloral betaine;

99.33 (~~7~~) (8) chloral hydrate;

99.34 (~~8~~) (9) chlordiazepoxide;

99.35 (~~9~~) (10) clobazam;

- 100.1 ~~(10)~~ (11) clonazepam;
- 100.2 ~~(11)~~ (12) clorazepate;
- 100.3 ~~(12)~~ (13) clotiazepam;
- 100.4 ~~(13)~~ (14) cloxazolam;
- 100.5 ~~(14)~~ (15) delorazepam;
- 100.6 ~~(15)~~ (16) diazepam;
- 100.7 ~~(16)~~ (17) dichloralphenazone;
- 100.8 ~~(17)~~ (18) estazolam;
- 100.9 ~~(18)~~ (19) ethchlorvynol;
- 100.10 ~~(19)~~ (20) ethinamate;
- 100.11 ~~(20)~~ (21) ethyl loflazepate;
- 100.12 ~~(21)~~ (22) fludiazepam;
- 100.13 ~~(22)~~ (23) flurazepam;
- 100.14 (24) fospropofol
- 100.15 ~~(23)~~ (25) halazepam;
- 100.16 ~~(24)~~ (26) haloxazolam;
- 100.17 ~~(25)~~ (27) ketazolam;
- 100.18 ~~(26)~~ (28) loprazolam;
- 100.19 ~~(27)~~ (29) lorazepam;
- 100.20 ~~(28)~~ (30) lormetazepam mebutamate;
- 100.21 ~~(29)~~ (31) medazepam;
- 100.22 ~~(30)~~ (32) meprobamate;
- 100.23 ~~(31)~~ (33) methohexital;
- 100.24 ~~(32)~~ (34) methylphenobarbital;
- 100.25 ~~(33)~~ (35) midazolam;
- 100.26 ~~(34)~~ (36) nimetazepam;
- 100.27 ~~(35)~~ nitrazepam~~nordiazepam~~ (37) nitrazepam;
- 100.28 (38) nordiazepam;
- 100.29 ~~(36)~~ (39) oxazepam;
- 100.30 ~~(37)~~ (40) oxazolam;
- 100.31 ~~(38)~~ paraldehyde~~petrichloral~~ (41) paraldehyde;
- 100.32 (42) petrichloral;
- 100.33 ~~(39)~~ (43) phenobarbital;
- 100.34 ~~(40)~~ (44) pinazepam;
- 100.35 ~~(41)~~ (45) prazepam;
- 100.36 ~~(42)~~ (46) quazepam;

101.1 (47) Suvorexant;

101.2 ~~(43)~~ (48) temazepam;

101.3 ~~(44)~~ (49) tetrazepam;

101.4 ~~(45)~~ (50) triazolam;

101.5 ~~(46)~~ (51) zaleplon;

101.6 ~~(47)~~ (52) zolpidem;

101.7 ~~(48)~~ (53) zopiclone.

101.8 (d) Any material, compound, mixture, or preparation which contains any quantity of
101.9 the following substance including its salts, isomers, and salts of such isomers, whenever
101.10 the existence of such salts, isomers, and salts of isomers is possible: fenfluramine.

101.11 (e) Stimulants. Unless specifically excepted or unless listed in another schedule,
101.12 any material, compound, mixture, or preparation which contains any quantity of the
101.13 following substances having a stimulant effect on the central nervous system, including its
101.14 salts, isomers, and salts of isomers:

101.15 (1) cathine (norpseudoephedrine);

101.16 (2) diethylpropion;

101.17 (3) fencamfamine;

101.18 (4) fenproporex;

101.19 (5) mazindol;

101.20 (6) mefenorex;

101.21 (7) modafinil;

101.22 (8) pemoline (including organometallic complexes and chelates thereof);

101.23 (9) phentermine;

101.24 (10) pipradol;

101.25 (11) sibutramine;

101.26 (12) SPA (1-dimethylamino-1,2-diphenylethane).

101.27 (f) lorcaserin.

101.28 Sec. 5. Minnesota Statutes 2014, section 152.02, subdivision 6, is amended to read:

101.29 Subd. 6. **Schedule V; restrictions on methamphetamine precursor drugs.** (a) As
101.30 used in this subdivision, the following terms have the meanings given:

101.31 (1) "methamphetamine precursor drug" means any compound, mixture, or
101.32 preparation intended for human consumption containing ephedrine or pseudoephedrine as
101.33 its sole active ingredient or as one of its active ingredients; and

101.34 (2) "over-the-counter sale" means a retail sale of a drug or product but does not
101.35 include the sale of a drug or product pursuant to the terms of a valid prescription.

102.1 (b) The following items are listed in Schedule V:

102.2 (1) any compound, mixture, or preparation containing any of the following limited
102.3 quantities of narcotic drugs, which shall include one or more nonnarcotic active medicinal
102.4 ingredients in sufficient proportion to confer upon the compound, mixture or preparation
102.5 valuable medicinal qualities other than those possessed by the narcotic drug alone:

102.6 (i) not more than 100 milligrams of dihydrocodeine per 100 milliliters or per 100
102.7 grams;

102.8 (ii) not more than 100 milligrams of ethylmorphine per 100 milliliters or per 100
102.9 grams;

102.10 (iii) not more than 2.5 milligrams of diphenoxylate and not less than 25 micrograms
102.11 of atropine sulfate per dosage unit;

102.12 (iv) not more than 100 milligrams of opium per 100 milliliters or per 100 grams; or

102.13 (v) not more than 0.5 milligrams of difenoxin and not less than 25 micrograms of
102.14 atropine sulfate per dosage unit.

102.15 (2) Stimulants. Unless specifically exempted or excluded or unless listed in another
102.16 schedule, any material, compound, mixture, or preparation that contains any quantity of
102.17 the following substance having a stimulant effect on the central nervous system, including
102.18 its salts, isomers, and salts of isomers: pyrovalerone.

102.19 (3) Depressants. Unless specifically exempted or excluded or unless listed in another
102.20 schedule, any material, compound, mixture, or preparation that contains any quantity
102.21 of the following substance having a depressant effect on the central nervous system,
102.22 including its salts, isomers, and salts of isomers:

102.23 (i) ezogabine;

102.24 ~~(i)~~ (ii) pregabalin;

102.25 ~~(ii)~~ (iii) lacosamide.

102.26 (4) Any compound, mixture, or preparation containing ephedrine or pseudoephedrine
102.27 as its sole active ingredient or as one of its active ingredients.

102.28 (c) No person may sell in a single over-the-counter sale more than two packages of a
102.29 methamphetamine precursor drug or a combination of methamphetamine precursor drugs or
102.30 any combination of packages exceeding a total weight of six grams, calculated as the base.

102.31 (d) Over-the-counter sales of methamphetamine precursor drugs are limited to:

102.32 (1) packages containing not more than a total of three grams of one or
102.33 more methamphetamine precursor drugs, calculated in terms of ephedrine base or
102.34 pseudoephedrine base; or

103.1 (2) for nonliquid products, sales in blister packs, where each blister contains not
103.2 more than two dosage units, or, if the use of blister packs is not technically feasible, sales
103.3 in unit dose packets or pouches.

103.4 (e) A business establishment that offers for sale methamphetamine precursor drugs
103.5 in an over-the-counter sale shall ensure that all packages of the drugs are displayed
103.6 behind a checkout counter where the public is not permitted and are offered for sale only
103.7 by a licensed pharmacist, a registered pharmacy technician, or a pharmacy clerk. The
103.8 establishment shall ensure that the person making the sale requires the buyer:

103.9 (1) to provide photographic identification showing the buyer's date of birth; and

103.10 (2) to sign a written or electronic document detailing the date of the sale, the name
103.11 of the buyer, and the amount of the drug sold.

103.12 A document described under clause (2) must be retained by the establishment for
103.13 at least three years and must at all reasonable times be open to the inspection of any
103.14 law enforcement agency.

103.15 Nothing in this paragraph requires the buyer to obtain a prescription for the drug's
103.16 purchase.

103.17 (f) No person may acquire through over-the-counter sales more than six grams of
103.18 methamphetamine precursor drugs, calculated as the base, within a 30-day period.

103.19 (g) No person may sell in an over-the-counter sale a methamphetamine precursor
103.20 drug to a person under the age of 18 years. It is an affirmative defense to a charge under
103.21 this paragraph if the defendant proves by a preponderance of the evidence that the
103.22 defendant reasonably and in good faith relied on proof of age as described in section
103.23 340A.503, subdivision 6.

103.24 (h) A person who knowingly violates paragraph (c), (d), (e), (f), or (g) is guilty of
103.25 a misdemeanor and may be sentenced to imprisonment for not more than 90 days, or to
103.26 payment of a fine of not more than \$1,000, or both.

103.27 (i) An owner, operator, supervisor, or manager of a business establishment that
103.28 offers for sale methamphetamine precursor drugs whose employee or agent is convicted of
103.29 or charged with violating paragraph (c), (d), (e), (f), or (g) is not subject to the criminal
103.30 penalties for violating any of those paragraphs if the person:

103.31 (1) did not have prior knowledge of, participate in, or direct the employee or agent to
103.32 commit the violation; and

103.33 (2) documents that an employee training program was in place to provide the
103.34 employee or agent with information on the state and federal laws and regulations regarding
103.35 methamphetamine precursor drugs.

104.1 (j) Any person employed by a business establishment that offers for sale
104.2 methamphetamine precursor drugs who sells such a drug to any person in a suspicious
104.3 transaction shall report the transaction to the owner, supervisor, or manager of the
104.4 establishment. The owner, supervisor, or manager may report the transaction to local law
104.5 enforcement. A person who reports information under this subdivision in good faith is
104.6 immune from civil liability relating to the report.

104.7 (k) Paragraphs (b) to (j) do not apply to:

104.8 (1) pediatric products labeled pursuant to federal regulation primarily intended for
104.9 administration to children under 12 years of age according to label instructions;

104.10 (2) methamphetamine precursor drugs that are certified by the Board of Pharmacy as
104.11 being manufactured in a manner that prevents the drug from being used to manufacture
104.12 methamphetamine;

104.13 (3) methamphetamine precursor drugs in gel capsule or liquid form; or

104.14 (4) compounds, mixtures, or preparations in powder form where pseudoephedrine
104.15 constitutes less than one percent of its total weight and is not its sole active ingredient.

104.16 (l) The Board of Pharmacy, in consultation with the Department of Public Safety,
104.17 shall certify methamphetamine precursor drugs that meet the requirements of paragraph
104.18 (k), clause (2), and publish an annual listing of these drugs.

104.19 (m) Wholesale drug distributors licensed and regulated by the Board of Pharmacy
104.20 pursuant to sections 151.42 to 151.51 and registered with and regulated by the United
104.21 States Drug Enforcement Administration are exempt from the methamphetamine precursor
104.22 drug storage requirements of this section.

104.23 (n) This section preempts all local ordinances or regulations governing the sale
104.24 by a business establishment of over-the-counter products containing ephedrine or
104.25 pseudoephedrine. All ordinances enacted prior to the effective date of this act are void.