

CHAPTER 67--H.F.No. 3676

An act relating to public safety; providing protections, remedies, and modifying various provisions of the Safe at Home program; establishing criminal penalties; amending Minnesota Statutes 2024, sections 5B.02; 5B.03, subdivision 1; 5B.11; 5B.13; 171.01, subdivision 45d; 171.0605, subdivision 5; 480.30, subdivision 1; Minnesota Statutes 2025 Supplement, section 43A.36, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 5B.

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

Section 1. Minnesota Statutes 2024, section 5B.02, is amended to read:

5B.02 DEFINITIONS.

(a) For purposes of this chapter and unless the context clearly requires otherwise, the definitions in this section have the meanings given ~~them~~.

(b) "Address" means an individual's work address, school address, or residential street address, as specified on the individual's application to be a program participant under this chapter.

(c) "Applicant" means an adult, a parent or guardian acting on behalf of an eligible minor, an emancipated minor, or a guardian acting on behalf of an incapacitated person, as defined in section 524.5-102.

(d) "Domestic violence" means an act as defined in section 518B.01, subdivision 2, paragraph (a), and includes a threat of such acts committed against an individual in a domestic situation, regardless of whether these acts or threats have been reported to law enforcement officers.

(e) "Eligible person" means an adult, a minor, or an incapacitated person, as defined in section 524.5-102 for whom there is good reason to believe (1) that the eligible person is a victim of domestic violence, sexual assault, or harassment or stalking, or (2) that the eligible person fears for the person's safety, the safety of another person who resides in the same household, or the safety of persons on whose behalf the application is made. In order to be an eligible person, an individual must reside in Minnesota or must certify that the individual intends to reside in Minnesota within 60 days. A person registered or required to register as a predatory offender under section 243.166 or 243.167, or the law of another jurisdiction, is not an eligible person.

(f) "Guardian acting on behalf of an eligible minor" means an adult who has legal custody of a child pursuant to section 260C.325 or 260C.515, or another custody arrangement that is approved by a court and that cannot be terminated without a court order.

~~(f)~~ (g) "Mail" means first class letters and flats delivered via the United States Postal Service, including priority, express, and certified mail, and excluding (1) periodicals and catalogues, and (2) packages and parcels unless they are clearly identifiable as nonrefrigerated pharmaceuticals or clearly indicate that they are sent by the federal government or a state or county government agency of the continental United States, Hawaii, District of Columbia, or United States territories.

~~(g)~~ (h) "Program participant" means an individual certified as a program participant under section 5B.03.

~~(H)~~ (i) "Harassment" or "stalking" means acts criminalized under section 609.749 and includes a threat of such acts committed against an individual, regardless of whether these acts or threats have been reported to law enforcement officers.

Sec. 2. Minnesota Statutes 2024, section 5B.03, subdivision 1, is amended to read:

Subdivision 1. **Application.** The secretary of state shall certify an eligible person as a program participant when the secretary receives an application that must contain:

- (1) the full legal name and date of birth of the eligible person;
- (2) a statement by the applicant that the applicant has good reason to believe (i) that the eligible person listed on the application is a victim of domestic violence, sexual assault, or harassment or stalking, or (ii) that the eligible person fears for the person's safety, the safety of another person who resides in the same household, or the safety of persons on whose behalf the application is made, and (iii) that the eligible person is not applying for certification as a program participant in order to avoid prosecution for a crime;
- (3) a designation of the secretary of state as agent for purposes of service of process and for the purpose of receipt of mail;
- (4) the ~~phone~~ telephone number or numbers where the applicant or eligible person can be called by the secretary of state;
- (5) the physical residential address of the eligible person, disclosure of which will increase the risk of domestic violence, sexual assault, or harassment or stalking;
- (6) if mail cannot be delivered to the residential address of the eligible person, the address to which mail should be sent;
- (7) a statement whether the eligible person would like information on becoming an ongoing absentee ballot recipient pursuant to section 5B.06;
- (8) a statement from the eligible person that gives the secretary of state consent to confirm the eligible person's participation in Safe at Home to a third party who provides the program participant's first and last name and date of birth or Safe at Home lot number listed on the program participant's card;
- (9) the signature of the applicant, an indicator of the applicant's authority to act on behalf of the eligible person, if appropriate, the name and signature of any individual or representative of any person who assisted in the preparation of the application, and the date on which the application was signed; ~~and~~
- (10) if the applicant is a guardian acting on behalf of an eligible minor or incapacitated person, the court order establishing the applicant's guardianship or legal custody of the eligible minor or incapacitated person; and
- ~~(10)~~ (11) any other information as required by the secretary of state.

Sec. 3. Minnesota Statutes 2024, section 5B.11, is amended to read:

5B.11 LEGAL PROCEEDINGS; PROTECTIVE ORDER.

(a) If a program participant's address is protected under section 5B.05, no person or entity shall be compelled to disclose the participant's actual address during the discovery phase of or during a proceeding before a court or other tribunal unless the court or tribunal finds that:

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

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

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

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

(d) Before a court or tribunal directs a participant to disclose the participant's address or any portion of the address, the court or tribunal must issue a written order that makes findings addressing the factors in paragraphs (a), (b), and (c). The court or tribunal must serve the order on the secretary of state. The secretary of state has standing to request reconsideration of an order or intervene in a proceeding involving potential disclosure of a program participant's address. An order regarding disclosure of a program participant's address cannot be enforced until at least 30 days after the order is served on the secretary of state. A court may waive the requirements of this paragraph if the court finds in writing that these requirements would violate a defendant's constitutional right to a speedy trial.

(e) Nothing in this section prevents the court or other tribunal from issuing a protective order to prevent disclosure of information other than the participant's actual address that could reasonably lead to the discovery of the program participant's location.

Sec. 4. Minnesota Statutes 2024, section 5B.13, is amended to read:

5B.13 CRIMINAL PENALTY.

(a) When the performance of any act is prohibited under this chapter ~~as of February 1, 2015~~, but no criminal or civil penalty is provided, the commission of the act is a misdemeanor.

(b) If a person's performance of an act prohibited by this chapter causes bodily harm as defined in section 609.02, subdivision 7, the person is guilty of a gross misdemeanor.

Sec. 5. **[5B.14] NONDISCRIMINATION.**

Subdivision 1. **Prohibition of discrimination.** A person or entity must not, on the basis of an individual's status as a program participant where a reasonable person, considering all the circumstances, would conclude that the refusal, different terms or requirements, or other action was motivated by the individual's status as a program participant rather than by a legitimate, nondiscriminatory business purpose, safety or operational concern, or a requirement of federal or state law:

(1) refuse to provide services to an individual, including housing, banking, education, or any other services;

(2) provide services to an individual on different terms or with different requirements than an individual who is not a program participant; or

(3) otherwise discriminate against an individual.

Subd. 2. **Remedies.** In addition to any other remedies available, an individual who has been subjected to discrimination in violation of this section may initiate a civil action in a court of competent jurisdiction to enjoin violations of this section. It is an affirmative defense to any action brought under this subdivision that the challenged action was taken: (1) in good-faith compliance with any applicable federal or state statute, regulation, or rule; or (2) for any other legitimate, nondiscriminatory reason that would apply equally to an individual who is not a program participant.

Sec. 6. Minnesota Statutes 2025 Supplement, section 43A.36, subdivision 1, is amended to read:

Subdivision 1. **Cooperation; state agencies.** (a) The commissioner may delegate administrative functions associated with the duties of the commissioner to appointing authorities who have the capability to perform such functions when the commissioner determines that it is in the best interests of the state civil service. The commissioner shall consult with agencies and agencies shall cooperate as appropriate in implementation of this chapter.

(b) The commissioner, in conjunction with appointing authorities, shall analyze and assess current and future human resource requirements of the civil service and coordinate personnel actions throughout the civil service to meet the requirements. The commissioner shall provide recruiting assistance and make the applicant database available to appointing authorities to use in making appointments to positions in the unclassified service.

(c) The head of each agency in the executive branch shall designate an agency personnel officer. The agency personnel officer shall be accountable to the agency head for all personnel functions prescribed by laws, rules, collective bargaining agreements, the commissioner and the agency head. Except when otherwise prescribed by the agency head in a specific instance, the personnel officer shall be assumed to be the authority accountable to the agency head over any other officer or employee in the agency for personnel functions.

(d) The head of each agency in the executive branch shall designate an affirmative action officer who shall have primary responsibility for the administration of the agency's affirmative action plan. The officer shall report directly to the head of the agency on affirmative action matters.

(e) Pursuant to section 43A.431, the head of each agency in the executive branch shall designate an ADA coordinator who shall have primary responsibility for the administration of ADA policies, procedures, trainings, requests, and arbitration. The coordinator shall report directly to the agency head.

(f) The head of each agency in the executive branch must designate a Safe at Home coordinator who shall serve as the initial contact for staff of the Safe at Home program under chapter 5B. The coordinator is the designated employee of the government entity who must respond to inquiries from Safe at Home program staff regarding program participants, maintain knowledge of program requirements and procedures, communicate with entity staff and leadership about the entity's obligations under the Safe at Home program, and respond to inquiries from program participants regarding the entity's treatment of data protected under the Safe at Home program. This designation must occur by August 1, 2026. If a Safe at Home coordinator is not designated, the agency head shall serve as the coordinator.

Sec. 7. Minnesota Statutes 2024, section 171.01, subdivision 45d, is amended to read:

Subd. 45d. **Residence address and permanent mailing address.** "Residence address" and "permanent mailing address" mean, for purposes of a driver's license or Minnesota identification card;

(1) the postal address of the permanent domicile within this state where an individual:

~~(+)~~ (i) resides;

~~(2)~~ (ii) intends to reside within 30 calendar days after the date of application; or

~~(3)~~ (iii) intends to return whenever absent; or

(2) for a participant in the Safe at Home address confidentiality program administered by the secretary of state, the designated address under section 5B.05 that is listed on the participant's current and unexpired program participation card.

Sec. 8. Minnesota Statutes 2024, section 171.0605, subdivision 5, is amended to read:

Subd. 5. **Evidence; residence in Minnesota.** (a) Submission of two forms of documentation from the following is satisfactory evidence of an applicant's principal residence address in Minnesota under section 171.06, subdivision 3, paragraph (b):

(1) a home utility services bill issued no more than 12 months before the application;

(2) a home utility services hook-up work order issued no more than 12 months before the application;

(3) United States bank or financial information issued no more than 12 months before the application, with account numbers redacted, including:

(i) a bank account statement;

(ii) a credit card or debit card statement;

(iii) a brokerage account statement;

(iv) a money market account statement;

(v) a Health Savings Account statement; or

(vi) a retirement account statement;

(4) a certified transcript from a United States high school, if issued no more than 180 days before the application;

(5) a certified transcript from a Minnesota college or university, if issued no more than 180 days before the application;

(6) a student summary report from a United States high school signed by a school principal or designated authority and issued no more than 180 days before the application;

(7) an employment pay stub issued no more than 12 months before the application that lists the employer's name and address;

(8) a Minnesota unemployment insurance benefit statement issued no more than 12 months before the application;

(9) a statement from an assisted living facility licensed under chapter 144G, nursing home licensed under chapter 144A, or a boarding care facility licensed under sections 144.50 to 144.56, that was issued no more than 12 months before the application;

- (10) a current policy or card for health, automobile, homeowner's, or renter's insurance;
- (11) a federal or state income tax return for the most recent tax filing year;
- (12) a Minnesota property tax statement for the current or prior calendar year or a proposed Minnesota property tax notice for the current year that shows the applicant's principal residential address both on the mailing portion and the portion stating what property is being taxed;
- (13) a Minnesota vehicle certificate of title;
- (14) a filed property deed or title for current residence;
- (15) a Supplemental Security Income award statement issued no more than 12 months before the application;
- (16) mortgage documents for the applicant's principal residence;
- (17) a residential lease agreement for the applicant's principal residence issued no more than 12 months before the application;
- (18) an affidavit of residence for an applicant whose principal residence is a group home, communal living arrangement, cooperative, or a religious order issued no more than 90 days before the application;
- (19) an assisted living or nursing home statement issued no more than 90 days before the application;
- (20) a valid driver's license, including an instruction permit, issued under this chapter;
- (21) a valid Minnesota identification card;
- (22) an unexpired Minnesota professional license;
- (23) an unexpired Selective Service card;
- (24) military orders that are still in effect at the time of application;
- (25) a cellular phone bill issued no more than 12 months before the application; ~~or~~
- (26) a valid license issued pursuant to the game and fish laws; or
- (27) an unexpired Safe at Home card, as defined by Minnesota Rules, part 8290.0100, subpart 19. A participant may not use a card with a "temporary" designation on the card for this purpose.

(b) In lieu of one of the two documents required by paragraph (a), an applicant under the age of 18 may use a parent or guardian's proof of principal residence as provided in this paragraph. The parent or guardian of the applicant must provide a document listed under paragraph (a) that includes the parent or guardian's name and the same address as the address on the document provided by the applicant. The parent or guardian must also certify that the applicant is the child of the parent or guardian and lives at that address.

(c) A document under paragraph (a) must include the applicant's name and principal residence address in Minnesota.

(d) For purposes of this subdivision, Internet service and cable service are utilities.

Sec. 9. Minnesota Statutes 2024, section 480.30, subdivision 1, is amended to read:

Subdivision 1. **Child abuse; domestic abuse; harassment.** The supreme court's judicial education program must include ongoing training for district court judges on child and adolescent sexual abuse, domestic abuse, harassment, stalking, and related civil and criminal court issues. The program must include the following:

- (1) information about the specific needs of victims;
- (2) education on the causes of sexual abuse and family violence;
- (3) education on culturally responsive approaches to serving victims;
- (4) education on the impacts of domestic abuse and domestic abuse allegations on children and the importance of considering these impacts when making parenting time and child custody decisions under chapter 518; ~~and~~
- (5) information on alleged and substantiated reports of domestic abuse, including, but not limited to, Department of Human Services survey data; and
- (6) information on the Safe at Home program under chapter 5B, including information on legal proceedings subject to section 5B.11.

The program also must emphasize the need for the coordination of court and legal victim advocacy services and include education on sexual abuse and domestic abuse programs and policies within law enforcement agencies and prosecuting authorities as well as the court system.

Presented to the governor May 4, 2026