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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETIETH SESSION

H. F. No. 3578

- 03/08/2018 Authored by Hilstrom and Johnson, B.,
The bill was read for the first time and referred to the Committee on Transportation and Regional Governance Policy
- 03/21/2018 Adoption of Report: Re-referred to the Committee on Civil Law and Data Practices Policy
- 03/26/2018 Adoption of Report: Re-referred to the Committee on Public Safety and Security Policy and Finance

1.1 A bill for an act

1.2 relating to public safety; amending various provisions related to predatory offender

1.3 registration; amending Minnesota Statutes 2016, sections 171.07, subdivision 1a;

1.4 243.166, subdivisions 1a, 1b, 2, 4, 4a, 4c, 5, 6, 7, 7a, by adding a subdivision;

1.5 299C.093.

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

1.7 Section 1. Minnesota Statutes 2016, section 171.07, subdivision 1a, is amended to read:

1.8 Subd. 1a. **Filing photograph or image; data classification.** The department shall file,

1.9 or contract to file, all photographs or electronically produced images obtained in the process

1.10 of issuing drivers' licenses or Minnesota identification cards. The photographs or

1.11 electronically produced images shall be private data pursuant to section 13.02, subdivision

1.12 12. Notwithstanding section 13.04, subdivision 3, the department shall not be required to

1.13 provide copies of photographs or electronically produced images to data subjects. The use

1.14 of the files is restricted:

1.15 (1) to the issuance and control of drivers' licenses;

1.16 (2) to criminal justice agencies, as defined in section 299C.46, subdivision 2, for the

1.17 investigation and prosecution of crimes, service of process, enforcement of no contact

1.18 orders, location of missing persons, investigation and preparation of cases for criminal,

1.19 juvenile, and traffic court, location of individuals required to register under section 243.166

1.20 or 243.167, and supervision of offenders;

1.21 (3) to public defenders, as defined in section 611.272, for the investigation and preparation

1.22 of cases for criminal, juvenile, and traffic courts;

1.23 (4) to child support enforcement purposes under section 256.978; and

2.1 (5) to a county medical examiner or coroner as required by section 390.005 as necessary
2.2 to fulfill the duties under sections 390.11 and 390.25.

2.3 Sec. 2. Minnesota Statutes 2016, section 243.166, subdivision 1a, is amended to read:

2.4 Subd. 1a. **Definitions.** (a) As used in this section, unless the context clearly indicates
2.5 otherwise, the following terms have the meanings given them.

2.6 (b) "Bureau" means the Bureau of Criminal Apprehension.

2.7 (c) "Dwelling" means the building where the person lives under a formal or informal
2.8 agreement to do so. However, dwelling does not include a supervised publicly or privately
2.9 operated shelter or facility designed to provide temporary living accommodations for
2.10 homeless individuals as defined in section 116L.361, subdivision 5.

2.11 (d) "Incarceration" and "confinement" do not include electronic home monitoring.

2.12 (e) "Law enforcement authority" or "authority" means, with respect to a home rule charter
2.13 or statutory city, the chief of police, and with respect to an unincorporated area, the county
2.14 sheriff.

2.15 (f) "Motor vehicle" has the meaning given in section 169.011, subdivision 92.

2.16 (g) "Primary address" means the mailing address of the person's dwelling. If the mailing
2.17 address is different from the actual location of the dwelling, primary address also includes
2.18 the physical location of the dwelling described with as much specificity as possible.

2.19 (h) "School" includes any public or private educational institution, including any
2.20 secondary school, trade, or professional institution, or institution of higher education, that
2.21 the person is enrolled in on a full-time or part-time basis.

2.22 (i) "Secondary address" means the mailing address of any place where the person
2.23 regularly or occasionally stays overnight when not staying at the person's primary address.
2.24 If the mailing address is different from the actual location of the place, secondary address
2.25 also includes the physical location of the place described with as much specificity as possible.
2.26 However, the location of a supervised publicly or privately operated shelter or facility
2.27 designated to provide temporary living accommodations for homeless individuals as defined
2.28 in section 116L.361, subdivision 5, does not constitute a secondary address.

2.29 (j) "Social media" means any electronic medium, including an interactive computer
2.30 service, telephone network, or data network, that allows users to create, share, and view
2.31 user-generated content.

3.1 (k) "Treatment facility" means a residential facility, as defined in section 244.052,
 3.2 subdivision 1, and residential chemical dependency treatment programs and halfway houses
 3.3 licensed under chapter 245A, including, but not limited to, those facilities directly or
 3.4 indirectly assisted by any department or agency of the United States.

3.5 (l) "Watercraft" has the meaning given in section 86B.005, subdivision 18.

3.6 ~~(k)~~ (m) "Work" includes employment that is full time or part time for a period of time
 3.7 exceeding 14 days or for an aggregate period of time exceeding 30 days during any calendar
 3.8 year, whether financially compensated, volunteered, or for the purpose of government or
 3.9 educational benefit.

3.10 Sec. 3. Minnesota Statutes 2016, section 243.166, subdivision 1b, is amended to read:

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

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

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

3.17 (ii) kidnapping under section 609.25;

3.18 (iii) criminal sexual conduct under section 609.342; 609.343; 609.344; 609.345; 609.3451,
 3.19 subdivision 3; or 609.3453; or

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

3.21 (2) the person was charged with or petitioned for a violation of, or attempt to violate, or
 3.22 aiding, abetting, or conspiring to commit:

3.23 (i) criminal abuse in violation of section 609.2325, subdivision 1, paragraph (b);

3.24 (ii) false imprisonment in violation of section 609.255, subdivision 2;

3.25 (iii) solicitation, inducement, or promotion of the prostitution of a minor or engaging in
 3.26 the sex trafficking of a minor in violation of section 609.322;

3.27 (iv) a prostitution offense in violation of section 609.324, subdivision 1, paragraph (a);

3.28 (v) soliciting a minor to engage in sexual conduct in violation of section 609.352,
 3.29 subdivision 2 or 2a, clause (1);

3.30 (vi) using a minor in a sexual performance in violation of section 617.246; ~~or~~

4.1 (vii) possessing pornographic work involving a minor in violation of section 617.247₂;
4.2 or
4.3 (viii) nonconsensual dissemination of private sexual images in violation of section
4.4 617.261; and
4.5 convicted of or adjudicated delinquent for that offense or another offense arising out of the
4.6 same set of circumstances;

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

4.9 (4) the person was charged with or petitioned for, including pursuant to a court martial,
4.10 violating a law of the United States, including the Uniform Code of Military Justice, similar
4.11 to the offenses described in clause (1), (2), or (3), or violations of United States Code, title
4.12 18, section 1801, 2423, or 2425, and convicted of or adjudicated delinquent for that offense
4.13 or another offense arising out of the same set of circumstances.

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

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

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

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

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

4.30 (c) A person also shall register under this section if the person was committed pursuant
4.31 to a court commitment order under Minnesota Statutes 2012, section 253B.185, chapter
4.32 253D, Minnesota Statutes 1992, section 526.10, or a similar law of another state or the
4.33 United States, regardless of whether the person was convicted of any offense.

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

5.2 (1) the person was charged with or petitioned for a felony violation or attempt to violate
5.3 any of the offenses listed in paragraph (a), clause (1), or a similar law of another state or
5.4 the United States, or the person was charged with or petitioned for a violation of any of the
5.5 offenses listed in paragraph (a), clause (2), or a similar law of another state or the United
5.6 States;

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

5.10 (3) the person was committed pursuant to a court commitment order under section
5.11 253B.18 or a similar law of another state or the United States.

5.12 Sec. 4. Minnesota Statutes 2016, section 243.166, subdivision 2, is amended to read:

5.13 Subd. 2. **Notice.** When a person who is required to register under subdivision 1b,
5.14 paragraph (a), is sentenced or becomes subject to a juvenile court disposition order, the
5.15 court shall tell the person of the duty to register under this section and that, if the person
5.16 fails to comply with the registration requirements, information about the offender may be
5.17 made available to the public through electronic, computerized, or other accessible means.
5.18 The court may not modify the person's duty to register in the pronounced sentence or
5.19 disposition order. The court shall require the person to read and sign a form stating that the
5.20 duty of the person to register under this section has been explained. The court shall forward
5.21 the signed ~~sex offender registration~~ court notification form, the complaint, and sentencing
5.22 documents to the bureau. If a person required to register under subdivision 1b, paragraph
5.23 (a), was not notified by the court of the registration requirement at the time of sentencing
5.24 or disposition, the assigned corrections agent shall notify the person of the requirements of
5.25 this section. If a person does not have a corrections agent, the local law enforcement authority
5.26 with jurisdiction over the person's primary address shall notify the person of the requirements.
5.27 When a person who is required to register under subdivision 1b, paragraph (c) or (d), is
5.28 released from commitment, the treatment facility shall notify the person of the requirements
5.29 of this section. The treatment facility shall also obtain the registration information required
5.30 under this section and forward it to the bureau.

5.31 Sec. 5. Minnesota Statutes 2016, section 243.166, subdivision 4, is amended to read:

5.32 Subd. 4. **Contents of registration.** (a) The registration provided to the corrections agent
5.33 or law enforcement authority, must consist of a statement in writing signed by the person,

6.1 giving information required by the bureau, fingerprints, biological specimen for DNA
6.2 analysis as defined under section 299C.155, subdivision 1, and photograph of the person
6.3 taken at the time of the person's release from incarceration or, if the person was not
6.4 incarcerated, at the time the person initially registered under this section. The registration
6.5 information also must include a written consent form signed by the person allowing a
6.6 treatment facility or residential housing unit or shelter to release information to a law
6.7 enforcement officer about the person's admission to, or residence in, a treatment facility or
6.8 residential housing unit or shelter. Registration information on adults and juveniles may be
6.9 maintained together notwithstanding section 260B.171, subdivision 3.

6.10 (b) For persons required to register under subdivision 1b, paragraph (c), following
6.11 commitment pursuant to a court commitment under Minnesota Statutes 2012, section
6.12 253B.185, chapter 253D, Minnesota Statutes 1992, section 526.10, or a similar law of
6.13 another state or the United States, in addition to other information required by this section,
6.14 the registration provided to the corrections agent or law enforcement authority must include
6.15 the person's offense history and documentation of treatment received during the person's
6.16 commitment. This documentation is limited to a statement of how far the person progressed
6.17 in treatment during commitment.

6.18 (c) Within three days of receipt, the corrections agent or law enforcement authority shall
6.19 forward the registration information to the bureau. The bureau shall ascertain whether the
6.20 person has registered with the law enforcement authority in the area of the person's primary
6.21 address, if any, or if the person lacks a primary address, where the person is staying, as
6.22 required by subdivision 3a. If the person has not registered with the law enforcement
6.23 authority, the bureau shall ~~send one copy to~~ notify that authority.

6.24 (d) The corrections agent or law enforcement authority may require that a person required
6.25 to register under this section appear before the agent or authority to be photographed. The
6.26 agent or authority shall forward the photograph to the bureau.

6.27 (1) Except as provided in clause (2), the agent or authority may photograph any offender
6.28 at a time and frequency chosen by the agent or authority.

6.29 (2) The requirements of this paragraph shall not apply during any period where the
6.30 person to be photographed is: (i) committed to the commissioner of corrections and
6.31 incarcerated, (ii) incarcerated in a regional jail or county jail, or (iii) committed to the
6.32 commissioner of human services and receiving treatment in a secure treatment facility.

6.33 (e) During the period a person is required to register under this section, the following
6.34 provisions apply:

7.1 (1) Except for persons registering under subdivision 3a, the bureau shall mail a
7.2 verification form to the person's last reported primary address. This verification form must
7.3 provide notice to the offender that, if the offender does not return the verification form as
7.4 required, information about the offender may be made available to the public through
7.5 electronic, computerized, or other accessible means. For persons who are registered under
7.6 subdivision 3a, the bureau shall mail an annual verification form to the law enforcement
7.7 authority where the offender most recently reported. The authority shall provide the
7.8 verification form to the person at the next weekly meeting and ensure that the person
7.9 completes and signs the form and returns it to the bureau. Notice is sufficient under this
7.10 paragraph, if the verification form is sent by first class mail to the person's last reported
7.11 primary address, or for persons registered under subdivision 3a, to the law enforcement
7.12 authority where the offender most recently reported.

7.13 (2) The person shall mail the signed verification form back to the bureau within ~~ten~~ 15
7.14 days ~~after receipt~~ of the date on the form, stating on the form the current and last address
7.15 of the person's residence and the other information required under subdivision 4a.

7.16 (3) In addition to the requirements listed in this section, an offender who is no longer
7.17 under correctional supervision for a registration offense, or a failure to register offense, but
7.18 who resides, works, or attends school in Minnesota, shall have an in-person contact with a
7.19 law enforcement authority as provided in this section. If the person resides in Minnesota,
7.20 the in-person contact shall be with the law enforcement authority that has jurisdiction over
7.21 the person's primary address or, if the person has no address, the location where the person
7.22 is staying. If the person does not reside in Minnesota but works or attends school in this
7.23 state, the person shall have an in-person contact with the law enforcement authority or
7.24 authorities with jurisdiction over the person's school or workplace. During the month of the
7.25 person's birth date, the person shall report to the authority to verify the accuracy of the
7.26 registration information and to be photographed. Within three days of this contact, the
7.27 authority shall enter information as required by the bureau into the predatory offender
7.28 registration database and submit an updated photograph of the person to the bureau's
7.29 predatory offender registration unit.

7.30 (4) If the person fails to mail the completed and signed verification form to the bureau
7.31 within ~~ten~~ 15 days ~~after receipt~~ of the date on the form, or if the person fails to report to the
7.32 law enforcement authority during the month of the person's birth date, the person is in
7.33 violation of this section.

7.34 (5) For any person who fails to mail the completed and signed verification form to the
7.35 bureau within ~~ten~~ 15 days ~~after receipt~~ of the date on the form and who has been determined

8.1 to be a risk level III offender under section 244.052, the bureau shall immediately investigate
8.2 and notify local law enforcement authorities to investigate the person's location and to ensure
8.3 compliance with this section. The bureau also shall immediately give notice of the person's
8.4 violation of this section to the law enforcement authority having jurisdiction over the person's
8.5 last registered primary address ~~or addresses~~.

8.6 (6) A corrections agent or law enforcement authority may determine whether the person
8.7 is at their primary address, secondary address, school or work location, if any, or the accuracy
8.8 of any other information required under subdivision 4a or 4d at a time and frequency chosen
8.9 by the agent or authority. A law enforcement authority may make this determination on any
8.10 person whose primary address, secondary address, or school or work location, if any, is
8.11 within the authority's jurisdiction, regardless of the assignment of a corrections agent.

8.12 For persons required to register under subdivision 1b, paragraph (c), following
8.13 commitment pursuant to a court commitment under Minnesota Statutes 2012, section
8.14 253B.185, chapter 253D, Minnesota Statutes 1992, section 526.10, or a similar law of
8.15 another state or the United States, the bureau shall comply with clause (1) at least four times
8.16 each year. For persons who, under section 244.052, are assigned to risk level III and who
8.17 are no longer under correctional supervision for a registration offense or a failure to register
8.18 offense, the bureau shall comply with clause (1) at least two times each year. For all other
8.19 persons required to register under this section, the bureau shall comply with clause (1) each
8.20 year within 30 days of the anniversary date of the person's initial registration.

8.21 (f) When sending out a verification form, the bureau shall determine whether the person
8.22 to whom the verification form is being sent has signed a written consent form as provided
8.23 for in paragraph (a). If the person has not signed such a consent form, the bureau shall send
8.24 a written consent form to the person along with the verification form. A person who receives
8.25 this written consent form shall sign and return it to the bureau at the same time as the
8.26 verification form.

8.27 (g) For persons registered under this section on the effective date of this section, each
8.28 person, on or before one year from that date, must provide a biological specimen for the
8.29 purpose of DNA analysis to the probation agency or law enforcement agency where that
8.30 person is registered. A person who provides or has provided a biological specimen for the
8.31 purpose of DNA analysis under chapter 299C or section 609.117 meets the requirements
8.32 of this paragraph.

9.1 Sec. 6. Minnesota Statutes 2016, section 243.166, subdivision 4a, is amended to read:

9.2 Subd. 4a. **Information required to be provided.** (a) A person required to register under
9.3 this section shall provide to the corrections agent or law enforcement authority the following
9.4 information:

9.5 (1) the person's primary address;

9.6 (2) all of the person's secondary addresses ~~in Minnesota~~, including all addresses used
9.7 for residential or recreational purposes;

9.8 (3) the addresses of all Minnesota property owned, leased, or rented by the person;

9.9 (4) the addresses of all locations where the person is employed;

9.10 (5) the addresses of all schools where the person is enrolled; ~~and~~

9.11 (6) the year, model, make, license plate number, and color of all motor vehicles owned
9.12 or regularly driven by the person;

9.13 (7) the expiration year for the motor vehicle license plate tabs of all motor vehicles
9.14 owned by the person;

9.15 (8) the person's driver's license or government identification number and state of issue;

9.16 (9) the year, model, make, and registration number for all watercraft owned or regularly
9.17 operated by the person;

9.18 (10) the person's Social Security number as required by United States Code, title 42,
9.19 section 16914;

9.20 (11) all of the person's electronic mail addresses, instant messaging addresses, and social
9.21 media accounts;

9.22 (12) all telephone numbers including work, school, and home and any cellular telephone
9.23 service;

9.24 (13) the person's passport number and country of issue, if any; and

9.25 (14) the person's professional license number, if any, and the issuing organization.

9.26 (b) The person shall report to the agent or authority the information required to be
9.27 provided under paragraph (a), clauses (2) to ~~(6)~~ (14), within five days of the date the clause
9.28 becomes applicable. If because of a change in circumstances any information reported under
9.29 paragraph (a), clauses (1) to ~~(6)~~ (14), no longer applies, the person shall immediately inform
9.30 the agent or authority that the information is no longer valid. If the person leaves a primary

10.1 address and does not have a new primary address, the person shall register as provided in
10.2 subdivision 3a.

10.3 Sec. 7. Minnesota Statutes 2016, section 243.166, subdivision 4c, is amended to read:

10.4 Subd. 4c. **Notices in writing; signed.** All notices required by this section must be in
10.5 writing and signed by the person required to register. For purposes of this section, a signature
10.6 may be in ink on paper, by an electronic method established by the bureau, or by use of a
10.7 biometric for the person. If a biometric is used, the person must provide a sample that is
10.8 forwarded to the bureau so that it can be maintained for comparison purposes to verify the
10.9 person's identity.

10.10 Sec. 8. Minnesota Statutes 2016, section 243.166, is amended by adding a subdivision to
10.11 read:

10.12 Subd. 4d. **Travel.** (a) A person required to register under this section who intends to
10.13 travel outside the boundaries of the United States must notify the person's corrections agent
10.14 or the law enforcement authority with jurisdiction over the person's primary address of the
10.15 travel plans. The person must provide:

10.16 (i) anticipated departure date;

10.17 (ii) place of departure;

10.18 (iii) place of arrival or return;

10.19 (iv) carrier and flight numbers for air travel;

10.20 (v) destination country and address or other contact information;

10.21 (vi) means and purpose of travel;

10.22 (vii) visa information, if any; and

10.23 (viii) any other itinerary information requested by the corrections agent or law
10.24 enforcement authority.

10.25 The notice must be provided at least 21 calendar days before the departure date and forwarded
10.26 to the bureau within one business day of receipt. If it is not possible to give 21 calendar
10.27 days' notice due to an emergency or a work assignment, the person is required to notify the
10.28 corrections agent or the law enforcement authority with jurisdiction over the person's primary
10.29 address as soon as possible prior to departure. If the travel is due to an emergency, the person
10.30 must provide a copy of the message conveying the emergency that includes the date and
10.31 time sent and the source of the information. If the travel is the result of a work assignment,

11.1 the employer must provide the date the employee was informed of the need to travel and
 11.2 the nature of the work to be performed.

11.3 (b) The corrections agent or law enforcement authority must forward the notification to
 11.4 the bureau as soon as possible after receipt. The bureau must forward the international travel
 11.5 information as required by United States Code, title 42, section 16914.

11.6 Sec. 9. Minnesota Statutes 2016, section 243.166, subdivision 5, is amended to read:

11.7 Subd. 5. **Criminal penalty.** (a) A person required to register under this section who
 11.8 ~~knowingly~~ violates any of its provisions or intentionally provides false information to a
 11.9 corrections agent, law enforcement authority, or the bureau is guilty of a felony and may
 11.10 be sentenced to imprisonment for not more than five years or to payment of a fine of not
 11.11 more than \$10,000, or both.

11.12 (b) Except as provided in paragraph (c), a person convicted of violating paragraph (a)
 11.13 shall be committed to the custody of the commissioner of corrections for not less than a
 11.14 year and a day, nor more than five years.

11.15 (c) A person convicted of violating paragraph (a), who has previously been convicted
 11.16 of or adjudicated delinquent for violating this section or a similar statute of another state or
 11.17 the United States, shall be committed to the custody of the commissioner of corrections for
 11.18 not less than two years, nor more than five years.

11.19 (d) Prior to the time of sentencing, the prosecutor may file a motion to have the person
 11.20 sentenced without regard to the mandatory minimum sentence established by this subdivision.
 11.21 The motion must be accompanied by a statement on the record of the reasons for it. When
 11.22 presented with the motion, or on its own motion, the court may sentence the person without
 11.23 regard to the mandatory minimum sentence if the court finds substantial and compelling
 11.24 reasons to do so. Sentencing a person in the manner described in this paragraph is a departure
 11.25 from the Sentencing Guidelines.

11.26 (e) A person convicted and sentenced as required by this subdivision is not eligible for
 11.27 probation, parole, discharge, work release, conditional release, or supervised release, until
 11.28 that person has served the full term of imprisonment as provided by law, notwithstanding
 11.29 the provisions of sections 241.26, 242.19, 243.05, 244.04, 609.12, and 609.135.

11.30 Sec. 10. Minnesota Statutes 2016, section 243.166, subdivision 6, is amended to read:

11.31 Subd. 6. **Registration period.** (a) Notwithstanding the provisions of section 609.165,
 11.32 subdivision 1, and except as provided in paragraphs (b), (c), and (d), a person required to

12.1 register under this section shall continue to comply with this section until ten years have
12.2 elapsed since the person initially registered in connection with the offense, or until the
12.3 probation, supervised release, or conditional release period expires, whichever occurs later.
12.4 For a person required to register under this section who is committed under section 253B.18,
12.5 Minnesota Statutes 2012, section 253B.185, or chapter 253D, the ten-year registration period
12.6 does not include the period of commitment.

12.7 (b) If a person required to register under this section fails to provide the person's primary
12.8 address as required by subdivision 3, paragraph (b), fails to comply with the requirements
12.9 of subdivision 3a, fails to provide information as required by subdivision 4a, ~~or~~ fails to
12.10 return the verification form referenced in subdivision 4 within ~~ten~~ 15 days, or fails to provide
12.11 the travel information required by subdivision 4d and is convicted under subdivision 5, the
12.12 commissioner of public safety shall require the person to continue to register for an additional
12.13 period of five years. This five-year period is added to the end of the offender's registration
12.14 period. In addition, if the person is not in compliance at the end of the registration period,
12.15 the commissioner shall require the person to continue to register for an additional period of
12.16 two years.

12.17 (c) If a person required to register under this section is incarcerated due to a conviction
12.18 for a new offense or following a revocation of probation, supervised release, or conditional
12.19 release for any offense, the person shall continue to register until ten years have elapsed
12.20 since the person was last released from incarceration or until the person's probation,
12.21 supervised release, or conditional release period expires, whichever occurs later.

12.22 (d) A person shall continue to comply with this section for the life of that person:

12.23 (1) if the person is convicted of or adjudicated delinquent for any offense for which
12.24 registration is required under subdivision 1b, or any offense from another state or any federal
12.25 offense similar to the offenses described in subdivision 1b, and the person has a prior
12.26 conviction or adjudication for an offense for which registration was or would have been
12.27 required under subdivision 1b, or an offense from another state or a federal offense similar
12.28 to an offense described in subdivision 1b;

12.29 (2) if the person is required to register based upon a conviction or delinquency
12.30 adjudication for an offense under section 609.185, paragraph (a), clause (2), or a similar
12.31 statute from another state or the United States;

12.32 (3) if the person is required to register based upon a conviction for an offense under
12.33 section 609.342, subdivision 1, paragraph (a), (c), (d), (e), (f), or (h); 609.343, subdivision
12.34 1, paragraph (a), (c), (d), (e), (f), or (h); 609.344, subdivision 1, paragraph (a), (c), or (g);

13.1 or 609.345, subdivision 1, paragraph (a), (c), or (g); or a statute from another state or the
 13.2 United States similar to the offenses described in this clause; or

13.3 (4) if the person is required to register under subdivision 1b, paragraph (c), following
 13.4 commitment pursuant to a court commitment under Minnesota Statutes 2012, section
 13.5 253B.185, chapter 253D, Minnesota Statutes 1992, section 526.10, or a similar law of
 13.6 another state or the United States.

13.7 (e) A person described in subdivision 1b, paragraph (b), who is required to register under
 13.8 the laws of a state in which the person has been previously convicted or adjudicated
 13.9 delinquent, shall register under this section for the time period required by the state of
 13.10 conviction or adjudication unless a longer time period is required elsewhere in this section.

13.11 Sec. 11. Minnesota Statutes 2016, section 243.166, subdivision 7, is amended to read:

13.12 Subd. 7. **Use of data.** (a) Except as otherwise provided in subdivision 7a or sections
 13.13 244.052 and 299C.093, the data provided under this section is private data on individuals
 13.14 under section 13.02, subdivision 12.

13.15 (b) The data may be used only by law enforcement and corrections agencies for law
 13.16 enforcement and corrections purposes. Law enforcement or a corrections agent may disclose
 13.17 the status of an individual as a predatory offender to a child protection worker with a local
 13.18 welfare agency for purposes of doing a family assessment under section 626.556. A
 13.19 corrections agent may also disclose the status of an individual as a predatory offender to
 13.20 comply with section 244.057.

13.21 (c) The commissioner of human services is authorized to have access to the data for:

13.22 (1) state-operated services, as defined in section 246.014, for the purposes described in
 13.23 section 246.13, subdivision 2, paragraph (b); and

13.24 (2) purposes of completing background studies under chapter 245C.

13.25 Sec. 12. Minnesota Statutes 2016, section 243.166, subdivision 7a, is amended to read:

13.26 Subd. 7a. **Availability of information on offenders who are out of compliance with**
 13.27 **registration law.** (a) The bureau may make information available to the public about
 13.28 offenders who are 16 years of age or older and who are out of compliance with this section
 13.29 for 30 days or longer for failure to provide the offenders' primary or secondary addresses,
 13.30 for failure to return a verification form, or who have absconded. This information may be
 13.31 made available to the public through electronic, computerized, or other accessible means.

14.1 The amount and type of information made available is limited to the information necessary
 14.2 for the public to assist law enforcement in locating the offender.

14.3 (b) An offender who comes into compliance with this section after the bureau discloses
 14.4 information about the offender to the public may send a written request to the bureau
 14.5 requesting the bureau to treat information about the offender as private data, consistent with
 14.6 subdivision 7. The bureau shall review the request and promptly take reasonable action to
 14.7 treat the data as private, if the offender has complied with the requirement that the offender
 14.8 provide the offender's primary and secondary addresses, has returned the verification form
 14.9 or has returned to the primary address, or promptly notify the offender that the information
 14.10 will continue to be treated as public information and the reasons for the bureau's decision.

14.11 (c) If an offender believes the information made public about the offender is inaccurate
 14.12 or incomplete, the offender may challenge the data under section 13.04, subdivision 4.

14.13 (d) The bureau is immune from any civil or criminal liability that might otherwise arise,
 14.14 based on the accuracy or completeness of any information made public under this subdivision,
 14.15 if the bureau acts in good faith.

14.16 Sec. 13. Minnesota Statutes 2016, section 299C.093, is amended to read:

14.17 **299C.093 DATABASE OF REGISTERED PREDATORY OFFENDERS.**

14.18 The superintendent of the Bureau of Criminal Apprehension shall maintain a
 14.19 computerized data system relating to individuals required to register as predatory offenders
 14.20 under section 243.166. To the degree feasible, the system must include the data required to
 14.21 be provided under section 243.166, subdivisions 4 ~~and~~, 4a, and 4d, and indicate the time
 14.22 period that the person is required to register. The superintendent shall maintain this data in
 14.23 a manner that ensures that it is readily available to law enforcement agencies. This data is
 14.24 private data on individuals under section 13.02, subdivision 12, but may be used for law
 14.25 enforcement and corrections purposes. Law enforcement or a corrections agent may disclose
 14.26 the status of an individual as a predatory offender to a child protection worker with a local
 14.27 welfare agency for purposes of doing a family assessment under section 626.556. A
 14.28 corrections agent may also disclose the status of an individual as a predatory offender to
 14.29 comply with section 244.057. The commissioner of human services has access to the data
 14.30 for state-operated services, as defined in section 246.014, for the purposes described in
 14.31 section 246.13, subdivision 2, paragraph (b), and for purposes of conducting background
 14.32 studies under chapter 245C.