

SENATE
STATE OF MINNESOTA
NINETY-THIRD SESSION

S.F. No. 1824

(SENATE AUTHORS: LATZ)

DATE	D-PG	OFFICIAL STATUS
02/16/2023	871	Introduction and first reading Referred to Judiciary and Public Safety
03/01/2023	1163a 1181	Comm report: To pass as amended Second reading
03/02/2023	1289	General Orders: Stricken and re-referred to Finance
03/22/2023	2220	Withdrawn and re-referred to Judiciary and Public Safety
03/30/2023	2771a 2804	Comm report: To pass as amended Second reading
04/25/2023	6027a	Referred to for comparison with HF1510 Rule 45-amend, subst. General Orders HF1510, SF indefinitely postponed See SF2909

- 1.1 A bill for an act
- 1.2 relating to public safety; amending provisions relating to crime victims, fire
- 1.3 marshal, BCA, Department of Public Safety, computer theft, and driving while
- 1.4 impaired; requiring reports; amending Minnesota Statutes 2022, sections 13.825,
- 1.5 subdivision 2; 169A.40, subdivision 3; 169A.41, subdivisions 1, 2; 169A.44;
- 1.6 169A.60, subdivision 2; 171.306, by adding a subdivision; 256I.04, subdivision
- 1.7 2g; 299A.48; 299A.49; 299A.50; 299A.51; 299A.52; 299A.78, subdivision 1;
- 1.8 299A.79, subdivision 3; 299C.063; 299C.46, subdivision 1; 299C.65, subdivisions
- 1.9 1a, 3a; 299F.362; 609.281, subdivisions 3, 4, 5, by adding a subdivision; 609.282,
- 1.10 subdivision 1, by adding a subdivision; 609.321, by adding subdivisions; 609.322,
- 1.11 subdivision 1; 609.325, subdivision 4; 609.87, by adding a subdivision; 609.89;
- 1.12 611A.033; 611A.039, subdivision 1; 611A.51; 611A.52, subdivisions 3, 4, 5;
- 1.13 611A.53; 611A.54; 611A.55; 611A.56; 611A.57, subdivisions 5, 6; 611A.60;
- 1.14 611A.61; 611A.612; 611A.66; 611A.68, subdivisions 2a, 4, 4b, 4c; 629.341,
- 1.15 subdivisions 3, 4; 629.72, subdivision 6; proposing coding for new law in Minnesota
- 1.16 Statutes, chapters 299A; 299C; repealing Minnesota Statutes 2022, sections
- 1.17 518B.02, subdivision 3; 609.281, subdivision 2.
- 1.18 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
- 1.19 Section 1. Minnesota Statutes 2022, section 13.825, subdivision 2, is amended to read:
- 1.20 Subd. 2. **Data classification; court-authorized disclosure.** (a) Data collected by a
- 1.21 portable recording system are private data on individuals or nonpublic data, subject to the
- 1.22 following:
- 1.23 (1) data that document the discharge of a firearm by a peace officer in the course of duty,
- 1.24 if a notice is required under section 626.553, subdivision 2, or the use of force by a peace
- 1.25 officer that results in substantial bodily harm, as defined in section 609.02, subdivision 7a,
- 1.26 are public;
- 1.27 (2) data are public if a subject of the data requests it be made accessible to the public,
- 1.28 except that, if practicable, (i) data on a subject who is not a peace officer and who does not

2.1 consent to the release must be redacted, and (ii) data on a peace officer whose identity is
2.2 protected under section 13.82, subdivision 17, clause (a), must be redacted;

2.3 (3) portable recording system data that are active criminal investigative data are governed
2.4 by section 13.82, subdivision 7, and portable recording system data that are inactive criminal
2.5 investigative data are governed by this section;

2.6 (4) portable recording system data that are public personnel data under section 13.43,
2.7 subdivision 2, clause (5), are public; and

2.8 (5) data that are not public data under other provisions of this chapter retain that
2.9 classification.

2.10 (b) Notwithstanding section 13.82, subdivision 7, a deceased individual's next of kin,
2.11 legal representative of the next of kin, or other parent of the deceased individual's children
2.12 is entitled to view any and all recordings from a peace officer's portable recording system
2.13 and police vehicle dashboard camera, redacted no more than what is required by law, that
2.14 documents the use of deadly force no later than five business days following an incident
2.15 where deadly force used by a peace officer results in the death of an individual, except that
2.16 a chief law enforcement officer may deny a request if the investigating agency requests and
2.17 can articulate a compelling reason as to why allowing the deceased individual's next of kin,
2.18 legal representative of the next of kin, or other parent of the deceased individual's children
2.19 to review the recordings would interfere with a thorough investigation. If the chief law
2.20 enforcement officer denies a request under this paragraph, the involved officer's agency
2.21 must issue a prompt, written denial and provide notice to the deceased individual's next of
2.22 kin, legal representative of the next of kin, or other parent of the deceased individual's
2.23 children that relief may be sought from the district court.

2.24 (c) Notwithstanding section 13.82, subdivision 7, an involved officer's agency shall
2.25 release all portable recording system and police vehicle dashboard camera recordings of an
2.26 incident where a peace officer used deadly force and an individual dies to the public no
2.27 later than 14 business days after the incident, except that a chief law enforcement officer
2.28 shall not release the video if the investigating agency asserts in writing that allowing the
2.29 public to view the recordings would interfere with the ongoing investigation.

2.30 ~~(b)~~ (d) A law enforcement agency may redact or withhold access to portions of data that
2.31 are public under this subdivision if those portions of data are clearly offensive to common
2.32 sensibilities.

2.33 ~~(e)~~ (e) Section 13.04, subdivision 2, does not apply to collection of data classified by
2.34 this subdivision.

3.1 ~~(d)~~ (f) Any person may bring an action in the district court located in the county where
 3.2 portable recording system data are being maintained to authorize disclosure of data that are
 3.3 private or nonpublic under this section or to challenge a determination under paragraph (b)
 3.4 to redact or withhold access to portions of data because the data are clearly offensive to
 3.5 common sensibilities. The person bringing the action must give notice of the action to the
 3.6 law enforcement agency and subjects of the data, if known. The law enforcement agency
 3.7 must give notice to other subjects of the data, if known, who did not receive the notice from
 3.8 the person bringing the action. The court may order that all or part of the data be released
 3.9 to the public or to the person bringing the action. In making this determination, the court
 3.10 shall consider whether the benefit to the person bringing the action or to the public outweighs
 3.11 any harm to the public, to the law enforcement agency, or to a subject of the data and, if
 3.12 the action is challenging a determination under paragraph (b), whether the data are clearly
 3.13 offensive to common sensibilities. The data in dispute must be examined by the court in
 3.14 camera. This paragraph does not affect the right of a defendant in a criminal proceeding to
 3.15 obtain access to portable recording system data under the Rules of Criminal Procedure.

3.16 Sec. 2. Minnesota Statutes 2022, section 169A.40, subdivision 3, is amended to read:

3.17 Subd. 3. **Certain DWI offenders; custodial arrest.** (a) Notwithstanding rule 6.01 of
 3.18 the Rules of Criminal Procedure, a peace officer acting without a warrant who has decided
 3.19 to proceed with the prosecution of a person for violating section 169A.20 (driving while
 3.20 impaired), shall arrest and take the person into custody, ~~and the person must be detained~~
 3.21 ~~until the person's first court appearance~~, if the officer has reason to believe that the violation
 3.22 occurred:

3.23 (1) under the circumstances described in section 169A.24 (first-degree driving while
 3.24 impaired) ~~or~~;

3.25 (2) under the circumstances described in section 169A.25 (second-degree driving while
 3.26 impaired);

3.27 ~~(2)~~ (3) under the circumstances described in section 169A.26 (third-degree driving while
 3.28 impaired) if the person is under the age of 19;

3.29 ~~(3)~~ (4) in the presence of an aggravating factor described in section 169A.03, subdivision
 3.30 3, clause (2) or (3); or

3.31 ~~(4)~~ (5) while the person's driver's license or driving privileges have been canceled under
 3.32 section 171.04, subdivision 1, clause (10) (persons not eligible for drivers' licenses, inimical
 3.33 to public safety).

4.1 (b) A person described in paragraph (a), clause (1) or (5), must be detained until the
 4.2 person's first court appearance.

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

4.4 Sec. 3. Minnesota Statutes 2022, section 169A.41, subdivision 1, is amended to read:

4.5 Subdivision 1. **When authorized.** When a peace officer has reason to believe from the
 4.6 manner in which a person is driving, operating, controlling, or acting upon departure from
 4.7 a motor vehicle, or has driven, operated, or controlled a motor vehicle, that the driver may
 4.8 be violating or has violated section 169A.20 (driving while impaired), 169A.31
 4.9 (alcohol-related school bus or Head Start bus driving), ~~or~~ 169A.33 (underage drinking and
 4.10 driving), 221.0314 (alcohol-related commercial driving), or 221.605 (alcohol-related
 4.11 commercial driving), the officer may require the driver to provide a sample of the driver's
 4.12 breath for a preliminary screening test using a device approved by the commissioner for
 4.13 this purpose.

4.14 Sec. 4. Minnesota Statutes 2022, section 169A.41, subdivision 2, is amended to read:

4.15 Subd. 2. **Use of test results.** The results of this preliminary screening test must be used
 4.16 for the purpose of deciding whether an arrest should be made and whether to require the
 4.17 tests authorized in section 169A.51 (chemical tests for intoxication), but must not be used
 4.18 in any court action except the following:

4.19 (1) to prove that a test was properly required of a person pursuant to section 169A.51,
 4.20 subdivision 1;

4.21 (2) in a civil action arising out of the operation or use of the motor vehicle;

4.22 (3) in an action for license reinstatement under section 171.19;

4.23 (4) in a prosecution for a violation of section 169A.20, subdivision 2 (driving while
 4.24 impaired; test refusal);

4.25 (5) in a prosecution or juvenile court proceeding concerning a violation of section
 4.26 169A.33 (underage drinking and driving), or 340A.503, subdivision 1, paragraph (a), clause
 4.27 (2) (underage alcohol consumption);

4.28 (6) in a prosecution under section 169A.31 (alcohol-related school or Head Start bus
 4.29 driving), or 171.30 (limited license); ~~or~~

5.1 (7) in a prosecution for a violation of a restriction on a driver's license under section
5.2 171.09, which provides that the license holder may not use or consume any amount of
5.3 alcohol or a controlled substance; or

5.4 (8) in a prosecution for a violation of Code of Federal Regulations, title 49, part 392, as
5.5 adopted in sections 221.0314, subdivision 6, and 221.605.

5.6 Sec. 5. Minnesota Statutes 2022, section 169A.44, is amended to read:

5.7 **169A.44 CONDITIONAL RELEASE.**

5.8 Subdivision 1. **Nonfelony violations.** (a) This subdivision applies to a person charged
5.9 with a nonfelony violation of section 169A.20 (driving while impaired) under circumstances
5.10 described in section 169A.40, subdivision 3 (certain DWI offenders; custodial arrest).

5.11 (b) Except as provided in subdivision 3, unless maximum bail is imposed under section
5.12 629.471, a person described in paragraph (a) may be released from detention only if the
5.13 person agrees to:

5.14 (1) abstain from alcohol; and

5.15 (2) submit to a program of electronic alcohol monitoring, involving at least daily
5.16 measurements of the person's alcohol concentration, pending resolution of the charge.

5.17 Clause (2) applies only when electronic alcohol-monitoring equipment is available to
5.18 the court. The court shall require partial or total reimbursement from the person for the cost
5.19 of the electronic alcohol monitoring, to the extent the person is able to pay.

5.20 Subd. 2. **Felony violations.** (a) Except as provided in subdivision 3, a person charged
5.21 with violating section 169A.20 within ten years of the first of three or more qualified prior
5.22 impaired driving incidents may be released from detention only if the following conditions
5.23 are imposed:

5.24 (1) the conditions described in subdivision 1, paragraph (b), if applicable;

5.25 (2) the impoundment of the registration plates of the vehicle used to commit the violation,
5.26 unless already impounded;

5.27 (3) if the vehicle used to commit the violation was an off-road recreational vehicle or a
5.28 motorboat, the impoundment of the off-road recreational vehicle or motorboat;

5.29 (4) a requirement that the person report weekly to a probation agent;

5.30 (5) a requirement that the person abstain from consumption of alcohol and controlled
5.31 substances and submit to random alcohol tests or urine analyses at least weekly;

6.1 (6) a requirement that, if convicted, the person reimburse the court or county for the
6.2 total cost of these services; and

6.3 (7) any other conditions of release ordered by the court.

6.4 (b) In addition to setting forth conditions of release under paragraph (a), if required by
6.5 court rule, the court shall also fix the amount of money bail without other conditions upon
6.6 which the defendant may obtain release.

6.7 Subd. 3. Exception; ignition interlock program. (a) A court is not required, either
6.8 when initially reviewing a person's release or when modifying the terms of the person's
6.9 release, to order a person charged with violating section 169A.24 (first-degree driving while
6.10 impaired), 169A.25 (second-degree driving while impaired), or 169A.26 (third-degree
6.11 driving while impaired) to submit to a program of electronic alcohol monitoring under
6.12 subdivision 1 or 2 if the person becomes a program participant in the ignition interlock
6.13 program under section 171.306.

6.14 (b) A judicial officer, county agency, or probation office may not require or suggest that
6.15 the person use a particular ignition interlock vendor when complying with this subdivision
6.16 but may provide the person with a list of all Minnesota vendors of certified devices.

6.17 (c) Paragraph (b) does not apply in counties where a contract exists for a specific vendor
6.18 to provide interlock device service for program participants who are indigent pursuant to
6.19 section 171.306, subdivision 2, paragraph (b), clause (1).

6.20 Sec. 6. Minnesota Statutes 2022, section 169A.60, subdivision 2, is amended to read:

6.21 Subd. 2. **Plate impoundment violation; impoundment order.** (a) The commissioner
6.22 shall issue a registration plate impoundment order when:

6.23 (1) a person's driver's license or driving privileges are revoked for a plate impoundment
6.24 violation;

6.25 (2) a person is arrested for or charged with a plate impoundment violation described in
6.26 subdivision 1, paragraph (d), clause (5); or

6.27 (3) a person issued new registration plates pursuant to subdivision 13, paragraph (f),
6.28 violates the terms of the ignition interlock program as described in subdivision 13, paragraph
6.29 (g).

6.30 (b) The order must require the impoundment of the registration plates of the motor
6.31 vehicle involved in the plate impoundment violation ~~and all motor vehicles owned by,~~
6.32 ~~registered, or leased in the name of the violator, including motor vehicles registered jointly~~

7.1 ~~or leased in the name of the violator and another.~~ The commissioner shall not issue an
 7.2 impoundment order for the registration plates of a rental vehicle, as defined in section
 7.3 168.041, subdivision 10, or a vehicle registered in another state.

7.4 **EFFECTIVE DATE.** This section is effective August 1, 2023, and applies to acts
 7.5 occurring on or after that date.

7.6 Sec. 7. Minnesota Statutes 2022, section 171.306, is amended by adding a subdivision to
 7.7 read:

7.8 Subd. 9. **Choice of vendor.** (a) A judicial officer, county agency, or probation office
 7.9 may not require or suggest that a person participating in the ignition interlock program under
 7.10 this section use a particular ignition interlock vendor but may provide the person with a list
 7.11 of all Minnesota vendors of certified devices.

7.12 (b) Paragraph (a) does not apply in counties where a contract exists for a specific vendor
 7.13 to provide interlock device service for program participants who are indigent pursuant to
 7.14 subdivision 2, paragraph (b), clause (1).

7.15 Sec. 8. Minnesota Statutes 2022, section 256I.04, subdivision 2g, is amended to read:

7.16 Subd. 2g. **Crisis shelters.** Secure crisis shelters for ~~battered women~~ victims of domestic
 7.17 abuse and their children designated by the Minnesota Department of ~~Corrections~~ Public
 7.18 Safety are not eligible for housing support under this chapter.

7.19 Sec. 9. **[299A.012] ACCEPTANCE OF PRIVATE FUNDS; APPROPRIATION.**

7.20 (a) The commissioner may accept donations, nonfederal grants, bequests, and other gifts
 7.21 of money to carry out the purposes of chapter 299A. Donations, nonfederal grants, bequests,
 7.22 or other gifts of money accepted by the commissioner must be deposited in an account in
 7.23 the special revenue fund and are appropriated to the commissioner for the purpose for which
 7.24 the money was given if the department is authorized to conduct that activity under this
 7.25 chapter.

7.26 (b) By January 15 of each year, the commissioner shall report to the chairs and ranking
 7.27 minority members of the senate and house of representatives committees with jurisdiction
 7.28 over public safety policy and finance on the money received under this section, the sources
 7.29 of the money, and the specific purposes for which it was used.

8.1 Sec. 10. Minnesota Statutes 2022, section 299A.48, is amended to read:

8.2 **299A.48 CITATION.**

8.3 Sections 299A.48 to 299A.52 and 299K.095 may be cited as the "Minnesota ~~Hazardous~~
8.4 ~~Materials~~ Emergency Incident Response Act."

8.5 Sec. 11. Minnesota Statutes 2022, section 299A.49, is amended to read:

8.6 **299A.49 DEFINITIONS.**

8.7 Subdivision 1. **Scope.** For the purposes of sections 299A.48 to 299A.52 and 299K.095,
8.8 the following terms have the meanings given ~~them~~.

8.9 Subd. 1a. **Bomb squad.** "Bomb squad" means a team trained, equipped, and authorized
8.10 by the commissioner to evaluate and provide disposal operations for bombs or other similar
8.11 hazardous explosives. Bomb squad includes a bomb disposal unit as defined in section
8.12 299C.063.

8.13 ~~Subd. 2. **Chemical assessment team.** "Chemical assessment team" means a team (1)~~
8.14 ~~trained, equipped, and authorized to evaluate and, when possible, provide simple mitigation~~
8.15 ~~to a hazardous materials incident and (2) required to recommend to the local incident manager~~
8.16 ~~the best means of controlling the hazard after consideration of life safety concerns,~~
8.17 ~~environmental effects, exposure hazards, quantity and type of hazardous material, availability~~
8.18 ~~of resources, or other relevant factors.~~

8.19 Subd. 3. **Commissioner.** "Commissioner" means the commissioner of public safety.

8.20 Subd. 3a. **Emergency response incident.** "Emergency response incident" means any
8.21 incident to which the response of a state emergency response asset is required.

8.22 Subd. 4. **Hazardous materials.** "Hazardous materials" means substances or materials
8.23 that, because of their chemical, physical, or biological nature, pose a potential risk to life,
8.24 health, or property if they are released. "Hazardous materials" includes any substance or
8.25 material in a particular form or quantity that may pose an unreasonable risk to health, safety,
8.26 and property, or any substance or material in a quantity or form that may be harmful to
8.27 humans, animals, crops, water systems, or other elements of the environment if accidentally
8.28 or intentionally released. Hazardous substances so designated may include explosives,
8.29 radioactive materials, etiologic agents, flammable liquids or solids, combustible liquids or
8.30 solids, poisons, oxidizing or corrosive materials, chemical and biological substances, and
8.31 toxic or flammable gases.

9.1 Subd. 4a. **Hazardous materials emergency response team.** "Hazardous materials
 9.2 emergency response team" means a team (1) trained, equipped, and authorized to evaluate
 9.3 and, when possible, provide practical mitigation to a hazardous materials incident and (2)
 9.4 required to recommend to the local incident manager the best means of controlling the
 9.5 hazard after consideration of life safety concerns, environmental effects, exposure hazards,
 9.6 quantity and type of hazardous material, availability of resources, and other relevant factors.

9.7 Subd. 5. **Local unit of government.** "Local unit of government" means a county, home
 9.8 rule charter or statutory city, or town.

9.9 Subd. 5a. **Minnesota air rescue team.** "Minnesota air rescue team" means a team trained,
 9.10 equipped, and authorized by the commissioner to perform specialized air rescue operations.

9.11 Subd. 6. **Person.** "Person" means any individual, partnership, association, public or
 9.12 private corporation or other entity including the United States government, any interstate
 9.13 body, the state, and any agency, department, or political subdivision of the state.

9.14 ~~Subd. 7. **Regional Hazardous materials response team.** "Regional hazardous materials~~
 9.15 ~~response team" means a team trained and equipped to respond to and mitigate a hazardous~~
 9.16 ~~materials release. A regional hazardous materials response team may include strategically~~
 9.17 ~~located chemical assessment teams.~~

9.18 Subd. 8. **State emergency response asset.** "State emergency response asset" means any
 9.19 team or teams defined under this section.

9.20 Subd. 9. **Urban search and rescue team (USAR).** "Urban search and rescue team" or
 9.21 "USAR" means a team trained and equipped to respond to and carry out rescue and recovery
 9.22 operations at the scene of a collapsed structure. A USAR team may include strategically
 9.23 located fire department assets combined under one joint powers agreement.

9.24 Sec. 12. Minnesota Statutes 2022, section 299A.50, is amended to read:

9.25 **299A.50 RESPONSE PLAN.**

9.26 Subdivision 1. **Elements of plan; rules.** After consultation with the commissioners of
 9.27 natural resources, agriculture, transportation, and the Pollution Control Agency, the state
 9.28 fire marshal, the Emergency Response Commission, appropriate technical emergency
 9.29 response representatives, and representatives of affected parties, the commissioner shall
 9.30 adopt rules to implement a statewide hazardous materials incident response plan. The plan
 9.31 must include:

- 10.1 (1) the locations of ~~up to five regional~~ hazardous materials emergency response teams,
 10.2 based on the location of hazardous materials, response time, proximity to large population
 10.3 centers, and other factors;
- 10.4 (2) the number and qualifications of members on each team;
- 10.5 (3) the responsibilities of ~~regional~~ hazardous materials emergency response teams;
- 10.6 (4) equipment needed for ~~regional~~ hazardous materials emergency response teams;
- 10.7 (5) procedures for selecting and contracting with local governments or nonpublic persons
 10.8 to establish ~~regional~~ hazardous materials emergency response teams;
- 10.9 (6) procedures for dispatching teams at the request of local governments;
- 10.10 (7) a fee schedule for reimbursing local governments or nonpublic persons responding
 10.11 to an incident; and
- 10.12 (8) coordination with other state departments and agencies, local units of government,
 10.13 other states, Indian tribes, the federal government, and other nonpublic persons.

10.14 Subd. 2. **Contract and agreement.** The commissioner may cooperate with and enter
 10.15 into contracts with other state departments and agencies, local units of government, other
 10.16 states, Indian tribes, the federal government, or nonpublic persons to implement the
 10.17 emergency incident response plan.

10.18 Subd. 3. **Long-term oversight; transition.** When a ~~regional~~ hazardous materials
 10.19 emergency response team has completed its response to an incident, the commissioner shall
 10.20 notify the commissioner of the Pollution Control Agency, which is responsible for assessing
 10.21 environmental damage caused by the incident and providing oversight of monitoring and
 10.22 remediation of that damage from the time the response team has completed its activities.

10.23 Sec. 13. Minnesota Statutes 2022, section 299A.51, is amended to read:

10.24 **299A.51 LIABILITY AND WORKERS' COMPENSATION.**

10.25 Subdivision 1. **Liability.** During operations authorized under section 299A.50, members
 10.26 of a ~~regional hazardous materials team~~ state emergency response asset operating outside
 10.27 their geographic jurisdiction are "employees of the state" as defined in section 3.736.

10.28 Subd. 2. **Workers' compensation.** During operations authorized under section 299A.50,
 10.29 members of a ~~regional hazardous materials team~~ state emergency response asset operating
 10.30 outside their geographic jurisdiction are considered employees of the Department of Public
 10.31 Safety for purposes of chapter 176.

11.1 Subd. 3. **Limitation.** A person who provides personnel and equipment to assist at the
 11.2 scene of ~~a hazardous materials~~ an emergency response incident outside the person's
 11.3 geographic jurisdiction or property, at the request of the state or a local unit of government,
 11.4 is not liable for any civil damages resulting from acts or omissions in providing the assistance,
 11.5 unless the person acts in a willful and wanton or reckless manner in providing the assistance.

11.6 Sec. 14. Minnesota Statutes 2022, section 299A.52, is amended to read:

11.7 **299A.52 RESPONSIBLE PERSON PARTY.**

11.8 Subdivision 1. **Response liability.** A responsible ~~person~~ party, as described in section
 11.9 115B.03, is liable for the reasonable and necessary costs, including legal and administrative
 11.10 costs, of response to ~~a hazardous materials~~ an emergency response incident or explosives
 11.11 disposal under section 299C.063 incurred by a ~~regional hazardous materials response team~~
 11.12 state emergency response asset or local unit of government. For the purposes of this section,
 11.13 "hazardous substance" as used in section 115B.03 means "hazardous material" as defined
 11.14 in section 299A.49.

11.15 Subd. 2. **Expense recovery.** The commissioner shall assess the responsible ~~person~~ party
 11.16 ~~for the regional hazardous materials response team~~ an emergency response asset's costs of
 11.17 response. The commissioner may bring an action for recovery of unpaid costs, reasonable
 11.18 attorney fees, and any additional court costs. Any funds received by the commissioner under
 11.19 this subdivision are appropriated to the commissioner to pay for costs for which the funds
 11.20 were received. Any remaining funds at the end of the biennium shall be transferred to the
 11.21 ~~Fire Safety Account~~ general fund.

11.22 Subd. 3. **Attempted avoidance of liability.** For purposes of sections 299A.48 to 299A.52
 11.23 and 299K.095, a responsible ~~person~~ party may not avoid liability by conveying any right,
 11.24 title, or interest in real property or by any indemnification, hold harmless agreement, or
 11.25 similar agreement.

11.26 Sec. 15. Minnesota Statutes 2022, section 299A.78, subdivision 1, is amended to read:

11.27 Subdivision 1. **Definitions.** For purposes of sections 299A.78 to 299A.795, the following
 11.28 definitions apply:

11.29 (a) "Commissioner" means the commissioner of the Department of Public Safety.

11.30 (b) "Nongovernmental organizations" means nonprofit, nongovernmental organizations
 11.31 that provide legal, social, or other community services.

11.32 ~~(c) "Blackmail" has the meaning given in section 609.281, subdivision 2.~~

12.1 ~~(d)~~ (c) "Debt bondage" has the meaning given in section 609.281, subdivision 3.

12.2 ~~(e)~~ (d) "Forced or coerced labor or services" has the meaning given in section 609.281,
12.3 subdivision 4.

12.4 ~~(f)~~ (e) "Labor trafficking" has the meaning given in section 609.281, subdivision 5.

12.5 ~~(g)~~ (f) "Labor trafficking victim" has the meaning given in section 609.281, subdivision
12.6 6.

12.7 ~~(h)~~ (g) "Sex trafficking" has the meaning given in section 609.321, subdivision 7a.

12.8 ~~(i)~~ (h) "Sex trafficking victim" has the meaning given in section 609.321, subdivision
12.9 7b.

12.10 ~~(j)~~ (i) "Trafficking" includes "labor trafficking" and "sex trafficking."

12.11 ~~(k)~~ (j) "Trafficking victim" includes "labor trafficking victim" and "sex trafficking
12.12 victim."

12.13 **EFFECTIVE DATE.** This section is effective August 1, 2023.

12.14 Sec. 16. Minnesota Statutes 2022, section 299A.79, subdivision 3, is amended to read:

12.15 Subd. 3. **Public awareness initiative.** The public awareness initiative required in
12.16 subdivision 1 must address, at a minimum, the following subjects:

12.17 (1) the risks of becoming a trafficking victim;

12.18 (2) common recruitment techniques; use of debt bondage, ~~blackmail~~, forced or coerced
12.19 labor ~~and~~ or services, prostitution, and other coercive tactics; and risks of assault, criminal
12.20 sexual conduct, exposure to sexually transmitted diseases, and psychological harm;

12.21 (3) crime victims' rights; and

12.22 (4) reporting recruitment activities involved in trafficking.

12.23 **EFFECTIVE DATE.** This section is effective August 1, 2023.

12.24 Sec. 17. Minnesota Statutes 2022, section 299C.063, is amended to read:

12.25 **299C.063 BOMB DISPOSAL EXPENSE REIMBURSEMENT.**

12.26 Subdivision 1. **Definitions.** The terms used in this section have the meanings given them
12.27 in this subdivision:

13.1 (a) "Bomb disposal unit" means a commissioner-approved unit consisting of persons
 13.2 who are trained and equipped to dispose of or neutralize bombs or other similar hazardous
 13.3 explosives and who are employed by a municipality.

13.4 (b) "Commissioner" means the commissioner of public safety.

13.5 ~~(c) "Municipality" has the meaning given it in section 466.01.~~

13.6 (c) "Explosives sweep" means a detailed scanning service used in corporate office
 13.7 buildings, shipping hangars, event stadiums, transportation hubs, large outdoor events, and
 13.8 other critical facilities using ground-penetrating radar, magnetometers, metal detectors, and
 13.9 specially trained K-9 units to detect improvised explosive devices and explosive remnants
 13.10 of war, such as unexploded ordnance and abandoned ordnance.

13.11 (d) "Hazardous explosives" means explosives as defined in section 299F.72, subdivision
 13.12 2, explosive devices and incendiary devices as defined in section 609.668, subdivision 1,
 13.13 and all materials subject to regulation under United States Code, title 18, chapter 40.

13.14 (e) "Municipality" has the meaning given in section 466.01.

13.15 Subd. 2. **Expense reimbursement.** (a) The commissioner may reimburse bomb disposal
 13.16 units for reasonable expenses incurred:

13.17 (1) to dispose of or neutralize bombs or other similar hazardous explosives for their
 13.18 employer-municipality or for another municipality outside the jurisdiction of the
 13.19 employer-municipality but within the state. Reimbursement is limited to the extent of
 13.20 appropriated funds;

13.21 (2) to use the services of police explosive detection K-9 assets;

13.22 (3) for dignitary explosive sweeps;

13.23 (4) for explosive sweeps at large state events;

13.24 (5) to provide for explosive security at large state events; and

13.25 (6) for large-scale scheduled public events.

13.26 (b) Reimbursement for expenses under this subdivision is limited to the extent of
 13.27 appropriated funds.

13.28 Subd. 3. **Agreements.** The commissioner may enter into contracts or agreements with
 13.29 bomb disposal units to implement and administer this section.

14.1 Subd. 4. **Public event agreements.** The commissioner may enter into contracts with
14.2 public event organizers, as defined in section 299A.52, for costs associated with explosive
14.3 sweeps conducted by state bomb disposal units.

14.4 Sec. 18. [299C.092] **QUESTIONED IDENTITY PROCESS.**

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

14.7 (b) "Questioned identity" means an individual's identity that is associated with another
14.8 person's records when the individual's identity is used by an offender in interactions with
14.9 law enforcement or that the offender has the same name which can lead to difficulties
14.10 differentiating the individual from the offender.

14.11 (c) "Bureau" means the Bureau of Criminal Apprehension.

14.12 Subd. 2. **Process.** (a) When an individual is the subject of questioned identity, the
14.13 individual may request a review by the bureau through its questioned identity process.
14.14 Individuals must contact the bureau and provide the following:

14.15 (1) documentation of the individual's identity through or via a government-issued photo
14.16 identification;

14.17 (2) documents or information that lead the individual to believe that the individual is
14.18 the subject of questioned identity; and

14.19 (3) fingerprints for identification verification purposes.

14.20 (b) If the bureau is able to confirm that the individual is the subject of questioned identity,
14.21 the bureau shall provide documentation to the individual indicating that the individual has
14.22 been through the bureau's questioned identity process.

14.23 (c) The bureau shall denote any aliases determined to be questioned identities in the
14.24 Criminal History System under section 299C.09 and shall work with other state and local
14.25 agencies to denote aliases in arrest warrants.

14.26 (d) The bureau shall attach a photo of the offender to arrest warrants in the bureau's
14.27 warrant file if a photo is available.

14.28 (e) The bureau, in consultation with reporting criminal justice agencies, may remove an
14.29 alias from a criminal history record when it determines doing so will not negatively impact
14.30 a criminal justice agency's ability to identify the offender in the future. Some considerations
14.31 in making the determination include but are not limited to time elapsed since the alias name
14.32 was last used, frequency with which the alias was used, current incarceration status of the

15.1 offender, whether it is or was the offender's name, and whether the offender is living or
15.2 deceased.

15.3 (f) Law enforcement must take into account the presence of documentation from the
15.4 bureau or another law enforcement agency confirming a questioned identity when considering
15.5 whether an individual has a warrant under section 299C.115 and may contact the bureau or
15.6 the issuing law enforcement agency to confirm authenticity of the documentation provided
15.7 by an individual.

15.8 Sec. 19. Minnesota Statutes 2022, section 299C.46, subdivision 1, is amended to read:

15.9 Subdivision 1. **Establishment.** The commissioner of public safety shall establish a
15.10 criminal justice data communications network that will provide secure access to systems
15.11 and services available from or through the Bureau of Criminal Apprehension. The Bureau
15.12 of Criminal Apprehension may approve additional criminal justice uses by authorized
15.13 agencies to access necessary systems or services not from or through the bureau. The
15.14 commissioner of public safety is authorized to lease or purchase facilities and equipment
15.15 as may be necessary to establish and maintain the data communications network.

15.16 Sec. 20. Minnesota Statutes 2022, section 299C.65, subdivision 1a, is amended to read:

15.17 Subd. 1a. **Membership; duties.** (a) The Criminal and Juvenile Justice Information and
15.18 Bureau of Criminal Apprehension Advisory Group consists of the following members:

15.19 (1) the commissioner of corrections or designee;

15.20 (2) the commissioner of public safety or designee;

15.21 (3) the state chief information officer or designee;

15.22 (4) three members of the judicial branch appointed by the chief justice of the supreme
15.23 court;

15.24 (5) the commissioner of administration or designee;

15.25 (6) the state court administrator or designee;

15.26 (7) two members appointed by the Minnesota Sheriffs Association, at least one of whom
15.27 must be a sheriff;

15.28 (8) two members appointed by the Minnesota Chiefs of Police Association, at least one
15.29 of whom must be a chief of police;

16.1 (9) two members appointed by the Minnesota County Attorneys Association, at least
16.2 one of whom must be a county attorney;

16.3 (10) two members appointed by the League of Minnesota Cities representing the interests
16.4 of city attorneys, at least one of whom must be a city attorney;

16.5 (11) two members appointed by the Board of Public Defense, at least one of whom must
16.6 be a public defender;

16.7 (12) two corrections administrators appointed by the Association of Minnesota Counties
16.8 representing the interests of local corrections, at least one of whom represents a Community
16.9 Corrections Act county;

16.10 (13) two probation officers appointed by the commissioner of corrections in consultation
16.11 with the president of the Minnesota Association of Community Corrections Act Counties
16.12 and the president of the Minnesota Association of County Probation Officers;

16.13 (14) four public members appointed by the governor representing both metropolitan and
16.14 greater Minnesota for a term of four years using the process described in section 15.059,
16.15 one of whom represents the interests of victims, and one of whom represents the private
16.16 business community who has expertise in integrated information systems and who, for the
16.17 purposes of meetings of the advisory group, may be compensated pursuant to section 15.059;

16.18 (15) two members appointed by the Minnesota Association for Court Management, at
16.19 least one of whom must be a court administrator;

16.20 (16) one member of the house of representatives appointed by the speaker of the house,
16.21 or an alternate who is also a member of the house of representatives, appointed by the
16.22 speaker of the house;

16.23 (17) one member of the senate appointed by the majority leader, or an alternate who is
16.24 also a member of the senate, appointed by the majority leader of the senate;

16.25 (18) one member appointed by the attorney general;

16.26 (19) two members appointed by the League of Minnesota Cities, one of whom works
16.27 or resides in greater Minnesota and one of whom works or resides in the seven-county
16.28 metropolitan area, and at least one of whom is an elected official;

16.29 (20) two members appointed by the Association of Minnesota Counties, one of whom
16.30 works or resides in greater Minnesota and one of whom works or resides in the seven-county
16.31 metropolitan area, and at least one of whom is an elected official; and

16.32 (21) the director of the Sentencing Guidelines Commission or a designee.

17.1 (b) The chair, first vice-chair, and second vice-chair shall be elected by the advisory
17.2 group.

17.3 (c) The advisory group shall serve as the state advisory group on statewide criminal
17.4 justice information policy and funding issues. The advisory group shall study and make
17.5 recommendations to the governor, the supreme court, and the legislature on criminal justice
17.6 information funding and policy issues such as related data practices, individual privacy
17.7 rights, and data on race and ethnicity; information-sharing at the local, state, and federal
17.8 levels; technology education and innovation; the impact of proposed legislation on the
17.9 criminal justice system related to information systems and business processes; and data and
17.10 identification standards.

17.11 (d) The advisory group shall have the additional duties of reviewing and advising the
17.12 bureau superintendent on:

17.13 (1) audits, accreditation reports, and internal reviews of bureau operations;

17.14 (2) emerging technologies in the law enforcement and forensic science fields;

17.15 (3) policies and practices that impact individual privacy interests; and

17.16 (4) other programmatic and operational initiatives of the bureau at the request of the
17.17 superintendent.

17.18 Sec. 21. Minnesota Statutes 2022, section 299C.65, subdivision 3a, is amended to read:

17.19 Subd. 3a. **Report.** The advisory group shall file a biennial report with the governor,
17.20 supreme court, and chairs and ranking minority members of the senate and house of
17.21 representatives committees and divisions with jurisdiction over criminal justice funding
17.22 and policy by January 15 in each odd-numbered year. The report must provide the following:

17.23 (1) status and review of current statewide criminal justice information systems;

17.24 (2) recommendations concerning any legislative changes or appropriations that are
17.25 needed to ensure that the criminal justice information systems operate accurately and
17.26 efficiently; ~~and~~

17.27 (3) summary of the activities of the advisory group, including any funding and grant
17.28 requests; and

17.29 (4) summary of any reviews conducted by the advisory group of bureau audits, reports,
17.30 policies, programs, and procedures along with any recommendations provided to the bureau
17.31 related to the reviews.

18.1 Sec. 22. Minnesota Statutes 2022, section 299F.362, is amended to read:

18.2 **299F.362 SMOKE ~~DETECTOR~~ ALARM; INSTALLATION; RULES; PENALTY.**

18.3 Subdivision 1. **Definitions.** For the purposes of this section, the following definitions
18.4 shall apply:

18.5 (a) "Apartment house" is any building, or portion thereof, which is designed, built,
18.6 rented, leased, let, or hired out to be occupied, or which is occupied as the home or residence
18.7 of three or more families living independently of each other and doing their own cooking
18.8 in the building, and shall include buildings containing three or more flats or apartments.

18.9 (b) "Dwelling" is any building, or any portion thereof, which is not an apartment house,
18.10 lodging house, or a hotel and which contains one or two "dwelling units" which are, or are
18.11 intended or designed to be, occupied for living purposes.

18.12 (c) "Dwelling unit" is a single unit providing complete, independent living facilities for
18.13 one or more persons including permanent provisions for living, sleeping, eating, cooking,
18.14 and sanitation, or a single unit used by one or more persons for sleeping and sanitation
18.15 pursuant to a work practice or labor agreement.

18.16 (d) "Hotel" is any building, or portion thereof, containing six or more guest rooms
18.17 intended or designed to be used, or which are used, rented, or hired out to be occupied, or
18.18 which are occupied for sleeping purposes by guests.

18.19 (e) "Lodging house" is any building, or portion thereof, containing not more than five
18.20 guest rooms which are used or are intended to be used for sleeping purposes by guests and
18.21 where rent is paid in money, goods, labor, or otherwise.

18.22 Subd. 2. **Rules; ~~smoke detector~~ alarm location.** The commissioner of public safety
18.23 shall promulgate rules concerning the placement of smoke ~~detectors~~ alarms in dwellings,
18.24 apartment houses, hotels, and lodging houses. The rules shall take into account designs of
18.25 the guest rooms or dwelling units.

18.26 Subd. 3. **Smoke ~~detector~~ alarm for any dwelling.** Every dwelling unit within a dwelling
18.27 must be provided with a smoke ~~detector~~ alarm meeting the requirements of the State Fire
18.28 Code. The ~~detector~~ smoke alarm must be mounted in accordance with the rules regarding
18.29 smoke ~~detector~~ alarm location adopted under subdivision 2. When actuated, the ~~detector~~
18.30 smoke alarm must provide an alarm in the dwelling unit.

18.31 Subd. 3a. **Smoke ~~detector~~ alarm for new dwelling.** In construction of a new dwelling,
18.32 each smoke ~~detector~~ alarm must be attached to a centralized power source.

19.1 Subd. 4. **Smoke ~~detector~~ alarm for apartment, lodging house, or hotel.** Every dwelling
19.2 unit within an apartment house and every guest room in a lodging house or hotel used for
19.3 sleeping purposes must be provided with a smoke ~~detector~~ alarm conforming to the
19.4 requirements of the State Fire Code. In dwelling units, ~~detectors~~ smoke alarms must be
19.5 mounted in accordance with the rules regarding smoke ~~detector~~ alarm location adopted
19.6 under subdivision 2. When actuated, the ~~detector~~ smoke alarm must provide an alarm in
19.7 the dwelling unit or guest room.

19.8 Subd. 5. **Maintenance responsibilities.** For all occupancies covered by this section
19.9 where the occupant is not the owner of the dwelling unit or the guest room, the owner is
19.10 responsible for maintenance of the smoke ~~detectors~~ alarms. An owner may file inspection
19.11 and maintenance reports with the local fire marshal for establishing evidence of inspection
19.12 and maintenance of smoke ~~detectors~~ alarms.

19.13 Subd. 5a. **Inform owner; no added liability.** The occupant of a dwelling unit must
19.14 inform the owner of the dwelling unit of a nonfunctioning smoke ~~detector~~ alarm within 24
19.15 hours of discovering that the smoke ~~detector~~ alarm in the dwelling unit is not functioning.
19.16 If the occupant fails to inform the owner under this subdivision, the occupant's liability for
19.17 damages is not greater than it otherwise would be.

19.18 Subd. 6. **Penalties.** (a) Any person who violates any provision of this section ~~shall be~~
19.19 is subject to the same penalty and ~~the~~ enforcement mechanism that is provided for violation
19.20 of the State Fire Code, as specified in section 299F.011, subdivision 6.

19.21 (b) An occupant who willfully disables a smoke ~~detector~~ alarm or causes it to be
19.22 nonfunctioning, resulting in damage or injury to persons or property, is guilty of a
19.23 misdemeanor.

19.24 Subd. 7. **Local government preempted.** This section prohibits a local unit of government
19.25 from adopting standards different from those provided in this section.

19.26 Subd. 9. **Local government ordinance; installation in single-family**
19.27 **residence.** Notwithstanding subdivision 7, or other law to the contrary, a local governing
19.28 body may adopt, by ordinance, rules for the installation of a smoke ~~detector~~ alarm in
19.29 single-family homes in the city that are more restrictive than the standards provided by this
19.30 section. Rules adopted pursuant to this subdivision may be enforced through a
19.31 truth-in-housing inspection.

19.32 Subd. 10. **Public fire safety educator.** The position of Minnesota public fire safety
19.33 educator is established in the Department of Public Safety.

20.1 Subd. 11. **Insurance claim.** No insurer shall deny a claim for loss or damage by fire for
 20.2 failure of a person to comply with this section.

20.3 Sec. 23. Minnesota Statutes 2022, section 609.281, subdivision 3, is amended to read:

20.4 Subd. 3. **Debt bondage.** "~~Debt bondage" means the status or condition of a debtor arising~~
 20.5 ~~from a pledge by the debtor of the debtor's personal~~ occurs when a person provides labor
 20.6 or services or those of any kind to pay a real or alleged debt of a the person under the debtor's
 20.7 ~~control as a security for debt~~ or another, if the value of those the labor or services as
 20.8 reasonably assessed is not applied toward the liquidation of the debt or the length and nature
 20.9 of ~~those~~ the labor or services are not respectively limited and defined.

20.10 **EFFECTIVE DATE.** This section is effective August 1, 2023, and applies to crimes
 20.11 committed on or after that date.

20.12 Sec. 24. Minnesota Statutes 2022, section 609.281, subdivision 4, is amended to read:

20.13 Subd. 4. **Forced or coerced labor or services.** "Forced or coerced labor or services"
 20.14 means labor or services of any kind that are performed or provided by another person and
 20.15 are obtained or maintained through an actor's:

20.16 (1) threat, either implicit or explicit, scheme, plan, or pattern, or other action or statement
 20.17 intended to cause a person to believe that, if the person did not perform or provide the labor
 20.18 or services, that person or another person would suffer bodily harm or physical restraint;
 20.19 sexual contact, as defined in section 609.341, subdivision 11, paragraph (b); or bodily,
 20.20 psychological, demonstrable economic, or demonstrable reputational harm that is sufficiently
 20.21 serious, under all the surrounding circumstances, to compel a reasonable person of the same
 20.22 background and in the same circumstances to perform or to continue performing labor or
 20.23 services in order to avoid incurring that harm;

20.24 (2) ~~physically restraining or threatening to physically restrain~~ sexual contact, as defined
 20.25 in section 609.341, subdivision 11, paragraph (b), with a person;

20.26 (3) physical restraint of a person;

20.27 (4) infliction of bodily, psychological, demonstrable economic, or demonstrable
 20.28 reputational harm that is sufficiently serious, under all the surrounding circumstances, to
 20.29 compel a reasonable person of the same background and in the same circumstances to
 20.30 perform or to continue performing labor or services in order to avoid incurring that harm;

20.31 ~~(3)~~ (5) abuse or threatened abuse of the legal process, including the use or threatened
 20.32 use of a law or legal process, whether administrative, civil, or criminal; or

21.1 ~~(4) knowingly destroying, concealing, removing, confiscating, or possessing (6)~~
 21.2 destruction, concealment, removal, confiscation, withholding, or possession of any actual
 21.3 or purported passport or other immigration document, or any other actual or purported
 21.4 government identification document, of another person; or.

21.5 ~~(5) use of blackmail.~~

21.6 **EFFECTIVE DATE.** This section is effective August 1, 2023, and applies to crimes
 21.7 committed on or after that date.

21.8 Sec. 25. Minnesota Statutes 2022, section 609.281, subdivision 5, is amended to read:

21.9 Subd. 5. **Labor trafficking.** "Labor trafficking" means:

21.10 (1) the recruitment, transportation, transfer, harboring, enticement, provision, obtaining,
 21.11 or receipt of a person by any means, ~~for the purpose~~ in furtherance of:

21.12 (i) debt bondage ~~or;~~

21.13 (ii) forced or coerced labor or services;

21.14 ~~(ii)~~ (iii) slavery or practices similar to slavery; or

21.15 ~~(iii)~~ (iv) the removal of organs through the use of coercion or intimidation; or

21.16 (2) receiving profit or anything of value, knowing or having reason to know it is derived
 21.17 from an act described in clause (1).

21.18 **EFFECTIVE DATE.** This section is effective August 1, 2023, and applies to crimes
 21.19 committed on or after that date.

21.20 Sec. 26. Minnesota Statutes 2022, section 609.281, is amended by adding a subdivision
 21.21 to read:

21.22 Subd. 7. **Psychological harm.** "Psychological harm" means harm that causes mental
 21.23 distress, mental suffering, or mental anguish as demonstrated by a victim's response to an
 21.24 act, including but not limited to seeking psychotherapy as defined in section 604.20, losing
 21.25 sleep or appetite, being diagnosed with a mental health condition, experiencing suicidal
 21.26 ideation, or having difficulty concentrating on tasks resulting in a loss of productivity.

21.27 **EFFECTIVE DATE.** This section is effective August 1, 2023, and applies to crimes
 21.28 committed on or after that date.

22.1 Sec. 27. Minnesota Statutes 2022, section 609.282, subdivision 1, is amended to read:

22.2 Subdivision 1. ~~Individuals under age 18~~ Labor trafficking resulting in death. Whoever
22.3 knowingly engages in the labor trafficking of an individual ~~who is under the age of 18~~ is
22.4 guilty of a crime and may be sentenced to imprisonment for not more than ~~20~~ 25 years or
22.5 to payment of a fine of not more than \$40,000, or both, if the labor trafficking victim dies
22.6 and the death was proximately caused by the labor trafficking conduct of the offender and
22.7 murder in the first or second degree was not committed thereby.

22.8 EFFECTIVE DATE. This section is effective August 1, 2023, and applies to crimes
22.9 committed on or after that date.

22.10 Sec. 28. Minnesota Statutes 2022, section 609.282, is amended by adding a subdivision
22.11 to read:

22.12 Subd. 1a. Individuals under age 18; extended period of time; great bodily
22.13 harm. Whoever knowingly engages in the labor trafficking of an individual is guilty of a
22.14 crime and may be sentenced to imprisonment for not more than 20 years or to a payment
22.15 of a fine of not more than \$40,000, or both, if any of the following circumstances exist:

22.16 (1) the labor trafficking victim is under the age of 18;

22.17 (2) the labor trafficking occurs over an extended period of time; or

22.18 (3) the labor trafficking victim suffers great bodily harm and the harm was proximately
22.19 caused by the labor trafficking conduct of the offender.

22.20 EFFECTIVE DATE. This section is effective August 1, 2023, and applies to crimes
22.21 committed on or after that date.

22.22 Sec. 29. Minnesota Statutes 2022, section 609.321, is amended by adding a subdivision
22.23 to read:

22.24 Subd. 15. Debt bondage. "Debt bondage" has the meaning given in section 609.281,
22.25 subdivision 3.

22.26 EFFECTIVE DATE. This section is effective August 1, 2023.

22.27 Sec. 30. Minnesota Statutes 2022, section 609.321, is amended by adding a subdivision
22.28 to read:

22.29 Subd. 16. Forced or coerced labor or services. "Forced or coerced labor or services"
22.30 has the meaning given in section 609.281, subdivision 4.

23.1 **EFFECTIVE DATE.** This section is effective August 1, 2023.

23.2 Sec. 31. Minnesota Statutes 2022, section 609.321, is amended by adding a subdivision
23.3 to read:

23.4 Subd. 17. **Labor trafficking victim.** "Labor trafficking victim" has the meaning given
23.5 in section 609.281, subdivision 6.

23.6 **EFFECTIVE DATE.** This section is effective August 1, 2023.

23.7 Sec. 32. Minnesota Statutes 2022, section 609.322, subdivision 1, is amended to read:

23.8 Subdivision 1. **Solicitation, inducement, and promotion of prostitution; sex trafficking**
23.9 **in the first degree.** (a) Whoever, while acting other than as a prostitute or patron,
23.10 intentionally does any of the following may be sentenced to imprisonment for not more
23.11 than 25 years or to payment of a fine of not more than \$50,000, or both:

23.12 (1) solicits or induces an individual under the age of 18 years to practice prostitution;

23.13 (2) promotes the prostitution of an individual under the age of 18 years;

23.14 (3) receives profit, knowing or having reason to know that it is derived from the
23.15 prostitution, or the promotion of the prostitution, of an individual under the age of 18 years;
23.16 or

23.17 (4) engages in the sex trafficking of an individual under the age of 18 years.

23.18 (b) Whoever violates paragraph (a) or subdivision 1a may be sentenced to imprisonment
23.19 for not more than 30 years or to payment of a fine of not more than \$60,000, or both, if one
23.20 or more of the following aggravating factors are present:

23.21 (1) the offender has committed a prior qualified human trafficking-related offense;

23.22 (2) the offense involved a sex trafficking victim who suffered bodily harm during the
23.23 commission of the offense;

23.24 (3) the time period that a sex trafficking victim was held in debt bondage or forced or
23.25 coerced labor or services exceeded 180 days; or

23.26 (4) the offense involved more than one sex trafficking victim.

23.27 **EFFECTIVE DATE.** This section is effective August 1, 2023, and applies to crimes
23.28 committed on or after that date.

24.1 Sec. 33. Minnesota Statutes 2022, section 609.325, subdivision 4, is amended to read:

24.2 Subd. 4. **Affirmative defense.** It is an affirmative defense to a charge under section
 24.3 609.324, subdivision 6 or 7, if the defendant proves by a preponderance of the evidence
 24.4 that the defendant is a labor trafficking victim, ~~as defined in section 609.281~~, or a sex
 24.5 trafficking victim, ~~as defined in section 609.321~~, and that the defendant committed the acts
 24.6 underlying the charge as a result of being a labor trafficking or sex trafficking victim.

24.7 Sec. 34. Minnesota Statutes 2022, section 609.87, is amended by adding a subdivision to
 24.8 read:

24.9 Subd. 17. **Electronic data.** "Electronic data" means records or information in digital
 24.10 form on a computer, computer network, computer system, or in computer software that can
 24.11 be stored, transmitted, or processed.

24.12 Sec. 35. Minnesota Statutes 2022, section 609.89, is amended to read:

24.13 **609.89 COMPUTER AND ELECTRONIC DATA THEFT.**

24.14 Subdivision 1. **Acts.** Whoever does any of the following is guilty of computer or
 24.15 electronic data theft and may be sentenced as provided in subdivision 2:

24.16 ~~(a)~~ (1) intentionally and without authorization or claim of right accesses or causes to be
 24.17 accessed any computer, computer system, computer network or any part thereof for the
 24.18 purpose of obtaining services or property; ~~or~~

24.19 ~~(b)~~ (2) intentionally and without claim of right, and with intent to deprive the owner of
 24.20 use or possession, takes, transfers, conceals or retains possession of any computer, computer
 24.21 system, or any computer software or data contained in a computer, computer system, or
 24.22 computer network;

24.23 (3) intentionally and without authorization or claim of right accesses or copies any
 24.24 computer software or electronic data and uses, alters, transfers, retains, or publishes the
 24.25 computer software or electronic data; or

24.26 (4) intentionally retains copies of any computer software or electronic data beyond the
 24.27 individual's authority.

24.28 Subd. 2. **Penalty.** (a) Except as provided in paragraph (b), anyone who commits computer
 24.29 or electronic data theft may be sentenced as follows:

25.1 ~~(a)~~ (1) to imprisonment for not more than ten years or to payment of a fine of not more
 25.2 than \$50,000, or both, if the loss to the owner, or the owner's agent, or lessee is in excess
 25.3 of \$2,500; ~~or~~

25.4 ~~(b)~~ (2) to imprisonment for not more than five years or to payment of a fine of not more
 25.5 than \$10,000, or both, if the loss to the owner, or the owner's agent, or lessee is more than
 25.6 \$500 but not more than \$2,500; or

25.7 ~~(c)~~ (3) in all other cases to imprisonment for not more than 90 days or to payment of a
 25.8 fine of not more than \$1,000, or both.

25.9 (b) A violation of subdivision 1, clause (3) or (4), is a misdemeanor.

25.10 **EFFECTIVE DATE.** This section is effective August 1, 2023, and applies to crimes
 25.11 committed on or after that date.

25.12 Sec. 36. Minnesota Statutes 2022, section 611A.033, is amended to read:

25.13 **611A.033 SPEEDY TRIAL; NOTICE OF HEARINGS AND SCHEDULE**
 25.14 **CHANGE.**

25.15 (a) A victim has the right to request that the prosecutor make a demand under rule 11.09
 25.16 of the Rules of Criminal Procedure that the trial be commenced within 60 days of the demand.
 25.17 The prosecutor shall make reasonable efforts to comply with the victim's request.

25.18 (b) A prosecutor shall make reasonable efforts to provide to a victim the date and time
 25.19 of the sentencing hearing and the hearing during which the plea is to be presented to the
 25.20 court.

25.21 ~~(b)~~ (c) A prosecutor shall make reasonable efforts to provide advance notice of any
 25.22 change in the schedule of the court proceedings to a victim who has been subpoenaed or
 25.23 requested to testify.

25.24 ~~(c)~~ (d) In a criminal proceeding in which a vulnerable adult, as defined in section 609.232,
 25.25 subdivision 11, is a victim, the state may move the court for a speedy trial. The court, after
 25.26 consideration of the age and health of the victim, may grant a speedy trial. The motion may
 25.27 be filed and served with the complaint or any time after the complaint is filed and served.

25.28 Sec. 37. Minnesota Statutes 2022, section 611A.039, subdivision 1, is amended to read:

25.29 Subdivision 1. **Notice required.** (a) Except as otherwise provided in subdivision 2,
 25.30 within 15 working days after a conviction, acquittal, or dismissal in a criminal case in which
 25.31 there is an identifiable crime victim, the prosecutor shall make reasonable good faith efforts

26.1 to provide to each affected crime victim oral or written notice of the final disposition of the
 26.2 case and of the victim rights under section 611A.06. When the court is considering modifying
 26.3 the sentence for a felony or a crime of violence or an attempted crime of violence, the ~~court~~
 26.4 ~~or its designee~~ prosecutor shall make a reasonable and good faith effort to notify the victim
 26.5 of the crime. If the victim is incapacitated or deceased, notice must be given to the victim's
 26.6 family. If the victim is a minor, notice must be given to the victim's parent or guardian. The
 26.7 notice must include:

26.8 (1) the date and approximate time of the review;

26.9 (2) the location where the review will occur;

26.10 (3) the name and telephone number of a person to contact for additional information;

26.11 and

26.12 (4) a statement that the victim and victim's family may provide input to the court
 26.13 concerning the sentence modification.

26.14 (b) The Office of Justice Programs in the Department of Public Safety shall develop and
 26.15 update a model notice of postconviction rights under this subdivision and section 611A.06.

26.16 (c) As used in this section, "crime of violence" has the meaning given in section 624.712,
 26.17 subdivision 5, and also includes violations of section 609.3458, gross misdemeanor violations
 26.18 of section 609.224, and nonfelony violations of sections 518B.01, 609.2231, 609.3451,
 26.19 609.748, and 609.749.

26.20 Sec. 38. Minnesota Statutes 2022, section 611A.51, is amended to read:

26.21 **611A.51 TITLE.**

26.22 Sections 611A.51 to 611A.68 shall be known as the "Minnesota Crime Victims
 26.23 ~~Reparations~~ Reimbursement Act."

26.24 Sec. 39. Minnesota Statutes 2022, section 611A.52, subdivision 3, is amended to read:

26.25 Subd. 3. **Board.** "Board" means the Crime Victims ~~reparations~~ Reimbursement Board
 26.26 established by section 611A.55.

26.27 Sec. 40. Minnesota Statutes 2022, section 611A.52, subdivision 4, is amended to read:

26.28 Subd. 4. **Claimant.** "Claimant" means a person entitled to apply for ~~reparations~~
 26.29 reimbursement pursuant to sections 611A.51 to 611A.68.

27.1 Sec. 41. Minnesota Statutes 2022, section 611A.52, subdivision 5, is amended to read:

27.2 Subd. 5. **Collateral source.** "Collateral source" means a source of benefits or advantages
27.3 for economic loss otherwise ~~reparable~~ reimbursable under sections 611A.51 to 611A.68
27.4 which the victim or claimant has received, or which is readily available to the victim, from:

27.5 (1) the offender;

27.6 (2) the government of the United States or any agency thereof, a state or any of its
27.7 political subdivisions, or an instrumentality of two or more states, unless the law providing
27.8 for the benefits or advantages makes them excess or secondary to benefits under sections
27.9 611A.51 to 611A.68;

27.10 (3) Social Security, Medicare, and Medicaid;

27.11 (4) state required temporary nonoccupational disability insurance;

27.12 (5) workers' compensation;

27.13 (6) wage continuation programs of any employer;

27.14 (7) proceeds of a contract of insurance payable to the victim for economic loss sustained
27.15 because of the crime;

27.16 (8) a contract providing prepaid hospital and other health care services, or benefits for
27.17 disability;

27.18 (9) any private source as a voluntary donation or gift; or

27.19 (10) proceeds of a lawsuit brought as a result of the crime.

27.20 The term does not include a life insurance contract.

27.21 Sec. 42. Minnesota Statutes 2022, section 611A.53, is amended to read:

27.22 **611A.53 REPARATIONS REIMBURSEMENT AWARDS PROHIBITED.**

27.23 Subdivision 1. **Generally.** Except as provided in subdivisions 1a and 2, the following
27.24 persons shall be entitled to ~~reparations~~ reimbursement upon a showing by a preponderance
27.25 of the evidence that the requirements for ~~reparations~~ reimbursement have been met:

27.26 (1) a victim who has incurred economic loss;

27.27 (2) a dependent who has incurred economic loss;

27.28 (3) the estate of a deceased victim if the estate has incurred economic loss;

28.1 (4) any other person who has incurred economic loss by purchasing any of the products,
 28.2 services, and accommodations described in section 611A.52, subdivision 8, for a victim;

28.3 (5) the guardian, guardian ad litem, conservator or authorized agent of any of these
 28.4 persons.

28.5 Subd. 1a. **Providers; limitations.** No hospital, medical organization, health care provider,
 28.6 or other entity that is not an individual may qualify for reparations under subdivision 1,
 28.7 clause (4). If a hospital, medical organization, health care provider, or other entity that is
 28.8 not an individual qualifies for ~~reparations~~ reimbursement under subdivision 1, clause (5),
 28.9 because it is a guardian, guardian ad litem, conservator, or authorized agent, any ~~reparations~~
 28.10 reimbursement to which it is entitled must be made payable solely or jointly to the victim,
 28.11 if alive, or to the victim's estate or successors, if the victim is deceased.

28.12 Subd. 1b. **Minnesota residents injured elsewhere.** (a) A Minnesota resident who is
 28.13 the victim of a crime committed outside the geographical boundaries of this state but who
 28.14 otherwise meets the requirements of this section shall have the same rights under this chapter
 28.15 as if the crime had occurred within this state upon a showing that the state, territory, United
 28.16 States possession, country, or political subdivision of a country in which the crime occurred
 28.17 does not have a crime victim ~~reparations~~ reimbursement law covering the resident's injury
 28.18 or death.

28.19 (b) Notwithstanding paragraph (a), a Minnesota resident who is the victim of a crime
 28.20 involving international terrorism who otherwise meets the requirements of this section has
 28.21 the same rights under this chapter as if the crime had occurred within this state regardless
 28.22 of where the crime occurred or whether the jurisdiction has a crime victims ~~reparations~~
 28.23 reimbursement law.

28.24 Subd. 2. **Limitations on awards.** No ~~reparations~~ reimbursement shall be awarded to a
 28.25 claimant otherwise eligible if:

28.26 (1) the crime was not reported to the police within 30 days of its occurrence or, if it
 28.27 could not reasonably have been reported within that period, within 30 days of the time when
 28.28 a report could reasonably have been made. A victim of criminal sexual conduct in the first,
 28.29 second, third, or fourth degree who does not report the crime within 30 days of its occurrence
 28.30 is deemed to have been unable to have reported it within that period;

28.31 (2) the victim or claimant failed or refused to cooperate fully with the police and other
 28.32 law enforcement officials. Cooperation is determined through law enforcement reports,
 28.33 prosecutor records, or corroboration memorialized in a signed document submitted by a
 28.34 victim service, counseling, or medical professional involved in the case;

29.1 (3) the victim or claimant was the offender or an accomplice of the offender or an award
 29.2 to the claimant would unjustly benefit the offender or an accomplice;

29.3 (4) the victim or claimant was in the act of committing a crime at the time the injury
 29.4 occurred;

29.5 (5) no claim was filed with the board within three years of victim's injury or death; except
 29.6 that (i) if the claimant was unable to file a claim within that period, then the claim can be
 29.7 made within three years of the time when a claim could have been filed; and (ii) if the
 29.8 victim's injury or death was not reasonably discoverable within three years of the injury or
 29.9 death, then the claim can be made within three years of the time when the injury or death
 29.10 is reasonably discoverable. The following circumstances do not render a claimant unable
 29.11 to file a claim for the purposes of this clause: (A) lack of knowledge of the existence of the
 29.12 Minnesota Crime Victims ~~Reparations~~ Reimbursement Act, (B) the failure of a law
 29.13 enforcement agency to provide information or assistance to a potential claimant under
 29.14 section 611A.66, (C) the incompetency of the claimant if the claimant's affairs were being
 29.15 managed during that period by a guardian, guardian ad litem, conservator, authorized agent,
 29.16 or parent, or (D) the fact that the claimant is not of the age of majority; or

29.17 (6) the claim is less than \$50.

29.18 The limitations contained in clauses (1) and (6) do not apply to victims of child abuse.
 29.19 In those cases the three-year limitation period commences running with the report of the
 29.20 crime to the police.

29.21 Sec. 43. Minnesota Statutes 2022, section 611A.54, is amended to read:

29.22 **611A.54 AMOUNT OF ~~REPARATIONS~~ REIMBURSEMENT.**

29.23 ~~Reparations~~ Reimbursement shall equal economic loss except that:

29.24 (1) ~~reparations~~ reimbursement shall be reduced to the extent that economic loss is
 29.25 recouped from a collateral source or collateral sources. Where compensation is readily
 29.26 available to a claimant from a collateral source, the claimant must take reasonable steps to
 29.27 recoup from the collateral source before claiming ~~reparations~~ reimbursement;

29.28 (2) ~~reparations~~ reimbursement shall be denied or reduced to the extent, if any, that the
 29.29 board deems reasonable because of the contributory misconduct of the claimant or of a
 29.30 victim through whom the claimant claims. Contributory misconduct does not include current
 29.31 or past affiliation with any particular group; and

30.1 (3) ~~reparations~~ reimbursement paid to all claimants suffering economic loss as the result
 30.2 of the injury or death of any one victim shall not exceed \$50,000.

30.3 No employer may deny an employee an award of benefits based on the employee's
 30.4 eligibility or potential eligibility for ~~reparations~~ reimbursement.

30.5 Sec. 44. Minnesota Statutes 2022, section 611A.55, is amended to read:

30.6 **611A.55 CRIME VICTIMS ~~REPARATIONS~~ REIMBURSEMENT BOARD.**

30.7 Subdivision 1. **Creation of board.** There is created in the Department of Public Safety,
 30.8 for budgetary and administrative purposes, the Crime Victims ~~Reparations~~ Reimbursement
 30.9 Board, which shall consist of five members appointed by the commissioner of public safety.
 30.10 One of the members shall be designated as chair by the commissioner of public safety and
 30.11 serve as such at the commissioner's pleasure. At least one member shall be a medical or
 30.12 osteopathic physician licensed to practice in this state, and at least one member shall be a
 30.13 victim, as defined in section 611A.01.

30.14 Subd. 2. **Membership, terms and compensation.** The membership terms, compensation,
 30.15 removal of members, and filling of vacancies on the board shall be as provided in section
 30.16 15.0575.

30.17 Subd. 3. **Part-time service.** Members of the board shall serve part time.

30.18 Sec. 45. Minnesota Statutes 2022, section 611A.56, is amended to read:

30.19 **611A.56 POWERS AND DUTIES OF BOARD.**

30.20 Subdivision 1. **Duties.** In addition to carrying out any duties specified elsewhere in
 30.21 sections 611A.51 to 611A.68 or in other law, the board shall:

30.22 (1) provide all claimants with an opportunity for hearing pursuant to chapter 14;

30.23 (2) adopt rules to implement and administer sections 611A.51 to 611A.68, including
 30.24 rules governing the method of practice and procedure before the board, prescribing the
 30.25 manner in which applications for ~~reparations~~ reimbursement shall be made, and providing
 30.26 for discovery proceedings;

30.27 (3) publicize widely the availability of ~~reparations~~ reimbursement and the method of
 30.28 making claims; and

30.29 (4) prepare and transmit annually to the governor and the commissioner of public safety
 30.30 a report of its activities including the number of claims awarded, a brief description of the

31.1 facts in each case, the amount of ~~reparation~~ reimbursement awarded, and a statistical
 31.2 summary of claims and awards made and denied.

31.3 Subd. 2. **Powers.** In addition to exercising any powers specified elsewhere in sections
 31.4 611A.51 to 611A.68 or other law, the board upon its own motion or the motion of a claimant
 31.5 or the attorney general may:

31.6 (1) issue subpoenas for the appearance of witnesses and the production of books, records,
 31.7 and other documents;

31.8 (2) administer oaths and affirmations and cause to be taken affidavits and depositions
 31.9 within and without this state;

31.10 (3) take notice of judicially cognizable facts and general, technical, and scientific facts
 31.11 within their specialized knowledge;

31.12 (4) order a mental or physical examination of a victim or an autopsy of a deceased victim
 31.13 provided that notice is given to the person to be examined and that the claimant and the
 31.14 attorney general receive copies of any resulting report;

31.15 (5) suspend or postpone the proceedings on a claim if a criminal prosecution arising out
 31.16 of the incident which is the basis of the claim has been commenced or is imminent;

31.17 (6) request from prosecuting attorneys and law enforcement officers investigations and
 31.18 data to enable the board to perform its duties under sections 611A.51 to 611A.68;

31.19 (7) grant emergency ~~reparations~~ reimbursement pending the final determination of a
 31.20 claim if it is one with respect to which an award will probably be made and undue hardship
 31.21 will result to the claimant if immediate payment is not made; and

31.22 (8) reconsider any decision granting or denying ~~reparations~~ reimbursement or determining
 31.23 their amount.

31.24 Sec. 46. Minnesota Statutes 2022, section 611A.57, subdivision 5, is amended to read:

31.25 Subd. 5. **Reconsideration.** The claimant may, within 30 days after receiving the decision
 31.26 of the board, apply for reconsideration before the entire board. Upon request for
 31.27 reconsideration, the board shall reexamine all information filed by the claimant, including
 31.28 any new information the claimant provides, and all information obtained by investigation.
 31.29 The board may also conduct additional examination into the validity of the claim. Upon
 31.30 reconsideration, the board may affirm, modify, or reverse the prior ruling. A claimant denied
 31.31 ~~reparations~~ reimbursement upon reconsideration is entitled to a contested case hearing within
 31.32 the meaning of chapter 14.

32.1 Sec. 47. Minnesota Statutes 2022, section 611A.57, subdivision 6, is amended to read:

32.2 Subd. 6. **Data.** Claims for ~~reparations~~ reimbursement and supporting documents and
 32.3 reports are investigative data and subject to the provisions of section 13.39 until the claim
 32.4 is paid, denied, withdrawn, or abandoned. Following the payment, denial, withdrawal, or
 32.5 abandonment of a claim, the claim and supporting documents and reports are private data
 32.6 on individuals as defined in section 13.02, subdivision 12; provided that the board may
 32.7 forward any ~~reparations~~ reimbursement claim forms, supporting documents, and reports to
 32.8 local law enforcement authorities for purposes of implementing section 611A.67.

32.9 Sec. 48. Minnesota Statutes 2022, section 611A.60, is amended to read:

32.10 **611A.60 ~~REPARATIONS~~ REIMBURSEMENT; HOW PAID.**

32.11 ~~Reparations~~ Reimbursement may be awarded in a lump sum or in installments in the
 32.12 discretion of the board. The amount of any emergency award shall be deducted from the
 32.13 final award, if a lump sum, or prorated over a period of time if the final award is made in
 32.14 installments. ~~Reparations are~~ Reimbursement is exempt from execution or attachment except
 32.15 by persons who have supplied services, products or accommodations to the victim as a result
 32.16 of the injury or death which is the basis of the claim. The board, in its discretion may order
 32.17 that all or part of the ~~reparations~~ reimbursement awarded be paid directly to these suppliers.

32.18 Sec. 49. Minnesota Statutes 2022, section 611A.61, is amended to read:

32.19 **611A.61 SUBROGATION.**

32.20 Subdivision 1. **Subrogation rights of state.** The state shall be subrogated, to the extent
 32.21 of ~~reparations~~ reimbursement awarded, to all the claimant's rights to recover benefits or
 32.22 advantages for economic loss from a source which is or, if readily available to the victim
 32.23 or claimant would be, a collateral source. Nothing in this section shall limit the claimant's
 32.24 right to bring a cause of action to recover for other damages.

32.25 Subd. 2. **Duty of claimant to assist.** A claimant who receives ~~reparations~~ reimbursement
 32.26 must agree to assist the state in pursuing any subrogation rights arising out of the claim.
 32.27 The board may require a claimant to agree to represent the state's subrogation interests if
 32.28 the claimant brings a cause of action for damages arising out of the crime or occurrence for
 32.29 which the board has awarded ~~reparations~~ reimbursement. An attorney who represents the
 32.30 state's subrogation interests pursuant to the client's agreement with the board is entitled to
 32.31 reasonable attorney's fees not to exceed one-third of the amount recovered on behalf of the
 32.32 state.

33.1 Sec. 50. Minnesota Statutes 2022, section 611A.612, is amended to read:

33.2 **611A.612 CRIME VICTIMS ACCOUNT.**

33.3 A crime victim account is established as a special account in the state treasury. Amounts
 33.4 collected by the state under section 611A.61, paid to the Crime Victims ~~Reparations~~
 33.5 Reimbursement Board under section 611A.04, subdivision 1a, or amounts deposited by the
 33.6 court under section 611A.04, subdivision 5, shall be credited to this account. Money credited
 33.7 to this account is annually appropriated to the Department of Public Safety for use for crime
 33.8 victim ~~reparations~~ reimbursement under sections 611A.51 to 611A.67.

33.9 Sec. 51. Minnesota Statutes 2022, section 611A.66, is amended to read:

33.10 **611A.66 LAW ENFORCEMENT AGENCIES; DUTY TO INFORM VICTIMS**
 33.11 **OF RIGHT TO FILE CLAIM.**

33.12 All law enforcement agencies investigating crimes shall provide victims with notice of
 33.13 their right to apply for ~~reparations~~ reimbursement with the telephone number ~~to call to~~
 33.14 ~~request~~ and website information to obtain an application form.

33.15 Law enforcement agencies shall assist the board in performing its duties under sections
 33.16 611A.51 to 611A.68. Law enforcement agencies within ten days after receiving a request
 33.17 from the board shall supply the board with requested reports, notwithstanding any provisions
 33.18 to the contrary in chapter 13, and including reports otherwise maintained as confidential or
 33.19 not open to inspection under section 260B.171 or 260C.171. All data released to the board
 33.20 retains the data classification that it had in the possession of the law enforcement agency.

33.21 Sec. 52. Minnesota Statutes 2022, section 611A.68, subdivision 2a, is amended to read:

33.22 Subd. 2a. **Notice and payment of proceeds to board required.** A person that enters
 33.23 into a contract with an offender convicted in this state, and a person that enters into a contract
 33.24 in this state with an offender convicted in this state or elsewhere within the United States,
 33.25 must comply with this section if the person enters into the contract during the ten years after
 33.26 the offender is convicted of a crime or found not guilty by reason of insanity. If an offender
 33.27 is imprisoned or committed to an institution following the conviction or finding of not guilty
 33.28 by reason of insanity, the ten-year period begins on the date of the offender's release. A
 33.29 person subject to this section must notify the Crime Victims ~~Reparations~~ Reimbursement
 33.30 Board of the existence of the contract immediately upon its formation, and pay over to the
 33.31 board money owed to the offender or the offender's representatives by virtue of the contract
 33.32 according to the following proportions:

34.1 (1) if the crime occurred in this state, the person shall pay to the board 100 percent of
 34.2 the money owed under the contract;

34.3 (2) if the crime occurred in another jurisdiction having a law applicable to the contract
 34.4 which is substantially similar to this section, this section does not apply, and the person
 34.5 must not pay to the board any of the money owed under the contract; and

34.6 (3) in all other cases, the person shall pay to the board that percentage of money owed
 34.7 under the contract which can fairly be attributed to commerce in this state with respect to
 34.8 the subject matter of the contract.

34.9 Sec. 53. Minnesota Statutes 2022, section 611A.68, subdivision 4, is amended to read:

34.10 Subd. 4. **Deductions.** When the board has made ~~reparations~~ reimbursement payments
 34.11 to or on behalf of a victim of the offender's crime pursuant to sections 611A.51 to 611A.68,
 34.12 it shall deduct the amount of the ~~reparations~~ reimbursement award from any payment
 34.13 received under this section by virtue of the offender's contract unless the board has already
 34.14 been reimbursed for the ~~reparations~~ award from another collateral source.

34.15 Sec. 54. Minnesota Statutes 2022, section 611A.68, subdivision 4b, is amended to read:

34.16 Subd. 4b. **Claims by victims of offender's crime.** A victim of a crime committed by
 34.17 the offender and the estate of a deceased victim of a crime committed by the offender may
 34.18 submit the following claims for ~~reparations~~ reimbursement and damages to the board to be
 34.19 paid from money received by virtue of the offender's contract:

34.20 (1) claims for ~~reparations~~ reimbursement to which the victim is entitled under sections
 34.21 611A.51 to 611A.68 and for which the victim has not yet received an award from the board;

34.22 (2) claims for ~~reparations~~ reimbursement to which the victim would have been entitled
 34.23 under sections 611A.51 to 611A.68, but for the \$50,000 maximum limit contained in section
 34.24 611A.54, clause (3); and

34.25 (3) claims for other uncompensated damages suffered by the victim as a result of the
 34.26 offender's crime including, but not limited to, damages for pain and suffering.

34.27 The victim must file the claim within five years of the date on which the board received
 34.28 payment under this section. The board shall determine the victim's claim in accordance with
 34.29 the procedures contained in sections 611A.57 to 611A.63. An award made by the board
 34.30 under this subdivision must be paid from the money received by virtue of the offender's
 34.31 contract that remains after a deduction or allocation, if any, has been made under subdivision
 34.32 4 or 4a.

35.1 Sec. 55. Minnesota Statutes 2022, section 611A.68, subdivision 4c, is amended to read:

35.2 Subd. 4c. **Claims by other crime victims.** The board may use money received by virtue
35.3 of an offender's contract for the purpose of paying ~~reparations~~ reimbursement awarded to
35.4 victims of other crimes pursuant to sections 611A.51 to 611A.68 under the following
35.5 circumstances:

35.6 (1) money remain after deductions and allocations have been made under subdivisions
35.7 4 and 4a, and claims have been paid under subdivision 4b; or

35.8 (2) no claim is filed under subdivision 4b within five years of the date on which the
35.9 board received payment under this section.

35.10 None of this money may be used for purposes other than ~~the payment of reparations~~
35.11 reimbursement.

35.12 Sec. 56. Minnesota Statutes 2022, section 629.341, subdivision 3, is amended to read:

35.13 Subd. 3. **Notice of rights.** The peace officer shall tell the victim whether a shelter or
35.14 other services are available in the community and give the victim immediate notice of the
35.15 legal rights and remedies available. The notice must include furnishing the victim a copy
35.16 of the following statement:

35.17 "IF YOU ARE THE VICTIM OF DOMESTIC VIOLENCE, you can ask the city or
35.18 county attorney to file a criminal complaint. You also have the right to go to court and file
35.19 a petition requesting an order for protection from domestic abuse. The order could include
35.20 the following:

35.21 (1) an order restraining the abuser from further acts of abuse;

35.22 (2) an order directing the abuser to leave your household;

35.23 (3) an order preventing the abuser from entering your residence, school, business, or
35.24 place of employment;

35.25 (4) an order awarding you or the other parent custody of or parenting time with your
35.26 minor child or children; or

35.27 (5) an order directing the abuser to pay support to you and the minor children if the
35.28 abuser has a legal obligation to do so."

35.29 The notice must include the resource listing, including telephone number, for the area
35.30 ~~battered women's~~ program that provides services to victims of domestic abuse as shelter,

36.1 ~~to be~~ designated by the Office of Justice Programs in the Department of Corrections Public
 36.2 Safety.

36.3 Sec. 57. Minnesota Statutes 2022, section 629.341, subdivision 4, is amended to read:

36.4 Subd. 4. **Report required.** Whenever a peace officer investigates an allegation that an
 36.5 incident described in subdivision 1 has occurred, whether or not an arrest is made, the officer
 36.6 shall make a written police report of the alleged incident. The report must contain at least
 36.7 the following information: the name, address and telephone number of the victim, if provided
 36.8 by the victim, a statement as to whether an arrest occurred, the name of the arrested person,
 36.9 and a brief summary of the incident. Data that identify a victim who has made a request
 36.10 under section 13.82, subdivision 17, paragraph (d), and that are private data under that
 36.11 subdivision, shall be private in the report required by this section. A copy of this report must
 36.12 be provided upon request, at no cost, to the victim of domestic abuse, the victim's attorney,
 36.13 or organizations designated by the Office of Justice Programs in the Department of Public
 36.14 Safety ~~or the commissioner of corrections~~ that are providing services to victims of domestic
 36.15 abuse. The officer shall submit the report to the officer's supervisor or other person to whom
 36.16 the employer's rules or policies require reports of similar allegations of criminal activity to
 36.17 be made.

36.18 Sec. 58. Minnesota Statutes 2022, section 629.72, subdivision 6, is amended to read:

36.19 Subd. 6. **Notice; release of arrested person.** (a) Immediately after issuance of a citation
 36.20 in lieu of continued detention under subdivision 1, or the entry of an order for release under
 36.21 subdivision 2, but before the arrested person is released, the agency having custody of the
 36.22 arrested person or its designee must make a reasonable and good faith effort to inform orally
 36.23 the alleged victim, local law enforcement agencies known to be involved in the case, if
 36.24 different from the agency having custody, and, at the victim's request any local battered
 36.25 women's and domestic abuse programs established under section 611A.32 or sexual assault
 36.26 programs of:

36.27 (1) the conditions of release, if any;

36.28 (2) the time of release;

36.29 (3) the time, date, and place of the next scheduled court appearance of the arrested person
 36.30 and the victim's right to be present at the court appearance; and

36.31 (4) if the arrested person is charged with domestic abuse, the location and telephone
 36.32 number of the area ~~battered women's shelter~~ program that provides services to victims of

37.1 domestic abuse as designated by the Office of Justice Programs in the Department of Public
37.2 Safety.

37.3 (b) As soon as practicable after an order for conditional release is entered, the agency
37.4 having custody of the arrested person or its designee must personally deliver or mail to the
37.5 alleged victim a copy of the written order and written notice of the information in paragraph
37.6 (a), clauses (2) and (3).

37.7 (c) Data on the victim and the notice provided by the custodial authority are private data
37.8 on individuals as defined in section 13.02, subdivision 12, and are accessible only to the
37.9 victim.

37.10 Sec. 59. **SEVERITY LEVEL RANKING REVIEW.**

37.11 The Sentencing Guidelines Commission shall consider assigning an offense severity
37.12 level to labor trafficking under Minnesota Statutes, section 609.282, subdivision 2, and the
37.13 enhanced penalty provisions in Minnesota Statutes, section 609.282, subdivisions 1 and 1a.

37.14 Sec. 60. **REVISOR INSTRUCTION.**

37.15 In Minnesota Statutes, the revisor of statutes shall change "reparations," "reparable," or
37.16 the same or similar terms to "reimbursement," "reimbursable," or the same or similar terms
37.17 consistent with this act. The revisor shall also make other technical changes resulting from
37.18 the change of term to the statutory language, sentence structure, or both, if necessary to
37.19 preserve the meaning of the text.

37.20 Sec. 61. **REPEALER.**

37.21 (a) Minnesota Statutes 2022, section 609.281, subdivision 2, is repealed.

37.22 (b) Minnesota Statutes 2022, section 518B.02, subdivision 3, is repealed.

37.23 **EFFECTIVE DATE.** Paragraph (a) is effective August 1, 2023.

APPENDIX
Repealed Minnesota Statutes: S1824-2

518B.02 DOMESTIC ABUSE COUNSELING PROGRAM OR EDUCATIONAL PROGRAM REQUIRED.

No active language found for: 518B.02.3

609.281 DEFINITIONS.

No active language found for: 609.281.2