

State of Minnesota

H. F. No. 2019

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

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

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

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

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

2.19 ~~(k)~~ (l) "Work" includes employment that is full time or part time for a period of time
2.20 exceeding 14 days or for an aggregate period of time exceeding 30 days during any calendar
2.21 year, whether financially compensated, volunteered, or for the purpose of government or
2.22 educational benefit.

2.23 **EFFECTIVE DATE.** This section is effective August 1, 2017, and applies to predators
2.24 who are required to register before, on, or after that date.

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

2.26 Subd. 4. **Contents of registration.** (a) The registration provided to the corrections agent
2.27 or law enforcement authority, must consist of a statement in writing signed by the person,
2.28 giving information required by the bureau, fingerprints, and photograph of the person taken
2.29 at the time of the person's release from incarceration or, if the person was not incarcerated,
2.30 at the time the person initially registered under this section. The registration information
2.31 also must include a written consent form signed by the person allowing a treatment facility
2.32 or residential housing unit or shelter to release information to a law enforcement officer
2.33 about the person's admission to, or residence in, a treatment facility or residential housing

unit or shelter. Registration information on adults and juveniles may be maintained together notwithstanding section 260B.171, subdivision 3.

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

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

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

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

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

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

(1) Except for persons registering under subdivision 3a, the bureau shall mail a verification form to the person's last reported primary address. This verification form must provide notice to the offender that, if the offender does not return the verification form as required, information about the offender may be made available to the public through electronic, computerized, or other accessible means. For persons who are registered under subdivision 3a, the bureau shall mail an annual verification form to the law enforcement authority where the offender most recently reported. The authority shall provide the

4.1 verification form to the person at the next weekly meeting and ensure that the person
4.2 completes and signs the form and returns it to the bureau. Notice is sufficient under this
4.3 paragraph, if the verification form is sent by first class mail to the person's last reported
4.4 primary address, or for persons registered under subdivision 3a, to the law enforcement
4.5 authority where the offender most recently reported.

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

4.9 (3) In addition to the requirements listed in this section, an offender who is no longer
4.10 under correctional supervision for a registration offense, or a failure to register offense, but
4.11 who resides, works, or attends school in Minnesota, shall have an in-person contact with a
4.12 law enforcement authority as provided in this section. If the person resides in Minnesota,
4.13 the in-person contact shall be with the law enforcement authority that has jurisdiction over
4.14 the person's primary address or, if the person has no address, the location where the person
4.15 is staying. If the person does not reside in Minnesota but works or attends school in this
4.16 state, the person shall have an in-person contact with the law enforcement authority or
4.17 authorities with jurisdiction over the person's school or workplace. During the month of the
4.18 person's birth date, the person shall report to the authority to verify the accuracy of the
4.19 registration information and to be photographed. Within three days of this contact, the
4.20 authority shall enter information as required by the bureau into the predatory offender
4.21 registration database and submit an updated photograph of the person to the bureau's
4.22 predatory offender registration unit.

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

4.26 (5) For any person who fails to mail the completed and signed verification form to the
4.27 bureau within ten days after receipt of the form and who has been determined to be a risk
4.28 level III offender under section 244.052, the bureau shall immediately investigate and notify
4.29 local law enforcement authorities to investigate the person's location and to ensure compliance
4.30 with this section. The bureau also shall immediately give notice of the person's violation of
4.31 this section to the law enforcement authority having jurisdiction over the person's last
4.32 registered address or addresses.

(6) In addition to the requirements listed in this section, a person who is assigned to risk level II or III under section 244.052 shall not access an augmented reality game that permits persons under the age of 18 to access the game.

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

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

EFFECTIVE DATE. This section is effective August 1, 2017, and applies to predatory offenders who are required to register before, on, or after that date.

Sec. 3. Minnesota Statutes 2016, section 244.05, subdivision 6, is amended to read:

Subd. 6. **Intensive supervised release.** (a) The commissioner may order that an inmate be placed on intensive supervised release for all or part of the inmate's supervised release or parole term if the commissioner determines that the action will further the goals described in section 244.14, subdivision 1, clauses (2), (3), and (4). In addition, the commissioner may order that an inmate be placed on intensive supervised release for all of the inmate's conditional or supervised release term if the inmate was convicted of a sex offense under section 609.342, 609.343, 609.344, 609.345, or 609.3453 or was sentenced under the provisions of section 609.3455, subdivision 3a. The commissioner shall order that all level III predatory offenders be placed on intensive supervised release for the entire supervised release, conditional release, or parole term.

(b) The commissioner may impose appropriate conditions of release on the inmate including but not limited to unannounced searches of the inmate's person, vehicle, premises, computer, or other electronic devices capable of accessing the Internet by an intensive

supervision agent; compliance with court-ordered restitution, if any; random drug testing; house arrest; daily curfews; frequent face-to-face contacts with an assigned intensive supervision agent; work, education, or treatment requirements; and electronic surveillance. In addition, any sex offender placed on intensive supervised release may be ordered to participate in an appropriate sex offender program as a condition of release.

(c) As a condition of release for an inmate required to register under section 243.166 who is placed on intensive supervised release under this subdivision, the commissioner shall prohibit the inmate from: (1) accessing an augmented reality game as defined in section 243.166 that permits persons under the age of 18 to access the game, or (2) accessing, creating, or maintaining a personal Web page, profile, account, password, or user name for: (1) (i) a social networking Web site, or (2) (ii) an instant messaging or chat room program, which permits persons under the age of 18 to become a member or to create or maintain a personal Web page. An intensive supervised release agent may modify the prohibition described in this paragraph if doing so does not jeopardize public safety and the modification is specifically described and agreed to in advance by the agent.

(d) If the inmate violates the conditions of the intensive supervised release, the commissioner shall impose sanctions as provided in subdivision 3 and section 609.3455.

EFFECTIVE DATE. This section is effective August 1, 2017, and applies to predatory offenders who are required to register before, on, or after that date.