

SENATE
STATE OF MINNESOTA
NINETY-THIRD SESSION

S.F. No. 2401

(SENATE AUTHORS: WIKLUND)

DATE	D-PG	OFFICIAL STATUS
03/02/2023	1270	Introduction and first reading
		Referred to State and Local Government and Veterans
03/20/2023	2091a	Comm report: To pass as amended and re-refer to Health and Human Services See HF1830, SF2995

- 1.1 A bill for an act
- 1.2 relating to state government; modifying the children's cabinet; establishing the
- 1.3 Department of Children, Youth, and Families; transferring responsibilities from
- 1.4 the Department of Education, Department of Human Services, and Department of
- 1.5 Public Safety to the Department of Children, Youth, and Families; addresses data
- 1.6 practice issues; requiring reports; authorizing rulemaking; appropriating money;
- 1.7 amending Minnesota Statutes 2022, sections 4.045; 10.65, subdivision 2; 15.01;
- 1.8 15.06, subdivision 1; 15A.0815, subdivision 2; 43A.08, subdivision 1a; 256.014,
- 1.9 subdivisions 1, 2; proposing coding for new law as Minnesota Statutes, chapter
- 1.10 143.
- 1.11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
- 1.12 Section 1. Minnesota Statutes 2022, section 4.045, is amended to read:
- 1.13 **4.045 CHILDREN'S CABINET.**
- 1.14 The Children's Cabinet shall consist of the commissioners of education; human services;
- 1.15 employment and economic development; public safety; corrections; management and
- 1.16 budget; health; administration; Housing Finance Agency, and; transportation; and the
- 1.17 ~~director of the Office of Strategic and Long Range Planning~~ children, youth, and families.
- 1.18 The governor shall designate one member to serve as cabinet chair. The chair is responsible
- 1.19 for ensuring that the duties of the Children's Cabinet are performed.
- 1.20 **EFFECTIVE DATE.** This section is effective July 1, 2024.
- 1.21 Sec. 2. Minnesota Statutes 2022, section 10.65, subdivision 2, is amended to read:
- 1.22 Subd. 2. **Definitions.** (a) As used in this section, the following terms have the meanings
- 1.23 given:

2.1 (1) "agency" means the Department of Administration; Department of Agriculture;
 2.2 Department of Children, Youth, and Families; Department of Commerce; Department of
 2.3 Corrections; Department of Education; Department of Employment and Economic
 2.4 Development; Department of Health; Office of Higher Education; Housing Finance
 2.5 Agency; Department of Human Rights; Department of Human Services; Department of
 2.6 Information Technology Services; Department of Iron Range Resources and Rehabilitation;
 2.7 Department of Labor and Industry; Minnesota Management and Budget; Bureau of
 2.8 Mediation Services; Department of Military Affairs; Metropolitan Council; Department
 2.9 of Natural Resources; Pollution Control Agency; Department of Public Safety; Department
 2.10 of Revenue; Department of Transportation; Department of Veterans Affairs; Gambling
 2.11 Control Board; Racing Commission; the Minnesota Lottery; the Animal Health Board;
 2.12 and the Board of Water and Soil Resources;

2.13 (2) "consultation" means the direct and interactive involvement of the Minnesota Tribal
 2.14 governments in the development of policy on matters that have Tribal implications.
 2.15 Consultation is the proactive, affirmative process of identifying and seeking input from
 2.16 appropriate Tribal governments and considering their interest as a necessary and integral
 2.17 part of the decision-making process. This definition adds to statutorily mandated notification
 2.18 procedures. During a consultation, the burden is on the agency to show that it has made a
 2.19 good faith effort to elicit feedback. Consultation is a formal engagement between agency
 2.20 officials and the governing body or bodies of an individual Minnesota Tribal government
 2.21 that the agency or an individual Tribal government may initiate. Formal meetings or
 2.22 communication between top agency officials and the governing body of a Minnesota Tribal
 2.23 government is a necessary element of consultation;

2.24 (3) "matters that have Tribal implications" means rules, legislative proposals, policy
 2.25 statements, or other actions that have substantial direct effects on one or more Minnesota
 2.26 Tribal governments, or on the distribution of power and responsibilities between the state
 2.27 and Minnesota Tribal governments;

2.28 (4) "Minnesota Tribal governments" means the federally recognized Indian Tribes located
 2.29 in Minnesota including: Bois Forte Band; Fond Du Lac Band; Grand Portage Band; Leech
 2.30 Lake Band; Mille Lacs Band; White Earth Band; Red Lake Nation; Lower Sioux Indian
 2.31 Community; Prairie Island Indian Community; Shakopee Mdewakanton Sioux Community;
 2.32 and Upper Sioux Community; and

2.33 (5) "timely and meaningful" means done or occurring at a favorable or useful time that
 2.34 allows the result of consultation to be included in the agency's decision-making process for
 2.35 a matter that has Tribal implications.

3.1 **EFFECTIVE DATE.** This section is effective July 1, 2024.

3.2 Sec. 3. Minnesota Statutes 2022, section 15.01, is amended to read:

3.3 **15.01 DEPARTMENTS OF THE STATE.**

3.4 The following agencies are designated as the departments of the state government: the
 3.5 Department of Administration; the Department of Agriculture; the Department of Children,
 3.6 Youth, and Families; the Department of Commerce; the Department of Corrections; the
 3.7 Department of Education; the Department of Employment and Economic Development;
 3.8 the Department of Health; the Department of Human Rights; the Department of Information
 3.9 Technology Services; the Department of Iron Range Resources and Rehabilitation; the
 3.10 Department of Labor and Industry; the Department of Management and Budget; the
 3.11 Department of Military Affairs; the Department of Natural Resources; the Department of
 3.12 Public Safety; the Department of Human Services; the Department of Revenue; the
 3.13 Department of Transportation; the Department of Veterans Affairs; and their successor
 3.14 departments.

3.15 **EFFECTIVE DATE.** This section is effective July 1, 2024.

3.16 Sec. 4. Minnesota Statutes 2022, section 15.06, subdivision 1, is amended to read:

3.17 Subdivision 1. **Applicability.** This section applies to the following departments or
 3.18 agencies: the Departments of Administration; Agriculture; Children, Youth, and Families;
 3.19 Commerce; Corrections; Education; Employment and Economic Development; Health;
 3.20 Human Rights; Labor and Industry; Management and Budget; Natural Resources; Public
 3.21 Safety; Human Services; Revenue; Transportation; and Veterans Affairs; the Housing
 3.22 Finance and Pollution Control Agencies; the Office of Commissioner of Iron Range
 3.23 Resources and Rehabilitation; the Department of Information Technology Services; the
 3.24 Bureau of Mediation Services; and their successor departments and agencies. The heads of
 3.25 the foregoing departments or agencies are "commissioners."

3.26 **EFFECTIVE DATE.** This section is effective July 1, 2024.

3.27 Sec. 5. Minnesota Statutes 2022, section 15A.0815, subdivision 2, is amended to read:

3.28 Subd. 2. **Group I salary limits.** The salary for a position listed in this subdivision shall
 3.29 not exceed 133 percent of the salary of the governor. This limit must be adjusted annually
 3.30 on January 1. The new limit must equal the limit for the prior year increased by the percentage
 3.31 increase, if any, in the Consumer Price Index for all urban consumers from October of the
 3.32 second prior year to October of the immediately prior year. The commissioner of management

4.1 and budget must publish the limit on the department's website. This subdivision applies to
4.2 the following positions:

4.3 Commissioner of administration;

4.4 Commissioner of agriculture;

4.5 Commissioner of education;

4.6 Commissioner of children, youth, and families;

4.7 Commissioner of commerce;

4.8 Commissioner of corrections;

4.9 Commissioner of health;

4.10 Commissioner, Minnesota Office of Higher Education;

4.11 Commissioner, Housing Finance Agency;

4.12 Commissioner of human rights;

4.13 Commissioner of human services;

4.14 Commissioner of labor and industry;

4.15 Commissioner of management and budget;

4.16 Commissioner of natural resources;

4.17 Commissioner, Pollution Control Agency;

4.18 Commissioner of public safety;

4.19 Commissioner of revenue;

4.20 Commissioner of employment and economic development;

4.21 Commissioner of transportation; and

4.22 Commissioner of veterans affairs.

4.23 **EFFECTIVE DATE.** This section is effective July 1, 2024.

4.24 Sec. 6. Minnesota Statutes 2022, section 43A.08, subdivision 1a, is amended to read:

4.25 Subd. 1a. **Additional unclassified positions.** Appointing authorities for the following
4.26 agencies may designate additional unclassified positions according to this subdivision: the
4.27 Departments of Administration; Agriculture; Children, Youth, and Families; Commerce;
4.28 Corrections; Education; Employment and Economic Development; Explore Minnesota

5.1 Tourism; Management and Budget; Health; Human Rights; Labor and Industry; Natural
 5.2 Resources; Public Safety; Human Services; Revenue; Transportation; and Veterans Affairs;
 5.3 the Housing Finance and Pollution Control Agencies; the State Lottery; the State Board of
 5.4 Investment; the Office of Administrative Hearings; the Department of Information
 5.5 Technology Services; the Offices of the Attorney General, Secretary of State, and State
 5.6 Auditor; the Minnesota State Colleges and Universities; the Minnesota Office of Higher
 5.7 Education; the Perpich Center for Arts Education; and the Minnesota Zoological Board.

5.8 A position designated by an appointing authority according to this subdivision must
 5.9 meet the following standards and criteria:

5.10 (1) the designation of the position would not be contrary to other law relating specifically
 5.11 to that agency;

5.12 (2) the person occupying the position would report directly to the agency head or deputy
 5.13 agency head and would be designated as part of the agency head's management team;

5.14 (3) the duties of the position would involve significant discretion and substantial
 5.15 involvement in the development, interpretation, and implementation of agency policy;

5.16 (4) the duties of the position would not require primarily personnel, accounting, or other
 5.17 technical expertise where continuity in the position would be important;

5.18 (5) there would be a need for the person occupying the position to be accountable to,
 5.19 loyal to, and compatible with, the governor and the agency head, the employing statutory
 5.20 board or commission, or the employing constitutional officer;

5.21 (6) the position would be at the level of division or bureau director or assistant to the
 5.22 agency head; and

5.23 (7) the commissioner has approved the designation as being consistent with the standards
 5.24 and criteria in this subdivision.

5.25 **EFFECTIVE DATE.** This section is effective July 1, 2024.

5.26 Sec. 7. **[143.01] DEFINITIONS.**

5.27 **Subdivision 1. Application.** The definitions in this section apply to this chapter.

5.28 **Subd. 2. Commissioner.** "Commissioner" means the commissioner of children, youth,
 5.29 and families.

5.30 **Subd. 3. Department.** "Department" means the Department of Children, Youth, and
 5.31 Families.

6.1 **EFFECTIVE DATE.** This section is effective July 1, 2024.

6.2 Sec. 8. **[143.02] CREATION OF THE DEPARTMENT OF CHILDREN, YOUTH,**
6.3 **AND FAMILIES.**

6.4 Subdivision 1. **Department.** The Department of Children, Youth, and Families is
6.5 established.

6.6 Subd. 2. **Transfer and restructuring provisions.** The restructuring of agencies under
6.7 this act must be conducted in accordance with sections 15.039 and 43A.045.

6.8 Subd. 3. **Successor and employee protection clause.** (a) Personnel relating to the
6.9 functions assigned to the commissioner in section 143.03 are transferred to the department
6.10 effective 30 days after approval by the commissioner.

6.11 (b) Before the commissioner's appointment, personnel relating to the functions in this
6.12 section may be transferred beginning July 1, 2024, with 30 days' notice from the
6.13 commissioner of management and budget.

6.14 (c) All employees transferred to the department remain in the same employment status,
6.15 bargaining unit, and civil service protection as the employees had before the transfer. All
6.16 collective bargaining agreements that cover any employee of the Departments of Human
6.17 Services, Education, Health, or Public Safety who is transferred to the Department of
6.18 Children, Youth, and Families remain in effect.

6.19 (d) To the extent that departmental changes affect the operations of any school district
6.20 or charter school, employers have the obligation to bargain about any changes affecting or
6.21 relating to employees' terms and conditions of employment if such changes are necessary
6.22 during or after the term of an existing collective bargaining agreement.

6.23 **EFFECTIVE DATE.** This section is effective July 1, 2024.

6.24 Sec. 9. **[143.03] COMMISSIONER.**

6.25 Subdivision 1. **General.** The department is under the administrative control of the
6.26 commissioner. The commissioner is appointed by the governor with the advice and consent
6.27 of the senate. The commissioner has the general powers provided in section 15.06,
6.28 subdivision 6. The commissioner's salary must be established according to the procedure
6.29 in section 15A.0815, subdivision 5, in the same range as specified for the commissioner of
6.30 management and budget.

7.1 Subd. 2. Duties of the commissioner. (a) The commissioner may apply for and accept
7.2 on behalf of the state any grants, bequests, gifts, or contributions for the purpose of carrying
7.3 out the duties and responsibilities of the commissioner. Any money received under this
7.4 paragraph is appropriated and dedicated for the purpose for which the money is granted.
7.5 The commissioner must biennially report to the chairs and ranking minority members of
7.6 relevant legislative committees and divisions by January 15 of each even-numbered year a
7.7 list of all grants and gifts received under this subdivision.

7.8 (b) Pursuant to law, the commissioner may apply for and receive money made available
7.9 from federal sources for the purpose of carrying out the duties and responsibilities of the
7.10 commissioner.

7.11 (c) The commissioner may make contracts with and grants to Tribal nations, public and
7.12 private agencies and organizations, both for-profit and nonprofit, and individuals using
7.13 appropriated money.

7.14 (d) The commissioner must develop program objectives and performance measures for
7.15 evaluating progress toward achieving the objectives. The commissioner must identify the
7.16 objectives, performance measures, and current status of achieving the measures in a biennial
7.17 report to the chairs and ranking minority members of relevant legislative committees and
7.18 divisions. The report is due no later than January 15 each even-numbered year. The report
7.19 must include, when possible, the following objectives:

7.20 (1) centering and including the lived experiences of children and youth, including those
7.21 with disabilities and mental illness and their families, in all aspects of the department's work;

7.22 (2) increasing the effectiveness of the department's programs in addressing the needs of
7.23 children and youth facing racial, economic, or geographic inequities;

7.24 (3) increasing coordination and reducing inefficiencies among the department's programs
7.25 and the funding sources that support the programs;

7.26 (4) increasing the alignment and coordination of family access to child care and early
7.27 learning programs and improving systems of support for early childhood and learning
7.28 providers and services;

7.29 (5) improving the connection between the department's programs and the kindergarten
7.30 through grade 12 system and the higher education system; and

7.31 (6) minimizing and streamlining the effort required of youth and families to receive
7.32 services to which the youth and families are entitled.

7.33 **EFFECTIVE DATE.** This section is effective July 1, 2024.

8.1 **Sec. 10. [143.04] STATE AND COUNTY SYSTEMS.**

8.2 **Subdivision 1. Establishment of systems.** (a) The commissioner shall establish and
8.3 enhance computer systems necessary for the efficient operation of the programs the
8.4 commissioner supervises, including:

8.5 (1) management and administration of the Supplemental Nutrition Assistance Program
8.6 (SNAP) and income maintenance program, including the electronic distribution of benefits;
8.7 and

8.8 (2) management and administration of the child support enforcement program.

8.9 (b) The commissioner's development costs incurred by computer systems for statewide
8.10 programs administered with that computer system and mandated by state or federal law
8.11 must not be assessed against county agencies. The commissioner may charge a county for
8.12 development and operating costs incurred by computer systems for functions requested by
8.13 the county and not mandated by state or federal law for programs administered by the
8.14 computer system incurring the cost.

8.15 (c) The commissioner shall distribute the nonfederal share of the costs of operating and
8.16 maintaining the systems to the commissioner and to the counties participating in the system
8.17 in a manner that reflects actual system usage, except that the nonfederal share of the costs
8.18 of the MAXIS computer system and child support enforcement systems for statewide
8.19 programs administered by those systems and mandated by state or federal law shall be borne
8.20 entirely by the commissioner.

8.21 (d) The commissioner may enter into contractual agreements with federally recognized
8.22 Indian Tribes with a reservation in Minnesota to participate in state-operated computer
8.23 systems related to the management and administration of the SNAP, income maintenance,
8.24 and child support enforcement programs to the extent necessary for the Tribe to operate a
8.25 federally approved family assistance program or any other program under the supervision
8.26 of the commissioner.

8.27 **Subd. 2. State systems account created.** A state systems account for the Department
8.28 of Children, Youth, and Families is created in the state treasury. Money collected by the
8.29 commissioner for the programs in subdivision 1 must be deposited in the account. Money
8.30 in the state systems account and federal matching money are appropriated to the
8.31 commissioner for purposes of this section.

8.32 **EFFECTIVE DATE.** This section is effective July 1, 2024.

9.1 Sec. 11. [143.05] RULEMAKING.

9.2 (a) The commissioner may use the procedure in section 14.386, paragraph (a), to adopt
 9.3 rules necessary to implement the responsibilities transferred under this act or through section
 9.4 16B.37. Section 14.386, paragraph (b), does not apply to these rules.

9.5 (b) The commissioner must amend Minnesota Rules to make conforming changes related
 9.6 to the transfer of responsibilities under this act or through section 16B.37. The commissioner
 9.7 must obtain the approval of the commissioners of human services, education, health, and
 9.8 public safety for any amendments to or repeal of rules in existence on the effective date of
 9.9 this section and administered under the authority of those agencies.

9.10 (c) The time limit in section 14.125 is extended to 36 months for rulemaking under
 9.11 paragraphs (a) and (b). The commissioner must publish a notice of intent to adopt rules or
 9.12 a notice of hearing within 36 months of the effective date reported under section 143.05,
 9.13 subdivision 1, paragraph (c).

9.14 (d) The commissioner may adopt rules for the administration of activities related to the
 9.15 department. Rules adopted under this paragraph are subject to the rulemaking requirements
 9.16 of chapter 14.

9.17 **EFFECTIVE DATE.** This section is effective July 1, 2024.

9.18 Sec. 12. Minnesota Statutes 2022, section 256.014, subdivision 1, is amended to read:

9.19 Subdivision 1. **Establishment of systems.** (a) The commissioner of human services
 9.20 shall establish and enhance computer systems necessary for the efficient operation of ~~the~~
 9.21 medical assistance and other programs the commissioner supervises, including:

9.22 ~~(1) management and administration of the Supplemental Nutrition Assistance Program~~
 9.23 ~~(SNAP) and income maintenance program, including the electronic distribution of benefits;~~

9.24 ~~(2) management and administration of the child support enforcement program; and~~

9.25 ~~(3) administration of medical assistance.~~

9.26 (b) The commissioner's development costs incurred by computer systems for statewide
 9.27 programs administered by that computer system and mandated by state or federal law must
 9.28 not be assessed against county agencies. The commissioner may charge a county for
 9.29 development and operating costs incurred by computer systems for functions requested by
 9.30 the county and not mandated by state or federal law for programs administered by the
 9.31 computer system incurring the cost.

10.1 (c) The commissioner shall distribute the nonfederal share of the costs of operating and
 10.2 maintaining the systems to the commissioner and to the counties participating in the system
 10.3 in a manner that reflects actual system usage, except that the nonfederal share of the costs
 10.4 of the MAXIS computer system ~~and child support enforcement systems~~ for statewide
 10.5 programs administered by ~~those systems~~ that system and mandated by state or federal law
 10.6 shall be borne entirely by the commissioner.

10.7 The commissioner may enter into contractual agreements with federally recognized
 10.8 Indian tribes with a reservation in Minnesota to participate in state-operated computer
 10.9 systems related to the management and administration of the SNAP, ~~income maintenance,~~
 10.10 ~~child support enforcement,~~ and medical assistance ~~programs~~ program to the extent necessary
 10.11 for the tribe to operate a ~~federally approved family~~ the medical assistance program or any
 10.12 other program under the supervision of the commissioner.

10.13 **EFFECTIVE DATE.** This section is effective July 1, 2024.

10.14 Sec. 13. Minnesota Statutes 2022, section 256.014, subdivision 2, is amended to read:

10.15 Subd. 2. **State systems account created.** A state systems account for the Department
 10.16 of Human Services is created in the state treasury. Money collected by the commissioner
 10.17 of human services for the programs in subdivision 1 must be deposited in the account.
 10.18 Money in the state systems account and federal matching money is appropriated to the
 10.19 commissioner of human services for purposes of this section.

10.20 **EFFECTIVE DATE.** This section is effective July 1, 2024.

10.21 Sec. 14. **APPOINTMENT OF COMMISSIONER OF CHILDREN, YOUTH, AND**
 10.22 **FAMILIES.**

10.23 The governor shall appoint a commissioner-designee of the Department of Children,
 10.24 Youth, and Families. The person appointed becomes the governor's appointee as the
 10.25 commissioner of children, youth, and families on July 1, 2024.

10.26 **EFFECTIVE DATE.** This section is effective July 1, 2023.

10.27 Sec. 15. **TRANSFERS FROM OTHER AGENCIES.**

10.28 Subdivision 1. **General.** (a) Between July 1, 2024, and July 1, 2025, the Departments
 10.29 of Human Services, Education, Health, and Public Safety must transition all of the
 10.30 responsibilities held by these departments and described in this section to the Department
 10.31 of Children, Youth, and Families.

11.1 (b) Notwithstanding paragraph (a), any programs identified in paragraph (a) that require
11.2 federal approval to move to the Department of Children, Youth, and Families must be
11.3 transferred on or after July 1, 2024, and upon the federal government granting transfer
11.4 authority to the commissioner of children, youth, and families.

11.5 (c) The commissioner of children, youth, and families must report an effective date of
11.6 the transfer of each responsibility identified in this section to the commissioners of
11.7 administration, management and budget, and other relevant departments along with the
11.8 secretary of the senate, the chief clerk of the house of representatives, and the chairs and
11.9 ranking minority members of relevant legislative committees and divisions. The reported
11.10 date is the effective date of transfer of responsibilities under Minnesota Statutes, section
11.11 15.039.

11.12 (d) The requirement in Minnesota Statutes, section 16B.37, subdivision 1, that a state
11.13 agency must have been in existence for at least one year before being eligible for receiving
11.14 a transfer of personnel, powers, or duties does not apply to the Department of Children,
11.15 Youth, and Families.

11.16 (e) Notwithstanding Minnesota Statutes, section 15.039, subdivision 6, for the transfer
11.17 of responsibilities conducted under this chapter, the unexpended balance of any appropriation
11.18 to an agency for the purposes of any responsibilities that are transferred to the Department
11.19 of Children, Youth, and Families, along with the operational functions to support the
11.20 responsibilities transferred, including administrative, legal, information technology, and
11.21 personnel support, and a proportional share of base funding, are reappropriated under the
11.22 same conditions as the original appropriation to the Department of Children, Youth, and
11.23 Families effective on the date of the transfer of responsibilities and related elements. The
11.24 commissioner of management and budget shall identify and allocate any unexpended
11.25 appropriations and base funding.

11.26 (f) The commissioner of children, youth, and families or management and budget may
11.27 request an extension to transfer any responsibility listed in this section. The commissioner
11.28 of children, youth, and families or management and budget may request that the transfer of
11.29 any responsibility listed in this section be canceled if an effective date has not been reported
11.30 under paragraph (c). Any request under this paragraph must be made in writing to the
11.31 governor. Upon approval from the governor, the transfer may be delayed or canceled. Within
11.32 ten days after receiving the approval of the governor, the commissioner who requested the
11.33 transfer shall submit to the chairs and ranking minority members of relevant legislative
11.34 committees and divisions a notice of any extensions or cancellations granted under this
11.35 paragraph.

12.1 (g) The commissioner of children, youth, and families must provide four successive
12.2 quarterly reports to relevant legislative committees on the status of transferring programs,
12.3 responsibilities, and personnel under this section. The first report must cover the quarter
12.4 starting July 1, 2024, and each report must be submitted by the 15th of the month following
12.5 the quarter end.

12.6 Subd. 2. Department of Human Services. The powers and duties of the Department
12.7 of Human Services with respect to the following responsibilities and related elements are
12.8 transferred to the Department of Children, Youth, and Families according to Minnesota
12.9 Statutes, section 15.039:

12.10 (1) family services and community-based collaboratives under Minnesota Statutes,
12.11 section 124D.23;

12.12 (2) child care programs under Minnesota Statutes, chapter 119B;

12.13 (3) Parent Aware quality rating and improvement system under Minnesota Statutes,
12.14 section 124D.142;

12.15 (4) migrant child care services under Minnesota Statutes, section 256M.50;

12.16 (5) early childhood and school-age professional development training under Laws 2007,
12.17 chapter 147, article 2, section 56;

12.18 (6) licensure of family child care and child care centers, child foster care, and private
12.19 child placing agencies under Minnesota Statutes, chapter 245A;

12.20 (7) certification of license-exempt child care centers under Minnesota Statutes, chapter
12.21 245H;

12.22 (8) program integrity and fraud related to the Child Care Assistance Program (CCAP),
12.23 the Minnesota Family Investment Program (MFIP), and the Supplemental Nutrition
12.24 Assistance Program (SNAP) under Minnesota Statutes, chapters 119B and 245E;

12.25 (9) SNAP under Minnesota Statutes, sections 256D.61 to 256D.63;

12.26 (10) electronic benefit transactions under Minnesota Statutes, sections 256.9862,
12.27 256.9863, 256.9865, 256.987, 256.9871, 256.9872, and 256J.77;

12.28 (11) Minnesota food assistance program under Minnesota Statutes, section 256D.64;

12.29 (12) Minnesota food shelf program under Minnesota Statutes, section 256E.34;

12.30 (13) MFIP and Temporary Assistance for Needy Families (TANF) under Minnesota
12.31 Statutes, sections 256.9864 and 256.9865 and chapters 256J and 256P;

- 13.1 (14) Diversionary Work Program (DWP) under Minnesota Statutes, section 256J.95;
- 13.2 (15) resettlement programs under Minnesota Statutes, section 256B.06, subdivision 6;
- 13.3 (16) child abuse under Minnesota Statutes, chapter 256E;
- 13.4 (17) reporting of the maltreatment of minors under Minnesota Statutes, chapter 260E;
- 13.5 (18) children in voluntary foster care for treatment under Minnesota Statutes, chapter
- 13.6 260D;
- 13.7 (19) juvenile safety and placement under Minnesota Statutes, chapter 260C;
- 13.8 (20) the Minnesota Indian Family Preservation Act under Minnesota Statutes, sections
- 13.9 260.751 to 260.835;
- 13.10 (21) the Interstate Compact for Juveniles under Minnesota Statutes, section 260.515 and
- 13.11 the Interstate Compact on the Placement of Children under Minnesota Statutes, sections
- 13.12 260.851 to 260.93;
- 13.13 (22) adoption under Minnesota Statutes, sections 259.20 to 259.89;
- 13.14 (23) Northstar Care for Children under Minnesota Statutes, chapter 256N;
- 13.15 (24) child support under Minnesota Statutes, chapters 13, 13B, 214, 256, 256J, 257, 259,
- 13.16 518, 518A, 518C, 551, 552, 571, and 588 and section 609.375;
- 13.17 (25) community action programs under Minnesota Statutes, sections 256E.30 to 256E.32;
- 13.18 and
- 13.19 (26) Family Assets for Independence in Minnesota under Minnesota Statutes, section
- 13.20 256E.35.
- 13.21 Subd. 3. **Department of Education.** The powers and duties of the Department of
- 13.22 Education with respect to the following responsibilities and related elements are transferred
- 13.23 to the Department of Children, Youth, and Families according to Minnesota Statutes, section
- 13.24 15.039:
- 13.25 (1) Head Start Program and Early Head Start under Minnesota Statutes, sections 119A.50
- 13.26 to 119A.545;
- 13.27 (2) the early childhood screening program under Minnesota Statutes, sections 121A.16
- 13.28 to 121A.19;
- 13.29 (3) early learning scholarships under Minnesota Statutes, section 124D.165;

14.1 (4) the interagency early childhood intervention system under Minnesota Statutes,
 14.2 sections 125A.259 to 125A.48;

14.3 (5) voluntary prekindergarten programs and school readiness plus programs under
 14.4 Minnesota Statutes, section 124D.151;

14.5 (6) early childhood family education programs under Minnesota Statutes, sections
 14.6 124D.13 to 124D.135;

14.7 (7) school readiness under Minnesota Statutes, sections 124D.15 to 124D.16; and

14.8 (8) after-school community learning programs under Minnesota Statutes, section
 14.9 124D.2211.

14.10 Subd. 4. **Department of Public Safety.** The powers and duties of the Department of
 14.11 Public Safety with respect to the following responsibilities and related elements are
 14.12 transferred to the Department of Children, Youth, and Families according to Minnesota
 14.13 Statutes, section 15.039:

14.14 (1) the juvenile justice program under Minnesota Statutes, section 299A.72; and

14.15 (2) grants-in-aid to youth intervention programs under Minnesota Statutes, section
 14.16 299A.73.

14.17 **EFFECTIVE DATE.** This section is effective July 1, 2024.

14.18 **Sec. 16. TRANSITION REPORT TO THE LEGISLATURE.**

14.19 By March 1, 2024, the commissioner of management and budget must report to the
 14.20 legislature on the status of work related to establishing and setting up the Department of
 14.21 Children, Youth, and Families. The report must address, at a minimum:

14.22 (1) the completed, ongoing, and anticipated work related to the transfer of programs,
 14.23 responsibilities, and personnel to the department;

14.24 (2) the development of interagency agreements for services that will be shared across
 14.25 agencies;

14.26 (3) a description of efforts to secure needed federal approvals for the transfer of programs
 14.27 and responsibilities;

14.28 (4) engagement with leaders and staff of state agencies; Tribal governments; local service
 14.29 providers, including but not limited to county agencies, Tribal organizations, and school
 14.30 districts; families; and relevant stakeholders about the creation of the department and the
 14.31 transfer of programs, responsibilities, and personnel to the department; and

15.1 (5) plans and timelines related to the items referenced in clauses (1) through (4).

15.2 **Sec. 17. DATA PRACTICES.**

15.3 (a) To the extent not prohibited by state or federal law, and notwithstanding the data's
15.4 classification under Minnesota Statutes, chapter 13:

15.5 (1) the commissioner of children, youth, and families may access data maintained by
15.6 the commissioners of education, health, human services, and public safety related to the
15.7 responsibilities transferred under section 15 of this act; and

15.8 (2) the commissioners of education, health, human services, and public safety may access
15.9 data maintained by the commissioner of children, youth, and families related to each
15.10 department's respective responsibilities transferred under section 15 of this act.

15.11 (b) Data sharing authorized by this section includes only the data necessary to coordinate
15.12 department activities and services transferred under section 15 of this act.

15.13 (c) Any data shared under this section retain their classification from the agency holding
15.14 the data.

15.15 (d) Existing limitations and legal requirements under Minnesota Statutes, chapter 13,
15.16 including but not limited to any applicable data subject consent requirements, apply to any
15.17 data accessed, transferred, disseminated, or shared under this section.

15.18 (e) This section expires July 1, 2027.

15.19 **Sec. 18. REVISOR INSTRUCTION.**

15.20 The revisor of statutes must identify, in consultation with the commissioners of
15.21 management and budget; human services; education; health; and public safety and with
15.22 nonpartisan legislative offices, any changes to Minnesota Statutes and Minnesota Rules
15.23 necessary to facilitate the transfer of responsibilities under this act, the authority to fulfill
15.24 the responsibilities under this act, and the related operational functions needed to implement
15.25 the necessary legal changes and responsibilities under this act. By February 1, 2024, the
15.26 revisor of statutes must submit to the chairs and ranking minority members of relevant
15.27 legislative committees and divisions draft legislation with the statutory changes necessary
15.28 to implement this act.

15.29 **EFFECTIVE DATE.** This section is effective July 1, 2023.

16.1 Sec. 19. **APPROPRIATIONS.**

16.2 (a) \$5,000,000 in fiscal year 2024 is appropriated from the general fund to the
16.3 commissioner of management and budget to support the creation of the Department of
16.4 Children, Youth, and Families. The commissioner of management and budget may transfer
16.5 part or all of the appropriation to other agencies. This is a onetime appropriation and is
16.6 available until June 30, 2025.

16.7 (b) \$2,370,000 in fiscal year 2024 is appropriated from the general fund to the
16.8 commissioner of management and budget for the planning, research, analysis, and other
16.9 efforts needed to launch the Department of Children, Youth, and Families and to transition
16.10 programs to the department. On or after July 1, 2024, the commissioner of management
16.11 and budget may transfer all or part of the responsibility and funding to the commissioner
16.12 of children, youth, and families. This is a onetime appropriation and is available until June
16.13 30, 2025.

16.14 **EFFECTIVE DATE.** This section is effective July 1, 2023.