

70.1

ARTICLE 6

346.12

ARTICLE 21

70.2

PREDATORY OFFENDERS

346.13

PUBLIC SAFETY

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

70.4 Subd. 1a. **Filing photograph or image; data classification.** The department shall file,
70.5 or contract to file, all photographs or electronically produced images obtained in the process
70.6 of issuing drivers' licenses or Minnesota identification cards. The photographs or
70.7 electronically produced images shall be private data pursuant to section 13.02, subdivision
70.8 12. Notwithstanding section 13.04, subdivision 3, the department shall not be required to
70.9 provide copies of photographs or electronically produced images to data subjects. The use
70.10 of the files is restricted:

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

70.12 (2) to criminal justice agencies, as defined in section 299C.46, subdivision 2, for the
70.13 investigation and prosecution of crimes, service of process, enforcement of no contact
70.14 orders, location of missing persons, investigation and preparation of cases for criminal,
70.15 juvenile, and traffic court, location of individuals required to register under section 243.166
70.16 or 243.167, and supervision of offenders;

70.17 (3) to public defenders, as defined in section 611.272, for the investigation and preparation
70.18 of cases for criminal, juvenile, and traffic courts;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

72.6 (ii) kidnapping under section 609.25;

72.7 (iii) criminal sexual conduct under section 609.342; 609.343; 609.344; 609.345; 609.3451,
72.8 subdivision 3; or 609.3453; ~~or~~

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

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

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

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

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

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

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

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

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

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

347.10 (ii) kidnapping under section 609.25;

347.11 (iii) criminal sexual conduct under section 609.342; 609.343; 609.344; 609.345; 609.3451,
347.12 subdivision 3; or 609.3453; ~~or~~

347.13 (iv) indecent exposure under section 617.23, subdivision 3; ~~or~~

347.14 (v) surreptitious intrusion under the circumstances described in section 609.746,
347.15 subdivision 1, paragraph (f);

347.16 (2) the person was charged with or petitioned for a violation of, or attempt to violate, or
347.17 aiding, abetting, or conspiring to commit criminal abuse in violation of section 609.2325,
347.18 subdivision 1, paragraph (b); false imprisonment in violation of section 609.255, subdivision
347.19 2; solicitation, inducement, or promotion of the prostitution of a minor or engaging in the
347.20 sex trafficking of a minor in violation of section 609.322; a prostitution offense in violation
347.21 of section 609.324, subdivision 1, paragraph (a); soliciting a minor to engage in sexual
347.22 conduct in violation of section 609.352, subdivision 2 or 2a, clause (1); using a minor in a
347.23 sexual performance in violation of section 617.246; or possessing pornographic work
347.24 involving a minor in violation of section 617.247, and convicted of or adjudicated delinquent
347.25 for that offense or another offense arising out of the same set of circumstances;

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

72.20 (vii) possessing pornographic work involving a minor in violation of section 617.247;

72.21 or

72.22 (viii) nonconsensual dissemination of private sexual images in violation of section

72.23 617.261; and

72.24 convicted of or adjudicated delinquent for that offense or another offense arising out of the

72.25 same set of circumstances;

72.26 (3) the person was sentenced as a patterned sex offender under section 609.3455,

72.27 subdivision 3a; or

72.28 (4) the person was charged with or petitioned for, including pursuant to a court martial,

72.29 violating a law of the United States, including the Uniform Code of Military Justice, similar

72.30 to the offenses described in clause (1), (2), or (3), or violations of United States Code, title

73.1 18, section 1801, 2423, or 2425, and convicted of or adjudicated delinquent for that offense

73.2 or another offense arising out of the same set of circumstances.

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

73.4 (1) the person was charged with or petitioned for an offense in another state that would

73.5 be a violation of a law described in paragraph (a) if committed in this state and convicted

73.6 of or adjudicated delinquent for that offense or another offense arising out of the same set

73.7 of circumstances;

73.8 (2) the person enters this state to reside, work, or attend school, or enters this state and

73.9 remains for 14 days or longer; and

73.10 (3) ten years have not elapsed since the person was released from confinement or, if the

73.11 person was not confined, since the person was convicted of or adjudicated delinquent for

73.12 the offense that triggers registration, unless the person is subject to a longer registration

73.13 period under the laws of another state in which the person has been convicted or adjudicated,

73.14 or is subject to lifetime registration.

73.15 If a person described in this paragraph is subject to a longer registration period in another

73.16 state or is subject to lifetime registration, the person shall register for that time period

73.17 regardless of when the person was released from confinement, convicted, or adjudicated

73.18 delinquent.

347.26 (3) the person was sentenced as a patterned sex offender under section 609.3455,

347.27 subdivision 3a; or

347.28 (4) the person was charged with or petitioned for, including pursuant to a court martial,

347.29 violating a law of the United States, including the Uniform Code of Military Justice, similar

347.30 to the offenses described in clause (1), (2), or (3), and convicted of or adjudicated delinquent

347.31 for that offense or another offense arising out of the same set of circumstances.

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

348.1 (1) the person was charged with or petitioned for an offense in another state that would

348.2 be a violation of a law described in paragraph (a) if committed in this state and convicted

348.3 of or adjudicated delinquent for that offense or another offense arising out of the same set

348.4 of circumstances;

348.5 (2) the person enters this state to reside, work, or attend school, or enters this state and

348.6 remains for 14 days or longer; and

348.7 (3) ten years have not elapsed since the person was released from confinement or, if the

348.8 person was not confined, since the person was convicted of or adjudicated delinquent for

348.9 the offense that triggers registration, unless the person is subject to a longer registration

348.10 period under the laws of another state in which the person has been convicted or adjudicated,

348.11 or is subject to lifetime registration.

348.12 If a person described in this paragraph is subject to a longer registration period in another

348.13 state or is subject to lifetime registration, the person shall register for that time period

348.14 regardless of when the person was released from confinement, convicted, or adjudicated

348.15 delinquent.

73.19 (c) A person also shall register under this section if the person was committed pursuant
73.20 to a court commitment order under Minnesota Statutes 2012, section 253B.185, chapter
73.21 253D, Minnesota Statutes 1992, section 526.10, or a similar law of another state or the
73.22 United States, regardless of whether the person was convicted of any offense.

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

73.24 (1) the person was charged with or petitioned for a felony violation or attempt to violate
73.25 any of the offenses listed in paragraph (a), clause (1), or a similar law of another state or
73.26 the United States, or the person was charged with or petitioned for a violation of any of the
73.27 offenses listed in paragraph (a), clause (2), or a similar law of another state or the United
73.28 States;

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

73.32 (3) the person was committed pursuant to a court commitment order under section
73.33 253B.18 or a similar law of another state or the United States.

74.1 (e) A person also shall register under this section if the person received a stay of
74.2 adjudication under section 609.095, paragraph (b), for a charge of violating section 243.166,
74.3 609.342, 609.343, 609.344, 609.345, 609.3451, subdivision 3, or 609.3453, unless the
74.4 offender is a juvenile and the court finds, on the record, that there is good cause to waive
74.5 the registration requirement.

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

74.7 Subd. 2. **Notice.** When a person who is required to register under subdivision 1b,
74.8 paragraph (a), is sentenced or becomes subject to a juvenile court disposition order, the
74.9 court shall tell the person of the duty to register under this section and that, if the person
74.10 fails to comply with the registration requirements, information about the offender may be
74.11 made available to the public through electronic, computerized, or other accessible means.
74.12 The court may not modify the person's duty to register in the pronounced sentence or
74.13 disposition order. The court shall require the person to read and sign a form stating that the
74.14 duty of the person to register under this section has been explained. The court shall forward
74.15 the signed sex-offender registration court notification form, the complaint, and sentencing
74.16 documents to the bureau. If a person required to register under subdivision 1b, paragraph

348.16 (c) A person also shall register under this section if the person was committed pursuant
348.17 to a court commitment order under Minnesota Statutes 2012, section 253B.185, chapter
348.18 253D, Minnesota Statutes 1992, section 526.10, or a similar law of another state or the
348.19 United States, regardless of whether the person was convicted of any offense.

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

348.21 (1) the person was charged with or petitioned for a felony violation or attempt to violate
348.22 any of the offenses listed in paragraph (a), clause (1), or a similar law of another state or
348.23 the United States, or the person was charged with or petitioned for a violation of any of the
348.24 offenses listed in paragraph (a), clause (2), or a similar law of another state or the United
348.25 States;

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

348.29 (3) the person was committed pursuant to a court commitment order under section
348.30 253B.18 or a similar law of another state or the United States.

348.31 **EFFECTIVE DATE.** This section is effective August 1, 2018, and applies to crimes
348.32 committed on or after that date.

74.17 (a), was not notified by the court of the registration requirement at the time of sentencing
74.18 or disposition, the assigned corrections agent shall notify the person of the requirements of
74.19 this section. If a person does not have a corrections agent, the local law enforcement authority
74.20 with jurisdiction over the person's primary address shall notify the person of the requirements.
74.21 When a person who is required to register under subdivision 1b, paragraph (c) or (d), is
74.22 released from commitment, the treatment facility shall notify the person of the requirements
74.23 of this section. The treatment facility shall also obtain the registration information required
74.24 under this section and forward it to the bureau.

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

74.26 Subd. 4. **Contents of registration.** (a) The registration provided to the corrections agent
74.27 or law enforcement authority, must consist of a statement in writing signed by the person,
74.28 giving information required by the bureau, fingerprints, biological specimen for DNA
74.29 analysis as defined under section 299C.155, subdivision 1, and photograph of the person
74.30 taken at the time of the person's release from incarceration or, if the person was not
74.31 incarcerated, at the time the person initially registered under this section. The registration
74.32 information also must include a written consent form signed by the person allowing a
74.33 treatment facility or residential housing unit or shelter to release information to a law
74.34 enforcement officer about the person's admission to, or residence in, a treatment facility or
75.1 residential housing unit or shelter. Registration information on adults and juveniles may be
75.2 maintained together notwithstanding section 260B.171, subdivision 3.

75.3 (b) For persons required to register under subdivision 1b, paragraph (c), following
75.4 commitment pursuant to a court commitment under Minnesota Statutes 2012, section
75.5 253B.185, chapter 253D, Minnesota Statutes 1992, section 526.10, or a similar law of
75.6 another state or the United States, in addition to other information required by this section,
75.7 the registration provided to the corrections agent or law enforcement authority must include
75.8 the person's offense history and documentation of treatment received during the person's
75.9 commitment. This documentation is limited to a statement of how far the person progressed
75.10 in treatment during commitment.

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

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

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

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

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

75.28 (1) Except for persons registering under subdivision 3a, the bureau shall mail a
75.29 verification form to the person's last reported primary address. This verification form must
75.30 provide notice to the offender that, if the offender does not return the verification form as
75.31 required, information about the offender may be made available to the public through
75.32 electronic, computerized, or other accessible means. For persons who are registered under
75.33 subdivision 3a, the bureau shall mail an annual verification form to the law enforcement
75.34 authority where the offender most recently reported. The authority shall provide the
76.1 verification form to the person at the next weekly meeting and ensure that the person
76.2 completes and signs the form and returns it to the bureau. Notice is sufficient under this
76.3 paragraph, if the verification form is sent by first class mail to the person's last reported
76.4 primary address, or for persons registered under subdivision 3a, to the law enforcement
76.5 authority where the offender most recently reported.

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

76.9 (3) In addition to the requirements listed in this section, an offender who is no longer
76.10 under correctional supervision for a registration offense, or a failure to register offense, but
76.11 who resides, works, or attends school in Minnesota, shall have an in-person contact with a
76.12 law enforcement authority as provided in this section. If the person resides in Minnesota,
76.13 the in-person contact shall be with the law enforcement authority that has jurisdiction over
76.14 the person's primary address or, if the person has no address, the location where the person
76.15 is staying. If the person does not reside in Minnesota but works or attends school in this
76.16 state, the person shall have an in-person contact with the law enforcement authority or
76.17 authorities with jurisdiction over the person's school or workplace. During the month of the
76.18 person's birth date, the person shall report to the authority to verify the accuracy of the
76.19 registration information and to be photographed. Within three days of this contact, the
76.20 authority shall enter information as required by the bureau into the predatory offender
76.21 registration database and submit an updated photograph of the person to the bureau's
76.22 predatory offender registration unit.

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

76.27 (5) For any person who fails to mail the completed and signed verification form to the
76.28 bureau within ~~ten~~ 15 days after receipt of the date on the form and who has been determined
76.29 to be a risk level III offender under section 244.052, the bureau shall immediately investigate
76.30 and notify local law enforcement authorities to investigate the person's location and to ensure
76.31 compliance with this section. The bureau also shall immediately give notice of the person's
76.32 violation of this section to the law enforcement authority having jurisdiction over the person's
76.33 last registered primary address or addresses.

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

77.7 For persons required to register under subdivision 1b, paragraph (c), following
77.8 commitment pursuant to a court commitment under Minnesota Statutes 2012, section
77.9 253B.185, chapter 253D, Minnesota Statutes 1992, section 526.10, or a similar law of
77.10 another state or the United States, the bureau shall comply with clause (1) at least four times
77.11 each year. For persons who, under section 244.052, are assigned to risk level III and who
77.12 are no longer under correctional supervision for a registration offense or a failure to register
77.13 offense, the bureau shall comply with clause (1) at least two times each year. For all other
77.14 persons required to register under this section, the bureau shall comply with clause (1) each
77.15 year within 30 days of the anniversary date of the person's initial registration.

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

77.22 (g) For persons registered under this section on the effective date of this section, each
77.23 person, on or before one year from that date, must provide a biological specimen for the
77.24 purpose of DNA analysis to the probation agency or law enforcement agency where that
77.25 person is registered. A person who provides or has provided a biological specimen for the

- 77.26 purpose of DNA analysis under chapter 299C or section 609.117 meets the requirements
77.27 of this paragraph.
- 77.28 Sec. 6. Minnesota Statutes 2016, section 243.166, subdivision 4a, is amended to read:
- 77.29 Subd. 4a. **Information required to be provided.** (a) A person required to register under
77.30 this section shall provide to the corrections agent or law enforcement authority the following
77.31 information:
- 77.32 (1) the person's primary address;
- 78.1 (2) all of the person's secondary addresses in Minnesota, including all addresses used
78.2 for residential or recreational purposes;
- 78.3 (3) the addresses of all Minnesota property owned, leased, or rented by the person;
- 78.4 (4) the addresses of all locations where the person is employed;
- 78.5 (5) the addresses of all schools where the person is enrolled; and
- 78.6 (6) the year, model, make, license plate number, and color of all motor vehicles owned
78.7 or regularly driven by the person;
- 78.8 (7) the expiration year for the motor vehicle license plate tabs of all motor vehicles
78.9 owned by the person;
- 78.10 (8) the person's driver's license or government identification number and state of issue;
- 78.11 (9) the year, model, make, and registration number for all watercraft owned or regularly
78.12 operated by the person;
- 78.13 (10) the person's Social Security number as required by United States Code, title 42,
78.14 section 16914;
- 78.15 (11) all of the person's electronic mail addresses, instant messaging addresses, and social
78.16 media accounts;
- 78.17 (12) all telephone numbers including work, school, and home and any cellular telephone
78.18 service;

- 78.19 (13) the person's passport number and country of issue, if any; and
- 78.20 (14) the person's professional license number, if any, and the issuing organization.
- 78.21 (b) The person shall report to the agent or authority the information required to be
78.22 provided under paragraph (a), clauses (2) to ~~(6)~~ (14), within five days of the date the clause
78.23 becomes applicable. If because of a change in circumstances any information reported under
78.24 paragraph (a), clauses (1) to ~~(6)~~ (14), no longer applies, the person shall immediately inform
78.25 the agent or authority that the information is no longer valid. If the person leaves a primary
78.26 address and does not have a new primary address, the person shall register as provided in
78.27 subdivision 3a.
- 78.28 Sec. 7. Minnesota Statutes 2016, section 243.166, subdivision 4b, is amended to read:
- 78.29 Subd. 4b. **Health care facility; notice of status.** (a) For the purposes of this subdivision,
78.30 "health care facility" means a facility:
- 79.1 (1) licensed by the commissioner of health as a hospital, boarding care home or supervised
79.2 living facility under sections 144.50 to 144.58, or a nursing home under chapter 144A;
- 79.3 (2) registered by the commissioner of health as a housing with services establishment
79.4 as defined in section 144D.01; ~~or~~
- 79.5 (3) licensed by the commissioner of health as a home care provider as defined in section
79.6 144A.43; or
- 79.7 ~~(4)~~ (4) licensed by the commissioner of human services as a residential facility under
79.8 chapter 245A to provide adult foster care, adult mental health treatment, chemical dependency
79.9 treatment to adults, or residential services to persons with disabilities.
- 79.10 (b) Prior to admission to a health care facility, a person required to register under this
79.11 section shall disclose to:
- 79.12 (1) the health care facility employee processing the admission the person's status as a
79.13 registered predatory offender under this section; and
- 79.14 (2) the person's corrections agent, or if the person does not have an assigned corrections
79.15 agent, the law enforcement authority with whom the person is currently required to register,
79.16 that inpatient admission or other admission will occur.
- 79.17 (c) A law enforcement authority or corrections agent who receives notice under paragraph
79.18 (b) or who knows that a person required to register under this section is planning to be

79.19 admitted and receive, or has been admitted and is receiving health care at a health care
79.20 facility shall notify the administrator of the facility and deliver a fact sheet to the
79.21 administrator containing the following information: (1) name and physical description of
79.22 the offender; (2) the offender's conviction history, including the dates of conviction; (3) the
79.23 risk level classification assigned to the offender under section 244.052, if any; and (4) the
79.24 profile of likely victims.

79.25 (d) Except for a hospital licensed under sections 144.50 to 144.58 or a home care provider
79.26 as defined in section 144A.43, if a health care facility receives a fact sheet under paragraph
79.27 (c) that includes a risk level classification for the offender, and if the facility admits the
79.28 offender, the facility shall distribute the fact sheet to all residents at the facility. If the facility
79.29 determines that distribution to a resident is not appropriate given the resident's medical,
79.30 emotional, or mental status, the facility shall distribute the fact sheet to the patient's next of
79.31 kin or emergency contact.

80.1 Sec. 8. Minnesota Statutes 2016, section 243.166, subdivision 4c, is amended to read:

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

80.8 Sec. 9. Minnesota Statutes 2016, section 243.166, is amended by adding a subdivision to
80.9 read:

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

80.14 (i) anticipated departure date;

80.15 (ii) place of departure;

80.16 (iii) place of arrival or return;

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

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

80.19 (vi) means and purpose of travel;

80.20 (vii) visa information, if any; and

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

80.23 The notice must be provided at least 21 calendar days before the departure date and forwarded
80.24 to the bureau within one business day of receipt. If it is not possible to give 21 calendar
80.25 days' notice due to an emergency or a work assignment, the person is required to notify the
80.26 corrections agent or the law enforcement authority with jurisdiction over the person's primary
80.27 address as soon as possible prior to departure. If the travel is due to an emergency, the person
80.28 must provide a copy of the message conveying the emergency that includes the date and
80.29 time sent and the source of the information. If the travel is the result of a work assignment,
80.30 the employer must provide the date the employee was informed of the need to travel and
80.31 the nature of the work to be performed.

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

81.4 (c) A person required to register under this section who is assigned a corrections agent
81.5 must receive the corrections agent's approval for all international travel. Nothing in this
81.6 subdivision requires a corrections agent to approve of travel that is inconsistent with the
81.7 terms of the offender's supervision.

81.8 Sec. 10. Minnesota Statutes 2016, section 243.166, subdivision 5, is amended to read:

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

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

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

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

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

81.32 **EFFECTIVE DATE.** This section is effective August 1, 2018, and applies to offenses
81.33 committed on or after that date.

82.1 Sec. 11. Minnesota Statutes 2016, section 243.166, subdivision 6, is amended to read:

82.2 Subd. 6. **Registration period.** (a) Notwithstanding the provisions of section 609.165,
82.3 subdivision 1, and except as provided in paragraphs (b), (c), and (d), a person required to
82.4 register under this section shall continue to comply with this section until ten years have
82.5 elapsed since the person initially registered in connection with the offense, or until the
82.6 probation, supervised release, or conditional release period expires, whichever occurs later.
82.7 For a person required to register under this section who is committed under section 253B.18,
82.8 Minnesota Statutes 2012, section 253B.185, or chapter 253D, the ten-year registration period
82.9 does not include the period of commitment.

82.10 (b) If a person required to register under this section fails to provide the person's primary
82.11 address as required by subdivision 3, paragraph (b), fails to comply with the requirements
82.12 of subdivision 3a, fails to provide information as required by subdivision 4a, ~~or~~ fails to
82.13 return the verification form referenced in subdivision 4 within ~~ten~~ 15 days, or fails to provide
82.14 the travel information required by subdivision 4d and is convicted under subdivision 5, the
82.15 commissioner of public safety shall require the person to continue to register for an additional
82.16 period of five years. This five-year period is added to the end of the offender's registration
82.17 period. In addition, if the person is not in compliance at the end of the registration period,
82.18 the commissioner shall require the person to continue to register for an additional period of
82.19 two years.

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

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

82.26 (1) if the person is convicted of or adjudicated delinquent for any offense for which
82.27 registration is required under subdivision 1b, or any offense from another state or any federal
82.28 offense similar to the offenses described in subdivision 1b, and the person has a prior
82.29 conviction or adjudication for an offense for which registration was or would have been
82.30 required under subdivision 1b, or an offense from another state or a federal offense similar
82.31 to an offense described in subdivision 1b;

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

83.1 (3) if the person is required to register based upon a conviction for an offense under
83.2 section 609.342, subdivision 1, paragraph (a), (c), (d), (e), (f), or (h); 609.343, subdivision
83.3 1, paragraph (a), (c), (d), (e), (f), or (h); 609.344, subdivision 1, paragraph (a), (c), or (g);
83.4 or 609.345, subdivision 1, paragraph (a), (c), or (g); or a statute from another state or the
83.5 United States similar to the offenses described in this clause; or

83.6 (4) if the person is required to register under subdivision 1b, paragraph (c), following
83.7 commitment pursuant to a court commitment under Minnesota Statutes 2012, section
83.8 253B.185, chapter 253D, Minnesota Statutes 1992, section 526.10, or a similar law of
83.9 another state or the United States.

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

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

83.15 Subd. 7. **Use of data.** (a) Except as otherwise provided in subdivision 7a or sections
83.16 244.052 and 299C.093, the data provided under this section is private data on individuals
83.17 under section 13.02, subdivision 12.

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

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

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

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

83.28 Sec. 13. Minnesota Statutes 2016, section 243.166, subdivision 7a, is amended to read:

83.29 Subd. 7a. **Availability of information on offenders who are out of compliance with**
83.30 **registration law.** (a) The bureau may make information available to the public about
83.31 offenders who are 16 years of age or older and who are out of compliance with this section
83.32 for 30 days or longer for failure to provide the offenders' primary or secondary addresses,
84.1 for failure to return a verification form, or who have absconded. This information may be
84.2 made available to the public through electronic, computerized, or other accessible means.
84.3 The amount and type of information made available is limited to the information necessary
84.4 for the public to assist law enforcement in locating the offender.

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

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

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

349.1 Sec. 3. Minnesota Statutes 2016, section 244.052, subdivision 4, is amended to read:

349.2 Subd. 4. **Law enforcement agency; disclosure of information to public.** (a) The law
349.3 enforcement agency in the area where the predatory offender resides, expects to reside, is
349.4 employed, or is regularly found, shall disclose to the public any information regarding the
349.5 offender contained in the report forwarded to the agency under subdivision 3, paragraph
349.6 (f), that is relevant and necessary to protect the public and to counteract the offender's

349.7 dangerousness, consistent with the guidelines in paragraph (b). The extent of the information
349.8 disclosed and the community to whom disclosure is made must relate to the level of danger
349.9 posed by the offender, to the offender's pattern of offending behavior, and to the need of
349.10 community members for information to enhance their individual and collective safety.

349.11 (b) The law enforcement agency shall employ the following guidelines in determining
349.12 the scope of disclosure made under this subdivision:

349.13 (1) if the offender is assigned to risk level I, the agency may maintain information
349.14 regarding the offender within the agency and may disclose it to other law enforcement
349.15 agencies. Additionally, the agency may disclose the information to any victims of or
349.16 witnesses to the offense committed by the offender. The agency shall disclose the information
349.17 to victims of the offense committed by the offender who have requested disclosure and to
349.18 adult members of the offender's immediate household;

349.19 (2) if the offender is assigned to risk level II, the agency also may disclose the information
349.20 to agencies and groups that the offender is likely to encounter for the purpose of securing
349.21 those institutions and protecting individuals in their care while they are on or near the
349.22 premises of the institution. These agencies and groups include the staff members of public
349.23 and private educational institutions, day care establishments, and establishments and
349.24 organizations that primarily serve individuals likely to be victimized by the offender. The
349.25 agency also may disclose the information to individuals the agency believes are likely to
349.26 be victimized by the offender. The agency's belief shall be based on the offender's pattern
349.27 of offending or victim preference as documented in the information provided by the
349.28 department of corrections or human services;

349.29 (3) if the offender is assigned to risk level III, the agency shall disclose the information
349.30 to the persons and entities described in clauses (1) and (2) and to other members of the
349.31 community whom the offender is likely to encounter, unless the law enforcement agency
349.32 determines that public safety would be compromised by the disclosure or that a more limited
349.33 disclosure is necessary to protect the identity of the victim.

350.1 Notwithstanding the assignment of a predatory offender to risk level II or III, a law
350.2 enforcement agency may not make the disclosures permitted or required by clause (2) or
350.3 (3), if the offender is placed or resides in a residential facility. However, if an offender is
350.4 placed or resides in a residential facility, the offender and the head of the facility shall
350.5 designate the offender's likely residence upon release from the facility and the head of the
350.6 facility shall notify the commissioner of corrections or the commissioner of human services
350.7 of the offender's likely residence at least 14 days before the offender's scheduled release
350.8 date. The commissioner shall give this information to the law enforcement agency having
350.9 jurisdiction over the offender's likely residence. The head of the residential facility also
350.10 shall notify the commissioner of corrections or human services within 48 hours after
350.11 finalizing the offender's approved relocation plan to a permanent residence. Within five

350.12 days after receiving this notification, the appropriate commissioner shall give to the
350.13 appropriate law enforcement agency all relevant information the commissioner has
350.14 concerning the offender, including information on the risk factors in the offender's history
350.15 and the risk level to which the offender was assigned. After receiving this information, the
350.16 law enforcement agency shall make the disclosures permitted or required by clause (2) or
350.17 (3), as appropriate.

350.18 (c) As used in paragraph (b), clauses (2) and (3), "likely to encounter" means that:

350.19 (1) the organizations or community members are in a location or in close proximity to
350.20 a location where the offender lives or is employed, or which the offender visits or is likely
350.21 to visit on a regular basis, other than the location of the offender's outpatient treatment
350.22 program; and

350.23 (2) the types of interaction which ordinarily occur at that location and other circumstances
350.24 indicate that contact with the offender is reasonably certain.

350.25 (d) A law enforcement agency or official who discloses information under this subdivision
350.26 shall make a good faith effort to make the notification within 14 days of receipt of a
350.27 confirmed address from the Department of Corrections indicating that the offender will be,
350.28 or has been, released from confinement, or accepted for supervision, or has moved to a new
350.29 address and will reside at the address indicated. If a change occurs in the release plan, this
350.30 notification provision does not require an extension of the release date.

350.31 (e) A law enforcement agency or official who discloses information under this subdivision
350.32 shall not disclose the identity or any identifying characteristics of the victims of or witnesses
350.33 to the offender's offenses.

351.1 (f) A law enforcement agency shall continue to disclose information on an offender as
351.2 required by this subdivision for as long as the offender is required to register under section
351.3 243.166. This requirement on a law enforcement agency to continue to disclose information
351.4 also applies to an offender who lacks a primary address and is registering under section
351.5 243.166, subdivision 3a.

351.6 (g) A law enforcement agency that is disclosing information on an offender assigned to
351.7 risk level III to the public under this subdivision shall inform the commissioner of corrections
351.8 what information is being disclosed and forward this information to the commissioner within
351.9 two days of the agency's determination. The commissioner shall post this information on
351.10 the Internet as required in subdivision 4b.

351.11 (h) A city council may adopt a policy that addresses when information disclosed under
351.12 this subdivision must be presented in languages in addition to English. The policy may

351.13 address when information must be presented orally, in writing, or both in additional languages
351.14 by the law enforcement agency disclosing the information. The policy may provide for
351.15 different approaches based on the prevalence of non-English languages in different
351.16 neighborhoods.

351.17 (i) An offender who is the subject of a community notification meeting held pursuant
351.18 to this section may not attend the meeting.

351.19 (j) When a school, day care facility, or other entity or program that primarily educates
351.20 or serves children receives notice under paragraph (b), clause (3), that a level III predatory
351.21 offender resides or works in the surrounding community, notice to parents must be made
351.22 as provided in this paragraph. If the predatory offender identified in the notice is participating
351.23 in programs offered by the facility that require or allow the person to interact with children
351.24 other than the person's children, the principal or head of the entity must notify parents with
351.25 children at the facility of the contents of the notice received pursuant to this section. The
351.26 immunity provisions of subdivision 7 apply to persons disclosing information under this
351.27 paragraph.

351.28 (k) The law enforcement agency where the predatory offender resides, is employed, or
351.29 is regularly found shall notify the public in accordance with the guidelines of this subdivision,
351.30 when the offender no longer resides, is employed, or is regularly found in the area.

84.18 Sec. 14. Minnesota Statutes 2016, section 299C.093, is amended to read:

84.19 **299C.093 DATABASE OF REGISTERED PREDATORY OFFENDERS.**

84.20 The superintendent of the Bureau of Criminal Apprehension shall maintain a
84.21 computerized data system relating to individuals required to register as predatory offenders
84.22 under section 243.166. To the degree feasible, the system must include the data required to
84.23 be provided under section 243.166, subdivisions 4 and 4a, and 4d, and indicate the time
84.24 period that the person is required to register. The superintendent shall maintain this data in
84.25 a manner that ensures that it is readily available to law enforcement agencies. This data is
84.26 private data on individuals under section 13.02, subdivision 12, but may be used for law
84.27 enforcement and corrections purposes. Law enforcement or a corrections agent may disclose
84.28 the status of an individual as a predatory offender to a child protection worker with a local
84.29 welfare agency for purposes of doing a family assessment under section 626.556. A
84.30 corrections agent may also disclose the status of an individual as a predatory offender to
84.31 comply with section 244.057. The commissioner of human services has access to the data
84.32 for state-operated services, as defined in section 246.014, for the purposes described in
84.33 section 246.13, subdivision 2, paragraph (b), and for purposes of conducting background
84.34 studies under chapter 245C.