

198.24 **ARTICLE 9**

198.25 **CIVIL POLICY WITH FISCAL IMPACT**

198.26 Section 1. **[260C.419] STATE BOARD OF APPELLATE COUNSEL FOR PARENTS.**

198.27 Subdivision 1. **Structure; membership.** (a) The State Board of Appellate Counsel for
198.28 Parents is established in the judicial branch. The board is not subject to the administrative
198.29 control of the judiciary. The board shall consist of seven members, including:

198.30 (1) three public members appointed by the governor;

198.31 (2) one member appointed by the state Indian Affairs Council; and

199.1 (3) three members appointed by the supreme court, at least one of whom must have
199.2 experience representing parents in juvenile court and who include two attorneys admitted
199.3 to practice law in the state and one public member.

199.4 (b) The appointing authorities may not appoint any of the following to be a member of
199.5 the State Board of Appellate Counsel for Parents:

199.6 (1) a person who is a judge;

199.7 (2) a person serving as a guardian ad litem or counsel for a guardian ad litem;

199.8 (3) a person who serves as counsel for children in juvenile court;

199.9 (4) a person under contract with or employed by the Department of Human Services or
199.10 a county department of human or social services; or

199.11 (5) a current city or county attorney or assistant city or county attorney.

199.12 (c) All members shall demonstrate an interest in maintaining a high quality, independent
199.13 appellate defense system for parents in juvenile protection proceedings who are unable to
199.14 obtain adequate representation. At least three members of the board shall be from judicial
199.15 districts other than the First, Second, Fourth, and Tenth Judicial Districts. To the extent
199.16 practicable, the membership of the board must include persons with disabilities, reflect the
199.17 ethnic diversity of the state, take into consideration race and gender, and include persons
199.18 from throughout the state. The members shall be well acquainted with representing parents
199.19 in appellate proceedings related to child protection matters as well as the laws that affect a
199.20 parent appellate attorney's work, including chapter 260C, the Minnesota Rules of Juvenile
199.21 Protection Procedure, the Minnesota Rules of Civil Appellate Procedure, the Indian Child
199.22 Welfare Act, and the Minnesota Indian Family Preservation Act. The terms, compensation,
199.23 and removal of members shall be as provided in section 15.0575. The members shall elect
199.24 the chair from among the membership for a term of two years.

199.25 Subd. 2. **Head appellate counsel for parents; assistant and contracted attorneys.** (a)
199.26 Beginning January 1, 2024, and for every four years after that date, the State Board of
199.27 Appellate Counsel for Parents shall appoint a head appellate counsel in charge of appellate

199.28 services, who shall provide for sufficient appellate counsel for parents and other personnel
199.29 necessary to discharge the functions of the office. The head appellate counsel shall serve a
199.30 four-year term and may be removed only for cause upon the order of the State Board of
199.31 Appellate Counsel for Parents. The head appellate counsel shall be a full-time qualified
199.32 attorney, licensed to practice law in this state, and serve in the unclassified service of the
199.33 state. Vacancies of the office shall be filled by the appointing authority for the unexpired
200.1 term. The head appellate counsel shall devote full time to the performance of duties and
200.2 shall not engage in the general practice of law. The compensation of the head appellate
200.3 counsel shall be set by the State Board of Appellate Counsel for Parents and shall be
200.4 commensurate with county attorneys in the state.

200.5 (b) Consistent with the decisions of the State Board of Appellate Counsel for Parents,
200.6 the head appellate counsel shall employ assistants or hire independent contractors to serve
200.7 as appellate counsel for parents. Each assistant appellate counsel and independent contractor
200.8 serves at the pleasure of the head appellate counsel. The compensation of assistant appellate
200.9 counsel and independent contractors shall be set by the State Board of Appellate Counsel
200.10 for Parents and shall be commensurate with assistant county attorneys in the state.

200.11 (c) A person serving as appellate counsel shall be a qualified attorney licensed to practice
200.12 law in this state. A person serving as appellate counsel practicing in Tribal court shall be a
200.13 licensed attorney qualified to practice law in Tribal courts in the state. Assistant appellate
200.14 counsel and contracted appellate counsel may engage in the general practice of law where
200.15 not employed or contracted to provide services on a full-time basis.

200.16 Subd. 3. **Program administrator.** The State Board of Appellate Counsel for Parents
200.17 shall appoint a program administrator who must be chosen solely on the basis of training,
200.18 experience, and other qualifications and who serves at the pleasure of the board. The program
200.19 administrator need not be licensed to practice law. The program administrator shall attend
200.20 all meetings of the board, but may not vote, and shall:

200.21 (1) enforce all resolutions, standards, rules, regulations, policies, and orders of the board;

200.22 (2) present to the board and the head appellate counsel plans, studies, and reports prepared
200.23 for the board's and the head appellate counsel's purposes and recommend to the board and
200.24 the head appellate counsel for adoption measures necessary to enforce or carry out the
200.25 powers and duties of the board and the head appellate counsel or to efficiently administer
200.26 the affairs of the board and the head appellate counsel;

200.27 (3) keep the board fully advised as to the board's financial condition and prepare and
200.28 submit to the board the annual appellate counsel for parents program and the State Board
200.29 of Appellate Counsel for Parents budget and other financial information as requested by
200.30 the board;

200.31 (4) recommend to the board the adoption of rules and regulations necessary for the
200.32 efficient operation of the board and the state appellate counsel for parents program;

- 200.33 (5) work cooperatively and collaboratively with sovereign Tribal Nations in the state;
- 201.1 (6) work cooperatively and collaboratively with counties to implement the appellate
- 201.2 counsel program; and
- 201.3 (7) perform other duties prescribed by the board.
- 201.4 Subd. 4. **Duties and responsibilities.** (a) The State Board of Appellate Counsel for
- 201.5 Parents shall create and administer a statewide, independent appellate counsel program to
- 201.6 represent indigent parents who are eligible for the appointment of counsel under section
- 201.7 260C.163, subdivision 3, on appeal in juvenile protection matters.
- 201.8 (b) The board shall approve and recommend to the legislature a budget for the board
- 201.9 and the appellate counsel for parents program.
- 201.10 (c) The board shall establish procedures for distribution of funding under this section to
- 201.11 the appellate program.
- 201.12 (d) The head appellate counsel with the approval of the board shall establish appellate
- 201.13 program standards, administrative policies, procedures, and rules consistent with statute,
- 201.14 rules of court, and laws that affect appellate counsel's work. The standards must include but
- 201.15 are not limited to:
- 201.16 (1) standards needed to maintain and operate an appellate counsel for parents program,
- 201.17 including requirements regarding the qualifications, training, and size of the legal and
- 201.18 supporting staff for an appellate counsel program;
- 201.19 (2) standards for appellate counsel caseloads;
- 201.20 (3) standards and procedures for the eligibility of appointment, assessment, and collection
- 201.21 of the costs for legal representation provided by appellate counsel;
- 201.22 (4) standards for contracts between contracted appellate counsel and the state appellate
- 201.23 counsel program for the legal representation of indigent persons;
- 201.24 (5) standards prescribing minimum qualifications of counsel appointed under the board's
- 201.25 authority or by the courts; and
- 201.26 (6) standards ensuring the independent, competent, and efficient representation of clients
- 201.27 whose cases present conflicts of interest.
- 201.28 (e) The board may:
- 201.29 (1) propose statutory changes to the legislature and rule changes to the supreme court
- 201.30 that are in the best interests of the operation of the appellate counsel for parents program;
- 201.31 and
- 202.1 (2) require the reporting of statistical data, budget information, and other cost factors
- 202.2 by the appellate counsel for parents program.

202.3 Subd. 5. **Limitation.** In no event shall the board or its members interfere with the
202.4 discretion, judgment, or zealous advocacy of counsel in their handling of individual cases
202.5 as a part of the judicial branch of government.

202.6 Subd. 6. **Budget; county opt-in.** The establishment of the office and its employees and
202.7 support staff and the board shall be funded by the state. Counties must utilize this office to
202.8 provide appellate representation to indigent parents in their county who are seeking an
202.9 appeal.

202.10 Subd. 7. **Collection of costs; appropriation.** If any of the costs provided by appellate
202.11 counsel are assessed and collected or otherwise reimbursed from any source, payments shall
202.12 be deposited in the general fund.

202.13 Sec. 2. Minnesota Statutes 2021 Supplement, section 357.021, subdivision 1a, is amended
202.14 to read:

202.15 Subd. 1a. **Transmittal of fees to commissioner of management and budget.** (a) Every
202.16 person, including the state of Minnesota and all bodies politic and corporate, who shall
202.17 transact any business in the district court, shall pay to the court administrator of said court
202.18 the sundry fees prescribed in subdivision 2. Except as provided in paragraph (d), the court
202.19 administrator shall transmit the fees monthly to the commissioner of management and budget
202.20 for deposit in the state treasury and credit to the general fund. ~~\$30~~ \$45 of each fee collected
202.21 in a dissolution action under subdivision 2, clause (1), must be deposited by the commissioner
202.22 of management and budget in the special revenue fund and is appropriated to the
202.23 commissioner of employment and economic development for the Minnesota Family
202.24 Resiliency Partnership under section 116L.96.

202.25 (b) In a county which has a screener-collector position, fees paid by a county pursuant
202.26 to this subdivision shall be transmitted monthly to the county treasurer, who shall apply the
202.27 fees first to reimburse the county for the amount of the salary paid for the screener-collector
202.28 position. The balance of the fees collected shall then be forwarded to the commissioner of
202.29 management and budget for deposit in the state treasury and credited to the general fund.
202.30 In a county in a judicial district under section 480.181, subdivision 1, paragraph (b), which
202.31 has a screener-collector position, the fees paid by a county shall be transmitted monthly to
202.32 the commissioner of management and budget for deposit in the state treasury and credited
202.33 to the general fund. A screener-collector position for purposes of this paragraph is an
203.1 employee whose function is to increase the collection of fines and to review the incomes
203.2 of potential clients of the public defender, in order to verify eligibility for that service.

203.3 (c) No fee is required under this section from the public authority or the party the public
203.4 authority represents in an action for:

203.5 (1) child support enforcement or modification, medical assistance enforcement, or
203.6 establishment of parentage in the district court, or in a proceeding under section 484.702;

203.7 (2) civil commitment under chapter 253B;

24.12 Sec. 17. Minnesota Statutes 2021 Supplement, section 357.021, subdivision 1a, is amended
24.13 to read:

24.14 Subd. 1a. **Transmittal of fees to commissioner of management and budget.** (a) Every
24.15 person, including the state of Minnesota and all bodies politic and corporate, who shall
24.16 transact any business in the district court, shall pay to the court administrator of said court
24.17 the sundry fees prescribed in subdivision 2. Except as provided in paragraph (d), the court
24.18 administrator shall transmit the fees monthly to the commissioner of management and budget
24.19 for deposit in the state treasury and credit to the general fund. ~~\$30~~ \$60 of each fee collected
24.20 in a dissolution action under subdivision 2, clause (1), must be deposited by the commissioner
24.21 of management and budget in the special revenue fund and is appropriated to the
24.22 commissioner of employment and economic development for the Minnesota Family
24.23 Resiliency Partnership under section 116L.96.

24.24 (b) In a county which has a screener-collector position, fees paid by a county pursuant
24.25 to this subdivision shall be transmitted monthly to the county treasurer, who shall apply the
24.26 fees first to reimburse the county for the amount of the salary paid for the screener-collector
24.27 position. The balance of the fees collected shall then be forwarded to the commissioner of
24.28 management and budget for deposit in the state treasury and credited to the general fund.
24.29 In a county in a judicial district under section 480.181, subdivision 1, paragraph (b), which
24.30 has a screener-collector position, the fees paid by a county shall be transmitted monthly to
24.31 the commissioner of management and budget for deposit in the state treasury and credited
24.32 to the general fund. A screener-collector position for purposes of this paragraph is an
24.33 employee whose function is to increase the collection of fines and to review the incomes
24.34 of potential clients of the public defender, in order to verify eligibility for that service.

25.1 (c) No fee is required under this section from the public authority or the party the public
25.2 authority represents in an action for:

25.3 (1) child support enforcement or modification, medical assistance enforcement, or
25.4 establishment of parentage in the district court, or in a proceeding under section 484.702;

25.5 (2) civil commitment under chapter 253B;

203.8 (3) the appointment of a public conservator or public guardian or any other action under
203.9 chapters 252A and 525;

203.10 (4) wrongfully obtaining public assistance under section 256.98 or 256D.07, or recovery
203.11 of overpayments of public assistance;

203.12 (5) court relief under chapters 260, 260A, 260B, and 260C;

203.13 (6) forfeiture of property under sections 169A.63 and 609.531 to 609.5317;

203.14 (7) recovery of amounts issued by political subdivisions or public institutions under
203.15 sections 246.52, 252.27, 256.045, 256.25, 256.87, 256B.042, 256B.14, 256B.15, 256B.37,
203.16 260B.331, and 260C.331, or other sections referring to other forms of public assistance;

203.17 (8) restitution under section 611A.04; or

203.18 (9) actions seeking monetary relief in favor of the state pursuant to section 16D.14,
203.19 subdivision 5.

203.20 (d) \$20 from each fee collected for child support modifications under subdivision 2,
203.21 clause (13), must be transmitted to the county treasurer for deposit in the county general
203.22 fund and \$35 from each fee shall be credited to the state general fund. The fees must be
203.23 used by the county to pay for child support enforcement efforts by county attorneys.

203.24 (e) No fee is required under this section from any federally recognized Indian Tribe or
203.25 its representative in an action for:

203.26 (1) child support enforcement or modification, medical assistance enforcement, or
203.27 establishment of parentage in the district court or in a proceeding under section 484.702;

203.28 (2) civil commitment under chapter 253B;

203.29 (3) the appointment of a public conservator or public guardian or any other action under
203.30 chapters 252A and 525; or

203.31 (4) court relief under chapters 260, 260A, 260B, 260C, and 260D.

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

204.2 Sec. 3. Minnesota Statutes 2020, section 357.021, subdivision 2, is amended to read:

204.3 Subd. 2. **Fee amounts.** The fees to be charged and collected by the court administrator
204.4 shall be as follows:

204.5 (1) In every civil action or proceeding in said court, including any case arising under
204.6 the tax laws of the state that could be transferred or appealed to the Tax Court, the plaintiff,
204.7 petitioner, or other moving party shall pay, when the first paper is filed for that party in said
204.8 action, a fee of \$285, except in marriage dissolution actions the fee is \$315.

204.9 The defendant or other adverse or intervening party, or any one or more of several
204.10 defendants or other adverse or intervening parties appearing separately from the others,

25.6 (3) the appointment of a public conservator or public guardian or any other action under
25.7 chapters 252A and 525;

25.8 (4) wrongfully obtaining public assistance under section 256.98 or 256D.07, or recovery
25.9 of overpayments of public assistance;

25.10 (5) court relief under chapters 260, 260A, 260B, and 260C;

25.11 (6) forfeiture of property under sections 169A.63 and 609.531 to 609.5317;

25.12 (7) recovery of amounts issued by political subdivisions or public institutions under
25.13 sections 246.52, 252.27, 256.045, 256.25, 256.87, 256B.042, 256B.14, 256B.15, 256B.37,
25.14 260B.331, and 260C.331, or other sections referring to other forms of public assistance;

25.15 (8) restitution under section 611A.04; or

25.16 (9) actions seeking monetary relief in favor of the state pursuant to section 16D.14,
25.17 subdivision 5.

25.18 (d) \$20 from each fee collected for child support modifications under subdivision 2,
25.19 clause (13), must be transmitted to the county treasurer for deposit in the county general
25.20 fund and \$35 from each fee shall be credited to the state general fund. The fees must be
25.21 used by the county to pay for child support enforcement efforts by county attorneys.

25.22 (e) No fee is required under this section from any federally recognized Indian Tribe or
25.23 its representative in an action for:

25.24 (1) child support enforcement or modification, medical assistance enforcement, or
25.25 establishment of parentage in the district court or in a proceeding under section 484.702;

25.26 (2) civil commitment under chapter 253B;

25.27 (3) the appointment of a public conservator or public guardian or any other action under
25.28 chapters 252A and 525; or

25.29 (4) court relief under chapters 260, 260A, 260B, 260C, and 260D.

26.1 Sec. 18. Minnesota Statutes 2020, section 357.021, subdivision 2, is amended to read:

26.2 Subd. 2. **Fee amounts.** The fees to be charged and collected by the court administrator
26.3 shall be as follows:

26.4 (1) In every civil action or proceeding in said court, including any case arising under
26.5 the tax laws of the state that could be transferred or appealed to the Tax Court, the plaintiff,
26.6 petitioner, or other moving party shall pay, when the first paper is filed for that party in said
26.7 action, a fee of \$285, except in marriage dissolution actions the fee is \$315.

26.8 The defendant or other adverse or intervening party, or any one or more of several
26.9 defendants or other adverse or intervening parties appearing separately from the others,

204.11 shall pay, when the first paper is filed for that party in said action, a fee of \$285, except in
204.12 marriage dissolution actions the fee is \$315. This subdivision does not apply to the filing
204.13 of an Application for Discharge of Judgment. Section 548.181 applies to an Application
204.14 for Discharge of Judgment.

204.15 The party requesting a trial by jury shall pay \$100.

204.16 The fees above stated shall be the full trial fee chargeable to said parties irrespective of
204.17 whether trial be to the court alone, to the court and jury, or disposed of without trial, and
204.18 shall include the entry of judgment in the action, but does not include copies or certified
204.19 copies of any papers so filed or proceedings under chapter 103E, except the provisions
204.20 therein as to appeals.

204.21 (2) Certified copy of any instrument from a civil or criminal proceeding, \$14, ~~and \$8~~
204.22 ~~for an uncertified copy.~~

204.23 (3) Issuing a subpoena, \$16 for each name.

204.24 (4) Filing a motion or response to a motion in civil, family, excluding child support, and
204.25 guardianship cases, \$75.

204.26 (5) Issuing an execution and filing the return thereof; issuing a writ of attachment,
204.27 injunction, habeas corpus, mandamus, quo warranto, certiorari, or other writs not specifically
204.28 mentioned, \$55.

204.29 (6) Issuing a transcript of judgment, or for filing and docketing a transcript of judgment
204.30 from another court, \$40.

204.31 (7) Filing and entering a satisfaction of judgment, partial satisfaction, or assignment of
204.32 judgment, \$5.

205.1 (8) Certificate as to existence or nonexistence of judgments docketed, \$5 for each name
205.2 certified to.

205.3 (9) Filing and indexing trade name; or recording basic science certificate; or recording
205.4 certificate of physicians, osteopathic physicians, chiropractors, veterinarians, or optometrists,
205.5 \$5.

205.6 (10) For the filing of each partial, final, or annual account in all trusteeships, \$55.

205.7 (11) For the deposit of a will, \$27.

205.8 (12) For recording notary commission, \$20.

205.9 (13) Filing a motion or response to a motion for modification of child support, a fee of
205.10 \$50.

205.11 (14) All other services required by law for which no fee is provided, such fee as compares
205.12 favorably with those herein provided, or such as may be fixed by rule or order of the court.

26.10 shall pay, when the first paper is filed for that party in said action, a fee of \$285, except in
26.11 marriage dissolution actions the fee is \$315. This subdivision does not apply to the filing
26.12 of an Application for Discharge of Judgment. Section 548.181 applies to an Application
26.13 for Discharge of Judgment.

26.14 The party requesting a trial by jury shall pay \$100.

26.15 The fees above stated shall be the full trial fee chargeable to said parties irrespective of
26.16 whether trial be to the court alone, to the court and jury, or disposed of without trial, and
26.17 shall include the entry of judgment in the action, but does not include copies or certified
26.18 copies of any papers so filed or proceedings under chapter 103E, except the provisions
26.19 therein as to appeals.

26.20 (2) Certified copy of any instrument from a civil or criminal proceeding, \$14, ~~and \$8~~
26.21 ~~for an uncertified copy.~~

26.22 (3) Issuing a subpoena, \$16 for each name.

26.23 (4) Filing a motion or response to a motion in civil, family, excluding child support, and
26.24 guardianship cases, \$75.

26.25 (5) Issuing an execution and filing the return thereof; issuing a writ of attachment,
26.26 injunction, habeas corpus, mandamus, quo warranto, certiorari, or other writs not specifically
26.27 mentioned, \$55.

26.28 (6) Issuing a transcript of judgment, or for filing and docketing a transcript of judgment
26.29 from another court, \$40.

26.30 (7) Filing and entering a satisfaction of judgment, partial satisfaction, or assignment of
26.31 judgment, \$5.

27.1 (8) Certificate as to existence or nonexistence of judgments docketed, \$5 for each name
27.2 certified to.

27.3 (9) Filing and indexing trade name; or recording basic science certificate; or recording
27.4 certificate of physicians, osteopathic physicians, chiropractors, veterinarians, or optometrists,
27.5 \$5.

27.6 (10) For the filing of each partial, final, or annual account in all trusteeships, \$55.

27.7 (11) For the deposit of a will, \$27.

27.8 (12) For recording notary commission, \$20.

27.9 (13) Filing a motion or response to a motion for modification of child support, a fee of
27.10 \$50.

27.11 (14) All other services required by law for which no fee is provided, such fee as compares
27.12 favorably with those herein provided, or such as may be fixed by rule or order of the court.

205.13 (15) In addition to any other filing fees under this chapter, a surcharge in the amount of
205.14 \$75 must be assessed in accordance with section 259.52, subdivision 14, for each adoption
205.15 petition filed in district court to fund the fathers' adoption registry under section 259.52.

205.16 The fees in clauses (3) and (5) need not be paid by a public authority or the party the
205.17 public authority represents. No fee may be charged for an uncertified copy of an instrument
205.18 from a civil or criminal proceeding.

205.19 Sec. 4. Minnesota Statutes 2020, section 484.85, is amended to read:

205.20 **484.85 DISPOSITION OF FINES, FEES, AND OTHER MONEY; ACCOUNTS;**
205.21 **RAMSEY COUNTY DISTRICT COURT.**

205.22 (a) In all cases prosecuted in Ramsey County District Court by an attorney for a
205.23 municipality or subdivision of government within Ramsey County for violation of a statute;
205.24 an ordinance; or a charter provision, rule, or regulation of a city; all fines, penalties, and
205.25 forfeitures collected by the court administrator shall be deposited in the state treasury and
205.26 distributed according to this paragraph. Except where a different disposition is provided by
205.27 section 299D.03, subdivision 5, or other law, on or before the last day of each month, the
205.28 court shall pay over all fines, penalties, and forfeitures collected by the court administrator
205.29 during the previous month as follows:

205.30 ~~(1) for offenses committed within the city of St. Paul, two-thirds paid to the treasurer~~
205.31 ~~of the city of St. Paul municipality or subdivision of government within Ramsey County~~
205.32 ~~and one-third credited to the state general fund; and.~~

206.1 ~~(2) for offenses committed within any other municipality or subdivision of government~~
206.2 ~~within Ramsey County, one half paid to the treasurer of the municipality or subdivision of~~
206.3 ~~government and one half credited to the state general fund.~~

206.4 All other fines, penalties, and forfeitures collected by the district court shall be distributed
206.5 by the courts as provided by law.

206.6 (b) Fines, penalties, and forfeitures shall be distributed as provided in paragraph (a)
206.7 when:

206.8 (1) a city contracts with the county attorney for prosecutorial services under section
206.9 484.87, subdivision 3; or

206.10 (2) the attorney general provides assistance to the city attorney under section 484.87,
206.11 subdivision 5.

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

206.13 Sec. 5. Minnesota Statutes 2020, section 517.08, subdivision 1c, is amended to read:

206.14 Subd. 1c. **Disposition of license fee.** (a) Of the civil marriage license fee collected
206.15 pursuant to subdivision 1b, paragraph (a), \$25 must be retained by the county. The local

27.13 (15) In addition to any other filing fees under this chapter, a surcharge in the amount of
27.14 \$75 must be assessed in accordance with section 259.52, subdivision 14, for each adoption
27.15 petition filed in district court to fund the fathers' adoption registry under section 259.52.

27.16 The fees in clauses (3) and (5) need not be paid by a public authority or the party the
27.17 public authority represents. No fee may be charged for an uncertified copy of an instrument
27.18 from a civil or criminal proceeding.

28.12 Sec. 20. Minnesota Statutes 2020, section 517.08, subdivision 1c, is amended to read:

28.13 Subd. 1c. **Disposition of license fee.** (a) Of the civil marriage license fee collected
28.14 pursuant to subdivision 1b, paragraph (a), \$25 must be retained by the county. The local

206.16 registrar must pay \$90 to the commissioner of management and budget to be deposited as
206.17 follows:

206.18 (1) ~~\$55~~ \$40 in the general fund;

206.19 (2) \$3 in the state government special revenue fund to be appropriated to the
206.20 commissioner of public safety for parenting time centers under section 119A.37;

206.21 (3) \$2 in the special revenue fund to be appropriated to the commissioner of health for
206.22 developing and implementing the MN ENABL program under section 145.9255;

206.23 (4) ~~\$25~~ \$40 in the special revenue fund is appropriated to the commissioner of
206.24 employment and economic development for the Minnesota Family Resiliency Partnership
206.25 under section 116L.96; and

206.26 (5) \$5 in the special revenue fund, which is appropriated to the Board of Regents of the
206.27 University of Minnesota for the Minnesota couples on the brink project under section 137.32.

206.28 (b) Of the \$40 fee under subdivision 1b, paragraph (b), \$25 must be retained by the
206.29 county. The local registrar must pay \$15 to the commissioner of management and budget
206.30 to be deposited as follows:

206.31 (1) \$5 as provided in paragraph (a), clauses (2) and (3); and

207.1 (2) \$10 in the special revenue fund is appropriated to the commissioner of employment
207.2 and economic development for the Minnesota Family Resiliency Partnership under section
207.3 116L.96.

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

207.5 Sec. 6. Minnesota Statutes 2020, section 590.01, subdivision 4, is amended to read:

207.6 Subd. 4. **Time limit.** (a) No petition for postconviction relief may be filed more than
207.7 two years after the later of:

207.8 (1) the entry of judgment of conviction or sentence if no direct appeal is filed; or

207.9 (2) an appellate court's disposition of petitioner's direct appeal.

207.10 (b) Notwithstanding paragraph (a), a court may hear a petition for postconviction relief
207.11 if:

207.12 (1) the petitioner establishes that a physical disability or mental disease precluded a
207.13 timely assertion of the claim;

207.14 (2) the petitioner alleges the existence of newly discovered evidence, including scientific
207.15 evidence, that could not have been ascertained by the exercise of due diligence by the
207.16 petitioner or petitioner's attorney within the two-year time period for filing a postconviction
207.17 petition, and the evidence is not cumulative to evidence presented at trial, is not for

28.15 registrar must pay \$90 to the commissioner of management and budget to be deposited as
28.16 follows:

28.17 (1) ~~\$55~~ \$25 in the general fund;

28.18 (2) \$3 in the state government special revenue fund to be appropriated to the
28.19 commissioner of public safety for parenting time centers under section 119A.37;

28.20 (3) \$2 in the special revenue fund to be appropriated to the commissioner of health for
28.21 developing and implementing the MN ENABL program under section 145.9255;

28.22 (4) ~~\$25~~ \$55 in the special revenue fund is appropriated to the commissioner of
28.23 employment and economic development for the Minnesota Family Resiliency Partnership
28.24 under section 116L.96; and

28.25 (5) \$5 in the special revenue fund, which is appropriated to the Board of Regents of the
28.26 University of Minnesota for the Minnesota couples on the brink project under section 137.32.

28.27 (b) Of the \$40 fee under subdivision 1b, paragraph (b), \$25 must be retained by the
28.28 county. The local registrar must pay \$15 to the commissioner of management and budget
28.29 to be deposited as follows:

28.30 (1) \$5 as provided in paragraph (a), clauses (2) and (3); and

29.1 (2) \$10 in the special revenue fund is appropriated to the commissioner of employment
29.2 and economic development for the Minnesota Family Resiliency Partnership under section
29.3 116L.96.

207.18 impeachment purposes, and establishes by a clear and convincing standard that the petitioner
207.19 is innocent of the offense or offenses for which the petitioner was convicted;

207.20 (3) the petitioner asserts a new interpretation of federal or state constitutional or statutory
207.21 law by either the United States Supreme Court or a Minnesota appellate court and the
207.22 petitioner establishes that this interpretation is retroactively applicable to the petitioner's
207.23 case;

207.24 (4) the petition is brought pursuant to subdivision 3; ~~or~~

207.25 (5) the petitioner establishes to the satisfaction of the court that the petition is not frivolous
207.26 and is in the interests of justice; or

207.27 (6) the petitioner is either placed into immigration removal proceedings, or detained for
207.28 the purpose of removal from the United States, or received notice to report for removal, as
207.29 a result of a conviction that was obtained by relying on incorrect advice or absent advice
207.30 from counsel on immigration consequences.

208.1 (c) Any petition invoking an exception provided in paragraph (b) must be filed within
208.2 two years of the date the claim arises.