

178.19

ARTICLE 11

178.20

POLICING AND PRIVATE SECURITY

178.21 Section 1. Minnesota Statutes 2022, section 13.825, subdivision 2, is amended to read:

178.22 Subd. 2. **Data classification; court-authorized disclosure.** (a) Data collected by a
178.23 portable recording system are private data on individuals or nonpublic data, subject to the
178.24 following:

178.25 (1) data that record, describe, or otherwise document actions and circumstances
178.26 surrounding either the discharge of a firearm by a peace officer in the course of duty, if a
178.27 notice is required under section 626.553, subdivision 2, or the use of force by a peace officer
178.28 that results in substantial bodily harm, as defined in section 609.02, subdivision 7a, are
178.29 public;

178.30 (2) data are public if a subject of the data requests it be made accessible to the public,
178.31 except that, if practicable, (i) data on a subject who is not a peace officer and who does not
179.1 consent to the release must be redacted, and (ii) data on a peace officer whose identity is
179.2 protected under section 13.82, subdivision 17, clause (a), must be redacted;

179.3 (3) subject to paragraphs (b) to (d), portable recording system data that are active criminal
179.4 investigative data are governed by section 13.82, subdivision 7, and portable recording
179.5 system data that are inactive criminal investigative data are governed by this section;

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

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

179.10 (b) Notwithstanding section 13.82, subdivision 7, when an individual dies as a result of
179.11 a use of force by a peace officer, an involved officer's law enforcement agency must allow
179.12 the following individuals, upon their request, to inspect all portable recording system data,
179.13 redacted no more than what is required by law, documenting the incident within five days
179.14 of the request, subject to paragraphs (c) and (d):

41.6

ARTICLE 3

41.7

PUBLIC SAFETY

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1.19 Section 1. Minnesota Statutes 2022, section 13.825, subdivision 2, is amended to read:

1.20 Subd. 2. **Data classification; court-authorized disclosure.** (a) Data collected by a
1.21 portable recording system are private data on individuals or nonpublic data, subject to the
1.22 following:

1.23 (1) data that document the discharge of a firearm by a peace officer in the course of duty,
1.24 if a notice is required under section 626.553, subdivision 2, or the use of force by a peace
1.25 officer that results in substantial bodily harm, as defined in section 609.02, subdivision 7a,
1.26 are public;

1.27 (2) data are public if a subject of the data requests it be made accessible to the public,
1.28 except that, if practicable, (i) data on a subject who is not a peace officer and who does not
2.1 consent to the release must be redacted, and (ii) data on a peace officer whose identity is
2.2 protected under section 13.82, subdivision 17, clause (a), must be redacted;

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

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

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

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

179.15 (1) the deceased individual's next of kin;
179.16 (2) the legal representative of the deceased individual's next of kin; and
179.17 (3) the other parent of the deceased individual's child.
179.18 (c) A law enforcement agency may deny a request to inspect portable recording system
179.19 data under paragraph (b) if the agency determines that there is a compelling reason that
179.20 inspection would interfere with an active investigation. If the agency denies access under
179.21 this paragraph, the chief law enforcement officer must provide a prompt, written denial to
179.22 the individual in paragraph (b) who requested the data with a short description of the
179.23 compelling reason access was denied and must provide notice that relief may be sought
179.24 from the district court pursuant to section 13.82, subdivision 7.
179.25 (d) When an individual dies as a result of a use of force by a peace officer, an involved
179.26 officer's law enforcement agency shall release all portable recording system data, redacted
179.27 no more than what is required by law, documenting the incident no later than 14 days after
179.28 the incident, unless the chief law enforcement officer asserts in writing that the public
179.29 classification would interfere with an ongoing investigation, in which case the data remain
179.30 classified by section 13.82, subdivision 7.
179.31 ~~(b)~~ (e) A law enforcement agency may redact or withhold access to portions of data that
179.32 are public under this subdivision if those portions of data are clearly offensive to common
179.33 sensibilities.
180.1 ~~(e)~~ (f) Section 13.04, subdivision 2, does not apply to collection of data classified by
180.2 this subdivision.
180.3 ~~(b)~~ (g) Any person may bring an action in the district court located in the county where
180.4 portable recording system data are being maintained to authorize disclosure of data that are
180.5 private or nonpublic under this section or to challenge a determination under paragraph (b)
180.6 to redact or withhold access to portions of data because the data are clearly offensive to
180.7 common sensibilities. The person bringing the action must give notice of the action to the
180.8 law enforcement agency and subjects of the data, if known. The law enforcement agency
180.9 must give notice to other subjects of the data, if known, who did not receive the notice from
180.10 the person bringing the action. The court may order that all or part of the data be released
180.11 to the public or to the person bringing the action. In making this determination, the court
180.12 shall consider whether the benefit to the person bringing the action or to the public outweighs
180.13 any harm to the public, to the law enforcement agency, or to a subject of the data and, if
180.14 the action is challenging a determination under paragraph (b), whether the data are clearly
180.15 offensive to common sensibilities. The data in dispute must be examined by the court in
180.16 camera. This paragraph does not affect the right of a defendant in a criminal proceeding to
180.17 obtain access to portable recording system data under the Rules of Criminal Procedure.

2.22 kin, legal representative of the next of kin, or other parent of the deceased individual's
2.23 children that relief may be sought from the district court.

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

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

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

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

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- 41.8 Section 1. Minnesota Statutes 2022, section 13.825, subdivision 3, is amended to read:
- 41.9 Subd. 3. **Retention of data.** (a) Portable recording system data that are not active or
- 41.10 inactive criminal investigative data and are not described in paragraph (b) or (c) must be
- 41.11 maintained for at least 90 days and destroyed according to the agency's records retention
- 41.12 schedule approved pursuant to section 138.17.
- 41.13 (b) Portable recording system data must be maintained for at least one year and destroyed
- 41.14 according to the agency's records retention schedule approved pursuant to section 138.17
- 41.15 if:
- 41.16 (1) the data document (i) the discharge of a firearm by a peace officer in the course of
- 41.17 duty if a notice is required under section 626.553, subdivision 2, or (ii) the use of force by
- 41.18 a peace officer that results in substantial bodily harm; or
- 41.19 (2) a formal complaint is made against a peace officer related to the incident.
- 41.20 (c) Portable recording system data that document a peace officer's use of deadly force
- 41.21 must be maintained indefinitely.
- 41.22 (d) If a subject of the data submits a written request to the law enforcement agency to
- 41.23 retain the recording beyond the applicable retention period for possible evidentiary or
- 41.24 exculpatory use related to the circumstances under which the data were collected, the law
- 41.25 enforcement agency shall retain the recording for an additional time period requested by
- 41.26 the subject of up to 180 days and notify the requester that the recording will then be destroyed
- 41.27 unless a new request is made under this paragraph.
- 41.28 ~~(d)~~ (e) Notwithstanding paragraph (b) ~~or~~, (c), or (d), a government entity may retain a
- 41.29 recording for as long as reasonably necessary for possible evidentiary or exculpatory use
- 41.30 related to the incident with respect to which the data were collected.
- 49.6 Sec. 12. Minnesota Statutes 2022, section 214.10, subdivision 10, is amended to read:
- 49.7 Subd. 10. **Board of Peace Officers Standards and Training; receipt of**
- 49.8 **complaint.** Notwithstanding the provisions of subdivision 1 to the contrary, when the
- 49.9 executive director or any member of the Board of Peace Officer Standards and Training
- 49.10 produces or receives a written statement or complaint that alleges a violation of a statute or
- 49.11 rule that the board is empowered to enforce, the executive director shall designate the
- 49.12 appropriate law enforcement agency to investigate the complaint and ~~shall~~ may order it to
- 49.13 conduct an inquiry into the complaint's allegations. The investigating agency must complete
- 49.14 the inquiry and submit a written summary of it to the executive director within 30 days of
- 49.15 the order for inquiry.

- 180.18 Sec. 2. Minnesota Statutes 2022, section 214.10, subdivision 10, is amended to read:
- 180.19 Subd. 10. **Board of Peace Officers Standards and Training; receipt of**
- 180.20 **complaint.** Notwithstanding the provisions of subdivision 1 to the contrary, when the
- 180.21 executive director or any member of the Board of Peace Officer Standards and Training
- 180.22 produces or receives a written statement or complaint that alleges a violation of a statute or
- 180.23 rule that the board is empowered to enforce, the executive director shall designate the
- 180.24 appropriate law enforcement agency to investigate the complaint and ~~shall~~ may order it to
- 180.25 conduct an inquiry into the complaint's allegations. The investigating agency must complete
- 180.26 the inquiry and submit a written summary of it to the executive director within 30 days of
- 180.27 the order for inquiry.

180.28 Sec. 3. Minnesota Statutes 2022, section 326.3311, is amended to read:

180.29 **326.3311 POWERS AND DUTIES.**

180.30 The board has the following powers and duties:

180.31 (1) to receive and review all applications for private detective and protective agent

180.32 licenses;

181.1 (2) to approve applications for private detective and protective agent licenses and issue,

181.2 or reissue licenses as provided in sections 326.32 to 326.339;

181.3 (3) to deny applications for private detective and protective agent licenses if the applicants

181.4 do not meet the requirements of sections 326.32 to 326.339; upon denial of a license

181.5 application, the board shall notify the applicant of the denial and the facts and circumstances

181.6 that constitute the denial; the board shall advise the applicant of the right to a contested case

181.7 hearing under chapter 14;

181.8 (4) to enforce all laws and rules governing private detectives and protective agents; ~~and~~

181.9 (5) to suspend or revoke the license of a license holder or impose a civil penalty on a

181.10 license holder for violations of any provision of sections 326.32 to 326.339 or the rules of

181.11 the board;

181.12 (6) to investigate and refer for prosecution all criminal violations by individuals and

181.13 entities; and

181.14 (7) to investigate and refer for prosecution any individuals and entities operating as

181.15 private detectives or protective agents without a license.

181.16 Sec. 4. Minnesota Statutes 2022, section 326.336, subdivision 2, is amended to read:

181.17 Subd. 2. **Identification card.** An identification card must be issued by the license holder

181.18 to each employee. The card must be in the possession of the employee to whom it is issued

181.19 at all times. The identification card must contain the license holder's name, logo (if any),

181.20 address or Minnesota office address, and the employee's photograph and physical description.

181.21 The card must be signed by the employee and by the license holder, qualified representative,

181.22 or Minnesota office manager. The card must be presented upon request.

181.23 Sec. 5. Minnesota Statutes 2022, section 326.3361, subdivision 2, is amended to read:

181.24 Subd. 2. **Required contents.** The rules adopted by the board must require:

181.25 (1) 12 hours of preassignment or on-the-job certified training within the first 21 days of

181.26 employment, or evidence that the employee has successfully completed equivalent training

181.27 before the start of employment. Notwithstanding any statute or rule to the contrary, this

181.28 clause is satisfied if the employee provides a prospective employer with a certificate or a

181.29 copy of a certificate demonstrating that the employee successfully completed this training

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25.30 Sec. 11. Minnesota Statutes 2022, section 326.3361, subdivision 2, is amended to read:

25.31 Subd. 2. **Required contents.** The rules adopted by the board must require:

26.1 (1) 12 hours of preassignment or on-the-job certified training within the first 21 days of

26.2 employment, or evidence that the employee has successfully completed equivalent training

26.3 before the start of employment. Notwithstanding any statute or rule to the contrary, this

26.4 clause is satisfied if the employee provides a prospective employer with a certificate or a

26.5 copy of a certificate demonstrating that the employee successfully completed this training

181.30 prior to employment with a different Minnesota licensee and completed this training within
181.31 three previous calendar years, or successfully completed this training with a Minnesota
181.32 licensee while previously employed with a Minnesota licensee. The certificate or a copy of
182.1 the certificate is the property of the employee who completed the training, regardless of
182.2 who paid for the training or how training was provided. Upon a current or former employee's
182.3 request, a current or former licensed employer must provide a copy of a certificate
182.4 demonstrating the employee's successful completion of training to the current or former
182.5 employee. The current or former licensed employer must not charge the employee a fee for
182.6 a copy of the certificate. The employee who completed the training is entitled to access a
182.7 copy of the certificate at no charge according to sections 181.960 to 181.966. A current or
182.8 former employer must comply with sections 181.960 to 181.966;

182.9 (2) certification by the board of completion of certified training for a license holder,
182.10 qualified representative, Minnesota manager, partner, and employee to carry or use a firearm,
182.11 a weapon other than a firearm, or an immobilizing or restraint technique; and

182.12 (3) six hours a year of certified continuing training for all license holders, qualified
182.13 representatives, Minnesota managers, partners, and employees, and an additional six hours
182.14 a year for individuals who are armed with firearms or armed with weapons, which must
182.15 include annual certification of the individual.

182.16 An individual may not carry or use a weapon while undergoing on-the-job training under
182.17 this subdivision.

182.18 Sec. 6. Minnesota Statutes 2022, section 326.3387, subdivision 1, is amended to read:

182.19 Subdivision 1. **Basis for action.** The board may revoke or suspend or refuse to issue or
182.20 reissue a private detective or protective agent license if:

182.21 (1) the license holder violates a provision of sections 326.32 to 326.339 or a rule adopted
182.22 under those sections;

182.23 (2) the license holder has engaged in fraud, deceit, or misrepresentation while in the
182.24 business of private detective or protective agent;

182.25 (3) the license holder has made a false statement in an application submitted to the board
182.26 or in a document required to be submitted to the board; ~~or~~

182.27 (4) the license holder violates an order of the board; or

182.28 (5) the individual or entity previously operated without a license.

23-02397

1.5 Section 1. Minnesota Statutes 2022, section 609.066, subdivision 2, is amended to read:

1.6 Subd. 2. **Use of deadly force.** (a) Notwithstanding the provisions of section 609.06 or
1.7 609.065, the use of deadly force by a peace officer in the line of duty is justified only if an
1.8 objectively reasonable officer would believe, based on the totality of the circumstances

26.6 prior to employment with a different Minnesota licensee and completed this training within
26.7 three previous calendar years, or successfully completed this training with a Minnesota
26.8 licensee while previously employed with a Minnesota licensee. The certificate or a copy of
26.9 the certificate is the property of the employee who completed the training, regardless of
26.10 who paid for the training or how training was provided. Upon a current or former employee's
26.11 request, a current or former licensed employer must provide a copy of a certificate
26.12 demonstrating the employee's successful completion of training to the current or former
26.13 employee. The current or former licensed employer must not charge the employee a fee for
26.14 a copy of the certificate. The employee who completed the training is entitled to access a
26.15 copy of the certificate at no charge according to sections 181.960 to 181.966. A current or
26.16 former employer must comply with sections 181.90 to 181.966;

26.17 (2) certification by the board of completion of certified training for a license holder,
26.18 qualified representative, Minnesota manager, partner, and employee to carry or use a firearm,
26.19 a weapon other than a firearm, or an immobilizing or restraint technique; and

26.20 (3) six hours a year of certified continuing training for all license holders, qualified
26.21 representatives, Minnesota managers, partners, and employees, and an additional six hours
26.22 a year for individuals who are armed with firearms or armed with weapons, which must
26.23 include annual certification of the individual.

26.24 An individual may not carry or use a weapon while undergoing on-the-job training under
26.25 this subdivision.

1.9 known to the officer at the time and without the benefit of hindsight, that such force is
1.10 necessary;

1.11 (1) to protect the peace officer or another from death or great bodily harm, provided that
1.12 the threat:

1.13 (i) can be articulated with specificity by the law enforcement officer;

1.14 (ii) is reasonably likely to occur absent action by the law enforcement officer; and

1.15 (iii) must be addressed through the use of deadly force without unreasonable delay; or

1.16 (2) to effect the arrest or capture, or prevent the escape, of a person whom the peace
1.17 officer knows or has reasonable grounds to believe has committed or attempted to commit
1.18 a felony and the officer reasonably believes that the person will cause death or great bodily
1.19 harm to another person under the threat criteria in clause (1), items (i) to (iii), unless
1.20 immediately apprehended.

2.1 (b) A peace officer shall not use deadly force against a person based on the danger the
2.2 person poses to self if an objectively reasonable officer would believe, based on the totality
2.3 of the circumstances known to the officer at the time and without the benefit of hindsight,
2.4 that the person does not pose a threat of death or great bodily harm to the peace officer or
2.5 to another under the threat criteria in paragraph (a), clause (1), items (i) to (iii).

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

UES2909-2

182.29 Sec. 7. Minnesota Statutes 2022, section 626.5531, subdivision 1, is amended to read:

182.30 Subdivision 1. **Reports required.** A peace officer must report to the head of the officer's
182.31 department every violation of chapter 609 or a local criminal ordinance if the officer has
183.1 reason to believe, or if the victim alleges, that ~~the offender was motivated to commit the~~
183.2 ~~act by~~ was committed in whole or in substantial part because of the victim's actual or
183.3 perceived race, color, ethnicity, religion, ~~national origin~~, sex, gender, sexual orientation,
183.4 gender identity, gender expression, age, ~~national origin~~, or disability as defined in section
183.5 363A.03, or ~~characteristics identified as sexual orientation~~ because of the victim's actual or
183.6 perceived association with another person or group of a certain actual or perceived race,
183.7 color, ethnicity, religion, sex, gender, sexual orientation, gender identity, gender expression,
183.8 age, national origin, or disability as defined in section 363A.03. The superintendent of the
183.9 Bureau of Criminal Apprehension shall adopt a reporting form to be used by law enforcement
183.10 agencies in making the reports required under this section. The reports must include for
183.11 each incident all of the following:

183.12 (1) the date of the offense;

183.13 (2) the location of the offense;

183.14 (3) whether the target of the incident is a person, private property, or public property;

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87.29 Sec. 53. Minnesota Statutes 2022, section 626.5531, subdivision 1, is amended to read:

87.30 Subdivision 1. **Reports required.** A peace officer must report to the head of the officer's
87.31 department every violation of chapter 609 or a local criminal ordinance if the officer has
88.1 reason to believe, or if the victim alleges, that ~~the offender was motivated to commit the~~
88.2 ~~act by~~ the act was committed in whole or in substantial part because of the victim's actual
88.3 or perceived race, color, ethnicity, religion, ~~national origin~~, sex, gender, sexual orientation,
88.4 gender identity, gender expression, age, ~~national origin~~, or disability as defined in section
88.5 363A.03, or ~~characteristics identified as sexual orientation~~ because of the victim's actual or
88.6 perceived association with another person or group of a certain actual or perceived race,
88.7 color, ethnicity, religion, sex, gender, sexual orientation, gender identity, gender expression,
88.8 age, national origin, or disability as defined in section 363A.03. The superintendent of the
88.9 Bureau of Criminal Apprehension shall adopt a reporting form to be used by law enforcement
88.10 agencies in making the reports required under this section. The reports must include for
88.11 each incident all of the following:

88.12 (1) the date of the offense;

88.13 (2) the location of the offense;

88.14 (3) whether the target of the incident is a person, private property, or public property;

183.15 (4) the crime committed;

183.16 (5) the type of bias and information about the offender and the victim that is relevant to

183.17 that bias;

183.18 (6) any organized group involved in the incident;

183.19 (7) the disposition of the case;

183.20 (8) whether the determination that the offense was motivated by bias was based on the

183.21 officer's reasonable belief or on the victim's allegation; and

183.22 (9) any additional information the superintendent deems necessary for the acquisition

183.23 of accurate and relevant data.

183.24 Sec. 8. Minnesota Statutes 2022, section 626.843, is amended by adding a subdivision to

183.25 read:

183.26 Subd. 1c. **Rules governing certain misconduct.** No later than January 1, 2024, the

183.27 board must adopt rules under chapter 14 that permit the board to take disciplinary action

183.28 on a licensee for a violation of a standard of conduct in Minnesota Rules, chapter 6700,

183.29 whether or not criminal charges have been filed and in accordance with the evidentiary

183.30 standards and civil processes for boards under chapter 214.

184.1 Sec. 9. Minnesota Statutes 2022, section 626.8432, subdivision 1, is amended to read:

184.2 Subdivision 1. **Grounds for revocation, suspension, or denial.** (a) The board may

184.3 refuse to issue, refuse to renew, refuse to reinstate, suspend, revoke eligibility for licensure,

184.4 or revoke a peace officer or part-time peace officer license for any of the following causes:

184.5 (1) fraud or misrepresentation in obtaining a license;

184.6 (2) failure to meet licensure requirements; ~~or~~

184.7 (3) a violation of section 626.8436, subdivision 1; or

184.8 (4) a violation of the standards of conduct set forth in Minnesota Rules, chapter 6700.

184.9 (b) Unless otherwise provided by the board, a revocation or suspension applies to each

184.10 license, renewal, or reinstatement privilege held by the individual at the time final action

184.11 is taken by the board. A person whose license or renewal privilege has been suspended or

184.12 revoked shall be ineligible to be issued any other license by the board during the pendency

184.13 of the suspension or revocation.

184.14 Sec. 10. **[626.8436] HATE OR EXTREMIST GROUPS.**

184.15 Subdivision 1. **Prohibition.** (a) A peace officer may not join, support, advocate for,

184.16 maintain membership, or participate in the activities of:

184.17 (1) a hate or extremist group; or

88.15 (4) the crime committed;

88.16 (5) the type of bias and information about the offender and the victim that is relevant to

88.17 that bias;

88.18 (6) any organized group involved in the incident;

88.19 (7) the disposition of the case;

88.20 (8) whether the determination that the offense was motivated by bias was based on the

88.21 officer's reasonable belief or on the victim's allegation; and

88.22 (9) any additional information the superintendent deems necessary for the acquisition

88.23 of accurate and relevant data.

88.24 Sec. 54. Minnesota Statutes 2022, section 626.843, is amended by adding a subdivision

88.25 to read:

88.26 Subd. 1c. **Rules governing certain misconduct.** No later than January 1, 2025, the

88.27 board must adopt rules under chapter 14 that permit the board to take disciplinary action

88.28 on a licensee for a violation of a standard of conduct in Minnesota Rules, chapter 6700,

88.29 whether or not criminal charges have been filed and in accordance with the evidentiary

88.30 standards and civil processes for boards under chapter 214.

- 184.18 (2) a criminal gang as defined in section 609.229, subdivision 1.
- 184.19 (b) This section does not apply when the conduct is sanctioned by the law enforcement
- 184.20 agency as part of the officer's official duties.
- 184.21 Subd. 2. **Definitions.** (a) "Hate or extremist group" means a group that, as demonstrated
- 184.22 by its official statements or principles, the statements of its leaders or members, or its
- 184.23 activities:
- 184.24 (1) promotes the use of threats, force, violence, or criminal activity:
- 184.25 (i) against a local, state, or federal entity, or the officials of such an entity;
- 184.26 (ii) to deprive, or attempt to deprive, individuals of their civil rights under the Minnesota
- 184.27 or United States Constitution; or
- 184.28 (iii) to achieve goals that are political, religious, discriminatory, or ideological in nature;
- 184.29 (2) promotes seditious activities; or
- 185.1 (3) advocates for differences in the right to vote, speak, assemble, travel, or maintain
- 185.2 citizenship based on a person's perceived race, color, creed, religion, national origin,
- 185.3 disability, sex, sexual orientation, gender identity, public assistance status, or any protected
- 185.4 class as defined in Minnesota Statutes or federal law.
- 185.5 (b) For the purposes of this section, advocacy, membership, or participation in a hate or
- 185.6 extremist group or criminal gang is demonstrated by:
- 185.7 (1) dissemination of material that promotes:
- 185.8 (i) the use of threats, force, violence, or criminal activity;
- 185.9 (ii) seditious activities; or
- 185.10 (iii) the objectives described in paragraph (a), clause (3);
- 185.11 (2) engagement in cyber or social media posts, chats, forums, and other forms of
- 185.12 promotion of the group's activities;
- 185.13 (3) display or use of insignia, colors, tattoos, hand signs, slogans, or codes associated
- 185.14 with the group;
- 185.15 (4) direct financial or in-kind contributions to the group;
- 185.16 (5) a physical or cyber presence in the group's events; or
- 185.17 (6) other conduct that could reasonably be considered support, advocacy, or participation
- 185.18 in the group's activities.

185.19 Sec. 11. Minnesota Statutes 2022, section 626.8451, subdivision 1, is amended to read:

185.20 Subdivision 1. **Training course; crimes motivated by bias.** (a) The board must ~~prepare~~
185.21 ~~a~~ approve a list of training ~~course~~ courses to assist peace officers in identifying ~~and,~~
185.22 responding to, ~~and reporting crimes motivated by~~ committed in whole or in substantial part
185.23 because of the victim's or another's actual or perceived race, color, ethnicity, religion,
185.24 ~~national origin,~~ sex, gender, sexual orientation, gender identity, gender expression, age,
185.25 ~~national origin,~~ or disability as defined in section 363A.03, or ~~characteristics identified as~~
185.26 ~~sexual orientation~~ because of the victim's actual or perceived association with another person
185.27 or group of a certain actual or perceived race, color, ethnicity, religion, sex, gender, sexual
185.28 orientation, gender identity, gender expression, age, national origin, or disability as defined
185.29 in section 363A.03. The course must include material to help officers distinguish bias crimes
185.30 from other crimes, to help officers in understanding and assisting victims of these crimes,
185.31 and to ensure that bias crimes will be accurately reported as required under section 626.5531.
185.32 The ~~course must be updated periodically~~ board must review the approved courses every
186.1 three years and update the list of approved courses as the board, in consultation with
186.2 communities most targeted by hate crimes because of their characteristics as described
186.3 above, organizations with expertise in providing training on hate crimes, and the statewide
186.4 coalition of organizations representing communities impacted by hate crimes, considers
186.5 appropriate.

186.6 (b) In updating the list of approved training courses described in paragraph (a), the board
186.7 must consult and significantly incorporate input from communities most targeted by hate
186.8 crimes because of their characteristics as described in paragraph (a), organizations with
186.9 expertise in providing training on hate crimes, and the statewide coalition of organizations
186.10 representing communities impacted by hate crimes.

89.19 Sec. 56. Minnesota Statutes 2022, section 626.8451, subdivision 1, is amended to read:

89.20 Subdivision 1. **Training course; crimes motivated by bias.** (a) The board must ~~prepare~~
89.21 ~~a~~ approve a list of training ~~course~~ courses to assist peace officers in identifying ~~and,~~
89.22 responding to, ~~and reporting crimes motivated by~~ committed in whole or in substantial part
89.23 because of the victim's or another's actual or perceived race, color, ethnicity, religion,
89.24 ~~national origin,~~ sex, gender, sexual orientation, gender identity, gender expression, age,
89.25 ~~national origin,~~ or disability as defined in section 363A.03, or ~~characteristics identified as~~
89.26 ~~sexual orientation~~ because of the victim's actual or perceived association with another person
89.27 or group of a certain actual or perceived race, color, ethnicity, religion, sex, gender, sexual
89.28 orientation, gender identity, gender expression, age, national origin, or disability as defined
89.29 in section 363A.03. The course must include material to help officers distinguish bias crimes
89.30 from other crimes, to help officers in understanding and assisting victims of these crimes,
89.31 and to ensure that bias crimes will be accurately reported as required under section 626.5531.
89.32 The ~~course must be updated periodically~~ board must review the approved courses every
89.33 three years and update the list of approved courses as the board, in consultation with
90.1 communities most targeted by hate crimes because of their characteristics as described
90.2 above, organizations with expertise in providing training on hate crimes, and the statewide
90.3 coalition of organizations representing communities impacted by hate crimes, considers
90.4 appropriate.

90.5 (b) In updating the list of approved training courses described in paragraph (a), the board
90.6 must consult and significantly incorporate input from communities most targeted by hate
90.7 crimes because of their characteristics as described above, organizations with expertise in
90.8 providing training on hate crimes, and the statewide coalition of organizations representing
90.9 communities impacted by hate crimes.

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

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27.18 Sec. 2. Minnesota Statutes 2022, section 626.8452, is amended by adding a subdivision
27.19 to read:

27.20 Subd. 1b. **Prohibition against retaliation; employers.** (a) A law enforcement agency
27.21 shall not discharge, discipline, threaten, retaliate, otherwise discriminate against, or penalize
27.22 a peace officer regarding the officer's compensation, terms, conditions, location, or privileges
27.23 of employment because the officer interceded or made a report in compliance with section
27.24 626.8475 or a policy adopted under subdivision 1a regarding another employee or peace
27.25 officer who used excessive force.

27.26 (b) A court may order the law enforcement agency to pay back wages and offer job
27.27 reinstatement to any officer discharged from employment in violation of paragraph (a).

27.28 (c) In addition to any remedies otherwise provided by law, a peace officer injured by a
27.29 violation of paragraph (a) may bring a civil action for recovery of damages together with

186.11 Sec. 12. Minnesota Statutes 2022, section 626.8457, is amended by adding a subdivision
186.12 to read:

186.13 Subd. 4. **Data to be shared with board.** (a) Upon receiving written notice that the board
186.14 is investigating any allegation of misconduct within its regulatory authority, a chief law
186.15 enforcement officer, city, county, or public official must cooperate with the board's
186.16 investigation and any data request from the board.

186.17 (b) Upon written request from the board that a matter alleging misconduct within its
186.18 regulatory authority has occurred regarding a licensed peace officer, a chief law enforcement
186.19 officer, city, county, or public official shall provide the board with all requested public and
186.20 private data about the alleged misconduct involving the licensed peace officer, including
186.21 any pending or final disciplinary or arbitration proceeding, any settlement or compromise,
186.22 and any investigative files including but not limited to body worn camera or other audio or
186.23 video files. Confidential data must only be disclosed when the board specifies that the
186.24 particular identified data is necessary to fulfill its investigatory obligation concerning an
186.25 allegation of misconduct within its regulatory authority.

186.26 (c) If a licensed peace officer is discharged or resigns from employment after engaging
186.27 in any conduct that initiates and results in an investigation of alleged misconduct within the
186.28 board's regulatory authority, regardless of whether the licensee was criminally charged or
186.29 an administrative or internal affairs investigation was commenced or completed, a chief

27.30 costs and disbursements, including reasonable attorney fees, and may receive injunctive
27.31 and other equitable relief, including reinstatement, as determined by the court.

28.1 **EFFECTIVE DATE.** This section is effective August 1, 2023, and applies to causes
28.2 of action occurring on or after that date.

28.3 Sec. 3. Minnesota Statutes 2022, section 626.8452, is amended by adding a subdivision
28.4 to read:

28.5 Subd. 1c. **Prohibition against retaliation; fellow officers.** (a) A peace officer or
28.6 employee of a law enforcement agency may not threaten, harass, retaliate, or otherwise
28.7 discriminate against a peace officer because the officer interceded or made a report in
28.8 compliance with section 626.8475 or a policy adopted under subdivision 1a regarding
28.9 another employee or peace officer who used excessive force.

28.10 (b) A person who violates paragraph (a) is subject to disciplinary action as determined
28.11 by the chief law enforcement officer of the agency employing the person.

28.12 (c) A peace officer who is the victim of conduct prohibited in paragraph (a) may bring
28.13 a civil action for recovery of damages together with costs and disbursements, including
28.14 reasonable attorney fees, and may receive injunctive and other equitable relief as determined
28.15 by the court.

28.16 **EFFECTIVE DATE.** This section is effective August 1, 2023, and applies to causes
28.17 of action occurring on or after that date.

28.18 Sec. 4. Minnesota Statutes 2022, section 626.8457, is amended by adding a subdivision
28.19 to read:

28.20 Subd. 4. **Data to be shared with board.** (a) Upon receiving written notice that the board
28.21 is investigating any allegation of misconduct within its regulatory authority, a chief law
28.22 enforcement officer, city, county, or public official must cooperate with the board's
28.23 investigation and any data request from the board.

28.24 (b) Upon written request from the board that a matter alleging misconduct within its
28.25 regulatory authority has occurred regarding a licensed peace officer, a chief law enforcement
28.26 officer, city, county, or public official shall provide the board with all requested public and
28.27 private data about alleged misconduct involving the licensed peace officer, including any
28.28 pending or final disciplinary or arbitration proceeding, any settlement or compromise, and
28.29 any investigative files including but not limited to body worn camera or other audio or video
28.30 files. Confidential data must also be disclosed when the board specifies that the particular
28.31 data is necessary to fulfill its investigatory obligation concerning an allegation of misconduct
28.32 within its regulatory authority.

29.1 (c) If a licensed peace officer is discharged or resigns from employment after engaging
29.2 in any conduct that initiates and results in an investigation of alleged misconduct within the
29.3 board's regulatory authority, regardless of whether the licensee was criminally charged or
29.4 an administrative or internal affairs investigation was commenced or completed, a chief

186.30 law enforcement officer must report the conduct to the board and provide the board with
186.31 all public and not public data requested under paragraph (b). If the conduct involves the
186.32 chief law enforcement officer, the overseeing city, county, or public official must report
186.33 the conduct to the board and provide the board with all public and not public data requested
186.34 under paragraph (b).

187.1 (d) Data obtained by the board shall be classified and governed as articulated in sections
187.2 13.03, subdivision 4, and 13.09, as applicable.

187.3 (e) A chief law enforcement officer, city, county, or public official is not required to
187.4 comply with this subdivision when there is an active criminal investigation or active criminal
187.5 proceeding regarding the same incident or misconduct that is being investigated by the
187.6 board.

187.7 Sec. 13. Minnesota Statutes 2022, section 626.8457, is amended by adding a subdivision
187.8 to read:

187.9 Subd. 5. **Immunity from liability.** A chief law enforcement officer, city, county, or
187.10 public official and employees of the law enforcement agency are immune from civil or
187.11 criminal liability, including any liability under chapter 13, for reporting or releasing public
187.12 or not public data to the board under subdivisions 3 and 4, unless the chief law enforcement
187.13 officer, city, county, or public official or employees of the law enforcement agency presented
187.14 false information to the board with the intention of causing reputational harm to the peace
187.15 officer.

187.16 Sec. 14. Minnesota Statutes 2022, section 626.8469, subdivision 1, is amended to read:

187.17 Subdivision 1. **In-service training required.** (a) Beginning July 1, 2018, the chief law
187.18 enforcement officer of every state and local law enforcement agency shall provide in-service
187.19 training in crisis intervention and mental illness crises; conflict management and mediation;
187.20 ~~and~~ recognizing and valuing community diversity and cultural differences to include implicit
187.21 bias training; and training to assist peace officers in identifying, responding to, and reporting
187.22 incidents committed in whole or in substantial part because of the victim's actual or perceived
187.23 race, color, ethnicity, religion, sex, gender, sexual orientation, gender identity, gender
187.24 expression, age, national origin, or disability as defined in section 363A.03, or because of
187.25 the victim's actual or perceived association with another person or group of a certain actual
187.26 or perceived race, color, ethnicity, religion, sex, gender, sexual orientation, gender identity,
187.27 gender expression, age, national origin, or disability as defined in section 363A.03, to every
187.28 peace officer and part-time peace officer employed by the agency. The training shall comply
187.29 with learning objectives developed and approved by the board and shall meet board
187.30 requirements for board-approved continuing education credit. Every three years the board
187.31 shall review the learning objectives and must consult and collaborate with communities
187.32 most targeted by hate crimes because of their characteristics as described above, organizations
187.33 with expertise in providing training on hate crimes, and the statewide coalition of

29.5 law enforcement officer must report the conduct to the board and provide the board with
29.6 all public and not public data requested under paragraph (b). If the conduct involves the
29.7 chief law enforcement officer, the overseeing city, county, or public official must report
29.8 the conduct to the board and provide the board with all public and not public data requested
29.9 under paragraph (b).

29.10 (d) Data obtained by the board shall be classified and governed as articulated in sections
29.11 13.03, subdivision 4, and 13.09, as applicable.

29.12 Sec. 5. Minnesota Statutes 2022, section 626.8457, is amended by adding a subdivision
29.13 to read:

29.14 Subd. 5. **Immunity from liability.** A chief law enforcement officer, city, county, or
29.15 public official and employees of the law enforcement agency are immune from civil or
29.16 criminal liability, including any liability under chapter 13, for reporting or releasing public
29.17 or not public data to the board under subdivisions 3 and 4, unless the chief law enforcement
29.18 officer, city, county, or public official or employees of the law enforcement agency presented
29.19 false information to the board with the intention of causing reputational harm to the peace
29.20 officer.

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90.11 Sec. 57. Minnesota Statutes 2022, section 626.8469, subdivision 1, is amended to read:

90.12 Subdivision 1. **In-service training required.** (a) Beginning July 1, 2018, the chief law
90.13 enforcement officer of every state and local law enforcement agency shall provide in-service
90.14 training in crisis intervention and mental illness crises; conflict management and mediation;
90.15 ~~and~~ recognizing and valuing community diversity and cultural differences to include implicit
90.16 bias training; and training to assist peace officers in identifying, responding to, and reporting
90.17 incidents committed in whole or in substantial part because of the victim's actual or perceived
90.18 race, color, ethnicity, religion, sex, gender, sexual orientation, gender identity, gender
90.19 expression, age, national origin, or disability as defined in section 363A.03, or because of
90.20 the victim's actual or perceived association with another person or group of a certain actual
90.21 or perceived race, color, ethnicity, religion, sex, gender, sexual orientation, gender identity,
90.22 gender expression, age, national origin, or disability as defined in section 363A.03, to every
90.23 peace officer and part-time peace officer employed by the agency. The training shall comply
90.24 with learning objectives developed and approved by the board and shall meet board
90.25 requirements for board-approved continuing education credit. Every three years the board
90.26 shall review the learning objectives and must consult and collaborate with communities
90.27 most targeted by hate crimes because of their characteristics as described above, organizations
90.28 with expertise in providing training on hate crimes, and the statewide coalition of

188.1 organizations representing communities impacted by hate crimes in identifying appropriate
188.2 objectives and training courses related to identifying, responding to, and reporting incidents
188.3 committed in whole or in substantial part because of the victim's or another's actual or
188.4 perceived race, color, ethnicity, religion, sex, gender, sexual orientation, gender identity,
188.5 gender expression, age, national origin, or disability as defined in section 363A.03, or
188.6 because of the victim's actual or perceived association with another person or group of a
188.7 certain actual or perceived race, color, ethnicity, religion, sex, gender, sexual orientation,
188.8 gender identity, gender expression, age, national origin, or disability as defined in section
188.9 363A.03. The training shall consist of at least 16 continuing education credits within an
188.10 officer's three-year licensing cycle. Each peace officer with a license renewal date after June
188.11 30, 2018, is not required to complete this training until the officer's next full three-year
188.12 licensing cycle.

188.13 (b) Beginning July 1, 2021, the training mandated under paragraph (a) must be provided
188.14 by an approved entity. The board shall create a list of approved entities and training courses
188.15 and make the list available to the chief law enforcement officer of every state and local law
188.16 enforcement agency. Each peace officer (1) with a license renewal date before June 30,
188.17 2022, and (2) who received the training mandated under paragraph (a) before July 1, 2021,
188.18 is not required to receive this training by an approved entity until the officer's next full
188.19 three-year licensing cycle.

188.20 (c) For every peace officer and part-time peace officer with a license renewal date of
188.21 June 30, 2022, or later, the training mandated under paragraph (a) must:

188.22 (1) include a minimum of six hours for crisis intervention and mental illness crisis
188.23 training that meets the standards established in subdivision 1a; and

188.24 (2) include a minimum of four hours to ensure safer interactions between peace officers
188.25 and persons with autism in compliance with section 626.8474.

188.26 Sec. 15. Minnesota Statutes 2022, section 626.8473, subdivision 3, is amended to read:

188.27 Subd. 3. **Written policies and procedures required.** (a) The chief officer of every state
188.28 and local law enforcement agency that uses or proposes to use a portable recording system
188.29 must establish and enforce a written policy governing its use. In developing and adopting
188.30 the policy, the law enforcement agency must provide for public comment and input as
188.31 provided in subdivision 2. Use of a portable recording system without adoption of a written
188.32 policy meeting the requirements of this section is prohibited. The written policy must be
188.33 posted on the agency's website, if the agency has a website.

189.1 (b) At a minimum, the written policy must incorporate and require compliance with the
189.2 following:

90.29 organizations representing communities impacted by hate crimes in identifying appropriate
90.30 objectives and training courses related to identifying, responding to, and reporting incidents
90.31 committed in whole or in substantial part because of the victim's or another's actual or
90.32 perceived race, color, ethnicity, religion, **national origin**, sex, gender, sexual orientation,
90.33 gender identity, gender expression, age, national origin, or disability as defined in section
90.34 363A.03, or **because of the victim's actual or perceived association with another person or**
91.1 **group of a certain actual or perceived race, color, ethnicity, religion, sex, gender, sexual**
91.2 **orientation, gender identity, gender expression, age, national origin, or disability as defined**
91.3 **in section 363A.03. The training shall consist of at least 16 continuing education credits**
91.4 **within an officer's three-year licensing cycle. Each peace officer with a license renewal date**
91.5 **after June 30, 2018, is not required to complete this training until the officer's next full**
91.6 **three-year licensing cycle.**

91.7 (b) Beginning July 1, 2021, the training mandated under paragraph (a) must be provided
91.8 by an approved entity. The board shall create a list of approved entities and training courses
91.9 and make the list available to the chief law enforcement officer of every state and local law
91.10 enforcement agency. Each peace officer (1) with a license renewal date before June 30,
91.11 2022, and (2) who received the training mandated under paragraph (a) before July 1, 2021,
91.12 is not required to receive this training by an approved entity until the officer's next full
91.13 three-year licensing cycle.

91.14 (c) For every peace officer and part-time peace officer with a license renewal date of
91.15 June 30, 2022, or later, the training mandated under paragraph (a) must:

91.16 (1) include a minimum of six hours for crisis intervention and mental illness crisis
91.17 training that meets the standards established in subdivision 1a; and

91.18 (2) include a minimum of four hours to ensure safer interactions between peace officers
91.19 and persons with autism in compliance with section 626.8474.

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

91.21 Sec. 58. Minnesota Statutes 2022, section 626.8473, subdivision 3, is amended to read:

91.22 Subd. 3. **Written policies and procedures required.** (a) The chief officer of every state
91.23 and local law enforcement agency that uses or proposes to use a portable recording system
91.24 must establish and enforce a written policy governing its use. In developing and adopting
91.25 the policy, the law enforcement agency must provide for public comment and input as
91.26 provided in subdivision 2. Use of a portable recording system without adoption of a written
91.27 policy meeting the requirements of this section is prohibited. The written policy must be
91.28 posted on the agency's website, if the agency has a website.

91.29 (b) At a minimum, the written policy must incorporate and require compliance with the
91.30 following:

189.3 (1) the requirements of section 13.825 and other data classifications, access procedures,
189.4 retention policies, and data security safeguards that, at a minimum, meet the requirements
189.5 of chapter 13 and other applicable law. The policy must prohibit altering, erasing, or
189.6 destroying any recording made with a peace officer's portable recording system or data and
189.7 metadata related to the recording prior to the expiration of the applicable retention period
189.8 under section 13.825, subdivision 3, except that the full, unedited, and unredacted recording
189.9 of a peace officer using deadly force must be maintained indefinitely;

189.10 (2) mandate that a portable recording system be:

189.11 (i) worn where it affords an unobstructed view, and above the mid-line of the waist;

189.12 (ii) activated during all contacts with citizens in the performance of official duties other
189.13 than community engagement, to the extent practical without compromising officer safety;
189.14 and

189.15 (iii) activated when the officer arrives on scene of an incident and remain active until
189.16 the conclusion of the officer's duties at the scene of the incident;

189.17 (3) mandate that officers assigned a portable recording system wear and operate the
189.18 system in compliance with the agency's policy adopted under this section while performing
189.19 law enforcement activities under the command and control of another chief law enforcement
189.20 officer or federal law enforcement official;

189.21 (4) mandate that, notwithstanding any law to the contrary, when an individual dies as a
189.22 result of a use of force by a peace officer, an involved officer's law enforcement agency
189.23 must allow the following individuals, upon their request, to inspect all portable recording
189.24 system data, redacted no more than what is required by law, documenting the incident within
189.25 five days of the request, except as otherwise provided in this clause and clause (5):

189.26 (i) the deceased individual's next of kin;

189.27 (ii) the legal representative of the deceased individual's next of kin; and

189.28 (iii) the other parent of the deceased individual's child.

189.29 A law enforcement agency may deny a request if the agency determines that there is a
189.30 compelling reason that inspection would interfere with an active investigation. If the agency
189.31 denies access, the chief law enforcement officer must provide a prompt, written denial to
189.32 the individual who requested the data with a short description of the compelling reason
190.1 access was denied and must provide notice that relief may be sought from the district court
190.2 pursuant to section 13.82, subdivision 7;

91.31 (1) the requirements of section 13.825 and other data classifications, access procedures,
91.32 retention policies, and data security safeguards that, at a minimum, meet the requirements
91.33 of chapter 13 and other applicable law;

92.1 (2) prohibit altering, erasing, or destroying any recording made with a peace officer's
92.2 portable recording system or data and metadata related to the recording prior to the expiration
92.3 of the applicable retention period under section 13.825, subdivision 3;

92.4 (3) mandate that a portable recording system be:

92.5 (i) worn where it affords an unobstructed view, and above the mid-line of the waist;

92.6 (ii) activated during all contacts with citizens in the performance of official duties other
92.7 than community engagement, to the extent practical without compromising officer safety;
92.8 and

92.9 (iii) activated when the officer arrives on scene of an incident and remain active until
92.10 the conclusion of the officer's duties at the scene of the incident;

92.11 (4) mandate that officers assigned a portable recording system wear and operate the
92.12 system in compliance with the agency's policy adopted under this section while performing
92.13 law enforcement activities under the command and control of another chief law enforcement
92.14 officer or federal law enforcement official;

190.3 (5) mandate that, when an individual dies as a result of a use of force by a peace officer,
190.4 an involved officer's law enforcement agency shall release all portable recording system
190.5 data, redacted no more than what is required by law, documenting the incident no later than
190.6 14 days after the incident, unless the chief law enforcement officer asserts in writing that
190.7 the public classification would interfere with an ongoing investigation, in which case the
190.8 data remain classified by section 13.82, subdivision 7;

190.9 (6) procedures for testing the portable recording system to ensure adequate functioning;

190.10 (7) procedures to address a system malfunction or failure, including requirements
190.11 for documentation by the officer using the system at the time of a malfunction or failure;

190.12 (8) circumstances under which recording is mandatory, prohibited, or at the discretion
190.13 of the officer using the system;

190.14 (9) circumstances under which a data subject must be given notice of a recording;

190.15 (10) circumstances under which a recording may be ended while an investigation,
190.16 response, or incident is ongoing;

190.17 (11) procedures for the secure storage of portable recording system data and the
190.18 creation of backup copies of the data; and

190.19 (12) procedures to ensure compliance and address violations of the policy, which
190.20 must include, at a minimum, supervisory or internal audits and reviews, and the employee
190.21 discipline standards for unauthorized access to data contained in section 13.09.

190.22 (c) The board has authority to inspect state and local law enforcement agency policies
190.23 to ensure compliance with this section. The board may conduct this inspection based upon
190.24 a complaint it receives about a particular agency or through a random selection process.
190.25 The board may impose licensing sanctions and seek injunctive relief under section 214.11
190.26 for an agency's or licensee's failure to comply with this section.

190.27 Sec. 16. **[626.8516] INTENSIVE COMPREHENSIVE PEACE OFFICER**
190.28 **EDUCATION AND TRAINING PROGRAM.**

190.29 Subdivision 1. **Establishment; title.** A program is established within the Department
190.30 of Public Safety to fund the intensive comprehensive law enforcement education and training
190.31 of college degree holders. The program shall be known as the intensive comprehensive
190.32 peace officer education and training program.

191.1 Subd. 2. **Purpose.** The program is intended to address the critical shortage of peace
191.2 officers in the state. The program shall reimburse law enforcement agencies that recruit,
191.3 educate, and train highly qualified college graduates to become licensed peace officers in
191.4 the state.

191.5 Subd. 3. **Eligibility for reimbursement grant; grant cap.** (a) The chief law enforcement
191.6 officer of a law enforcement agency may apply to the commissioner for reimbursement of

92.15 (5) procedures for testing the portable recording system to ensure adequate functioning;

92.16 (6) procedures to address a system malfunction or failure, including requirements
92.17 for documentation by the officer using the system at the time of a malfunction or failure;

92.18 (7) circumstances under which recording is mandatory, prohibited, or at the discretion
92.19 of the officer using the system;

92.20 (8) circumstances under which a data subject must be given notice of a recording;

92.21 (9) circumstances under which a recording may be ended while an investigation,
92.22 response, or incident is ongoing;

92.23 (10) procedures for the secure storage of portable recording system data and the
92.24 creation of backup copies of the data; and

92.25 (11) procedures to ensure compliance and address violations of the policy, which
92.26 must include, at a minimum, supervisory or internal audits and reviews, and the employee
92.27 discipline standards for unauthorized access to data contained in section 13.09.

92.28 (c) The board has authority to inspect state and local law enforcement agency policies
92.29 to ensure compliance with this section. The board may conduct this inspection based upon
92.30 a complaint it receives about a particular agency or through a random selection process.
92.31 The board may impose licensing sanctions and seek injunctive relief under section 214.11
92.32 for an agency's or licensee's failure to comply with this section.

93.1 Sec. 59. **[626.8516] INTENSIVE COMPREHENSIVE PEACE OFFICER**
93.2 **EDUCATION AND TRAINING PROGRAM.**

93.3 Subdivision 1. **Establishment; title.** A program is established within the Department
93.4 of Public Safety to fund the intensive comprehensive law enforcement education and training
93.5 of college degree holders. The program shall be known as the intensive comprehensive
93.6 peace officer education and training program.

93.7 Subd. 2. **Purpose.** The program is intended to address the critical shortage of peace
93.8 officers in the state. The program shall reimburse law enforcement agencies that recruit,
93.9 educate, and train highly qualified college graduates to become licensed peace officers in
93.10 the state.

93.11 Subd. 3. **Eligibility for reimbursement grant; grant cap.** (a) The chief law enforcement
93.12 officer of a law enforcement agency may apply to the commissioner for reimbursement of

191.7 the cost of educating, training, paying, and insuring an eligible peace officer candidate until
191.8 the candidate is licensed by the board as a peace officer.

191.9 (b) The commissioner must reimburse an agency for the actual cost of educating, training,
191.10 paying, and insuring an eligible peace officer candidate up to \$50,000.

191.11 (c) The commissioner shall not award a grant under this section until the candidate has
191.12 been licensed by the board.

191.13 Subd. 4. **Eligibility for retention bonus reimbursement grant.** (a) The chief law
191.14 enforcement officer of a law enforcement agency may apply to the commissioner for a
191.15 onetime reimbursement grant for a retention bonus awarded to an eligible peace officer
191.16 candidate after the candidate has worked for a minimum of two years as a licensed peace
191.17 officer for the applicant's agency.

191.18 (b) The commissioner must reimburse an agency for the actual cost of an eligible retention
191.19 bonus up to \$10,000.

191.20 Subd. 5. **Eligibility for student loan reimbursement grant.** (a) An eligible peace officer
191.21 candidate, after serving for **two** consecutive years as a licensed peace officer in good standing
191.22 for a law enforcement agency, may apply to the commissioner for a grant to cover student
191.23 loan debt incurred by the applicant in earning the applicant's **two- or** four-year degree.

191.24 (b) The commissioner shall reimburse the applicant for the amount of the applicant's
191.25 student loan debt up to \$20,000.

191.26 Subd. 6. **Forms.** The commissioner must prepare the necessary grant application forms
191.27 and make them available on the agency's public website.

191.28 Subd. 7. **Intensive education and skills training program.** No later than February 1,
191.29 2024, the commissioner, in consultation with the executive director of the board and the
191.30 institutions designated as education providers under subdivision 8, shall develop an intensive
191.31 comprehensive law enforcement education and skills training curriculum that will provide
191.32 eligible peace officer candidates with the law enforcement education and skills training
191.33 needed to be licensed as a peace officer. The curriculum must be designed to be completed
192.1 in eight months or less and shall be offered at the institutions designated under subdivision
192.2 8. The curriculum may overlap, coincide with, or draw upon existing law enforcement
192.3 education and training programs at institutions designated as education providers under
192.4 subdivision 8. The commissioner may designate existing law enforcement education and
192.5 training programs that are designed to be completed in eight months or less as intensive
192.6 comprehensive law enforcement education and skills training programs for purposes of this
192.7 section.

192.8 Subd. 8. **Education providers; sites.** (a) No later than September 1, 2023, the Board
192.9 of Trustees of the Minnesota State Colleges and Universities shall designate at least two

93.13 the cost of educating, training, paying, and insuring an eligible peace officer candidate until
93.14 the candidate is licensed by the board as a peace officer.

93.15 (b) The commissioner must reimburse an agency for the actual cost of educating, training,
93.16 paying, and insuring an eligible peace officer candidate up to \$50,000.

93.17 (c) The commissioner shall not award a grant under this section until the candidate has
93.18 been licensed by the board.

93.19 Subd. 4. **Eligibility for retention bonus reimbursement grant.** (a) The chief law
93.20 enforcement officer of a law enforcement agency may apply to the commissioner for a
93.21 onetime reimbursement grant for a retention bonus awarded to an eligible peace officer
93.22 candidate after the candidate has worked for a minimum of two years as a licensed peace
93.23 officer for the applicant's agency.

93.24 (b) The commissioner must reimburse an agency for the actual cost of an eligible retention
93.25 bonus up to \$10,000.

93.26 Subd. 5. **Eligibility for student loan reimbursement grant.** (a) An eligible peace officer
93.27 candidate, after serving for **three** consecutive years as a licensed peace officer in good
93.28 standing for a law enforcement agency, may apply to the commissioner for a grant to cover
93.29 student loan debt incurred by the applicant in earning the applicant's four-year degree.

93.30 (b) The commissioner shall reimburse the applicant for the amount of the applicant's
93.31 student loan debt up to \$20,000.

93.32 Subd. 6. **Forms.** The commissioner must prepare the necessary grant application forms
93.33 and make them available on the agency's public website.

94.1 Subd. 7. **Intensive education and skills training program.** No later than February 1,
94.2 2024, the commissioner, in consultation with the executive director of the board and the
94.3 institutions designated as education providers under subdivision 8, shall develop an intensive
94.4 comprehensive law enforcement education and skills training curriculum that will provide
94.5 eligible peace officer candidates with the law enforcement education and skills training
94.6 needed to be licensed as a peace officer. The curriculum must be designed to be completed
94.7 in eight months or less and shall be offered at the institutions designated under subdivision
94.8 8. The curriculum may overlap, coincide with, or draw upon existing law enforcement
94.9 education and training programs at institutions designated as education providers under
94.10 subdivision 8. The commissioner may designate existing law enforcement education and
94.11 training programs that are designed to be completed in eight months or less as intensive
94.12 comprehensive law enforcement education and skills training programs for purposes of this
94.13 section.

94.14 Subd. 8. **Education providers; sites.** (a) No later than September 1, 2023, the Board
94.15 of Trustees of the Minnesota State Colleges and Universities shall designate at least two

192.10 regionally diverse system campuses to provide the required intensive comprehensive law
192.11 enforcement education and skills training to eligible peace officer candidates.

192.12 (b) In addition to the campuses designated under paragraph (a), the commissioner may
192.13 designate private, nonprofit postsecondary institutions to provide the required intensive
192.14 comprehensive law enforcement education and skills training to eligible peace officer
192.15 candidates.

192.16 Subd. 9. **Account established.** An intensive comprehensive peace officer education and
192.17 training program account is created in the special revenue fund for depositing money
192.18 appropriated to or received by the department for this program. Money deposited in the
192.19 account is appropriated to the commissioner, does not cancel, and is continuously available
192.20 to fund the requirements of this section.

192.21 Subd. 10. **Definitions.** (a) For purposes of this section, the following terms have the
192.22 meanings given.

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

192.24 (c) "Eligible peace officer candidate" means a person who:

192.25 (1) holds a two- or four-year degree from an accredited college or university;

192.26 (2) is a citizen of the United States;

192.27 (3) passed a thorough background check, including searches by local, state, and federal
192.28 agencies, to disclose the existence of any criminal record or conduct which would adversely
192.29 affect the candidate's performance of peace officer duties;

192.30 (4) possesses a valid Minnesota driver's license or, in case of residency therein, a valid
192.31 driver's license from another state, or eligibility to obtain either license; and

192.32 (5) is sponsored by a state or local law enforcement agency.

193.1 (d) "Law enforcement agency" has the meaning given in section 626.84, subdivision 1,
193.2 paragraph (f), clause (1).

193.3 (e) "Program" means the intensive comprehensive peace officer education and training
193.4 program.

193.5 Sec. 17. Minnesota Statutes 2022, section 626.87, is amended by adding a subdivision to
193.6 read:

193.7 Subd. 1a. **Background checks.** (a) The law enforcement agency must request a criminal
193.8 history background check from the superintendent of the Bureau of Criminal Apprehension
193.9 on an applicant for employment as a licensed peace officer or an applicant for a position

94.16 regionally diverse system campuses to provide the required intensive comprehensive law
94.17 enforcement education and skills training to eligible peace officer candidates.

94.18 (b) In addition to the campuses designated under paragraph (a), the commissioner may
94.19 designate private, nonprofit postsecondary institutions to provide the required intensive
94.20 comprehensive law enforcement education and skills training to eligible peace officer
94.21 candidates.

94.22 Subd. 9. **Definitions.** (a) For purposes of this section, the following terms have the
94.23 meanings given.

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

94.25 (c) "Eligible peace officer candidate" means a person who:

94.26 (1) holds a four-year degree from an accredited college or university;

94.27 (2) is a citizen of the United States;

94.28 (3) passed a thorough background check, including searches by local, state, and federal
94.29 agencies, to disclose the existence of any criminal record or conduct which would adversely
94.30 affect the candidate's performance of peace officer duties;

94.31 (4) possesses a valid Minnesota driver's license or, in case of residency therein, a valid
94.32 driver's license from another state, or eligibility to obtain either license; and

94.33 (5) is sponsored by a state or local law enforcement agency.

95.1 (d) "Law enforcement agency" has the meaning given in section 626.84, subdivision 1,
95.2 paragraph (f), clause (1).

95.3 (e) "Program" means the intensive comprehensive peace officer education and training
95.4 program.

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

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29.21 Sec. 6. Minnesota Statutes 2022, section 626.87, is amended by adding a subdivision to
29.22 read:

29.23 Subd. 1a. **Background checks.** (a) The law enforcement agency must request a criminal
29.24 history background check from the superintendent of the Bureau of Criminal Apprehension
29.25 on an applicant for employment as a licensed peace officer or an applicant for a position

193.10 leading to employment as a licensed peace officer within the state of Minnesota to determine
193.11 eligibility for licensing. Applicants must provide, for submission to the superintendent of
193.12 the Bureau of Criminal Apprehension:

193.13 (1) an executed criminal history consent form, authorizing the dissemination of state
193.14 and federal records to the law enforcement agency and the Board of Peace Officer Standards
193.15 and Training and fingerprints; and

193.16 (2) a money order or cashier's check payable to the Bureau of Criminal Apprehension
193.17 for the fee for conducting the criminal history background check.

193.18 (b) The superintendent of the Bureau of Criminal Apprehension shall perform the
193.19 background check required under paragraph (a) by retrieving criminal history data as defined
193.20 in section 13.87 and shall also conduct a search of the national criminal records repository.
193.21 The superintendent is authorized to exchange the applicant's fingerprints with the Federal
193.22 Bureau of Investigation to obtain their national criminal history record information. The
193.23 superintendent must return the results of the Minnesota and federal criminal history records
193.24 checks to the law enforcement agency who is authorized to share with the Board of Peace
193.25 Officer Standards and Training to determine if the individual is eligible for licensing under
193.26 Minnesota Rules, chapter 6700.

193.27 Sec. 18. Minnesota Statutes 2022, section 626.87, subdivision 2, is amended to read:

193.28 Subd. 2. **Disclosure of employment information.** Upon request of a law enforcement
193.29 agency, an employer shall disclose or otherwise make available for inspection employment
193.30 information of an employee or former employee who is the subject of an investigation under
193.31 subdivision 1 or who is a candidate for employment with a law enforcement agency in any
193.32 other capacity. The request for disclosure of employment information must be in writing,
194.1 must be accompanied by an original authorization and release signed by the employee or
194.2 former employee, and must be signed by a sworn peace officer or other an authorized
194.3 representative of the law enforcement agency conducting the background investigation.

194.4 Sec. 19. Minnesota Statutes 2022, section 626.87, subdivision 3, is amended to read:

194.5 Subd. 3. **Refusal to disclose a personnel record.** If an employer refuses to disclose
194.6 employment information in accordance with this section, upon request the district court
194.7 may issue an ex parte order directing the disclosure of the employment information. The
194.8 request must be made by a sworn peace officer an authorized representative from the law
194.9 enforcement agency conducting the background investigation and must include a copy of
194.10 the original request for disclosure made upon the employer or former employer and the
194.11 authorization and release signed by the employee or former employee. The request must be
194.12 signed by the peace officer person requesting the order and an attorney representing the
194.13 state or the political subdivision on whose behalf the background investigation is being
194.14 conducted. It is not necessary for the request or the order to be filed with the court
194.15 administrator. Failure to comply with the court order subjects the person or entity who fails
194.16 to comply to civil or criminal contempt of court.

29.26 leading to employment as a licensed peace officer within the state of Minnesota to determine
29.27 eligibility for licensing. Applicants must provide, for submission to the superintendent of
29.28 the Bureau of Criminal Apprehension:

29.29 (1) an executed criminal history consent form, authorizing the dissemination of state
29.30 and federal records to the law enforcement agency and the Board of Peace Officer Standards
29.31 and Training and fingerprints; and

29.32 (2) a money order or cashier's check payable to the Bureau of Criminal Apprehension
29.33 for the fee for conducting the criminal history background check.

30.1 (b) The superintendent of the Bureau of Criminal Apprehension shall perform the
30.2 background check required under paragraph (a) by retrieving criminal history data as defined
30.3 in section 13.87 and shall also conduct a search of the national criminal records repository.
30.4 The superintendent is authorized to exchange the applicant's fingerprints with the Federal
30.5 Bureau of Investigation to obtain their national criminal history record information. The
30.6 superintendent must return the results of the Minnesota and federal criminal history records
30.7 checks to the law enforcement agency who is authorized to share with the Board of Peace
30.8 Officer Standards and Training to determine if the individual is eligible for licensing under
30.9 Minnesota Rules, chapter 6700.

30.10 Sec. 7. Minnesota Statutes 2022, section 626.87, subdivision 2, is amended to read:

30.11 Subd. 2. **Disclosure of employment information.** Upon request of a law enforcement
30.12 agency, an employer shall disclose or otherwise make available for inspection employment
30.13 information of an employee or former employee who is the subject of an investigation under
30.14 subdivision 1 or who is a candidate for employment with a law enforcement agency in any
30.15 other capacity. The request for disclosure of employment information must be in writing,
30.16 must be accompanied by an original authorization and release signed by the employee or
30.17 former employee, and must be signed by a sworn peace officer or other an authorized
30.18 representative of the law enforcement agency conducting the background investigation.

30.19 Sec. 8. Minnesota Statutes 2022, section 626.87, subdivision 3, is amended to read:

30.20 Subd. 3. **Refusal to disclose a personnel record.** If an employer refuses to disclose
30.21 employment information in accordance with this section, upon request the district court
30.22 may issue an ex parte order directing the disclosure of the employment information. The
30.23 request must be made by a sworn peace officer an authorized representative from the law
30.24 enforcement agency conducting the background investigation and must include a copy of
30.25 the original request for disclosure made upon the employer or former employer and the
30.26 authorization and release signed by the employee or former employee. The request must be
30.27 signed by the peace officer person requesting the order and an attorney representing the
30.28 state or the political subdivision on whose behalf the background investigation is being
30.29 conducted. It is not necessary for the request or the order to be filed with the court
30.30 administrator. Failure to comply with the court order subjects the person or entity who fails
30.31 to comply to civil or criminal contempt of court.

194.17 Sec. 20. Minnesota Statutes 2022, section 626.87, subdivision 5, is amended to read:

194.18 Subd. 5. **Notice of investigation.** Upon initiation of a background investigation ~~under~~
194.19 ~~this section~~ for a person described in subdivision 1, the law enforcement agency shall give
194.20 written notice to the Peace Officer Standards and Training Board of:

194.21 (1) the candidate's full name and date of birth; and

194.22 (2) the candidate's peace officer license number, if known.

194.23 The initiation of a background investigation does not include the submission of an
194.24 application for employment. Initiation of a background investigation occurs when the law
194.25 enforcement agency begins its determination of whether an applicant meets the agency's
194.26 standards for employment as a law enforcement employee.

194.27 Sec. 21. Minnesota Statutes 2022, section 626.89, subdivision 17, is amended to read:

194.28 Subd. 17. **Civilian review.** (a) As used in this subdivision, the following terms have the
194.29 meanings given:

195.1 (1) "civilian oversight council" means a civilian review board, commission, or other
195.2 oversight body established by a local unit of government to provide civilian oversight of a
195.3 law enforcement agency and officers employed by the agency; and

195.4 (2) "misconduct" means a violation of law, standards promulgated by the Peace Officer
195.5 Standards and Training Board, or agency policy.

195.6 (b) A local unit of government may establish a civilian review board, commission, or
195.7 other oversight body shall not have council and grant the council the authority to make a
195.8 finding of fact or determination regarding a complaint against an officer or impose discipline
195.9 on an officer. A civilian review board, commission, or other oversight body may make a
195.10 recommendation regarding the merits of a complaint, however, the recommendation shall
195.11 be advisory only and shall not be binding on nor limit the authority of the chief law
195.12 enforcement officer of any unit of government.

195.13 (c) At the conclusion of any criminal investigation or prosecution, if any, a civilian
195.14 oversight council may conduct an investigation into allegations of peace officer misconduct
195.15 and retain an investigator to facilitate an investigation. Subject to other applicable law, a
195.16 council may subpoena or compel testimony and documents in an investigation. Upon
195.17 completion of an investigation, a council may make a finding of misconduct and recommend
195.18 appropriate discipline against peace officers employed by the agency. If the governing body
195.19 grants a council the authority, the council may impose discipline on peace officers employed
195.20 by the agency. A council may submit investigation reports that contain findings of peace
195.21 officer misconduct to the chief law enforcement officer and the Peace Officer Standards
195.22 and Training Board's complaint committee. A council may also make policy
195.23 recommendations to the chief law enforcement officer and the Peace Officer Standards and
195.24 Training Board.

31.1 Sec. 9. Minnesota Statutes 2022, section 626.87, subdivision 5, is amended to read:

31.2 Subd. 5. **Notice of investigation.** Upon initiation of a background investigation ~~under~~
31.3 ~~this section~~ for a person described in subdivision 1, the law enforcement agency shall give
31.4 written notice to the Peace Officer Standards and Training Board of:

31.5 (1) the candidate's full name and date of birth; and

31.6 (2) the candidate's peace officer license number, if known.

31.7 The initiation of a background investigation does not include the submission of an
31.8 application for employment. Initiation of a background investigation occurs when the law
31.9 enforcement agency begins its determination of whether an applicant meets the agency's
31.10 standards for employment as a law enforcement employee.

195.25 (d) The chief law enforcement officer of a law enforcement agency under the jurisdiction
195.26 of a civilian oversight council shall cooperate with the council and facilitate the council's
195.27 achievement of its goals. However, the officer is under no obligation to agree with individual
195.28 recommendations of the council and may oppose a recommendation. If the officer fails to
195.29 implement a recommendation that is within the officer's authority, the officer shall inform
195.30 the council of the failure along with the officer's underlying reasons.

195.31 (e) Peace officer discipline decisions imposed pursuant to the authority granted under
195.32 this subdivision shall be subject to the applicable grievance procedure established or agreed
195.33 to under chapter 179A.

196.1 (f) Data collected, created, received, maintained, or disseminated by a civilian oversight
196.2 council related to an investigation of a peace officer are personnel data as defined by section
196.3 13.43, subdivision 1, and are governed by that section.

196.4 Sec. 22. Minnesota Statutes 2022, section 626.90, subdivision 2, is amended to read:

196.5 Subd. 2. **Law enforcement agency.** (a) The band has the powers of a law enforcement
196.6 agency, as defined in section 626.84, subdivision 1, paragraph (f), if all of the requirements
196.7 of clauses (1) to (4) are met:

196.8 (1) the band agrees to be subject to liability for its torts and those of its officers,
196.9 employees, and agents acting within the scope of their employment or duties arising out of
196.10 a law enforcement agency function conferred by this section, to the same extent as a
196.11 municipality under chapter 466, and the band further agrees, notwithstanding section 16C.05,
196.12 subdivision 7, to waive its sovereign immunity for purposes of claims of this liability;

196.13 (2) the band files with the Board of Peace Officer Standards and Training a bond or
196.14 certificate of insurance for liability coverage with the maximum single occurrence amounts
196.15 set forth in section 466.04 and an annual cap for all occurrences within a year of three times
196.16 the single occurrence amount;

196.17 (3) the band files with the Board of Peace Officer Standards and Training a certificate
196.18 of insurance for liability of its law enforcement officers, employees, and agents for lawsuits
196.19 under the United States Constitution; and

196.20 (4) the band agrees to be subject to section 13.82 and any other laws of the state relating
196.21 to data practices of law enforcement agencies.

196.22 (b) The band ~~shall~~ may enter into mutual aid/cooperative agreements with the Mille
196.23 Lacs County sheriff under section 471.59 to define and regulate the provision of law
196.24 enforcement services under this section. ~~The agreements must define the trust property~~
196.25 ~~involved in the joint powers agreement.~~

196.26 (c) ~~Only if the requirements of paragraph (a) are met, the band shall have concurrent~~
196.27 ~~jurisdictional authority under this section with the Mille Lacs County Sheriff's Department~~
196.28 ~~only if the requirements of paragraph (a) are met and under the following circumstances:~~

31.11 Sec. 10. Minnesota Statutes 2022, section 626.90, subdivision 2, is amended to read:

31.12 Subd. 2. **Law enforcement agency.** (a) The band has the powers of a law enforcement
31.13 agency, as defined in section 626.84, subdivision 1, paragraph (f), if all of the requirements
31.14 of clauses (1) to (4) are met:

31.15 (1) the band agrees to be subject to liability for its torts and those of its officers,
31.16 employees, and agents acting within the scope of their employment or duties arising out of
31.17 a law enforcement agency function conferred by this section, to the same extent as a
31.18 municipality under chapter 466, and the band further agrees, notwithstanding section 16C.05,
31.19 subdivision 7, to waive its sovereign immunity for purposes of claims of this liability;

31.20 (2) the band files with the Board of Peace Officer Standards and Training a bond or
31.21 certificate of insurance for liability coverage with the maximum single occurrence amounts
31.22 set forth in section 466.04 and an annual cap for all occurrences within a year of three times
31.23 the single occurrence amount;

31.24 (3) the band files with the Board of Peace Officer Standards and Training a certificate
31.25 of insurance for liability of its law enforcement officers, employees, and agents for lawsuits
31.26 under the United States Constitution; and

31.27 (4) the band agrees to be subject to section 13.82 and any other laws of the state relating
31.28 to data practices of law enforcement agencies.

31.29 (b) The band ~~shall~~ may enter into mutual aid/cooperative agreements with the Mille
31.30 Lacs County sheriff under section 471.59 to define and regulate the provision of law
31.31 enforcement services under this section. ~~The agreements must define the trust property~~
31.32 ~~involved in the joint powers agreement.~~

32.1 (c) ~~Only if the requirements of paragraph (a) are met, the band shall have concurrent~~
32.2 ~~jurisdictional authority under this section with the Mille Lacs County Sheriff's Department~~
32.3 ~~only if the requirements of paragraph (a) are met and under the following circumstances:~~

196.29 ~~(1) over all persons in the geographical boundaries of the property held by the United~~
196.30 ~~States in trust for the Mille Laes Band or the Minnesota Chippewa tribe;~~
196.31 ~~(2) over all Minnesota Chippewa tribal members within the boundaries of the Treaty of~~
196.32 ~~February 22, 1855, 10 Stat. 1165, in Mille Laes County, Minnesota; and,~~
197.1 ~~(3) concurrent jurisdiction over any person who commits or attempts to commit a crime~~
197.2 ~~in the presence of an appointed band peace officer within the boundaries of the Treaty of~~
197.3 ~~February 22, 1855, 10 Stat. 1165, in Mille Laes County, Minnesota.~~
197.4 Sec. 23. Minnesota Statutes 2022, section 626.91, subdivision 2, is amended to read:
197.5 Subd. 2. **Law enforcement agency.** (a) The community has the powers of a law
197.6 enforcement agency, as defined in section 626.84, subdivision 1, paragraph (f), if all of the
197.7 requirements of clauses (1) to (4) are met:
197.8 (1) the community agrees to be subject to liability for its torts and those of its officers,
197.9 employees, and agents acting within the scope of their employment or duties arising out of
197.10 the law enforcement agency powers conferred by this section to the same extent as a
197.11 municipality under chapter 466, and the community further agrees, notwithstanding section
197.12 16C.05, subdivision 7, to waive its sovereign immunity with respect to claims arising from
197.13 this liability;
197.14 (2) the community files with the Board of Peace Officer Standards and Training a bond
197.15 or certificate of insurance for liability coverage with the maximum single occurrence amounts
197.16 set forth in section 466.04 and an annual cap for all occurrences within a year of three times
197.17 the single occurrence amount;
197.18 (3) the community files with the Board of Peace Officer Standards and Training a
197.19 certificate of insurance for liability of its law enforcement officers, employees, and agents
197.20 for lawsuits under the United States Constitution; and
197.21 (4) the community agrees to be subject to section 13.82 and any other laws of the state
197.22 relating to data practices of law enforcement agencies.
197.23 (b) The community ~~shall~~ may enter into an agreement under section 471.59 with the
197.24 Redwood County sheriff to define and regulate the provision of law enforcement services
197.25 under this section and to provide for mutual aid and cooperation. If entered, the agreement
197.26 must identify and describe the trust property involved in the agreement. For purposes of
197.27 entering into this agreement, the community shall be considered a "governmental unit" as
197.28 that term is defined in section 471.59, subdivision 1.
197.29 Sec. 24. Minnesota Statutes 2022, section 626.91, subdivision 4, is amended to read:
197.30 Subd. 4. **Peace officers.** If the community complies with the requirements set forth in
197.31 subdivision 2, paragraph (a), the community is authorized to appoint peace officers, as
197.32 defined in section 626.84, subdivision 1, paragraph (c), who have the same powers as peace

32.4 ~~(1) over all persons in the geographical boundaries of the property held by the United~~
32.5 ~~States in trust for the Mille Laes Band or the Minnesota Chippewa tribe;~~
32.6 ~~(2) over all Minnesota Chippewa tribal members within the boundaries of the Treaty of~~
32.7 ~~February 22, 1855, 10 Stat. 1165, in Mille Laes County, Minnesota; and,~~
32.8 ~~(3) concurrent jurisdiction over any person who commits or attempts to commit a crime~~
32.9 ~~in the presence of an appointed band peace officer within the boundaries of the Treaty of~~
32.10 ~~February 22, 1855, 10 Stat. 1165, in Mille Laes County, Minnesota.~~
32.11 Sec. 11. Minnesota Statutes 2022, section 626.91, subdivision 2, is amended to read:
32.12 Subd. 2. **Law enforcement agency.** (a) The community has the powers of a law
32.13 enforcement agency, as defined in section 626.84, subdivision 1, paragraph (f), if all of the
32.14 requirements of clauses (1) to (4) are met:
32.15 (1) the community agrees to be subject to liability for its torts and those of its officers,
32.16 employees, and agents acting within the scope of their employment or duties arising out of
32.17 the law enforcement agency powers conferred by this section to the same extent as a
32.18 municipality under chapter 466, and the community further agrees, notwithstanding section
32.19 16C.05, subdivision 7, to waive its sovereign immunity with respect to claims arising from
32.20 this liability;
32.21 (2) the community files with the Board of Peace Officer Standards and Training a bond
32.22 or certificate of insurance for liability coverage with the maximum single occurrence amounts
32.23 set forth in section 466.04 and an annual cap for all occurrences within a year of three times
32.24 the single occurrence amount;
32.25 (3) the community files with the Board of Peace Officer Standards and Training a
32.26 certificate of insurance for liability of its law enforcement officers, employees, and agents
32.27 for lawsuits under the United States Constitution; and
32.28 (4) the community agrees to be subject to section 13.82 and any other laws of the state
32.29 relating to data practices of law enforcement agencies.
32.30 (b) The community ~~shall~~ may enter into an agreement under section 471.59 with the
32.31 Redwood County sheriff to define and regulate the provision of law enforcement services
32.32 under this section and to provide for mutual aid and cooperation. If entered, the agreement
33.1 must identify and describe the trust property involved in the agreement. For purposes of
33.2 entering into this agreement, the community shall be considered a "governmental unit" as
33.3 that term is defined in section 471.59, subdivision 1.
33.4 Sec. 12. Minnesota Statutes 2022, section 626.91, subdivision 4, is amended to read:
33.5 Subd. 4. **Peace officers.** If the community complies with the requirements set forth in
33.6 subdivision 2, paragraph (a), the community is authorized to appoint peace officers, as
33.7 defined in section 626.84, subdivision 1, paragraph (c), who have the same powers as peace

198.1 officers employed by the Redwood County sheriff over the persons and the geographic
198.2 areas described in subdivision 3.

198.3 Sec. 25. Minnesota Statutes 2022, section 626.92, subdivision 2, is amended to read:

198.4 Subd. 2. **Law enforcement agency.** (a) The band has the powers of a law enforcement
198.5 agency, as defined in section 626.84, subdivision 1, paragraph (f), if all of the requirements
198.6 of clauses (1) to (4) and paragraph (b) are met:

198.7 (1) the band agrees to be subject to liability for its torts and those of its officers,
198.8 employees, and agents acting within the scope of their employment or duties arising out of
198.9 the law enforcement agency powers conferred by this section to the same extent as a
198.10 municipality under chapter 466, and the band further agrees, notwithstanding section 16C.05,
198.11 subdivision 7, to waive its sovereign immunity for purposes of claims arising out of this
198.12 liability;

198.13 (2) the band files with the Board of Peace Officer Standards and Training a bond or
198.14 certificate of insurance for liability coverage with the maximum single occurrence amounts
198.15 set forth in section 466.04 and an annual cap for all occurrences within a year of three times
198.16 the single occurrence amount or establishes that liability coverage exists under the Federal
198.17 Torts Claims Act, United States Code, title 28, section 1346(b), et al., as extended to the
198.18 band pursuant to the Indian Self-Determination and Education Assistance Act of 1975,
198.19 United States Code, title 25, section 450f(c);

198.20 (3) the band files with the Board of Peace Officer Standards and Training a certificate
198.21 of insurance for liability of its law enforcement officers, employees, and agents for lawsuits
198.22 under the United States Constitution or establishes that liability coverage exists under the
198.23 Federal Torts Claims Act, United States Code, title 28, section 1346(b) et al., as extended
198.24 to the band pursuant to the Indian Self-Determination and Education Assistance Act of
198.25 1975, United States Code, title 25, section 450F(c); and

198.26 (4) the band agrees to be subject to section 13.82 and any other laws of the state relating
198.27 to data practices of law enforcement agencies.

198.28 (b) ~~By July 1, 1998,~~ The band ~~shall~~ may enter into written mutual aid or cooperative
198.29 agreements with the Carlton County sheriff, the St. Louis County sheriff, and the city of
198.30 Cloquet under section 471.59 to define and regulate the provision of law enforcement
198.31 services under this section. If entered, the agreements must define the following:

198.32 (1) the trust property involved in the joint powers agreement;

198.33 (2) the responsibilities of the county sheriffs;

199.1 (3) the responsibilities of the county attorneys; and

199.2 (4) the responsibilities of the city of Cloquet city attorney and police department.

33.8 officers employed by the Redwood County sheriff over the persons and the geographic
33.9 areas described in subdivision 3.

33.10 Sec. 13. Minnesota Statutes 2022, section 626.92, subdivision 2, is amended to read:

33.11 Subd. 2. **Law enforcement agency.** (a) The band has the powers of a law enforcement
33.12 agency, as defined in section 626.84, subdivision 1, paragraph (f), if all of the requirements
33.13 of clauses (1) to (4) and paragraph (b) are met:

33.14 (1) the band agrees to be subject to liability for its torts and those of its officers,
33.15 employees, and agents acting within the scope of their employment or duties arising out of
33.16 the law enforcement agency powers conferred by this section to the same extent as a
33.17 municipality under chapter 466, and the band further agrees, notwithstanding section 16C.05,
33.18 subdivision 7, to waive its sovereign immunity for purposes of claims arising out of this
33.19 liability;

33.20 (2) the band files with the Board of Peace Officer Standards and Training a bond or
33.21 certificate of insurance for liability coverage with the maximum single occurrence amounts
33.22 set forth in section 466.04 and an annual cap for all occurrences within a year of three times
33.23 the single occurrence amount or establishes that liability coverage exists under the Federal
33.24 Torts Claims Act, United States Code, title 28, section 1346(b), et al., as extended to the
33.25 band pursuant to the Indian Self-Determination and Education Assistance Act of 1975,
33.26 United States Code, title 25, section 450f(c);

33.27 (3) the band files with the Board of Peace Officer Standards and Training a certificate
33.28 of insurance for liability of its law enforcement officers, employees, and agents for lawsuits
33.29 under the United States Constitution or establishes that liability coverage exists under the
33.30 Federal Torts Claims Act, United States Code, title 28, section 1346(b) et al., as extended
33.31 to the band pursuant to the Indian Self-Determination and Education Assistance Act of
33.32 1975, United States Code, title 25, section 450F(c); and

34.1 (4) the band agrees to be subject to section 13.82 and any other laws of the state relating
34.2 to data practices of law enforcement agencies.

34.3 (b) ~~By July 1, 1998,~~ The band ~~shall~~ may enter into written mutual aid or cooperative
34.4 agreements with the Carlton County sheriff, the St. Louis County sheriff, and the city of
34.5 Cloquet under section 471.59 to define and regulate the provision of law enforcement
34.6 services under this section. If entered, the agreements must define the following:

34.7 (1) the trust property involved in the joint powers agreement;

34.8 (2) the responsibilities of the county sheriffs;

34.9 (3) the responsibilities of the county attorneys; and

34.10 (4) the responsibilities of the city of Cloquet city attorney and police department.

199.3 Sec. 26. Minnesota Statutes 2022, section 626.92, subdivision 3, is amended to read:

199.4 Subd. 3. **Concurrent jurisdiction.** The band shall have concurrent jurisdictional authority
199.5 under this section with the Carlton County and St. Louis County Sheriffs' Departments over
199.6 crimes committed within the boundaries of the Fond du Lac Reservation ~~as indicated by~~
199.7 ~~the mutual aid or cooperative agreements entered into under subdivision 2, paragraph (b);~~
199.8 ~~and any exhibits or attachments to those agreements~~ if the requirements of subdivision 2,
199.9 paragraph (a), are met, regardless of whether a cooperative agreement pursuant to subdivision
199.10 2, paragraph (b), is entered into.

199.11 Sec. 27. Minnesota Statutes 2022, section 626.93, subdivision 3, is amended to read:

199.12 Subd. 3. **Concurrent jurisdiction.** If the requirements of subdivision 2 are met ~~and the~~
199.13 ~~tribe enters into a cooperative agreement pursuant to subdivision 4, the Tribe shall have~~ has
199.14 concurrent jurisdictional authority under this section with the local county sheriff within
199.15 the geographical boundaries of the Tribe's reservation to enforce state criminal law.

199.16 Sec. 28. Minnesota Statutes 2022, section 626.93, subdivision 4, is amended to read:

199.17 Subd. 4. **Cooperative agreements.** In order to coordinate, define, and regulate the
199.18 provision of law enforcement services and to provide for mutual aid and cooperation,
199.19 governmental units and the Tribe ~~shall may~~ enter into agreements under section 471.59.
199.20 For the purposes of entering into these agreements, the Tribe ~~shall be~~ is considered a
199.21 "governmental unit" as that term is defined in section 471.59, subdivision 1.

199.22 Sec. 29. **REPEALER.**

199.23 Minnesota Statutes 2022, section 626.93, subdivision 7, is repealed.

34.11 Sec. 14. Minnesota Statutes 2022, section 626.92, subdivision 3, is amended to read:

34.12 Subd. 3. **Concurrent jurisdiction.** The band shall have concurrent jurisdictional authority
34.13 under this section with the Carlton County and St. Louis County Sheriffs' Departments over
34.14 crimes committed within the boundaries of the Fond du Lac Reservation ~~as indicated by~~
34.15 ~~the mutual aid or cooperative agreements entered into under subdivision 2, paragraph (b);~~
34.16 ~~and any exhibits or attachments to those agreements~~ if the requirements of subdivision 2,
34.17 paragraph (a), are met, regardless of whether a cooperative agreement pursuant to subdivision
34.18 2, paragraph (b), is entered into.

34.19 Sec. 15. Minnesota Statutes 2022, section 626.93, subdivision 3, is amended to read:

34.20 Subd. 3. **Concurrent jurisdiction.** If the requirements of subdivision 2 are met ~~and the~~
34.21 ~~tribe enters into a cooperative agreement pursuant to subdivision 4, the Tribe shall have~~ has
34.22 concurrent jurisdictional authority under this section with the local county sheriff within
34.23 the geographical boundaries of the Tribe's reservation to enforce state criminal law.

34.24 Sec. 16. Minnesota Statutes 2022, section 626.93, subdivision 4, is amended to read:

34.25 Subd. 4. **Cooperative agreements.** In order to coordinate, define, and regulate the
34.26 provision of law enforcement services and to provide for mutual aid and cooperation,
34.27 governmental units and the Tribe ~~shall may~~ enter into agreements under section 471.59.
34.28 For the purposes of entering into these agreements, the Tribe ~~shall be~~ is considered a
34.29 "governmental unit" as that term is defined in section 471.59, subdivision 1.

35.24 Sec. 18. Laws 1961, chapter 108, section 1, as amended by Laws 1969, chapter 604,
35.25 section 1, and Laws 1978, chapter 580, section 1, is amended to read:

35.26 Sec. 1. **MINNEAPOLIS, CITY OF; POLICE DEPARTMENT.**

35.27 Notwithstanding any provisions of the Minneapolis city charter, veterans' preference,
35.28 or civil service law, rule, or regulation to the contrary, the superintendent of police of the
35.29 city of Minneapolis shall after the effective date of this act have the title and be designated
35.30 as chief of police of the city of Minneapolis and may appoint three deputy chiefs of police,
35.31 five inspectors of police, the supervisor of the morals and narcotics section, the supervisor
36.1 of the internal affairs unit, and the supervisor of license inspection, such personnel to be
36.2 appointed from among the members of the Minneapolis police department holding at least
36.3 the rank of patrolman patrol officer.

36.4 **EFFECTIVE DATE.** This section is effective the day after the governing body of the
36.5 city of Minneapolis and its chief clerical officer comply with Minnesota Statutes, section
36.6 645.021, subdivisions 2 and 3.

36.7 Sec. 19. **REPEALER.**

36.8 Minnesota Statutes 2022, section 626.93, subdivision 7, is repealed.