

89.6

ARTICLE 5

89.7

PUBLIC SAFETY PROVISIONS

89.8 Section 1. Minnesota Statutes 2024, section 13.03, subdivision 6, is amended to read:

89.9 Subd. 6. **Discoverability of not public data.** If a government entity opposes discovery
89.10 of government data or release of data pursuant to court order on the grounds that the data
89.11 are classified as not public, the party that seeks access to the data may bring before the
89.12 appropriate presiding judicial officer, arbitrator, or administrative law judge an action to
89.13 compel discovery or an action in the nature of an action to compel discovery.

89.14 The presiding officer shall first decide whether the data are discoverable or releasable
89.15 pursuant to the rules of evidence and of criminal, civil, or administrative procedure
89.16 appropriate to the action.

89.17 If the data are discoverable the presiding officer shall decide whether the benefit to the
89.18 party seeking access to the data outweighs any harm to the confidentiality interests of the
89.19 entity maintaining the data, or of any person who has provided the data or who is the subject
89.20 of the data, or to the privacy interest of an individual identified in the data. In making the
89.21 decision, the presiding officer shall consider whether notice to the subject of the data is
89.22 warranted and, if warranted, what type of notice must be given. The presiding officer may
89.23 fashion and issue any protective orders necessary to assure proper handling of the data by
89.24 the parties. If the data are a videotape recording of a child victim or alleged victim alleging,
89.25 explaining, denying, or describing an act of physical or sexual abuse, the presiding officer
89.26 shall consider the provisions of section 611A.90, subdivision 2, paragraph (b). If the data
89.27 are data subject to the protections under chapter 5B or section 13.045, the presiding officer
89.28 shall consider the provisions of section 5B.11.

89.29 Sec. 2. Minnesota Statutes 2024, section 13.821, is amended to read:

89.30 **13.821 VIDEOTAPES RECORDINGS OF CHILD ABUSE VICTIMS.**

89.31 (a) Notwithstanding section 13.04, subdivision 3, an individual subject of data may not
89.32 obtain a copy of a videotape recording in which a child victim or alleged victim is alleging,
90.1 explaining, denying, or describing an act of physical or sexual abuse without a court order
90.2 under section 13.03, subdivision 6, or 611A.90. The definitions of physical abuse and sexual
90.3 abuse in section 260E.03, apply to this section, except that abuse is not limited to acts by a
90.4 person responsible for the child's care or in a significant relationship with the child or
90.5 position of authority.

90.6 (b) This section does not limit other rights of access to data by an individual under section
90.7 13.04, subdivision 3, other than the right to obtain a copy of the videotape recording, nor
90.8 prohibit rights of access pursuant to discovery in a court proceeding.

90.9 Sec. 3. Minnesota Statutes 2024, section 144.296, is amended to read:

90.10 **144.296 COPIES OF VIDEOTAPES RECORDINGS.**

90.11 A provider may not release a copy of a videotape recording of a child victim or alleged
90.12 victim of physical or sexual abuse without a court order under section 13.03, subdivision
90.13 6, or as provided in section 611A.90. This section does not limit the right of a patient to
90.14 view or listen to the videotape recording.

90.15 Sec. 4. Minnesota Statutes 2024, section 246B.04, subdivision 2, is amended to read:

90.16 Subd. 2. **Ban on obscene material or pornographic work child sexual abuse**
90.17 **material.** The executive board shall prohibit persons civilly committed as sexual
90.18 psychopathic personalities or sexually dangerous persons under chapter 253D from having
90.19 or receiving material that is obscene as defined under section 617.241, subdivision 1, material
90.20 that depicts sexual conduct as defined under section 617.241, subdivision 1, or pornographic
90.21 work child sexual abuse material as defined under section 617.246, subdivision 1, while
90.22 receiving services in any secure treatment facilities operated by the Minnesota Sex Offender
90.23 Program or any other facilities operated by the executive board.

90.24 Sec. 5. Minnesota Statutes 2024, section 299A.477, subdivision 2, is amended to read:

90.25 Subd. 2. **Program established.** The commissioner of public safety shall award a grant
90.26 to the Minnesota Firefighter Initiative to administer a hometown heroes assistance program
90.27 for Minnesota firefighters. The Minnesota Firefighter Initiative shall use the grant funds:

90.28 (1) to establish and fund critical illness coverage that provides monetary support payments
90.29 to each firefighter who is diagnosed with a critical illness on or after August 1, 2021, and
90.30 who applies for the payment. Monetary support shall be provided according to the
90.31 requirements in subdivision 3;

91.1 (2) to develop a psychotherapy program customized to address emotional trauma
91.2 experienced by firefighters, which includes providing peer-to-peer support, and to offer all
91.3 firefighters in the state up to five psychotherapy sessions per year under the customized
91.4 program, provided by mental health professionals;

91.5 (3) to coordinate additional psychotherapy sessions to firefighters who need them;

91.6 (4) to develop, annually update, and annually provide make available to all firefighters
91.7 in the state at least two hours of training on critical illnesses, such as cancer and heart disease,
91.8 and emotional trauma as causes of illness and death for firefighters; steps and best practices
91.9 for firefighters to limit the occupational risks of cancer, heart disease, and emotional trauma;
91.10 provide evidence-based suicide prevention strategies; and ways for firefighters to address
91.11 occupation-related emotional trauma and promote emotional wellness. The training shall
91.12 be presented by firefighters who attend an additional course to prepare them to serve as
91.13 trainers; and

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11.1 Sec. 7. Minnesota Statutes 2024, section 299A.477, subdivision 2, is amended to read:

11.2 Subd. 2. **Program established.** The commissioner of public safety shall award a grant
11.3 to the Minnesota Firefighter Initiative to administer a hometown heroes assistance program
11.4 for Minnesota firefighters. The Minnesota Firefighter Initiative shall use the grant funds:

11.5 (1) to establish and fund critical illness coverage that provides monetary support payments
11.6 to each firefighter who is diagnosed with a critical illness on or after August 1, 2021, and
11.7 who applies for the payment. Monetary support shall be provided according to the
11.8 requirements in subdivision 3;

11.9 (2) to develop a psychotherapy program customized to address emotional trauma
11.10 experienced by firefighters, which includes providing peer-to-peer support, and to offer all
11.11 firefighters in the state up to five psychotherapy sessions per year under the customized
11.12 program, provided by mental health professionals;

11.13 (3) to coordinate additional psychotherapy sessions to firefighters who need them;

11.14 (4) to develop, annually update, and annually provide make available to all firefighters
11.15 in the state at least two hours of training on critical illnesses, such as cancer and heart disease,
11.16 and emotional trauma as causes of illness and death for firefighters; steps and best practices
11.17 for firefighters to limit the occupational risks of cancer, heart disease, and emotional trauma;
11.18 provide evidence-based suicide prevention strategies; and ways for firefighters to address
11.19 occupation-related emotional trauma and promote emotional wellness. The training shall
11.20 be presented by firefighters who attend an additional course to prepare them to serve as
11.21 trainers; and

91.14 (5) for administrative and overhead costs of the Minnesota Firefighter Initiative associated
91.15 with conducting the activities in clauses (1) to (4).

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

91.17 Sec. 6. Minnesota Statutes 2024, section 299C.52, subdivision 1, is amended to read:

91.18 Subdivision 1. **Definitions.** As used in sections 299C.52 to 299C.565, the following
91.19 terms have the meanings given them:

91.20 (a) "Child" means any person under the age of 18 years or any person certified or known
91.21 to be mentally incompetent.

91.22 (b) "DNA" means deoxyribonucleic acid from a human biological specimen.

91.23 (c) "Endangered" means that a law enforcement official has received sufficient evidence
91.24 that the missing person is at risk of physical injury or death. The following circumstances
91.25 indicate that a missing person is at risk of physical injury or death:

91.26 (1) the person is missing as a result of a confirmed abduction or under circumstances
91.27 that indicate that the person's disappearance was not voluntary;

91.28 (2) the person is missing under known dangerous circumstances;

91.29 (3) the person is missing more than 30 days;

91.30 (4) the person is under the age of 21 and at least one other factor in this paragraph is
91.31 applicable;

92.1 (5) there is evidence the person is in need of medical attention or prescription medication
92.2 such that it will have a serious adverse effect on the person's health if the person does not
92.3 receive the needed care or medication;

92.4 (6) the person does not have a pattern of running away or disappearing;

92.5 (7) the person is mentally impaired;

92.6 (8) the person has been diagnosed with dementia, a traumatic brain injury, Alzheimer's
92.7 disease, or other cognitive impairments;

92.8 (9) the person has been diagnosed with autism;

92.9 (10) there is evidence that the person may have been abducted by a noncustodial parent;

92.10 ~~(9)~~ (11) the person has been the subject of past threats or acts of violence;

92.11 ~~(10)~~ (12) there is evidence the person is lost in the wilderness, backcountry, or outdoors
92.12 where survival is precarious and immediate and effective investigation and search and rescue
92.13 efforts are critical; or

11.22 (5) for administrative and overhead costs of the Minnesota Firefighter Initiative associated
11.23 with conducting the activities in clauses (1) to (4).

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

13.13 Sec. 9. Minnesota Statutes 2024, section 299C.52, subdivision 1, is amended to read:

13.14 Subdivision 1. **Definitions.** As used in sections 299C.52 to 299C.565, the following
13.15 terms have the meanings given them:

13.16 (a) "Child" means any person under the age of 18 years or any person certified or known
13.17 to be mentally incompetent.

13.18 (b) "DNA" means deoxyribonucleic acid from a human biological specimen.

13.19 (c) "Endangered" means that a law enforcement official has received sufficient evidence
13.20 that the missing person is at risk of physical injury or death. The following circumstances
13.21 indicate that a missing person is at risk of physical injury or death:

13.22 (1) the person is missing as a result of a confirmed abduction or under circumstances
13.23 that indicate that the person's disappearance was not voluntary;

13.24 (2) the person is missing under known dangerous circumstances;

13.25 (3) the person is missing more than 30 days;

13.26 (4) the person is under the age of 21 and at least one other factor in this paragraph is
13.27 applicable;

13.28 (5) there is evidence the person is in need of medical attention or prescription medication
13.29 such that it will have a serious adverse effect on the person's health if the person does not
13.30 receive the needed care or medication;

13.31 (6) the person does not have a pattern of running away or disappearing;

14.1 (7) the person is mentally impaired;

14.2 (8) the person has dementia, a traumatic brain injury, Alzheimer's disease, or other
14.3 cognitive impairments;

14.4 (9) there is evidence that the person may have been abducted by a noncustodial parent;

14.5 ~~(9)~~ (10) the person has been the subject of past threats or acts of violence;

14.6 ~~(10)~~ (11) there is evidence the person is lost in the wilderness, backcountry, or outdoors
14.7 where survival is precarious and immediate and effective investigation and search and rescue
14.8 efforts are critical; or

92.14 ~~(H)~~ (13) any other factor that the law enforcement agency deems to indicate that the
92.15 person may be at risk of physical injury or death, including a determination by another law
92.16 enforcement agency that the person is missing and endangered.

92.17 (d) "Missing" means the status of a person after a law enforcement agency that has
92.18 received a report of a missing person has conducted a preliminary investigation and
92.19 determined that the person cannot be located.

92.20 (e) "NCIC" means National Crime Information Center.

92.21 **Sec. 7. [299C.77] FEDERAL BACKGROUND CHECKS BY POLITICAL**
92.22 **SUBDIVISIONS.**

92.23 Subdivision 1. **Definition.** As used in this section, "applicant for licensure" means an
92.24 individual or if the applicant is a corporation, limited liability company, partnership, or
92.25 other legal entity, every officer, director, manager, and general partner of the entity, who
92.26 seeks a license issued by a county or city to operate a business:

92.27 (1) that qualifies as an adult entertainment establishment under section 617.242,
92.28 subdivision 1; or

92.29 (2) providing massage services.

92.30 Subd. 2. **Background check authorized.** (a) A county or city may investigate the
92.31 criminal history background of any applicant for licensure.

93.1 (b) The investigation conducted pursuant to paragraph (a) must consist of a criminal
93.2 history check of the state criminal records repository and a national criminal history check.
93.3 The county or city must accept the applicant's signed criminal history records check consent
93.4 form for the state and national criminal history check request, a full set of classifiable
93.5 fingerprints, and required fees. The county or city must submit the applicant's completed
93.6 criminal history records check consent form, full set of classifiable fingerprints, and required
93.7 fees to the Bureau of Criminal Apprehension. After receiving this information, the bureau
93.8 must conduct a Minnesota criminal history records check of the applicant. The bureau may
93.9 exchange an applicant's fingerprints with the Federal Bureau of Investigation to obtain the
93.10 applicant's national criminal history record information. The bureau must return the results
93.11 of the Minnesota and federal criminal history records checks to the county or city. Using
93.12 the criminal history data provided by the bureau, the county or city must determine whether
93.13 the applicant is disqualified from licensure. The applicant's failure to cooperate with the
93.14 county or city in conducting the records check is reasonable cause to deny an application.

93.15 Sec. 8. Minnesota Statutes 2024, section 299F.47, subdivision 2, is amended to read:

93.16 Subd. 2. **Charter school inspections; fees.** The state fire marshal shall charge charter
93.17 schools ~~\$100~~ \$0.014 per square foot for each school building inspected. ~~This rate~~ These
93.18 rates shall include two follow-up inspections or on-site consultations. If additional follow-up

14.9 ~~(H)~~ (12) any other factor that the law enforcement agency deems to indicate that the
14.10 person may be at risk of physical injury or death, including a determination by another law
14.11 enforcement agency that the person is missing and endangered.

14.12 (d) "Missing" means the status of a person after a law enforcement agency that has
14.13 received a report of a missing person has conducted a preliminary investigation and
14.14 determined that the person cannot be located.

14.15 (e) "NCIC" means National Crime Information Center.

14.16 **Sec. 10. [299C.77] FEDERAL BACKGROUND CHECKS BY POLITICAL**
14.17 **SUBDIVISIONS.**

14.18 Subdivision 1. **Definition.** As used in this section, "applicant for licensure" means an
14.19 individual or if the applicant is a corporation, limited liability company, partnership, or
14.20 other legal entity, every officer, director, manager, and general partner of the entity, who
14.21 seeks a license issued by a county or city to operate a business:

14.22 (1) that qualifies as an adult entertainment establishment under section 617.242,
14.23 subdivision 1; or

14.24 (2) providing massage services.

14.25 Subd. 2. **Background check authorized.** (a) A county or city may investigate the
14.26 criminal history background of any applicant for licensure.

14.27 (b) The investigation conducted pursuant to paragraph (a) must consist of a criminal
14.28 history check of the state criminal records repository and a national criminal history check.
14.29 The county or city must accept the applicant's signed criminal history records check consent
14.30 form for the state and national criminal history check request, a full set of classifiable
14.31 fingerprints, and required fees. The county or city must submit the applicant's completed
15.1 criminal history records check consent form, full set of classifiable fingerprints, and required
15.2 fees to the Bureau of Criminal Apprehension. After receiving this information, the bureau
15.3 must conduct a Minnesota criminal history records check of the applicant. The bureau may
15.4 exchange an applicant's fingerprints with the Federal Bureau of Investigation to obtain the
15.5 applicant's national criminal history record information. The bureau must return the results
15.6 of the Minnesota and federal criminal history records checks to the county or city. Using
15.7 the criminal history data provided by the bureau, the county or city must determine whether
15.8 the applicant is disqualified from licensure. The applicant's failure to cooperate with the
15.9 county or city in conducting the records check is reasonable cause to deny an application.

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41.29 Sec. 11. Minnesota Statutes 2024, section 299F.47, subdivision 2, is amended to read:

41.30 Subd. 2. **Charter school inspections; fees.** The state fire marshal shall charge charter
41.31 schools ~~\$100~~ \$0.014 per square foot for each school building inspected. ~~This rate~~ These
41.32 rates shall include two follow-up inspections or on-site consultations. If additional follow-up

93.19 inspections or consultations are needed, the state fire marshal shall charge ~~\$50~~ \$0.005 per
93.20 square foot for each additional follow-up inspection to each applicable building in which a
93.21 follow-up inspection is needed.

93.22 Sec. 9. Minnesota Statutes 2024, section 609.527, subdivision 3, is amended to read:

93.23 Subd. 3. **Penalties.** A person who violates subdivision 2 may be sentenced as follows:

93.24 (1) if the offense involves a single direct victim and the total, combined loss to the direct
93.25 victim and any indirect victims is \$250 or less, the person may be sentenced as provided in
93.26 section 609.52, subdivision 3, clause (5);

93.27 (2) if the offense involves a single direct victim and the total, combined loss to the direct
93.28 victim and any indirect victims is more than \$250 but not more than \$500, the person may
93.29 be sentenced as provided in section 609.52, subdivision 3, clause (4);

93.30 (3) if the offense involves two or three direct victims or the total, combined loss to the
93.31 direct and indirect victims is more than \$500 but not more than \$2,500, the person may be
93.32 sentenced as provided in section 609.52, subdivision 3, clause (3);

94.1 (4) if the offense involves more than three but not more than seven direct victims, or if
94.2 the total combined loss to the direct and indirect victims is more than \$2,500, the person
94.3 may be sentenced as provided in section 609.52, subdivision 3, clause (2);

94.4 (5) if the offense involves eight or more direct victims, or if the total, combined loss to
94.5 the direct and indirect victims is more than \$35,000, the person may be sentenced as provided
94.6 in section 609.52, subdivision 3, clause (1); and

94.7 (6) if the offense is related to possession or distribution of ~~pornographic work~~ child
94.8 sexual abuse material in violation of section 617.246 or 617.247, the person may be sentenced
94.9 as provided in section 609.52, subdivision 3, clause (1).

94.10 Sec. 10. Minnesota Statutes 2024, section 611A.90, is amended to read:

94.11 **611A.90 RELEASE OF ~~VIDEOTAPES~~ RECORDINGS OF CHILD ABUSE**
94.12 **VICTIMS.**

94.13 Subdivision 1. **Definition.** For purposes of this section, "physical abuse" and "sexual
94.14 abuse" have the meanings given in section 260E.03, except that abuse is not limited to acts
94.15 by a person responsible for the child's care or in a significant relationship with the child or
94.16 position of authority.

94.17 Subd. 2. **Court order required.** (a) A custodian of a ~~videotape~~ recording of a child
94.18 victim or alleged victim alleging, explaining, denying, or describing an act of physical or
94.19 sexual abuse as part of an investigation or evaluation of the abuse may not release a copy
94.20 of the ~~videotape~~ recording without a court order, notwithstanding that the subject has
94.21 consented to the release of the ~~videotape~~ recording or that the release is authorized under
94.22 law.

42.1 inspections or consultations are needed, the state fire marshal shall charge ~~\$50~~ \$0.005 per
42.2 square foot for each additional follow-up inspection to each applicable building in which a
42.3 follow-up inspection is needed.

94.23 (b) The court order may govern the purposes for which the videotape recording may be
94.24 used, reproduction, release to other persons, retention and return of copies, and other
94.25 requirements reasonably necessary for protection of the privacy and best interests of the
94.26 child.

94.27 Subd. 3. **Petition.** An individual subject of data, as defined in section 13.02, or a patient,
94.28 as defined in sections 144.291 to 144.298, who is seeking a copy of a videotape recording
94.29 governed by this section may petition the district court in the county where the alleged abuse
94.30 took place or where the custodian of the videotape recording resides for an order releasing
94.31 a copy of the videotape recording under subdivision 2. Nothing in this section establishes
94.32 a right to obtain access to a videotape recording by any other person nor limits a right of a
95.1 person to obtain access if access is otherwise authorized by law or pursuant to discovery in
95.2 a court proceeding.

95.3 Sec. 11. Minnesota Statutes 2024, section 617.246, is amended to read:

95.4 **617.246 USE OF MINORS IN SEXUAL PERFORMANCE PROHIBITED.**

95.5 Subdivision 1. **Definitions.** (a) For the purpose of this section, the terms defined in this
95.6 subdivision have the meanings given them.

95.7 (b) "Minor" means any person under the age of 18.

95.8 (c) "Promote" means to produce, direct, publish, manufacture, issue, or advertise.

95.9 (d) "Sexual performance" means any play, dance or other exhibition presented before
95.10 an audience or for purposes of visual or mechanical reproduction that uses a minor to depict
95.11 actual or simulated sexual conduct as defined by ~~clause~~ paragraph (c).

95.12 (e) "Sexual conduct" means any of the following:

95.13 (1) an act of sexual intercourse, normal or perverted, including genital-genital,
95.14 anal-genital, or oral-genital intercourse, whether between human beings or between a human
95.15 being and an animal;

95.16 (2) sadomasochistic abuse, meaning flagellation, torture, or similar demeaning acts
95.17 inflicted by or upon a person who is nude or clad in undergarments or in a revealing costume,
95.18 or the condition of being fettered, bound or otherwise physically restrained on the part of
95.19 one so clothed;

95.20 (3) masturbation;

95.21 (4) lewd exhibitions of the genitals; or

95.22 (5) physical contact with the clothed or unclothed pubic areas or buttocks of a human
95.23 male or female, or the breasts of the female, whether alone or between members of the same
95.24 or opposite sex or between humans and animals in an act of apparent sexual stimulation or
95.25 gratification.

95.26 (f) ~~"Pornographic work"~~ "Child sexual abuse material" means:

95.27 (1) an original or reproduction of a picture, film, photograph, negative, slide, videotape,

95.28 videodisc, or drawing of a sexual performance involving a minor; or

95.29 (2) any visual depiction, including any photograph, film, video, picture, drawing, negative,

95.30 slide, or computer-generated image or picture, whether made or produced by electronic,

95.31 mechanical, or other means that:

96.1 (i) uses a minor to depict actual or simulated sexual conduct;

96.2 (ii) has been created, adapted, or modified to appear that an identifiable minor is engaging

96.3 in sexual conduct; or

96.4 (iii) is advertised, promoted, presented, described, or distributed in such a manner that

96.5 conveys the impression that the material is or contains a visual depiction of a minor engaging

96.6 in sexual conduct.

96.7 For the purposes of this paragraph, an identifiable minor is a person who was a minor

96.8 at the time the depiction was created or altered, whose image is used to create the visual

96.9 depiction.

96.10 (g) "Material" has the meaning given in section 617.241, subdivision 1, paragraph (e).

96.11 Subd. 2. **Use of minor.** (a) It is unlawful for a person to promote, employ, use or permit

96.12 a minor to engage in or assist others to engage minors in posing or modeling alone or with

96.13 others in any sexual performance or ~~pornographic work~~ child sexual abuse material if the

96.14 person knows or has reason to know that the conduct intended is a sexual performance or

96.15 ~~a pornographic work~~ child sexual abuse material.

96.16 Any person who violates this paragraph is guilty of a felony and may be sentenced to

96.17 imprisonment for not more than ten years or to payment of a fine of not more than \$20,000,

96.18 or both.

96.19 (b) A person who violates paragraph (a) is guilty of a felony and may be sentenced to

96.20 imprisonment for not more than 15 years or to payment of a fine of not more than \$40,000,

96.21 or both, if:

96.22 (1) the person has a prior conviction or delinquency adjudication for violating this section

96.23 or section 617.247;

96.24 (2) the violation occurs when the person is a registered predatory offender under section

96.25 243.166; or

96.26 (3) the violation involved a minor under the age of 14 years.

96.27 Subd. 3. **Operation or ownership of business.** (a) A person who owns or operates a

96.28 business in which a ~~pornographic work~~ child sexual abuse material, as defined in this section,

96.29 is disseminated to an adult or a minor or is reproduced, and who knows the content and

96.30 character of the ~~pornographic work~~ child sexual abuse material disseminated or reproduced,
96.31 is guilty of a felony and may be sentenced to imprisonment for not more than ten years, or
96.32 to payment of a fine of not more than \$20,000, or both.

97.1 (b) A person who violates paragraph (a) is guilty of a felony and may be sentenced to
97.2 imprisonment for not more than 15 years or to payment of a fine of not more than \$40,000,
97.3 or both, if:

97.4 (1) the person has a prior conviction or delinquency adjudication for violating this section
97.5 or section 617.247;

97.6 (2) the violation occurs when the person is a registered predatory offender under section
97.7 243.166; or

97.8 (3) the violation involved a minor under the age of 14 years.

97.9 Subd. 4. **Dissemination.** (a) A person who, knowing or with reason to know its content
97.10 and character, disseminates for profit to an adult or a minor a ~~pornographic work~~ child
97.11 sexual abuse material, as defined in this section, is guilty of a felony and may be sentenced
97.12 to imprisonment for not more than ten years, or to payment of a fine of not more than
97.13 \$20,000, or both.

97.14 (b) A person who violates paragraph (a) is guilty of a felony and may be sentenced to
97.15 imprisonment for not more than 15 years or to payment of a fine of not more than \$40,000,
97.16 or both, if:

97.17 (1) the person has a prior conviction or delinquency adjudication for violating this section
97.18 or section 617.247;

97.19 (2) the violation occurs when the person is a registered predatory offender under section
97.20 243.166; or

97.21 (3) the violation involved a minor under the age of 14 years.

97.22 Subd. 5. **Consent; mistake.** Neither consent to sexual performance by a minor or the
97.23 minor's parent, guardian, or custodian nor mistake as to the minor's age is a defense to a
97.24 charge of violation of this section.

97.25 Subd. 6. **Affirmative defense.** It shall be an affirmative defense to a charge of violating
97.26 this section that the sexual performance or ~~pornographic work~~ child sexual abuse material
97.27 was produced using only persons who were 18 years or older.

97.28 Subd. 7. **Conditional release term.** Notwithstanding the statutory maximum sentence
97.29 otherwise applicable to the offense or any provision of the sentencing guidelines, when a
97.30 court commits a person to the custody of the commissioner of corrections for violating this
97.31 section, the court shall provide that after the person has been released from prison, the
97.32 commissioner shall place the person on conditional release for five years. If the person has
98.1 previously been convicted of a violation of this section, section 609.342, 609.343, 609.344,

98.2 609.345, 609.3451, 609.3453, or 617.247, or any similar statute of the United States, this
98.3 state, or any state, the commissioner shall place the person on conditional release for 15
98.4 years. The terms of conditional release are governed by section 609.3455, subdivision 8.

98.5 Sec. 12. Minnesota Statutes 2024, section 617.247, is amended to read:

98.6 **617.247 POSSESSION OF PORNOGRAPHIC WORK INVOLVING MINORS**
98.7 **CHILD SEXUAL ABUSE MATERIAL.**

98.8 Subdivision 1. **Policy; purpose.** It is the policy of the legislature in enacting this section
98.9 to protect minors from the physical and psychological damage caused by their being used
98.10 in ~~pornographic work~~ child sexual abuse material depicting sexual conduct which involves
98.11 minors. It is therefore the intent of the legislature to penalize possession of ~~pornographic~~
98.12 ~~work~~ child sexual abuse material depicting sexual conduct which involve minors or appears
98.13 to involve minors in order to protect the identity of minors who are victimized by involvement
98.14 in the ~~pornographic work~~ child sexual abuse material, and to protect minors from future
98.15 involvement in ~~pornographic work~~ child sexual abuse material depicting sexual conduct.

98.16 Subd. 2. **Definitions.** For purposes of this section, the following terms have the meanings
98.17 given them:

98.18 (a) "~~Pornographic work~~" "Child sexual abuse material" has the meaning given ~~to it~~ in
98.19 section 617.246.

98.20 (b) "Sexual conduct" has the meaning given ~~to it~~ in section 617.246.

98.21 Subd. 3. **Dissemination prohibited.** (a) A person who disseminates ~~pornographic work~~
98.22 child sexual abuse material to an adult or a minor, knowing or with reason to know its
98.23 content and character, is guilty of a felony and may be sentenced to imprisonment for not
98.24 more than seven years or to payment of a fine of not more than \$10,000, or both.

98.25 (b) A person who violates paragraph (a) is guilty of a felony and may be sentenced to
98.26 imprisonment for not more than 15 years or to payment of a fine of not more than \$20,000,
98.27 or both, if:

98.28 (1) the person has a prior conviction or delinquency adjudication for violating this section
98.29 or section 617.246;

98.30 (2) the violation occurs when the person is a registered predatory offender under section
98.31 243.166; or

98.32 (3) the violation involved a minor under the age of 14 years.

99.1 Subd. 4. **Possession prohibited.** (a) A person who possesses a ~~pornographic work~~ child
99.2 sexual abuse material or a computer disk or computer or other electronic, magnetic, or
99.3 optical storage system or a storage system of any other type, containing a ~~pornographic~~
99.4 ~~work~~ child sexual abuse material, knowing or with reason to know its content and character,

99.5 is guilty of a felony and may be sentenced to imprisonment for not more than five years or
99.6 to payment of a fine of not more than \$5,000, or both.

99.7 (b) A person who violates paragraph (a) is guilty of a felony and may be sentenced to
99.8 imprisonment for not more than ten years or to payment of a fine of not more than \$10,000,
99.9 or both, if:

99.10 (1) the person has a prior conviction or delinquency adjudication for violating this section
99.11 or section 617.246;

99.12 (2) the violation occurs when the person is a registered predatory offender under section
99.13 243.166; or

99.14 (3) the violation involved a minor under the age of 14 years.

99.15 Subd. 5. **Exception.** This section does not apply to the performance of official duties
99.16 by peace officers, court personnel, or attorneys, nor to licensed physicians, psychologists,
99.17 or social workers or persons acting at the direction of a licensed physician, psychologist,
99.18 or social worker in the course of a bona fide treatment or professional education program.

99.19 Subd. 6. **Consent.** Consent to sexual performance by a minor or the minor's parent,
99.20 guardian, or custodian is not a defense to a charge of violation of this section.

99.21 Subd. 7. **Second offense.** If a person is convicted of a second or subsequent violation
99.22 of this section within 15 years of the prior conviction, the court shall order a mental
99.23 examination of the person. The examiner shall report to the court whether treatment of the
99.24 person is necessary.

99.25 Subd. 8. **Affirmative defense.** It shall be an affirmative defense to a charge of violating
99.26 this section that the ~~pornographic work~~ child sexual abuse material was produced using
99.27 only persons who were 18 years or older.

99.28 Subd. 9. **Conditional release term.** Notwithstanding the statutory maximum sentence
99.29 otherwise applicable to the offense or any provision of the sentencing guidelines, when a
99.30 court commits a person to the custody of the commissioner of corrections for violating this
99.31 section, the court shall provide that after the person has been released from prison, the
99.32 commissioner shall place the person on conditional release for five years. If the person has
99.33 previously been convicted of a violation of this section, section 609.342, 609.343, 609.344,
100.1 609.345, 609.3451, 609.3453, or 617.246, or any similar statute of the United States, this
100.2 state, or any state, the commissioner shall place the person on conditional release for 15
100.3 years. The terms of conditional release are governed by section 609.3455, subdivision 8.

100.4 Sec. 13. Minnesota Statutes 2024, section 624.712, subdivision 5, is amended to read:

100.5 Subd. 5. **Crime of violence.** "Crime of violence" means: felony convictions of the
100.6 following offenses: sections 609.185 (murder in the first degree); 609.19 (murder in the
100.7 second degree); 609.195 (murder in the third degree); 609.20 (manslaughter in the first
100.8 degree); 609.205 (manslaughter in the second degree); 609.215 (aiding suicide and aiding

100.9 attempted suicide); 609.221 (assault in the first degree); 609.222 (assault in the second
100.10 degree); 609.223 (assault in the third degree); 609.2231 (assault in the fourth degree);
100.11 609.224 (assault in the fifth degree); 609.2242 (domestic assault); 609.2247 (domestic
100.12 assault by strangulation); 609.229 (crimes committed for the benefit of a gang); 609.235
100.13 (use of drugs to injure or facilitate crime); 609.24 (simple robbery); 609.245 (aggravated
100.14 robbery); 609.247 (carjacking); 609.25 (kidnapping); 609.255 (false imprisonment); 609.322
100.15 (solicitation, inducement, and promotion of prostitution; sex trafficking); 609.342 (criminal
100.16 sexual conduct in the first degree); 609.343 (criminal sexual conduct in the second degree);
100.17 609.344 (criminal sexual conduct in the third degree); 609.345 (criminal sexual conduct in
100.18 the fourth degree); 609.377 (malicious punishment of a child); 609.378 (neglect or
100.19 endangerment of a child); 609.486 (commission of crime while wearing or possessing a
100.20 bullet-resistant vest); 609.52 (involving theft of a firearm and theft involving the theft of a
100.21 controlled substance, an explosive, or an incendiary device); 609.561 (arson in the first
100.22 degree); 609.562 (arson in the second degree); 609.582, subdivision 1 or 2 (burglary in the
100.23 first and second degrees); 609.66, subdivision 1e (drive-by shooting); 609.67 (unlawfully
100.24 owning, possessing, operating a machine gun or short-barreled shotgun); 609.71 (riot);
100.25 609.713 (terroristic threats); 609.749 (harassment); 609.855, subdivision 5 (shooting at a
100.26 public transit vehicle or facility); ~~and chapter chapters~~ 152 (drugs, controlled substances);
100.27 and 343 (prevention of cruelty to animals); and an attempt to commit any of these offenses.

100.28 **EFFECTIVE DATE.** This section is effective August 1, 2025, and applies to crimes
100.29 committed on or after that date.

100.30 Sec. 14. Minnesota Statutes 2024, section 624.714, subdivision 7a, is amended to read:

100.31 Subd. 7a. **Change of address or legal name; loss or destruction of permit.** (a) Within
100.32 30 days after changing the permit holder's legal name or permanent address, or within 30
100.33 days of having lost or destroyed the permit card, the permit holder must notify the issuing
101.1 sheriff of the change, loss, or destruction. Failure to provide notification as required by this
101.2 subdivision is a petty misdemeanor. The fine for a first offense must not exceed \$25.
101.3 Notwithstanding section 609.531, a firearm carried in violation of this paragraph is not
101.4 subject to forfeiture.

101.5 (b) After notice is given under paragraph (a), a permit holder may obtain a replacement
101.6 permit card by paying \$10 to the sheriff. The request for a replacement permit card must
101.7 be made on an official, standardized application adopted for this purpose under section
101.8 624.7151, and, except in the case of a legal name or an address change, must include a
101.9 notarized statement that the permit card has been lost or destroyed.

101.10 Sec. 15. Minnesota Statutes 2024, section 626.19, subdivision 3, is amended to read:

101.11 Subd. 3. **Authorized use.** A law enforcement agency may use a UAV:

101.12 (1) during or in the aftermath of an emergency situation that involves the risk of death
101.13 or bodily harm to a person;

- 101.14 (2) to preserve or protect evidence from the imminent risk of destruction;
- 101.15 ~~(2)~~ (3) over a public event where there is a heightened risk to the safety of participants
101.16 or bystanders;
- 101.17 (4) to assist in the lawful pursuit of a suspect who is fleeing law enforcement or who
101.18 the law enforcement agency reasonably believes might flee;
- 101.19 ~~(3)~~ (5) to counter the risk of a terrorist attack by a specific individual or organization if
101.20 the agency determines that credible intelligence indicates a risk;
- 101.21 ~~(4)~~ (6) to prevent the loss of life and property in natural or man-made disasters and to
101.22 facilitate operational planning, rescue, and recovery operations in the aftermath of these
101.23 disasters;
- 101.24 ~~(5)~~ (7) to conduct a threat assessment in anticipation of a specific event;
- 101.25 ~~(6)~~ (8) to collect information from a public area if there is reasonable suspicion of criminal
101.26 activity;
- 101.27 ~~(7)~~ (9) to collect information for crash reconstruction purposes after a serious or deadly
101.28 collision occurring on a public road;
- 101.29 ~~(8)~~ (10) over a private area with the written consent of the occupant or a public area, for
101.30 officer training or public relations purposes; ~~and~~
- 102.1 ~~(9)~~ (11) for purposes unrelated to law enforcement at the request of a government entity
102.2 provided that the government entity makes the request in writing to the law enforcement
102.3 agency and specifies the reason for the request and proposed period of use; and
- 102.4 (12) to facilitate the search for a missing person.
- 102.5 Sec. 16. Minnesota Statutes 2024, section 626A.35, is amended by adding a subdivision
102.6 to read:
- 102.7 Subd. 2c. **Exception; fleeing motor vehicles.** The prohibition under subdivision 1 does
102.8 not apply to the use of a mobile tracking device on a fleeing motor vehicle. For purposes
102.9 of this subdivision, the term "flee" has the meaning given in section 609.487, subdivision
102.10 1.
- 102.11 **EFFECTIVE DATE.** This section is effective August 1, 2025, and applies to crimes
102.12 committed on or after that date.

102.13 Sec. 17. Minnesota Statutes 2024, section 634.35, is amended to read:

102.14 **634.35 VIDEOTAPES RECORDINGS OF CHILD VICTIMS; CONDITIONS OF**
102.15 **DISCLOSURE.**

102.16 (a) If a videotaped recorded interview of a child victim of physical or sexual abuse is
102.17 disclosed by a prosecuting attorney to a defendant or the defendant's attorney, the following
102.18 applies:

102.19 (1) no more than two copies of the tape recording or any portion of the tape recording
102.20 may be made by the defendant or the defendant's attorney, investigator, expert, or any other
102.21 representative or agent of the defendant;

102.22 (2) the tapes recordings may not be used for any purpose other than to prepare for the
102.23 defense in the criminal action against the defendant;

102.24 (3) the tapes recordings may not be publicly exhibited, shown, displayed, used for
102.25 educational, research, or demonstrative purposes, or used in any other fashion, except in
102.26 judicial proceedings in the criminal action against the defendant;

102.27 (4) the tapes recordings may be viewed only by the defendant, the defendant's attorney,
102.28 and the attorney's employees, investigators, and experts;

102.29 (5) no transcript of the tapes recordings, nor the substance of any portion of the tapes
102.30 recordings, may be divulged to any person not authorized to view or listen to the tapes
102.31 recordings;

103.1 (6) no person may be granted access to the tapes recordings, any transcription of the
103.2 tapes recordings, or the substance of any portion of the tapes recordings unless the person
103.3 has first signed a written agreement that the person is aware of this statute and acknowledges
103.4 that the person is subject to the court's contempt powers for any violation of it; and

103.5 (7) upon final disposition of the criminal case against the defendant, the tapes recordings
103.6 and any transcripts of the tapes recordings must be returned to the prosecuting attorney.

103.7 (b) The court may hold a person who violates this section in contempt.

103.8 Sec. 18. **REVISOR INSTRUCTION.**

103.9 The revisor of statutes shall update headnote cross-references in Minnesota Statutes and
103.10 Minnesota Rules to reflect the changes made in this article.

103.11 Sec. 19. **REPEALER.**

103.12 Minnesota Statutes 2024, sections 325F.02; 325F.03; 325F.04; 325F.05; 325F.06; and
103.13 325F.07, are repealed.