

152.10 **ARTICLE 9**

152.11 **CIVIL COMMITMENT COORDINATING DIVISION**

152.12 Section 1. **[8.365] DEFINITIONS.**

152.13 (a) The definitions in section 253B.02 apply to sections 8.37 to 8.38.

152.14 (b) For the purposes of sections 8.37 to 8.38, the following terms have the meanings

152.15 given:

152.16 (1) "engagement services" means the services described under section 253B.041;

152.17 (2) "outpatient civil commitment" means the option available to a committing court

152.18 under section 253B.09, subdivision 1, paragraph (c); and

152.19 (3) "provisional discharge" means the option available to the head of a treatment facility

152.20 or community-based treatment program under section 253B.09, subdivision 1.

152.21 Sec. 2. **[8.37] CIVIL COMMITMENT COORDINATING DIVISION.**

152.22 Subdivision 1. **Civil Commitment Coordinating Division established.** There shall be

152.23 in the Office of the Attorney General a Civil Commitment Coordinating Division. A civil

152.24 commitment coordinator shall be appointed by the attorney general. The civil commitment

152.25 coordinator shall perform duties that may lawfully be assigned to the coordinator by the

152.26 attorney general or by law.

152.27 Subd. 2. **Duties of the civil commitment coordinator.** The civil commitment coordinator

152.28 must:

152.29 (1) continuously maintain the Civil Commitment Advisory Committee;

152.30 (2) in consultation with the Civil Commitment Advisory Committee, provide best

152.31 practices and guidance regarding engagement services, outpatient civil commitment, and

153.1 provisional discharge to committing courts, counties, designated agencies, treatment facilities,

153.2 and community-based treatment programs;

153.3 (3) advocate for increased statewide capacity for engagement services, outpatient civil

153.4 commitment, and provisional discharge;

153.5 (4) provide ongoing technical assistance to those at the local and regional level tasked

153.6 with monitoring participants civilly committed under chapter 253B;

153.7 (5) provide guidance on data collection of outcomes related to engagement services,

153.8 outpatient civil commitment, and provisional discharge;

153.9 (6) aggregate and analyze all data submitted by all jurisdictions by either contracting

153.10 with a third party to perform these tasks or entering into an interagency agreement with the

- 153.11 commissioner of management and budget to utilize the Results First Initiative to perform
153.12 these tasks;
- 153.13 (7) ensure that any data submitted is treated in accordance with chapter 13; and
- 153.14 (8) create a public awareness campaign designed to educate the public about the
153.15 availability and effectiveness of engagement services.
- 153.16 Subd. 3. **Civil Commitment Advisory Committee.** (a) The attorney general shall
153.17 establish the Civil Commitment Advisory Committee. The Civil Commitment Advisory
153.18 Committee shall advise the civil commitment coordinator on: identification of best practices
153.19 regarding engagement services, outpatient civil commitment, and provisional discharge;
153.20 development of guidance for implementation of engagement services, outpatient civil
153.21 commitment, and provisional discharge; development of data reporting requirements and
153.22 standards; identification of outcomes to be measured through data analysis; and other topics
153.23 as determined by the coordinator.
- 153.24 (b) The Civil Commitment Advisory Committee must consist of no fewer than 11
153.25 members and no more than 20 members. The membership of the committee must include:
- 153.26 (1) the attorney general or a designee who is not the civil commitment coordinator;
- 153.27 (2) the chief executive officer of Direct Care and Treatment or a designee;
- 153.28 (3) the commissioner of public safety or a designee;
- 153.29 (4) the commissioner of corrections or a designee;
- 153.30 (5) the ombudsman for mental health and developmental disabilities or a designee;
- 154.1 (6) a member representing district court judges, appointed by the chief justice of the
154.2 supreme court;
- 154.3 (7) a member representing district court administrators, appointed by the chief justice
154.4 of the supreme court;
- 154.5 (8) a member representing county administrators or county social services administrators,
154.6 appointed by the attorney general;
- 154.7 (9) a member representing federally recognized Tribes in Minnesota and urban Indian
154.8 communities, appointed by the Indian Affairs Council;
- 154.9 (10) a member who is a defense attorney and has represented a person referred for civil
154.10 commitment, appointed by the attorney general;
- 154.11 (11) a member who was previously civilly committed, appointed by the attorney general;
- 154.12 (12) a member who is a parent, sibling, or child of a person currently or previously
154.13 civilly committed, appointed by the attorney general;

154.14 (13) a member who is a person for whom engagement services were successfully
154.15 provided, appointed by the attorney general;

154.16 (14) a member who is a provider of engagement services, appointed by the attorney
154.17 general;

154.18 (15) a member who represents a treatment facility or community-based treatment program
154.19 that accepts civilly committed participants, appointed by the attorney general;

154.20 (16) up to four additional members appointed by the attorney general; and

154.21 (17) the Minnesota Competency Attainment Board Program Administrator or designee.

154.22 (c) The attorney general must consult with the chief executive officer of Direct Care
154.23 and Treatment before making appointments to the committee.

154.24 (d) The members of the Civil Commitment Advisory Committee serve without
154.25 compensation.

154.26 Sec. 3. **[8.38] DIVERSION STUDIES.**

154.27 Subdivision 1. **Divers**~~ion~~ **studies.** Each county must conduct diversion studies in
154.28 accordance with the requirements of this section. Diversion studies must examine each
154.29 county's local behavioral health system's capacity to divert people who have a mental illness,
154.30 developmental disability, or chemical use disorder away from the local justice system and
154.31 into treatment. The civil commitment coordinator must establish uniform study guidelines,
155.1 data requirements, including any qualitative data or narrative requirements, and data reporting
155.2 procedures for diversion studies. The coordinator must ensure that the study guidelines and
155.3 data requirements will allow the coordinator to determine how people with a mental illness,
155.4 people with a developmental disability, and people with a substance use disorder come into
155.5 contact with and move through the local criminal justice system and what resources are
155.6 available or needed to divert individuals away from the local justice system.

155.7 Subd. 2. **Divers**~~ion~~ **study reporting requirements.** By October 1, 2027, and every two
155.8 years thereafter, each county must submit to the coordinator in the manner established under
155.9 subdivision 1 all required data and narratives related to its diversion study.

155.10 Subd. 3. **Statewide diversion study report.** By April 1, 2028, and every two years
155.11 thereafter, the civil commitment coordinator must submit to the chairs and ranking minority
155.12 members of the legislative committees with jurisdiction over civil commitment, mental
155.13 health, or Direct Care and Treatment a report summarizing the county-level data submitted
155.14 under subdivision 2. The coordinator must include in the report county, regional, and
155.15 state-level needs assessments. The coordinator must include in subsequent reports
155.16 comparisons to the data submitted in prior reports and any statistically significant trends
155.17 the coordinator's analysis reveals.

155.18 Sec. 4. **TRANSPORT HOLD WORK GROUP.**

155.19 Subdivision 1. **Establishment and membership.** (a) The Transport Hold Work Group
155.20 is comprised of the following members:

155.21 (1) the commissioner of human services or the commissioner's designee;

155.22 (2) a representative of the Minnesota County Attorneys Association;

155.23 (3) the state public defender or a designee;

155.24 (4) a commitment defense attorney;

155.25 (5) at least two mental health professionals with experience in crisis response, one of
155.26 whom must work primarily outside the seven-county metropolitan area, appointed by the
155.27 commissioner of human services;

155.28 (6) at least two mental health professionals from underrepresented communities as
155.29 defined in Minnesota Statutes, section 148E.025, subdivision 20;

155.30 (7) a representative of the Minnesota Sheriffs' Association;

155.31 (8) a representative of the Minnesota Chiefs of Police Association;

156.1 (9) a representative of the Association of Minnesota Counties;

156.2 (10) a representative of the Minnesota Ambulance Association;

156.3 (11) a representative of the National Alliance on Mental Illness Minnesota;

156.4 (12) a representative of Mental Health Minnesota;

156.5 (13) the ombudsman for mental health and developmental disabilities or the ombudsman's
156.6 designee; and

156.7 (14) the chief executive officer of Direct Care and Treatment or a designee.

156.8 (b) Members listed in clauses (2), (4), (5), and (6) to (12) are appointed by the
156.9 commissioner of human services, with recommendation from the named organizations.

156.10 Subd. 2. **Duties.** (a) The duties of the work group are to:

156.11 (1) determine best practices when a person must be taken into custody and transported
156.12 for emergency admission under Minnesota Statutes, section 253B.051;

156.13 (2) determine best practices when a peace officer may use authorized force to take a
156.14 person into custody and transport the person under Minnesota Statutes, section 253B.051;
156.15 and

156.16 (3) develop recommendations for policy changes and funding needs to safely transport
156.17 people in mental health crises, including alternatives to law enforcement.

156.18 (b) By February 1, 2026, the work group must submit a written report to the governor
156.19 and the chairs and ranking minority members of the legislative committees and divisions
156.20 with jurisdiction over human services and public safety on the work group's activities and
156.21 recommendations.

156.22 Subd. 3. **Administration.** The Department of Human Services must provide
156.23 administrative support to the work group and must assist in creation of the report under
156.24 subdivision 2.

156.25 Subd. 4. **Compensation.** Members of the work group serve without compensation.

156.26 Subd. 5. **Appointment deadline.** Members must be appointed by the authorities under
156.27 subdivision 1 by July 31, 2025.

156.28 Subd. 6. **Meeting; chair.** The commissioner of health must convene the first meeting
156.29 by September 15, 2025. The work group must elect a chair at its first meeting. The chair
156.30 must convene meetings of the work group at least monthly.

156.31 Subd. 7. **Expiration.** The work group expires February 1, 2026.