

195.22

**ARTICLE 13**

195.23

**CIVIL LAW**

S2200-2

1.8 Section 1. **[13.891] RESTORATIVE PRACTICE PARTICIPANT DATA.**

1.9 (a) For purposes of this section, "restorative practice participant" has the meaning given  
1.10 in section 595.02, subdivision 1b, paragraph (a), clause (2).

1.11 (b) Data collected, created, or maintained by a government entity that identifies an  
1.12 individual as a restorative practice participant is private data on individuals but may be  
1.13 disclosed for the purposes described in section 595.02, subdivision 1b, paragraph (b), clauses  
1.14 (1) to (3), or paragraph (c). This section does not apply to personnel data, as defined in  
1.15 section 13.43, subdivision 1, or to an individual who receives payment to facilitate a  
1.16 restorative practice, as defined in section 142A.76, subdivision 1.

1.17 Sec. 2. Minnesota Statutes 2024, section 142A.76, subdivision 8, is amended to read:

1.18 Subd. 8. **Report.** (a) By November 15 of each year, grantees must provide the following  
1.19 information to the director: (1) information on their program's impact on recidivism, public  
1.20 safety, and local financial investments in restorative practices; and (2) summary data on the  
1.21 amount of grant funds paid to restorative practice participants, as defined in section 595.02,  
1.22 subdivision 1b, paragraph (a), clause (2), and the purpose of the payment to the participants.

2.1 (b) By February 15 of each year, the director shall report to the chairs and ranking  
2.2 minority members of the legislative committees and divisions with jurisdiction over public  
2.3 safety, human services, and education, on the work of the Office of Restorative Practices,  
2.4 any grants issued pursuant to this section, and the status of local restorative practices  
2.5 initiatives in the state that were reviewed in the previous year, and the information submitted  
2.6 under paragraph (a) for the previous year.

UEH2432-1

195.24 Section 1. Minnesota Statutes 2024, section 144.223, is amended to read:

195.25 **144.223 REPORT OF MARRIAGE.**

195.26 Data relating to the number of certificates of marriage registered shall must be reported  
195.27 to the state registrar by the local registrar or designee of the county board in each of the 87  
195.28 registration districts pursuant to the rules of the commissioner. The information in clause  
195.29 (1) necessary to compile the report shall be furnished by the applicant prior to the issuance

20.18

**ARTICLE 3**

20.19

**JUDICIARY POLICY**

20.20 Section 1. **[13.891] RESTORATIVE PRACTICE PARTICIPANT DATA.**

20.21 (a) For purposes of this section, "restorative practice participant" has the meaning given  
20.22 in section 595.02, subdivision 1b, paragraph (a), clause (2).

20.23 (b) Data collected, created, or maintained by a government entity that identifies an  
20.24 individual as a restorative practice participant is private data on individuals but may be  
20.25 disclosed for the purposes described in section 595.02, subdivision 1b, paragraph (b), clauses  
20.26 (1) to (3), or paragraph (c). This section does not apply to personnel data, as defined in  
20.27 section 13.43, subdivision 1, or to an individual who receives payment to facilitate a  
20.28 restorative practice, as defined in section 142A.76, subdivision 1.

20.29 Sec. 2. Minnesota Statutes 2024, section 142A.76, subdivision 8, is amended to read:

20.30 Subd. 8. **Report.** By February 15 of each year, the director shall report to the chairs and  
20.31 ranking minority members of the legislative committees and divisions with jurisdiction over  
20.32 public safety, human services, and education, on the work of the Office of Restorative  
21.1 Practices, any grants issued pursuant to this section, and the status of local restorative  
21.2 practices initiatives in the state that were reviewed in the previous year. The status report  
21.3 should include information provided by the grantees on their program's impact on recidivism,  
21.4 public safety, and local financial investments in restorative practices. Grantees must provide  
21.5 this information to the Office of Restorative Practices by November 15 of each year.

195.30 ~~of the marriage license. The report shall contain the following:~~ in a format and with the  
195.31 ~~frequency determined by the state registrar.~~

195.32 ~~(1) personal information on bride and groom:~~

196.1 ~~(i) name;~~

196.2 ~~(ii) residence;~~

196.3 ~~(iii) date and place of birth;~~

196.4 ~~(iv) if previously married, how terminated; and~~

196.5 ~~(v) signature of applicant, date signed, and Social Security number; and~~

196.6 ~~(2) information concerning the marriage:~~

196.7 ~~(i) date of marriage;~~

196.8 ~~(ii) place of marriage; and~~

196.9 ~~(iii) civil or religious ceremony.~~

196.10 Sec. 2. Minnesota Statutes 2024, section 260C.419, subdivision 2, is amended to read:

196.11 Subd. 2. **Statewide Office of Appellate Counsel and Training; establishment.** (a)  
196.12 The Statewide Office of Appellate Counsel and Training is ~~established as an independent~~  
196.13 ~~state office~~ created as an agency in the executive branch, with powers and duties established  
196.14 by law. The office shall be responsible for:

196.15 (1) establishing and maintaining a system for providing appellate representation to  
196.16 parents in juvenile protection matters, as provided in section 260C.163, subdivision 3,  
196.17 paragraph (c), and in Tribal court jurisdictions;

196.18 (2) providing training to all parent attorneys practicing in the state on topics relevant to  
196.19 their practice and establishing practice standards and training requirements for parent  
196.20 attorneys practicing in the state; and

196.21 (3) collaborating with the Minnesota Department of Children, Youth, and Families to  
196.22 coordinate and secure federal Title IV-E support for counties and Tribes interested in  
196.23 accessing federal funding.

196.24 (b) The office shall be governed by a board as provided in subdivision 3.

196.25 Sec. 3. Minnesota Statutes 2024, section 260C.419, subdivision 3, is amended to read:

196.26 Subd. 3. **State Board of Appellate Counsel and Training; structure; membership.** (a)  
196.27 The State Board of Appellate Counsel and Training is established to direct the Statewide  
196.28 Office of Appellate Counsel and Training. The board shall consist of seven members,  
196.29 including:

21.6 Sec. 3. Minnesota Statutes 2024, section 260C.419, subdivision 2, is amended to read:

21.7 Subd. 2. **Statewide Office of Appellate Counsel and Training; establishment.** (a)  
21.8 The Statewide Office of Appellate Counsel and Training is ~~established as an independent~~  
21.9 ~~state office~~ created as an agency in the executive branch, with powers and duties established  
21.10 by law. The office shall be responsible for:

21.11 (1) establishing and maintaining a system for providing appellate representation to  
21.12 parents in juvenile protection matters, as provided in section 260C.163, subdivision 3,  
21.13 paragraph (c), and in Tribal court jurisdictions;

21.14 (2) providing training to all parent attorneys practicing in the state on topics relevant to  
21.15 their practice and establishing practice standards and training requirements for parent  
21.16 attorneys practicing in the state; and

21.17 (3) collaborating with the Minnesota Department of Children, Youth, and Families to  
21.18 coordinate and secure federal Title IV-E support for counties and Tribes interested in  
21.19 accessing federal funding.

21.20 (b) The office shall be governed by a board as provided in subdivision 3.

21.21 Sec. 4. Minnesota Statutes 2024, section 260C.419, subdivision 3, is amended to read:

21.22 Subd. 3. **State Board of Appellate Counsel and Training; structure; membership.** (a)  
21.23 The State Board of Appellate Counsel and Training is established to direct the Statewide  
21.24 Office of Appellate Counsel and Training. The board shall consist of seven members,  
21.25 including:

197.1 (1) four public members appointed by the governor; and

197.2 (2) three members appointed by the supreme court, at least one of whom must have

197.3 experience representing parents in juvenile court and who include two attorneys admitted

197.4 to practice law in the state and one public member.

197.5 (b) The appointing authorities may not appoint any of the following to be a member of

197.6 the board:

197.7 (1) a person who is a judge;

197.8 (2) a person who is a registered lobbyist;

197.9 (3) a person serving as a guardian ad litem or counsel for a guardian ad litem;

197.10 (4) a person who serves as counsel for children in juvenile court;

197.11 (5) a person under contract with or employed by the Department of Children, Youth,

197.12 and Families or a county department of human or social services; or

197.13 (6) a current city or county attorney or assistant city or county attorney.

197.14 (c) All members shall demonstrate an interest in maintaining a high quality, independent

197.15 appellate defense system for parents in juvenile protection proceedings who are unable to

197.16 obtain adequate representation, a robust program for parent attorneys in Minnesota, and an

197.17 efficient coordination effort, in collaboration with the Department of Children, Youth, and

197.18 Families, to secure and utilize Title IV-E funding. At least one member of the board appointed

197.19 by the governor must be a representative from a federally recognized Indian Tribe. No more

197.20 than five members of the board may belong to the same political party. At least three

197.21 members of the board shall be from judicial districts other than the First, Second, Fourth,

197.22 and Tenth Judicial Districts. To the extent practicable, the membership of the board must

197.23 include persons with disabilities, reflect the ethnic diversity of the state, take into

197.24 consideration race and gender, and include persons from throughout the state. The members

197.25 shall be well acquainted with representing parents in district court and appellate proceedings

197.26 related to child protection matters as well as the law that affects a parent attorney's work,

197.27 including chapter 260C, the Rules of Juvenile Protection Procedure, the Rules of Civil

197.28 Appellate Procedure, the Indian Child Welfare Act, and the Minnesota Indian Family

197.29 Preservation Act. The terms, compensation, and removal of members shall be as provided

197.30 in section 15.0575. The governor shall designate one member to serve as the initial chair.

197.31 Upon the expiration of the initial chair's term, board members shall elect a chair from among

197.32 the membership and the chair shall serve a term of two years.

198.1 Sec. 4. Minnesota Statutes 2024, section 260C.419, subdivision 4, is amended to read:

198.2 Subd. 4. **Head appellate counsel for parents; assistant ~~and contracted~~ attorneys;**

198.3 **other employees.** (a) Beginning January 1, 2024, and for every four years after that date,

198.4 the board shall appoint a head appellate counsel in charge of executing the responsibilities

198.5 of the office who shall provide for sufficient appellate counsel for parents and other personnel

21.26 (1) four public members appointed by the governor; and

21.27 (2) three members appointed by the supreme court, at least one of whom must have

21.28 experience representing parents in juvenile court and who include two attorneys admitted

21.29 to practice law in the state and one public member.

21.30 (b) The appointing authorities may not appoint any of the following to be a member of

21.31 the board:

22.1 (1) a person who is a judge;

22.2 (2) a person who is a registered lobbyist;

22.3 (3) a person serving as a guardian ad litem or counsel for a guardian ad litem;

22.4 (4) a person who serves as counsel for children in juvenile court;

22.5 (5) a person under contract with or employed by the Department of Children, Youth,

22.6 and Families or a county department of human or social services; or

22.7 (6) a current city or county attorney or assistant city or county attorney.

22.8 (c) All members shall demonstrate an interest in maintaining a high quality, independent

22.9 appellate defense system for parents in juvenile protection proceedings who are unable to

22.10 obtain adequate representation, a robust program for parent attorneys in Minnesota, and an

22.11 efficient coordination effort, in collaboration with the Department of Children, Youth, and

22.12 Families, to secure and utilize Title IV-E funding. At least one member of the board appointed

22.13 by the governor must be a representative from a federally recognized Indian Tribe. No more

22.14 than five members of the board may belong to the same political party. At least three

22.15 members of the board shall be from judicial districts other than the First, Second, Fourth,

22.16 and Tenth Judicial Districts. To the extent practicable, the membership of the board must

22.17 include persons with disabilities, reflect the ethnic diversity of the state, take into

22.18 consideration race and gender, and include persons from throughout the state. The members

22.19 shall be well acquainted with representing parents in district court and appellate proceedings

22.20 related to child protection matters as well as the law that affects a parent attorney's work,

22.21 including chapter 260C, the Rules of Juvenile Protection Procedure, the Rules of Civil

22.22 Appellate Procedure, the Indian Child Welfare Act, and the Minnesota Indian Family

22.23 Preservation Act. The terms, compensation, and removal of members shall be as provided

22.24 in section 15.0575. The governor shall designate one member to serve as the initial chair.

22.25 Upon the expiration of the initial chair's term, board members shall elect a chair from among

22.26 the membership and the chair shall serve a term of two years.

22.27 Sec. 5. Minnesota Statutes 2024, section 260C.419, subdivision 4, is amended to read:

22.28 Subd. 4. **Head appellate counsel for parents; assistant ~~and contracted~~ attorneys;**

22.29 **other employees.** (a) Beginning January 1, 2024, and for every four years after that date,

22.30 the board shall appoint a head appellate counsel in charge of executing the responsibilities

22.31 of the office who shall provide for sufficient appellate counsel for parents and other personnel

198.6 necessary to discharge the functions of the office. The head appellate counsel shall serve a  
198.7 four-year term and may be removed only for cause upon the order of the board. The head  
198.8 appellate counsel shall be a full-time ~~qualified~~ attorney, licensed to practice law in this state,  
198.9 and serve in the unclassified service of the state. Vacancies of the office shall be filled by  
198.10 the appointing authority for the unexpired term. The head appellate counsel shall devote  
198.11 full time to the performance of duties and shall not engage in the general practice of law.  
198.12 The ~~compensation salary~~ of the head appellate counsel shall be set ~~by the board and shall~~  
198.13 ~~be commensurate with county attorneys in the state~~ according to section 43A.18, subdivision  
198.14 3.

198.15 ~~(b) Consistent with the decisions of the board, The head appellate counsel shall employ~~  
198.16 ~~assistants or hire independent contractors or appoint attorneys to serve as assistant appellate~~  
198.17 ~~counsel for parents. Each assistant appellate counsel and independent contractor serves at~~  
198.18 ~~the pleasure of the head appellate counsel. The compensation of salary ranges for assistant~~  
198.19 ~~appellate counsel and independent contractors shall be set by the board and shall be~~  
198.20 ~~commensurate with county attorneys in the state~~ in consultation with Minnesota Management  
198.21 and Budget.

198.22 (c) A person serving as appellate counsel shall be ~~a qualified~~ an attorney licensed to  
198.23 practice law in this state. A person serving as appellate counsel practicing in Tribal court  
198.24 shall be a licensed attorney qualified to practice law in Tribal courts in the state. Assistant  
198.25 appellate counsel and contracted appellate counsel may engage in the general practice of  
198.26 law where not employed or contracted to provide services on a full-time basis.

198.27 (d) The head appellate counsel shall, consistent with the responsibilities under subdivision  
198.28 2, employ or hire the following:

198.29 (1) one managing appellate attorney;

198.30 (2) two staff attorneys;

198.31 (3) one director of training;

198.32 (4) one program administrator to support Title IV-E reimbursement in collaboration  
198.33 with the Department of Children, Youth, and Families; and

199.1 (5) one office administrator.

199.2 ~~(e) Each employee~~ All attorneys identified in paragraph (d) ~~serves~~ serve at the pleasure  
199.3 of the head appellate counsel. ~~The Other employees shall serve in the classified service.~~  
199.4 ~~Compensation of each employee for all employees shall be set by the board and shall be~~  
199.5 ~~commensurate with county attorneys in the state; in accordance with the collective bargaining~~  
199.6 ~~agreements or compensation plans covering the terms and conditions for executive branch~~  
199.7 employees.

199.8 (f) Any person serving as managing appellate attorney, staff attorney, and director of  
199.9 training shall be a qualified attorney licensed to practice law in the state.

22.32 necessary to discharge the functions of the office. The head appellate counsel shall serve a  
22.33 four-year term and may be removed only for cause upon the order of the board. The head  
23.1 appellate counsel shall be a full-time ~~qualified~~ attorney, licensed to practice law in this state,  
23.2 and serve in the unclassified service of the state. Vacancies of the office shall be filled by  
23.3 the appointing authority for the unexpired term. The head appellate counsel shall devote  
23.4 full time to the performance of duties and shall not engage in the general practice of law.  
23.5 The ~~compensation salary~~ of the head appellate counsel shall be set ~~by the board and shall~~  
23.6 ~~be commensurate with county attorneys in the state~~ according to section 43A.18, subdivision  
23.7 3.

23.8 ~~(b) Consistent with the decisions of the board, The head appellate counsel shall employ~~  
23.9 ~~assistants or hire independent contractors or appoint attorneys to serve as assistant appellate~~  
23.10 ~~counsel for parents. Each assistant appellate counsel and independent contractor serves at~~  
23.11 ~~the pleasure of the head appellate counsel. The compensation of salary ranges for assistant~~  
23.12 ~~appellate counsel and independent contractors shall be set by the board and shall be~~  
23.13 ~~commensurate with county attorneys in the state~~ in consultation with Minnesota Management  
23.14 and Budget.

23.15 (c) A person serving as appellate counsel shall be ~~a qualified~~ an attorney licensed to  
23.16 practice law in this state. A person serving as appellate counsel practicing in Tribal court  
23.17 shall be a licensed attorney qualified to practice law in Tribal courts in the state. Assistant  
23.18 appellate counsel and contracted appellate counsel may engage in the general practice of  
23.19 law where not employed or contracted to provide services on a full-time basis.

23.20 (d) The head appellate counsel shall, consistent with the responsibilities under subdivision  
23.21 2, employ or hire the following:

23.22 (1) one managing appellate attorney;

23.23 (2) two staff attorneys;

23.24 (3) one director of training;

23.25 (4) one program administrator to support Title IV-E reimbursement in collaboration  
23.26 with the Department of Children, Youth, and Families; and

23.27 (5) one office administrator.

23.28 ~~(e) Each employee~~ All attorneys identified in paragraph (d) ~~serves~~ serve at the pleasure  
23.29 of the head appellate counsel. ~~The Other employees shall serve in the classified service.~~  
23.30 ~~Compensation of each employee for all employees shall be set by the board and shall be~~  
23.31 ~~commensurate with county attorneys in the state; in accordance with the collective bargaining~~  
23.32 ~~agreements or compensation plans covering the terms and conditions for executive branch~~  
23.33 employees.

24.1 (f) Any person serving as managing appellate attorney, staff attorney, and director of  
24.2 training shall be a qualified attorney licensed to practice law in the state.

199.10 (g) A person serving as the program administrator and office administrator must be  
199.11 chosen solely on the basis of training, experience, and qualifications.

199.12 Sec. 5. **[325E.91] PROHIBITION ON NUDIFICATION TECHNOLOGY.**

199.13 Subdivision 1. **Definitions.** (a) For the purposes of this section, the following terms have  
199.14 the meanings given.

199.15 (b) "Intimate part" has the meaning given in section 609.341, subdivision 5.

199.16 (c) "Nudify" or "nudified" means the process by which:

199.17 (1) an image or video is altered or generated to depict an intimate part not depicted in  
199.18 an original unaltered image or video of an identifiable individual; and

199.19 (2) the altered or generated image or video is so realistic that a reasonable person would  
199.20 believe that the intimate part belongs to the identifiable individual.

199.21 Subd. 2. **Nudification prohibited.** A person who owns or controls a website, application,  
199.22 software, program, or other service that creates, generates, or edits images or videos must  
199.23 not:

199.24 (1) allow a user to access, download, or use the website, application, software, program,  
199.25 or other service to nudify an image or video; or

199.26 (2) nudify an image on behalf of a user.

199.27 Subd. 3. **Civil action; damages.** An individual depicted in an image or video that was  
199.28 nudified in violation of this section may bring a civil action in district court against the  
199.29 person who violated this section for:

199.30 (1) compensatory damages, including mental anguish or suffering, in an amount up to  
199.31 three times the actual damages sustained;

200.1 (2) punitive damages;

200.2 (3) injunctive relief;

200.3 (4) reasonable attorney fees, costs, and disbursements; and

200.4 (5) other relief the court deems just and equitable.

200.5 Subd. 4. **Penalties.** (a) The attorney general may enforce this section under section 8.31.  
200.6 In addition to other remedies or penalties, a person who violates this section is subject to a  
200.7 civil penalty not in excess of \$500,000 for each unlawful access, download, or use under  
200.8 subdivision 2.

200.9 (b) Notwithstanding any contrary provision in law, including but not limited to section  
200.10 16A.151, any civil penalty recovered under this subdivision must be deposited into the  
200.11 general fund. On July 1 of each year, the accumulated balance of civil penalties collected  
200.12 in the previous year is appropriated to the commissioner of public safety for the Office of

24.3 (g) A person serving as the program administrator and office administrator must be  
24.4 chosen solely on the basis of training, experience, and qualifications.

200.13 Justice Programs to provide grants to organizations to provide direct services and advocacy  
200.14 for victims of sexual assault, general crime, domestic violence, and child abuse. Funding  
200.15 must support the direct needs of organizations serving victims of crime by providing: direct  
200.16 client assistance to crime victims; competitive wages for direct service staff; hotel stays and  
200.17 other housing-related supports and services; culturally responsive programming; prevention  
200.18 programming, including domestic abuse transformation and restorative justice programming;  
200.19 and for other needs of organizations and crime victim survivors. Services funded must  
200.20 include services for victims of crime in underserved communities most impacted by violence  
200.21 and reflect the ethnic, racial, economic, cultural, and geographic diversity of the state. Up  
200.22 to five percent of the appropriation is available for grant administration.

200.23 Subd. 5. **Jurisdiction; venue.** (a) A court has jurisdiction over a civil action filed pursuant  
200.24 to this section if the plaintiff or defendant resides in this state.

200.25 (b) A civil action arising under this section may be filed in the county where the plaintiff  
200.26 resides.

200.27 Subd. 6. **Immunity.** This section does not alter or amend the liabilities and protections  
200.28 granted by United States Code, title 47, section 230, and shall be construed in a manner  
200.29 consistent with federal law.

200.30 **EFFECTIVE DATE.** This section is effective August 1, 2025, and applies to causes  
200.31 of action accruing on or after that date.

24.15 Sec. 7. Minnesota Statutes 2024, section 480.35, is amended by adding a subdivision to  
24.16 read:

24.17 Subd. 8. **Annual report to the legislature.** By January 15 of each year, the State  
24.18 Guardian ad Litem Board must submit a report to the chairs and ranking minority members  
24.19 of the legislative committees with jurisdiction over judiciary finance, in compliance with  
24.20 sections 3.195 and 3.197. The report must not contain data on individuals but may contain  
24.21 summary data, as those terms are defined in section 13.02. The report must include the  
24.22 number of:

24.23 (1) board personnel, including volunteers;

24.24 (2) children served by guardians ad litem in court cases, including Native American  
24.25 children in Minnesota Indian Family Preservation Act cases and federal Indian Child Welfare  
24.26 Act cases;

24.27 (3) court reports filed by guardians ad litem;

24.28 (4) cases assigned;

24.29 (5) hours worked;

201.1     Sec. 6. Minnesota Statutes 2024, section 504B.385, subdivision 1, is amended to read:

201.2     Subdivision 1. **Escrow of rent.** (a) If a violation exists in a residential building, a

201.3     residential tenant may deposit the amount of rent due to the landlord with the court

201.4     administrator using the procedures described in paragraphs (b) to (d).

201.5     (b) For a violation as defined in section 504B.001, subdivision 14, clause (1), the

201.6     residential tenant may deposit with the court administrator the rent due to the landlord along

201.7     with a copy of the written notice of the code violation as provided in section 504B.185,

201.8     subdivision 2. The residential tenant may not deposit the rent or file the written notice of

201.9     the code violation until the time granted to make repairs has expired without satisfactory

201.10    repairs being made, unless the residential tenant alleges that the time granted is excessive.

201.11    (c) For a violation as defined in section 504B.001, subdivision 14, clause (2) ~~or~~, (3), (4),

201.12    or (5), the residential tenant must give written notice to the landlord specifying the violation.

201.13    The notice must be delivered personally or sent to the person or place where rent is normally

201.14    paid. If the violation is not corrected within 14 days, the residential tenant may deposit the

201.15    amount of rent due to the landlord with the court administrator along with an affidavit

201.16    specifying the violation. The court must provide a simplified form affidavit for use under

201.17    this paragraph.

201.18    (d) The residential tenant need not deposit rent if none is due to the landlord at the time

201.19    the residential tenant files the notice required by paragraph (b) or (c). All rent which becomes

201.20    due to the landlord after that time but before the hearing under subdivision 6 must be

201.21    deposited with the court administrator. As long as proceedings are pending under this section,

201.22    the residential tenant must pay rent to the landlord or as directed by the court and may not

201.23    withhold rent to remedy a violation.

201.24    Sec. 7. Minnesota Statutes 2024, section 504B.395, subdivision 4, is amended to read:

201.25    Subd. 4. **Landlord must be informed.** A landlord must be informed in writing of an

201.26    alleged violation at least 14 days before an action is brought by:

201.27    (1) a residential tenant of a residential building in which a violation as defined in section

201.28    504B.001, subdivision 14, clause (2) ~~or~~, (3), (4), or (5), is alleged to exist; or

201.29    (2) a housing-related neighborhood organization, with the written permission of a

201.30    residential tenant of a residential building in which a violation, as defined in section

201.31    504B.001, subdivision 14, clause (2), (3), (4), or (5), is alleged to exist. The notice

24.30     (6) complaints regarding a guardian submitted to the board;

24.31     (7) investigations of complaints performed by the board; and

25.1     (8) complaints that result in discipline to a guardian ad litem.

25.2     All information in clauses (1) to (8) must be disaggregated by paid staff and volunteers.

201.32 requirement may be waived if the court finds that the landlord cannot be located despite  
201.33 diligent efforts.

202.1 Sec. 8. Minnesota Statutes 2024, section 517.04, is amended to read:

202.2 **517.04 PERSONS AUTHORIZED TO PERFORM CIVIL MARRIAGES.**

202.3 Civil marriages may be solemnized throughout the state by an individual who has attained  
202.4 the age of 21 years and is a judge of a court of record, a retired judge of a court of record,  
202.5 a court administrator, a retired court administrator with the approval of the chief judge of  
202.6 the judicial district, a former court commissioner who is employed by the court system or  
202.7 is acting pursuant to an order of the chief judge of the commissioner's judicial district, the  
202.8 residential school superintendent of the Minnesota State Academy for the Deaf and the  
202.9 Minnesota State Academy for the Blind, a licensed or ordained minister of any religious  
202.10 denomination, an individual who registers as a civil marriage officiant with a local registrar  
202.11 in a county of this state, or by any mode recognized in section 517.18. For purposes of this  
202.12 section, a court of record includes the Office of Administrative Hearings under section  
202.13 14.48. The county where the civil marriage officiant is registered must be endorsed upon  
202.14 and recorded with each certificate of civil marriage.

202.15 Sec. 9. Minnesota Statutes 2024, section 517.08, subdivision 1a, is amended to read:

202.16 Subd. 1a. **Form.** Application for a civil marriage license shall be made by both of the  
202.17 parties upon a form provided for the purpose and shall contain the following information:

202.18 (1) the full names of the parties and the sex of each party;

202.19 (2) their post office addresses and county and state of residence;

202.20 (3) their full ages and dates of birth;

202.21 (4) if either party has previously been married, the party's married name, and from the  
202.22 most recent marriage; the date, place, and court in which the civil marriage was dissolved  
202.23 or annulled; or the date and place of death of the former spouse;

202.24 (5) whether the parties are related to each other, and, if so, their relationship;

202.25 (6) the address of the parties after the civil marriage is entered into to which the local  
202.26 registrar shall send a certified copy of the civil marriage certificate;

202.27 (7) the full names the parties will have after the civil marriage is entered into and the  
202.28 parties' Social Security numbers. The Social Security numbers must be collected for the  
202.29 application but must not appear on the civil marriage license. If a party listed on a civil  
202.30 marriage application does not have a Social Security number, the party must certify on the  
202.31 application, or a supplement to the application, that the party does not have a Social Security  
202.32 number;

203.1 (8) if one party to the civil marriage license has a felony conviction under Minnesota  
203.2 law or the law of another state or federal jurisdiction, the party may not change the party's



203.3 name through the marriage application process and must follow the process in section 259.13  
203.4 to change the party's name; and

203.5 (9) notice that a party who has a felony conviction under Minnesota law or the law of  
203.6 another state or federal jurisdiction may not use a different name after a civil marriage  
203.7 except as authorized by section 259.13, and that doing so is a gross misdemeanor.

203.8 Sec. 10. Minnesota Statutes 2024, section 517.08, subdivision 1b, is amended to read:

203.9 Subd. 1b. **Term of license; fee; premarital education.** (a) The local registrar shall  
203.10 examine upon oath the parties applying for a license relative to the legality of the  
203.11 contemplated civil marriage. The local registrar may examine the parties upon oath in person,  
203.12 by telephone, remotely using web conferencing technology, or by requiring a verified  
203.13 statement signed by both parties attesting to the legality of the marriage. The local registrar  
203.14 may accept civil marriage license applications signed by both parties that are submitted by  
203.15 mail, facsimile, or electronic filing. Both parties must present proof of age to the local  
203.16 registrar. If one party is unable to appear in person, the party appearing may complete the  
203.17 absent applicant's information. The local registrar shall provide a copy of the civil marriage  
203.18 application to the party who is unable to appear, who must verify the accuracy of the  
203.19 appearing party's information in a notarized statement. The verification statement must be  
203.20 accompanied by a copy of proof of age of the party. The civil marriage license must not be  
203.21 released until the verification statement and proof of age has been received by the local  
203.22 registrar. If the local registrar is satisfied that there is no legal impediment to it, including  
203.23 the restriction contained in section 259.13, the local registrar shall issue the license,  
203.24 containing the full names of the parties before and after the civil marriage, and county and  
203.25 state of residence, with the county seal attached, and make a record of the date of issuance.  
203.26 The license shall be valid for a period of six months. Except as provided in paragraph (b),  
203.27 The local registrar shall collect from the applicant a fee of \$115 for administering the oath,  
203.28 issuing, recording, and filing all papers required, and preparing and transmitting to the state  
203.29 registrar of vital records the reports of civil marriage required by this section. If the license  
203.30 should not be used within the period of six months due to illness or other extenuating  
203.31 circumstances, it may be surrendered to the local registrar for cancellation, and in that case  
203.32 a new license shall issue upon request of the parties of the original license without fee. A  
203.33 local registrar who knowingly issues or signs a civil marriage license in any manner other  
203.34 than as provided in this section shall pay to the parties aggrieved an amount not to exceed  
203.35 \$1,000.

204.1 (b) The civil marriage license fee for parties who have completed at least 12 hours of  
204.2 premarital education is \$40. In order to qualify for the reduced license fee, the parties must  
204.3 submit at the time of applying for the civil marriage license a statement that is signed, dated,  
204.4 and notarized or marked with a church seal from the person who provided the premarital  
204.5 education on their letterhead confirming that it was received. The premarital education must  
204.6 be provided by a licensed or ordained minister or the minister's designee, a person authorized  
204.7 to solemnize civil marriages under section 517.18, or a person authorized to practice marriage

44.1 Sec. 13. Minnesota Statutes 2024, section 517.08, subdivision 1b, is amended to read:

44.2 Subd. 1b. **Term of license; fee; premarital education.** (a) The local registrar shall  
44.3 examine upon oath the parties applying for a license relative to the legality of the  
44.4 contemplated civil marriage. Both parties must present proof of age to the local registrar.  
44.5 If one party is unable to appear in person, the party appearing may complete the absent  
44.6 applicant's information. The local registrar shall provide a copy of the civil marriage  
44.7 application to the party who is unable to appear, who must verify the accuracy of the  
44.8 appearing party's information in a notarized statement. The verification statement must be  
44.9 accompanied by a copy of proof of age of the party. The civil marriage license must not be  
44.10 released until the verification statement and proof of age has been received by the local  
44.11 registrar. If the local registrar is satisfied that there is no legal impediment to it, including  
44.12 the restriction contained in section 259.13, the local registrar shall issue the license,  
44.13 containing the full names of the parties before and after the civil marriage, and county and  
44.14 state of residence, with the county seal attached, and make a record of the date of issuance.  
44.15 The license shall be valid for a period of six months. Except as provided in paragraph (b),  
44.16 the local registrar shall collect from the applicant a fee of ~~\$115~~ \$125 for administering the  
44.17 oath, issuing, recording, and filing all papers required, and preparing and transmitting to  
44.18 the state registrar of vital records the reports of civil marriage required by this section. If  
44.19 the license should not be used within the period of six months due to illness or other  
44.20 extenuating circumstances, it may be surrendered to the local registrar for cancellation, and  
44.21 in that case a new license shall issue upon request of the parties of the original license  
44.22 without fee. A local registrar who knowingly issues or signs a civil marriage license in any  
44.23 manner other than as provided in this section shall pay to the parties aggrieved an amount  
44.24 not to exceed \$1,000.

44.25 (b) The civil marriage license fee for parties who have completed at least 12 hours of  
44.26 premarital education is ~~\$40~~ \$50. In order to qualify for the reduced license fee, the parties  
44.27 must submit at the time of applying for the civil marriage license a statement that is signed,  
44.28 dated, and notarized or marked with a church seal from the person who provided the  
44.29 premarital education on their letterhead confirming that it was received. The premarital  
44.30 education must be provided by a licensed or ordained minister or the minister's designee,  
44.31 a person authorized to solemnize civil marriages under section 517.18, or a person authorized  
44.32 to practice marriage and family therapy under section 148B.33. The education must include

204.8 and family therapy under section 148B.33. The education must include the use of a premarital  
204.9 inventory and the teaching of communication and conflict management skills.

204.10 (c) The statement from the person who provided the premarital education under paragraph  
204.11 (b) must be in the following form:

204.12 "I, ..... (name of educator), confirm that ..... (names of both  
204.13 parties) received at least 12 hours of premarital education that included the use of a premarital  
204.14 inventory and the teaching of communication and conflict management skills. I am a licensed  
204.15 or ordained minister, a person authorized to solemnize civil marriages under Minnesota  
204.16 Statutes, section 517.18, or a person licensed to practice marriage and family therapy under  
204.17 Minnesota Statutes, section 148B.33."

204.18 The names of the parties in the educator's statement must be identical to the legal names  
204.19 of the parties as they appear in the civil marriage license application. Notwithstanding  
204.20 section 138.17, the educator's statement must be retained for seven years, after which time  
204.21 it may be destroyed.

204.22 Sec. 11. Minnesota Statutes 2024, section 517.09, subdivision 1, is amended to read:

204.23 Subdivision 1. **General.** No particular form is required to solemnize a civil marriage,  
204.24 except: the parties Both applicants shall declare in the presence of a person who is not the  
204.25 same individual as the applicant or the witness, authorized to solemnize civil marriages and  
204.26 two attending witnesses that each takes the other as spouse; or the civil marriage shall be  
204.27 solemnized in a manner provided by section 517.18.

204.28 Sec. 12. Minnesota Statutes 2024, section 517.10, is amended to read:

204.29 **517.10 CERTIFICATE; WITNESSES.**

204.30 The person solemnizing a civil marriage shall prepare complete and sign a marriage  
204.31 certificate provided by the local registrar. The certificate shall contain the full names of the  
204.32 parties before and after the civil marriage, the birth dates of the parties, and county and state  
205.1 of residences of the parties and the date and place of the civil marriage. The certificate shall  
205.2 also contain the signatures of the applicants' legal names after marriage and at least two of  
205.3 the witnesses present at the civil marriage who shall be at least 16 years of age. The person  
205.4 solemnizing the civil marriage shall immediately make a record of such civil marriage, and  
205.5 file such certificate with the local registrar of the county in which the license was issued  
205.6 within five days after the ceremony. The local registrar shall record such certificate in the  
205.7 county civil marriage records.

205.8 Sec. 13. **[517.103] AMENDMENT OF MARRIAGE RECORDS.**

205.9 (a) To request an amendment of an error in a marriage record, a person must submit the  
205.10 following documentation to the local registrar:

205.11 (1) an affidavit stating the reason for an amendment of the marriage record; and

44.33 the use of a premarital inventory and the teaching of communication and conflict management  
44.34 skills.

45.1 (c) The statement from the person who provided the premarital education under paragraph  
45.2 (b) must be in the following form:

45.3 "I, ..... (name of educator), confirm that ..... (names of both  
45.4 parties) received at least 12 hours of premarital education that included the use of a premarital  
45.5 inventory and the teaching of communication and conflict management skills. I am a licensed  
45.6 or ordained minister, a person authorized to solemnize civil marriages under Minnesota  
45.7 Statutes, section 517.18, or a person licensed to practice marriage and family therapy under  
45.8 Minnesota Statutes, section 148B.33."

45.9 The names of the parties in the educator's statement must be identical to the legal names  
45.10 of the parties as they appear in the civil marriage license application. Notwithstanding  
45.11 section 138.17, the educator's statement must be retained for seven years, after which time  
45.12 it may be destroyed.

205.12 (2) documentation supporting the amendment.

205.13 (b) A local registrar may amend a marriage record if the local registrar:

205.14 (1) receives an affidavit and documentation supporting the amendment of a marriage

205.15 record; and

205.16 (2) the local registrar determines that the affidavit and supporting documentation establish

205.17 that the marriage record contains an error.

205.18 (c) The local registrar must retain and maintain an affidavit and documentation upon

205.19 which the amendment of a marriage record was based, including the date of the amendment

205.20 and the legal name of the authorized person making the amendment.

205.21 (d) The local registrar must not amend a marriage record if:

205.22 (1) an applicant fails to submit the documentation required for amending a marriage

205.23 record; or

205.24 (2) the local registrar has reason to question the validity or completeness of the applicant's

205.25 affidavit or supporting documentation.

26.15 Sec. 11. Minnesota Statutes 2024, section 518B.01, subdivision 2, is amended to read:

26.16 Subd. 2. **Definitions.** As used in this section, the following terms ~~shall~~ have the meanings

26.17 given ~~them~~:

26.18 (a) "Domestic abuse" means the following, if committed against a family or household

26.19 member by a family or household member:

26.20 (1) physical harm, bodily injury, or assault;

26.21 (2) the infliction of fear of imminent physical harm, bodily injury, or assault; or

26.22 (3) terroristic threats, within the meaning of section 609.713, subdivision 1; criminal

26.23 sexual conduct, within the meaning of section 609.342, 609.343, 609.344, 609.345, or

26.24 609.3451; sexual extortion within the meaning of section 609.3458; or interference with an

26.25 emergency call within the meaning of section 609.78, subdivision 2.

26.26 (b) "Family or household members" means:

26.27 (1) spouses and former spouses;

26.28 (2) parents and children;

26.29 (3) persons related by blood;

26.30 (4) persons who are presently residing together or who have resided together in the past;

206.1       Sec. 14. Minnesota Statutes 2024, section 524.5-120, is amended to read:

206.2       **524.5-120 BILL OF RIGHTS FOR PERSONS SUBJECT TO GUARDIANSHIP**

206.3       **OR CONSERVATORSHIP.**

206.4       The person subject to guardianship or person subject to conservatorship retains all rights

206.5       not restricted by court order and these rights must be enforced by the court. These rights

206.6       include the right to:

206.7       (1) treatment with dignity and respect;

206.8       (2) due consideration of current and previously stated personal desires and preferences,

206.9       including but not limited to medical treatment preferences, cultural practices, religious

206.10       beliefs, and other preferences and opinions in decisions made by the guardian or conservator;

206.11       (3) participate in decision making about and receive timely and appropriate health care

206.12       and medical treatment that does not violate known preferences or conscientious, religious,

206.13       or moral beliefs of the person subject to guardianship or person subject to conservatorship;

27.1       (5) persons who have a child in common regardless of whether they have been married

27.2       or have lived together at any time;

27.3       (6) a man and woman if the woman is pregnant and the man is alleged to be the father,

27.4       regardless of whether they have been married or have lived together at any time; and

27.5       (7) persons involved in a significant romantic or sexual relationship.

27.6       Issuance of an order for protection on the ground in clause (6) does not affect a

27.7       determination of paternity under sections 257.51 to 257.74. In determining whether persons

27.8       are or have been involved in a significant romantic or sexual relationship under clause (7),

27.9       the court shall consider the length of time of the relationship; type of relationship; frequency

27.10       of interaction between the parties; and, if the relationship has terminated, length of time

27.11       since the termination.

27.12       (c) "Qualified domestic violence-related offense" has the meaning given in section

27.13       609.02, subdivision 16.

27.14       (d) "Custodian" means any person other than the petitioner or respondent who is under

27.15       a legal obligation to provide care and support for a minor child of a petitioner or who is in

27.16       fact providing care and support for a minor child of a petitioner. Custodian does not include

27.17       any person caring for a minor child if the petitioner's parental rights have been terminated;

27.18       has:

27.19       (1) physical or legal custody under section 257.541, subdivision 1, physical or legal

27.20       custody pursuant to any court order, or physical custody with the consent of a custodial

27.21       parent; or

27.22       (2) court-ordered parenting time.

206.14 (4) exercise control of all aspects of life unless delegated specifically to the guardian or  
206.15 conservator by court order;

206.16 (5) guardianship or conservatorship services individually suited to the conditions and  
206.17 needs of the person subject to guardianship or the person subject to conservatorship;

206.18 (6) petition the court to prevent or initiate a change in abode;

206.19 (7) care, comfort, social and recreational needs, employment and employment supports,  
206.20 training, education, habilitation, and rehabilitation care and services, within available  
206.21 resources;

206.22 (8) be consulted concerning, and to decide to the extent possible, the reasonable care  
206.23 and disposition of the clothing, furniture, vehicles, and other personal property and effects  
206.24 of the person subject to guardianship or person subject to conservatorship, to object to the  
206.25 disposition of personal property and effects, and to petition the court for a review of the  
206.26 guardian's or conservator's proposed disposition;

206.27 (9) personal privacy;

206.28 (10) communicate, visit, or interact with others, including receiving visitors ~~or~~, making  
206.29 or receiving telephone calls, sending or receiving personal mail, ~~or~~ sending or receiving  
206.30 electronic communications including through social media, or participating in social activities,  
206.31 unless the guardian has good cause to believe a restriction of communication, visitation, or  
206.32 interaction is necessary because interaction with the person poses a substantial risk of  
207.1 significant physical, psychological, or financial harm to the person subject to guardianship,  
207.2 and there is no other means to avoid or mitigate the significant harm. If the guardian believes  
207.3 a restriction is necessary, the guardian must first seek limited restrictions whenever possible,  
207.4 including supervised visits, phone calls, video calls, written correspondence, or limits on  
207.5 the length, frequency, or content of communication. In all cases, the guardian shall provide  
207.6 written notice of the restrictions imposed to the court; to the person subject to guardianship;  
207.7 and their attorney, if known; and to the person subject to restrictions within 48 hours of  
207.8 imposing the restriction. The notice shall include a description of the reason the restriction  
207.9 is imposed; a description of any limited restrictions attempted; if applicable, the reason the  
207.10 limited restrictions were not sufficient; and instructions on how to seek a modification of  
207.11 the restrictions. The person subject to guardianship or the person subject to restrictions may  
207.12 petition the court to remove or modify the restrictions;

207.13 (11) marry and procreate, unless court approval is required;

207.14 (12) elect or object to sterilization as provided in section 524.5-313, paragraph (c), clause  
207.15 (4), item (iv);

207.16 (13) at any time, petition the court for termination or modification of the guardianship  
207.17 or conservatorship, and any decisions made by the guardian or conservator in relation to  
207.18 powers granted, or for other appropriate relief;

207.19 (14) be represented by an attorney in any proceeding or for the purpose of petitioning  
207.20 the court;

207.21 (15) vote, unless restricted by the court;

207.22 (16) be consulted concerning, and make decisions to the extent possible, about personal  
207.23 image and name, unless restricted by the court; and

207.24 (17) execute a health care directive, including both health care instructions and the  
207.25 appointment of a health care agent, if the court has not granted a guardian any of the powers  
207.26 or duties under section 524.5-313, paragraph (c), clause (1), (2), or (4).

207.27 Sec. 15. Minnesota Statutes 2024, section 524.5-311, is amended to read:

207.28 **524.5-311 EMERGENCY GUARDIAN.**

207.29 (a) If the court finds that compliance with the procedures of this article will likely result  
207.30 in substantial harm to the respondent's health, safety, or welfare, and that no other person  
207.31 appears to have authority and willingness to act in the circumstances, the court, on petition  
207.32 by a person interested in the respondent's welfare, may appoint an emergency guardian  
208.1 whose authority may not exceed 60 days and who may exercise only the powers specified  
208.2 in the order. A county that is acting under section 626.557, subdivision 10, by petitioning  
208.3 for appointment of an emergency guardian on behalf of a vulnerable adult may be granted  
208.4 authority to act for a period not to exceed 90 days. An emergency guardian's appointment  
208.5 under this section may only be extended once for a period not to exceed 60 days if the court  
208.6 finds good cause for the continuation of the guardianship. Immediately upon receipt of the  
208.7 petition for an emergency guardianship, the court shall appoint a lawyer to represent the  
208.8 respondent in the proceeding. Except as otherwise provided in paragraph (b), reasonable  
208.9 notice of the time and place of a hearing on the petition must be given to the respondent;  
208.10 interested parties, if known; and any other persons as the court directs.

208.11 (b) An emergency guardian may be appointed without notice to the respondent and the  
208.12 respondent's lawyer only if the court finds from affidavit or other sworn testimony that the  
208.13 respondent will be substantially harmed before a hearing on the appointment can be held  
208.14 and the petitioner made good faith efforts to provide notice to the respondent or the  
208.15 respondent's lawyer. If the court appoints an emergency guardian without notice to the  
208.16 respondent, the respondent must be given notice of the appointment within 48 hours after  
208.17 the appointment. The court shall hold a hearing on the appropriateness of the appointment  
208.18 within five days after the appointment.

208.19 (c) Appointment of an emergency guardian, with or without notice, is not a determination  
208.20 of the respondent's incapacity.

208.21 (d) The court may remove an emergency guardian at any time. An emergency guardian  
208.22 shall make any report the court requires. In other respects, the provisions of this article  
208.23 concerning guardians apply to an emergency guardian.

208.24 (e) Any documents or information disclosing or pertaining to health or financial  
208.25 information shall be filed as confidential documents, consistent with the bill of particulars  
208.26 under section 524.5-121.

208.27 (f) The mere fact that the respondent is a patient in a hospital or a resident of a facility  
208.28 is not in and of itself sufficient evidence to support a risk of substantial harm to the  
208.29 respondent's health, safety, or welfare.

208.30 Sec. 16. Minnesota Statutes 2024, section 524.5-313, is amended to read:

208.31 **524.5-313 POWERS AND DUTIES OF GUARDIAN.**

208.32 (a) A guardian shall be subject to the control and direction of the court at all times and  
208.33 in all things.

209.1 (b) The court shall grant to a guardian only those powers necessary to provide for the  
209.2 demonstrated needs of the person subject to guardianship.

209.3 (c) The court may appoint a guardian if it determines that all the powers and duties listed  
209.4 in this section are needed to provide for the needs of the incapacitated person. The court  
209.5 may also appoint a guardian if it determines that a guardian is needed to provide for the  
209.6 needs of the incapacitated person through the exercise of some, but not all, of the powers  
209.7 and duties listed in this section. The duties and powers of a guardian or those which the  
209.8 court may grant to a guardian include, but are not limited to:

209.9 (1) the power to have custody of the person subject to guardianship and the power to  
209.10 establish a place of abode within or outside the state, except as otherwise provided in this  
209.11 clause. The person subject to guardianship or any interested person may petition the court  
209.12 to prevent or to initiate a change in abode. A person subject to guardianship may not be  
209.13 admitted to a regional treatment center by the guardian except:

209.14 (i) after a hearing under chapter 253B;

209.15 (ii) for outpatient services; or

209.16 (iii) for the purpose of receiving temporary care for a specific period of time not to  
209.17 exceed 90 days in any calendar year;

209.18 (2) the duty to provide for the care, comfort, and maintenance needs of the person subject  
209.19 to guardianship, including food, clothing, shelter, health care, social and recreational  
209.20 requirements, and, whenever appropriate, training, education, and habilitation or  
209.21 rehabilitation. The guardian has no duty to pay for these requirements out of personal funds.  
209.22 Whenever possible and appropriate, the guardian should meet these requirements through  
209.23 governmental benefits or services to which the person subject to guardianship is entitled,  
209.24 rather than from the estate of the person subject to guardianship;

209.25 (3) the duty to take reasonable care of the clothing, furniture, vehicles, and other personal  
209.26 effects of the person subject to guardianship, and, if other property requires protection, the



209.27 power to seek appointment of a conservator of the estate. The guardian must give notice by  
209.28 mail to interested persons prior to the disposition of the clothing, furniture, vehicles, or  
209.29 other personal effects of the person subject to guardianship. The notice must inform the  
209.30 person of the right to object to the disposition of the property within ten days of the date of  
209.31 mailing and to petition the court for a review of the guardian's proposed actions. Notice of  
209.32 the objection must be served by mail or personal service on the guardian and the person  
209.33 subject to guardianship unless the person subject to guardianship is the objector. The guardian  
210.1 served with notice of an objection to the disposition of the property may not dispose of the  
210.2 property unless the court approves the disposition after a hearing;

210.3 (4)(i) the power to give any necessary consent to enable the person subject to guardianship  
210.4 to receive necessary medical or other professional care, counsel, treatment, or service, except  
210.5 that no guardian may give consent for psychosurgery, electroshock, sterilization, or  
210.6 experimental treatment of any kind unless the procedure is first approved by order of the  
210.7 court as provided in this clause. The guardian shall not consent to any medical care for the  
210.8 person subject to guardianship which violates the known conscientious, religious, or moral  
210.9 belief of the person subject to guardianship;

210.10 (ii) a guardian who believes a procedure described in item (i) requiring prior court  
210.11 approval to be necessary for the proper care of the person subject to guardianship, shall  
210.12 petition the court for an order and, in the case of a public guardianship under chapter 252A,  
210.13 obtain the written recommendation of the commissioner of human services. The court shall  
210.14 fix the time and place for the hearing and shall give notice to the person subject to  
210.15 guardianship in such manner as specified in section 524.5-308 and to interested persons.  
210.16 The court shall appoint an attorney to represent the person subject to guardianship who is  
210.17 not represented by counsel, provided that such appointment shall expire upon the expiration  
210.18 of the appeal time for the order issued by the court under this section or the order dismissing  
210.19 a petition, or upon such other time or event as the court may direct. In every case the court  
210.20 shall determine if the procedure is in the best interest of the person subject to guardianship.  
210.21 In making its determination, the court shall consider a written medical report which  
210.22 specifically considers the medical risks of the procedure, whether alternative, less restrictive  
210.23 methods of treatment could be used to protect the best interest of the person subject to  
210.24 guardianship, and any recommendation of the commissioner of human services for a public  
210.25 person subject to guardianship. The standard of proof is that of clear and convincing evidence;

210.26 (iii) in the case of a petition for sterilization of a person with developmental disabilities  
210.27 subject to guardianship, the court shall appoint a licensed physician, a psychologist who is  
210.28 qualified in the diagnosis and treatment of developmental disability, and a social worker  
210.29 who is familiar with the social history and adjustment of the person subject to guardianship  
210.30 or the case manager for the person subject to guardianship to examine or evaluate the person  
210.31 subject to guardianship and to provide written reports to the court. The reports shall indicate  
210.32 why sterilization is being proposed, whether sterilization is necessary and is the least intrusive  
210.33 method for alleviating the problem presented, and whether it is in the best interest of the  
210.34 person subject to guardianship. The medical report shall specifically consider the medical  
210.35 risks of sterilization, the consequences of not performing the sterilization, and whether



211.1 alternative methods of contraception could be used to protect the best interest of the person  
211.2 subject to guardianship;

211.3 (iv) any person subject to guardianship whose right to consent to a sterilization has not  
211.4 been restricted under this section or section 252A.101 may be sterilized only if the person  
211.5 subject to guardianship consents in writing or there is a sworn acknowledgment by an  
211.6 interested person of a nonwritten consent by the person subject to guardianship. The consent  
211.7 must certify that the person subject to guardianship has received a full explanation from a  
211.8 physician or registered nurse of the nature and irreversible consequences of the sterilization;

211.9 (v) a guardian or the public guardian's designee who acts within the scope of authority  
211.10 conferred by letters of guardianship under section 252A.101, subdivision 7, and according  
211.11 to the standards established in this chapter or in chapter 252A shall not be civilly or criminally  
211.12 liable for the provision of any necessary medical care, including, but not limited to, the  
211.13 administration of psychotropic medication or the implementation of aversive and deprivation  
211.14 procedures to which the guardian or the public guardian's designee has consented;

211.15 (5) in the event there is no duly appointed conservator of the estate of the person subject  
211.16 to guardianship, the guardian shall have the power to approve or withhold approval of any  
211.17 contract, except for necessities, which the person subject to guardianship may make or wish  
211.18 to make;

211.19 (6) the duty and power to exercise supervisory authority over the person subject to  
211.20 guardianship in a manner which limits civil rights and restricts personal freedom only to  
211.21 the extent necessary to provide needed care and services. A guardian may not restrict the  
211.22 ability right of the person subject to guardianship to communicate, visit, or interact with  
211.23 others pursuant to section 524.5-120, clause (10), including receiving visitors or, making  
211.24 or receiving telephone calls, sending or receiving personal mail, or sending or receiving  
211.25 electronic communications including through social media, or participating in social activities,  
211.26 unless the guardian has good cause to believe a restriction of communication, visitation, or  
211.27 interaction is necessary because interaction with the person poses a substantial risk of  
211.28 significant physical, psychological, or financial harm to the person subject to guardianship,  
211.29 and there is no other means to avoid or mitigate such significant harm. If the guardian  
211.30 believes a restriction is necessary, the guardian must first seek limited restrictions whenever  
211.31 possible, including supervised visits, phone calls, video calls, written correspondence, or  
211.32 limits on the length, frequency, or content of communication. In all cases, the guardian shall  
211.33 provide written notice of the restrictions imposed to the court; to the person subject to  
211.34 guardianship; and their attorney, if known; and to the person subject to restrictions within  
211.35 48 hours of imposing the restriction. The notice shall include a description of the reason  
212.1 the restriction is imposed; a description of any limited restrictions attempted; if applicable,  
212.2 the reason the limited restrictions were not sufficient; and instructions on how to seek a  
212.3 modification of the restrictions. The person subject to guardianship or the person subject  
212.4 to restrictions may petition the court to remove or modify the restrictions;

212.5 (7) if there is no acting conservator of the estate for the person subject to guardianship,  
212.6 the guardian has the power to apply on behalf of the person subject to guardianship for any

212.7 assistance, services, or benefits available to the person subject to guardianship through any  
212.8 unit of government;

212.9 (8) unless otherwise ordered by the court, the person subject to guardianship retains the  
212.10 right to vote;

212.11 (9) the power to establish an ABLÉ account for a person subject to guardianship or  
212.12 conservatorship. By this provision a guardian only has the authority to establish an ABLÉ  
212.13 account, but may not administer the ABLÉ account in the guardian's capacity as guardian.  
212.14 The guardian may appoint or name a person to exercise signature authority over an ABLÉ  
212.15 account, including the individual selected by the eligible individual or the eligible individual's  
212.16 agent under a power of attorney; conservator; spouse; parent; sibling; grandparent; or  
212.17 representative payee, whether an individual or organization, appointed by the SSA, in that  
212.18 order; and

212.19 (10) if there is no conservator appointed for the person subject to guardianship, the  
212.20 guardian has the duty and power to institute suit on behalf of the person subject to  
212.21 guardianship and represent the person subject to guardianship in expungement proceedings,  
212.22 harassment proceedings, and all civil court proceedings, including but not limited to  
212.23 restraining orders, orders for protection, name changes, conciliation court, housing court,  
212.24 family court, probate court, and juvenile court, provided that a guardian may not settle or  
212.25 compromise any claim or debt owed to the estate without court approval.

S2200-2

2.7 Sec. 3. Minnesota Statutes 2024, section 595.02, is amended by adding a subdivision to  
2.8 read:

2.9 Subd. 1b. **Inadmissibility; exceptions.** (a) For purposes of this subdivision:

2.10 (1) "restorative practice" has the meaning given in section 142A.76, subdivision 1; and

2.11 (2) "restorative practice participant" means a facilitator, a person who has caused harm,  
2.12 a person who has been harmed, a community member, and any other person attending a  
2.13 restorative practice.

2.14 (b) Statements made or documents offered in the course of a restorative practice are not  
2.15 subject to discovery or admissible as evidence in a civil or criminal proceeding. This  
2.16 paragraph does not apply:

2.17 (1) to statements or documents that are the subject of a report made pursuant to section  
2.18 626.557 or chapter 260E;

2.19 (2) if a restorative practice participant reasonably believed that disclosure of a statement  
2.20 or document was necessary to prevent reasonably certain death, great bodily harm, or  
2.21 commission of a crime; or

29.26 Sec. 13. Minnesota Statutes 2024, section 595.02, is amended by adding a subdivision to  
29.27 read:

29.28 Subd. 1b. **Inadmissibility; exceptions.** (a) For purposes of this subdivision:

29.29 (1) "restorative practice" has the meaning given in section 142A.76, subdivision 1; and

29.30 (2) "restorative practice participant" means a facilitator, a person who has caused harm,  
29.31 a person who has been harmed, a community member, and any other person attending a  
29.32 restorative practice.

30.1 (b) Statements made or documents offered in the course of a restorative practice are not  
30.2 subject to discovery or admissible as evidence in a civil or criminal proceeding. This  
30.3 paragraph does not apply:

30.4 (1) to statements or documents that are the subject of a report made pursuant to section  
30.5 626.557 or chapter 260E;

30.6 (2) if a restorative practice participant reasonably believed that disclosure of a statement  
30.7 or document was necessary to prevent reasonably certain death, great bodily harm, or  
30.8 commission of a crime; or

2.22 (3) if the statement or document constitutes evidence of professional misconduct by a  
2.23 restorative practice participant acting in the capacity of their professional or occupational  
2.24 license.  
2.25 (c) Notwithstanding paragraph (b), if a court orders a person who caused harm to  
2.26 participate in a restorative practice, a person overseeing the restorative practice may disclose  
2.27 information necessary to demonstrate whether the person who caused harm participated as  
2.28 ordered.  
2.29 (d) Evidence that is otherwise admissible or subject to discovery does not become  
2.30 inadmissible or protected from discovery solely because it was discussed or used in a  
2.31 restorative practice.

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212.26 Sec. 17. **[604.33] CAUSE OF ACTION; NONCONSENSUAL REMOVAL OF A**  
212.27 **SEXUALLY PROTECTIVE DEVICE.**

212.28 Subdivision 1. **Definitions.** (a) For purposes of this section, the following terms have  
212.29 the meanings given.

212.30 (b) "Intimate part" means the sexual organ, anus, groin, or buttocks of any person, or  
212.31 the breast of a female.

212.32 (c) "Sexually protective device" means an internal or external condom, spermicide,  
212.33 diaphragm, cervical cap, contraceptive sponge, dental dam, or any other physical barrier  
213.1 device intended to prevent pregnancy or sexually transmitted infection. Sexually protective  
213.2 device does not include an intrauterine device or any hormonal birth control method.

213.3 Subd. 2. **Cause of action.** A cause of action for nonconsensual removal of a sexually  
213.4 protective device exists against the following:

213.5 (1) a person who intentionally removed a sexually protective device and caused contact  
213.6 between the sexual organ from which the sexually protective device was removed and the  
213.7 intimate part of another person who did not consent to the removal of the sexually protective  
213.8 device; or

213.9 (2) a person who intentionally removed a sexually protective device from another person's  
213.10 sexual organ without the other person's consent and caused contact between the sexual organ  
213.11 from which the sexually protective device was removed and their own intimate part.

213.12 Subd. 3. **Damages.** The court may award the following damages to a prevailing plaintiff  
213.13 from a person found liable under subdivision 2:

213.14 (1) general and special damages, including damages for mental anguish;

213.15 (2) punitive damages;

30.9 (3) if the statement or document constitutes evidence of professional misconduct by a  
30.10 restorative practice participant acting in the capacity of their professional or occupational  
30.11 license.  
30.12 (c) Notwithstanding paragraph (b), if a court orders a person who caused harm to  
30.13 participate in a restorative practice, a person overseeing the restorative practice may disclose  
30.14 information necessary to demonstrate whether the person who caused harm participated as  
30.15 ordered.  
30.16 (d) Evidence that is otherwise admissible or subject to discovery does not become  
30.17 inadmissible or protected from discovery solely because it was discussed or used in a  
30.18 restorative practice.

213.16 (3) statutory damages in an amount up to \$10,000;  
213.17 (4) injunctive relief and any other equitable relief the court deems just and appropriate;  
213.18 and  
213.19 (5) costs, disbursements, and reasonable attorney fees.  
213.20 Subd. 4. **Confidentiality.** The court shall allow confidential filings to protect the privacy  
213.21 of the plaintiff in cases filed under this section.  
213.22 Subd. 5. **Other laws and remedies.** (a) The rights and remedies provided in this section  
213.23 are in addition to any other rights and remedies provided by law.  
213.24 (b) Nothing in this section affects or modifies the rights and obligations under chapter  
213.25 518A.  
213.26 **EFFECTIVE DATE.** This section is effective August 1, 2025, and applies to causes  
213.27 of action accruing on or after that date.

30.19 Sec. 14. Minnesota Statutes 2024, section 611.45, subdivision 3, is amended to read:  
30.20 Subd. 3. **Dismissal of criminal charge.** (a) If the court finds the defendant incompetent,  
30.21 and the charge is a misdemeanor other than a targeted misdemeanor, the charge must be  
30.22 dismissed.  
30.23 (b) In targeted misdemeanor and gross misdemeanor cases, the charges must be dismissed  
30.24 30 days after the date of the finding of incompetency, unless the prosecutor, before the  
30.25 expiration of the 30-day period, files a written notice of intent to prosecute when the  
30.26 defendant attains competency. If a notice has been filed and the charge is a targeted  
30.27 misdemeanor, charges must be dismissed within one year after the finding of incompetency.  
30.28 If a notice has been filed and the charge is a gross misdemeanor, charges must be dismissed  
30.29 within two years after the finding of incompetency.  
30.30 (c) In felony cases, except as provided in paragraph (d), the charges must be dismissed  
30.31 three years after the date of the finding of incompetency, unless the prosecutor, before the  
30.32 expiration of the three-year period, files a written notice of intent to prosecute when the  
30.33 defendant attains competency. If a notice has been filed, charges must be dismissed within  
31.1 five years after the finding of incompetency or ten years if the maximum sentence for the  
31.2 crime with which the defendant is charged is ten years or more.  
31.3 (d) The requirement that felony charges be dismissed under paragraph (c) does not apply  
31.4 if:  
31.5 (1) the court orders continuing supervision or monitoring pursuant to section 611.49; or  
31.6 (2) the defendant is charged with a violation of sections 609.2112 (criminal vehicular  
31.7 homicide); 609.2114, subdivision 1 (criminal vehicular operation, death to an unborn child);

31.8 609.2661 (murder of an unborn child in the first degree); 609.2662 (murder of an unborn  
31.9 child in the second degree); 609.2663 (murder of an unborn child in the third degree);  
31.10 609.2664 (manslaughter of an unborn child in the first degree); or 609.2665 (manslaughter  
31.11 of an unborn child in the second degree); or a crime of violence as defined in section 624.712,  
31.12 subdivision 5, except for a violation of chapter 152.

31.13 (e) Nothing in this subdivision requires dismissal of any charge if the court finds the  
31.14 defendant competent and enters an order directing that the criminal proceedings shall resume.

31.15 Sec. 15. Minnesota Statutes 2024, section 611.46, subdivision 2, is amended to read:

31.16 Subd. 2. **Supervision Forensic navigator monitoring.** (a) Upon a finding of  
31.17 incompetency, if the defendant is entitled to release, the court must determine whether the  
31.18 defendant requires pretrial supervision. The court must weigh public safety risks against  
31.19 the defendant's interests in remaining free from supervision while presumed innocent in the  
31.20 criminal proceedings. The court may use a validated and equitable risk assessment tool to  
31.21 determine whether supervision is necessary.

31.22 (b) If the court determines that the defendant requires pretrial supervision, the court ~~shall~~  
31.23 ~~may~~ direct the forensic navigator to ~~conduct pretrial supervision and report violations to~~  
31.24 ~~the court. The forensic navigator shall be responsible for the supervision of the defendant~~  
31.25 ~~until ordered otherwise by the court. monitor the defendant's compliance or noncompliance~~  
31.26 ~~with the conditions of release as provided in section 611.55, subdivision 3, paragraph (c).~~  
31.27 ~~A forensic navigator may not conduct searches, seize property or persons, or issue sanctions.~~

31.28 (c) Upon application by the prosecutor, forensic navigator, other entity or its designee  
31.29 assigned to supervise the defendant, or court services alleging that the defendant violated  
31.30 a condition of release and is a risk to public safety, the court shall follow the procedures  
31.31 under Rules of Criminal Procedure, rule 6. Any hearing on the alleged violation of release  
31.32 conditions shall be held no more than 15 days after the date of issuance of a summons or  
31.33 within 72 hours if the defendant is apprehended on a warrant.

32.1 (d) If the court finds a violation, the court may revise the conditions of release and bail  
32.2 as appropriate pursuant to Minnesota Rules of Criminal Procedure and must consider the  
32.3 defendant's need for ongoing access to a competency attainment program or alternative  
32.4 program under this section.

32.5 (e) The court must review conditions of release and bail on request of any party and may  
32.6 amend the conditions of release or make any other reasonable order upon receipt of  
32.7 information that the pretrial detention of a defendant has interfered with the defendant  
32.8 attaining competency.

32.9 Sec. 16. Minnesota Statutes 2024, section 611.49, subdivision 2, is amended to read:

32.10 Subd. 2. **Procedure.** (a) If the court finds that there is a substantial probability that the  
32.11 defendant will attain competency within the reasonably foreseeable future, the court shall  
32.12 find the defendant incompetent and proceed under section 611.46.

32.13 (b) If the court finds that there is not a substantial probability the defendant will attain  
32.14 competency within the reasonably foreseeable future, the court may not order the defendant  
32.15 to participate in or continue to participate in a competency attainment program in a locked  
32.16 treatment facility. The court must release the defendant from any custody holds pertaining  
32.17 to the underlying criminal case and require the forensic navigator to develop a bridge plan.

32.18 (c) If the court finds that there is not a substantial probability the defendant will attain  
32.19 competency within the foreseeable future, the court may issue an order to the designated  
32.20 agency in the county of financial responsibility or the county where the defendant is present  
32.21 to conduct a prepetition screening pursuant to section 253B.07.

32.22 (d) If the court finds that there is not a substantial probability that the defendant will  
32.23 attain competency within the foreseeable future, the court must dismiss the case unless:

32.24 (1) the person is charged with a violation of section 609.2112 (criminal vehicular  
32.25 homicide); 609.2114, subdivision 1 (criminal vehicular operation, death to an unborn child);  
32.26 609.2661 (murder of an unborn child in the first degree); 609.2662 (murder of an unborn  
32.27 child in the second degree); 609.2663 (murder of an unborn child in the third degree);  
32.28 609.2664 (manslaughter of an unborn child in the first degree); or 609.2665 (manslaughter  
32.29 of an unborn child in the second degree); or a crime of violence as defined in section 624.712,  
32.30 subdivision 5, except for a violation of chapter 152; or

32.31 (2) there is a showing of a danger to public safety if the matter is dismissed.

32.32 (e) If the court does not dismiss the charges, the court must order continued supervision  
32.33 or monitoring under subdivision 3.

33.1 Sec. 17. Minnesota Statutes 2024, section 611.49, subdivision 3, is amended to read:

33.2 Subd. 3. **Continued supervision or monitoring.** (a) If the court orders the continued  
33.3 supervision or monitoring of a defendant, any party may request a hearing on the issue of  
33.4 continued supervision or monitoring by filing a notice no more than ten days after the order  
33.5 for continued supervision or monitoring.

33.6 (b) When continued supervision is ordered, the court must identify the supervisory  
33.7 agency responsible for the supervision of the defendant and may identify a forensic navigator  
33.8 as the responsible entity. Alternatively, the court may direct the forensic navigator to monitor  
33.9 the defendant's compliance or noncompliance with the conditions of release as provided in  
33.10 section 611.55, subdivision 3, paragraph (c). A forensic navigator may not conduct searches,  
33.11 seize property or persons, or issue sanctions.

33.12 (c) Notwithstanding the reporting requirements of section 611.46, subdivision 6, the  
33.13 court examiner must provide an updated report to the court one year after the initial order  
33.14 for continued supervision or monitoring as to the defendant's competency and a description  
33.15 of the efforts made to assist the defendant in attaining competency. The court shall hold a  
33.16 review hearing within 30 days of receipt of the report.

33.17 (d) If continued supervision or monitoring is ordered at the review hearing under  
33.18 paragraph (c), the court must set a date for a review hearing no later than two years after  
33.19 the most recent order for continuing supervision or monitoring. The court must order review  
33.20 of the defendant's status, including an updated competency examination and report by the  
33.21 court examiner. The court examiner must submit the updated report to the court. At the  
33.22 review hearing, the court must determine if the defendant has attained competency, whether  
33.23 there is a substantial probability that the defendant will attain competency within the  
33.24 foreseeable future, and whether the absence of continuing supervision or monitoring of the  
33.25 defendant is a danger to public safety. Notwithstanding subdivision 2, paragraph (d), the  
33.26 court may hear any motions to dismiss pursuant to the interest of justice at the review  
33.27 hearing.

33.28 (e) Continued supervision or monitoring of a defendant in cases where the most serious  
33.29 charge is a targeted misdemeanor or gross misdemeanor is subject to the limitations  
33.30 established in section 611.45, subdivision 3, paragraph (b).

33.31 (f) The court may not order continued supervision or monitoring of a defendant charged  
33.32 with a felony for more than ten years unless the defendant is charged with a violation of  
33.33 section 609.2112 (criminal vehicular homicide); 609.2114, subdivision 1 (criminal vehicular  
33.34 operation, death to an unborn child); 609.2661 (murder of an unborn child in the first degree);  
34.1 609.2662 (murder of an unborn child in the second degree); 609.2663 (murder of an unborn  
34.2 child in the third degree); 609.2664 (manslaughter of an unborn child in the first degree);  
34.3 or 609.2665 (manslaughter of an unborn child in the second degree); or a crime of violence  
34.4 as defined in section 624.712, subdivision 5, except for a violation of chapter 152.

34.5 (g) At any time, the head of the program may discharge the defendant from the program  
34.6 or facility. The head of the program must notify the court, prosecutor, defense counsel,  
34.7 forensic navigator, and any entity responsible for the supervision of the defendant prior to  
34.8 any planned discharge. Absent emergency circumstances, this notification shall be made  
34.9 five days prior to the discharge. If the defendant is discharged from the program or facility  
34.10 under emergency circumstances, notification of emergency discharge shall include a  
34.11 description of the emergency circumstances and may include a request for emergency  
34.12 transportation. The court shall make a determination on a request for emergency  
34.13 transportation within 24 hours. Nothing in this section prohibits a law enforcement agency  
34.14 from transporting a defendant pursuant to any other authority.

34.15 (h) The court may provide, partner, or contract for pretrial supervision services or  
34.16 continued supervision if the defendant is found incompetent and unlikely to attain competency  
34.17 in the foreseeable future.

34.18 Sec. 18. Minnesota Statutes 2024, section 611.55, subdivision 3, is amended to read:

34.19 Subd. 3. **Duties.** (a) Forensic navigators shall assist and supervise monitor defendants  
34.20 when appointed to do so by a court. Forensic navigators shall be impartial in all legal matters  
34.21 relating to the criminal case. Nothing shall be construed to permit the forensic navigator to  
34.22 provide legal counsel as a representative of the court, prosecutor, or defense counsel.



- 34.23 (b) Forensic navigators shall provide services to assist defendants with mental illnesses  
34.24 and cognitive impairments. Services may include, but are not limited to:
- 34.25 (1) developing bridge plans;
- 34.26 (2) assisting defendants in participating in court-ordered examinations and hearings;
- 34.27 (3) coordinating timely placement in court-ordered competency attainment programs;
- 34.28 (4) providing competency attainment education;
- 34.29 (5) reporting to the court on the progress of defendants found incompetent to stand trial;
- 34.30 (6) providing coordinating services to help defendants access mental health services,  
34.31 medical care, stable housing and housing assistance, financial assistance, social services,  
35.1 transportation, precharge and pretrial diversion, and other necessary services provided by  
35.2 other programs and community service providers;
- 35.3 (7) communicating with and offering supportive resources to defendants and family  
35.4 members of defendants; and
- 35.5 (8) providing consultation and education to court officials on emerging issues and  
35.6 innovations in serving defendants with mental illnesses in the court system.
- 35.7 (c) When ordered to supervise a defendant, a forensic navigator shall report to the court  
35.8 on monitor a defendant's compliance or noncompliance with conditions of pretrial supervision  
35.9 and any order of the court release under section 611.46, subdivision 2, paragraph (b), the  
35.10 forensic navigator shall provide updates to the court on a regular basis or when requested  
35.11 by the court or either party.
- 35.12 (d) If a defendant's charges are dismissed, the appointed forensic navigator may continue  
35.13 assertive outreach with the individual for up to 90 days to assist in attaining stability in the  
35.14 community.
- 35.15 Sec. 19. Minnesota Statutes 2024, section 611.56, subdivision 1, is amended to read:
- 35.16 Subdivision 1. **Establishment; membership.** (a) The Minnesota Competency Attainment  
35.17 Board is established in the judicial branch. The board is not subject to the administrative  
35.18 control of the judiciary. The board shall consist of seven members, including:
- 35.19 (1) three members appointed by the supreme court, at least one of whom must be a  
35.20 defense attorney, one a county attorney, and one public member; and
- 35.21 (2) four members appointed by the governor, at least one of whom must be a mental  
35.22 health professional with experience in competency attainment.
- 35.23 (b) The appointing authorities may not appoint an active judge to be a member of the  
35.24 board, but may appoint a retired judge.



35.25 (c) All members must demonstrate an interest in maintaining a high quality, independent  
35.26 forensic navigator program and a thorough process for certification of competency attainment  
35.27 programs. Members shall be familiar with the Minnesota Rules of Criminal Procedure,  
35.28 particularly rule 20; chapter 253B; and sections 611.40 to 611.59. ~~Following the initial~~  
35.29 ~~terms of appointment, at least one member appointed by the supreme court must have~~  
35.30 ~~previous experience working as a forensic navigator.~~ At least three members of the board  
35.31 shall live outside the First, Second, Fourth, and Tenth Judicial Districts. The terms,  
36.1 compensation, and removal of members shall be as provided in section 15.0575. The members  
36.2 shall elect the chair from among the membership for a term of two years.

36.3 Sec. 20. Minnesota Statutes 2024, section 611.59, subdivision 1, is amended to read:

36.4 Subdivision 1. **Availability and certification.** The board ~~must~~ will use available resources  
36.5 ~~to provide or contract for enough~~ competency attainment services to meet the needs of adult  
36.6 defendants in each judicial district who are found incompetent to proceed and do not have  
36.7 access to competency attainment services as a part of any other programming in which they  
36.8 are ordered to participate. The board, in consultation with the Certification Advisory  
36.9 Committee, shall develop procedures to certify that the standards in this section are met,  
36.10 including procedures for regular recertification of competency attainment programs. The  
36.11 board shall maintain a list of programs it has certified on the board's website and shall update  
36.12 the list of competency attainment programs at least once every year.

36.13 Sec. 21. Minnesota Statutes 2024, section 611.59, subdivision 4, is amended to read:

36.14 Subd. 4. **Program evaluations.** (a) ~~The board~~ state court administrator shall ~~collect~~  
36.15 ~~prepare and make available to the board~~ the following data:

36.16 (1) the total number of competency examinations ordered in each judicial district  
36.17 separated by county;

36.18 (2) the age, race, and number of unique defendants and for whom at least one competency  
36.19 examination was ordered in each judicial district separated by county;

36.20 (3) the age, race, and number of unique defendants found incompetent at least once in  
36.21 each judicial district separated by county; and

36.22 (4) all available data on the level of charge and adjudication of cases with a defendant  
36.23 ~~found incompetent and whether a forensic navigator was assigned to the case.~~

36.24 (b) By February 15 of each year, the board must report to the legislative committees and  
36.25 divisions with jurisdiction over human services, public safety, and the judiciary on the data  
36.26 collected under this subdivision and may include recommendations for statutory or funding  
36.27 changes related to competency attainment.

213.28 Sec. 18. **[626.5574] ORDER FOR PROTECTION AGAINST FINANCIAL**  
213.29 **EXPLOITATION OF A VULNERABLE ADULT.**

213.30 Subdivision 1. **Definitions.** (a) For the purposes of this section, the following terms have  
213.31 the meanings given.

214.1 (b) "Conservator" has the meaning given in section 524.5-102, subdivision 3.

214.2 (c) "Financial exploitation" has the meaning given in section 626.5572, subdivision 9.

214.3 (d) "Guardian" has the meaning given in section 524.5-102, subdivision 5.

214.4 (e) "Lead investigative agency" has the meaning given in section 626.5572, subdivision  
214.5 13.

214.6 (f) "Petitioner" means any of the following:

214.7 (1) a vulnerable adult currently experiencing or in imminent danger of financial  
214.8 exploitation;

214.9 (2) the guardian or conservator of a vulnerable adult currently experiencing or in imminent  
214.10 danger of financial exploitation;

214.11 (3) a person or organization acting on behalf of the vulnerable adult with the consent of  
214.12 the vulnerable adult or his or her guardian or conservator;

214.13 (4) an agent under a validly executed power of attorney with the authority specifically  
214.14 granted in the power of attorney; or

214.15 (5) a person who simultaneously files a petition under section 524.5-409, subdivision  
214.16 2, for appointment of an emergency conservator with respect to the vulnerable adult.

214.17 (g) "Vulnerable adult" has the meaning given in section 626.5572, subdivision 21.

214.18 Subd. 2. **Jurisdiction; petition.** (a) A petitioner may petition the court for an order for  
214.19 protection against financial exploitation of a vulnerable adult seeking injunctive relief and  
214.20 any other equitable remedy the court deems appropriate with the court located in the county  
214.21 where the petitioner, respondent, or the vulnerable adult resides. There are no residency  
214.22 requirements that apply to a petition filed under this section. Actions under this section shall  
214.23 be given docket priorities by the court.

214.24 (b) A petition for relief under this section must:

214.25 (1) allege the existence of financial exploitation, or the imminent danger of financial  
214.26 exploitation, of the vulnerable adult;

214.27 (2) include the specific facts and circumstances for which relief is sought, including the  
214.28 relationship between the vulnerable adult and respondent;

214.29 (3) state whether the vulnerable adult has ever applied for or received an order for  
214.30 protection under this section or section 518B.01, or a restraining order under section 609.748;  
214.31 and

215.1 (4) state whether there are any pending actions between the vulnerable adult and the  
215.2 respondent.

215.3 (c) A person temporarily or permanently vacating a residence or household in an attempt  
215.4 to avoid financial exploitation does not affect the person's right to petition for an order under  
215.5 this section.

215.6 (d) The court shall provide simplified forms and clerical assistance to help with the  
215.7 writing and filing of a petition under this section.

215.8 Subd. 3. **Filing fee.** The filing fees for an order for protection against financial  
215.9 exploitation for a vulnerable adult under this section are waived for the petitioner and  
215.10 respondent.

215.11 Subd. 4. **Hearing.** Upon receipt of the petition, the court shall order a hearing which  
215.12 shall be held no later than 14 days from the date of the order for the hearing unless a  
215.13 temporary ex parte order is issued under subdivision 8. If the court issues a temporary ex  
215.14 parte order, the hearing must be held as provided under subdivision 8.

215.15 Subd. 5. **Service.** (a) Except as provided in paragraph (b), the petition and any order  
215.16 issued under this section must be served on the respondent as provided in section 518B.01,  
215.17 subdivisions 8, 8a, and 9a. If the petitioner is not the vulnerable adult, the petitioner must  
215.18 serve the vulnerable adult with a copy of the petition, notice of any hearing, and any orders  
215.19 issued under this section. If any assets or lines of credit are ordered to be frozen, the petitioner  
215.20 must serve the depository or financial institution with the order.

215.21 (b) If service on the respondent is not possible as provided in paragraph (a), the petitioner  
215.22 may serve the respondent through the method used to contact the vulnerable adult. The  
215.23 petitioner must provide to the court the reasons that service was not possible under section  
215.24 518B.01, subdivision 8, 8a, or 9a.

215.25 Subd. 6. **Maltreatment report required.** Unless a report was made before a petition  
215.26 was filed under this section, the petitioner must file a report pursuant to section 626.557  
215.27 within 24 hours of filing a petition under this section. This section does not modify or  
215.28 supersede mandated reporting requirements under section 626.557.

215.29 Subd. 7. **Factors.** In determining whether to award relief to the petitioner, the court may  
215.30 consider and evaluate all relevant factors, including any of the following:

215.31 (1) the existence of a current or previous order for protection issued under this section  
215.32 or section 518B.01, a current or previous harassment restraining order issued under section  
215.33 609.748, or any previous or current similar order issued by another jurisdiction;

216.1 (2) any history of financial exploitation by the respondent upon the vulnerable adult  
216.2 identified in the petition or any other vulnerable adult;

216.3 (3) any history of the vulnerable adult's previous financial exploitation by the respondent  
216.4 or any other person;

216.5 (4) the capacity of the vulnerable adult to make decisions related to their finances and  
216.6 property;

216.7 (5) the susceptibility of the vulnerable adult to undue influence; or

216.8 (6) the respondent's criminal history.

216.9 Subd. 8. **Temporary ex parte order.** (a) The court may issue a temporary order for  
216.10 protection ex parte if the court finds that:

216.11 (1) there is an immediate and present danger of financial exploitation of the vulnerable  
216.12 adult;

216.13 (2) there is a likelihood of irreparable harm and nonavailability of an adequate remedy  
216.14 at law;

216.15 (3) there is a substantial likelihood of success on the merits;

216.16 (4) the threatened injury to the vulnerable adult outweighs possible harm to the  
216.17 respondent; and

216.18 (5) a temporary order protects the vulnerable adult's financial security.

216.19 (b) A denial of a petition for an ex parte order must be by written order and must note  
216.20 the grounds for denial. When the only ground for denial is failure to demonstrate the  
216.21 immediate and present danger of financial exploitation of a vulnerable adult, the court must  
216.22 set a full hearing on the petition for an order for protection at the earliest possible date and  
216.23 within 14 days of the date of the court's denial order. Nothing in this paragraph limits a  
216.24 petitioner's right to promptly amend a petition consistent with court rules.

216.25 (c) An ex parte temporary order may be effective for a fixed period not to exceed 14  
216.26 days unless good cause is shown to extend the order. The ex parte temporary order may be  
216.27 extended once for up to an additional 14 days. A full hearing, as provided by this section,  
216.28 must be set for a date no later than the date when the ex parte temporary order expires.

216.29 Subd. 9. **Relief.** (a) The court may grant relief as provided under this section, if upon  
216.30 notice and hearing and consideration of all relevant factors, the court finds that:

217.1 (1) the vulnerable adult is the victim of financial exploitation or the vulnerable adult is  
217.2 in imminent danger of becoming a victim of financial exploitation;

217.3 (2) there is a likelihood of irreparable harm and nonavailability of an adequate remedy  
217.4 at law;

217.5 (3) the threatened injury to the vulnerable adult outweighs possible harm to the  
217.6 respondent; and

217.7 (4) an order protects the vulnerable adult's financial security.

217.8 (b) In addition to any other injunctive or equitable relief the court deems appropriate,  
217.9 the court may grant any or all of the following relief in either a temporary ex parte or final  
217.10 order issued under this section:

217.11 (1) prohibit the respondent from direct or indirect contact with the vulnerable adult;

217.12 (2) restrain the respondent from committing any acts of financial exploitation against  
217.13 the vulnerable adult;

217.14 (3) hold financial accounts in accordance with chapter 45A or freeze any assets of the  
217.15 vulnerable adult in any depository or financial institution whether titled solely in the  
217.16 vulnerable adult's name, solely in the respondent's name, jointly with the respondent, in  
217.17 conservatorship, or in a trust, provided that:

217.18 (i) assets held by a conservator for the vulnerable adult may be frozen only by an order  
217.19 entered by the court overseeing the conservatorship proceeding;

217.20 (ii) assets held by a trust may be frozen only by an order of the court if all the trustees  
217.21 of the trust are served with process and are given reasonable notice before any hearing on  
217.22 the petition; and

217.23 (iii) assets held solely in the name of the respondent may only be frozen on an ex parte  
217.24 basis if the petition and affidavit demonstrate to the court probable cause that such assets  
217.25 are traceable to the financial exploitation of the vulnerable adult, that such assets are likely  
217.26 to be returned to the vulnerable adult after a final evidentiary hearing, and that no other  
217.27 adequate remedy at law is reasonably available;

217.28 (4) freeze any line of credit of the vulnerable adult at any depository or financial  
217.29 institution whether listed solely in the vulnerable adult's name or jointly with the respondent,  
217.30 provided that:

217.31 (i) lines of credit held by a conservator for the vulnerable adult may be frozen only by  
217.32 an order entered by the court overseeing the conservatorship proceeding; and

218.1 (ii) lines of credit held by a trust may be frozen only by an order of the court if all the  
218.2 trustees of the trust are served with process and are given reasonable notice before any  
218.3 hearing on the petition;

218.4 (5) if the court has ordered an asset and credit freeze, ordering that living expenses of  
218.5 the vulnerable adult continue to be paid;

218.6 (6) award to the vulnerable adult the temporary exclusive use and possession of the  
218.7 dwelling that the vulnerable adult and the respondent share or bar the respondent from the  
218.8 residence of the vulnerable adult;

218.9 (7) provide necessary directives to law enforcement agencies; and

218.10 (8) provide any terms the court deems necessary for the protection of the vulnerable  
218.11 adult or the vulnerable adult's assets.

218.12 Subd. 10. **Modifying or vacating an order; extensions and subsequent orders.** Upon  
218.13 application and notice to all parties as required under this section, the court may vacate an  
218.14 order, modify the terms of an existing order for protection, extend relief granted in an  
218.15 existing order for protection, or, if an order for protection has expired, issue a new order.

218.16 Subd. 11. **Copy to law enforcement agency; lead investigative agency.** Within 24  
218.17 hours of issuance of an order or continuance of an order under this section, the court  
218.18 administrator must forward the order for protection and any continuance of the order for  
218.19 protection to the local law enforcement agency with jurisdiction over the residence of the  
218.20 vulnerable adult and the lead investigative agency that received the report pursuant to  
218.21 subdivision 6. Section 518B.01, subdivision 13, applies to orders granted under this section.

218.22 Subd. 12. **Title to real property.** Nothing in this section affects title to real property.

218.23 Subd. 13. **Violation of an order for protection.** (a) A person is guilty of a misdemeanor  
218.24 if the person:

218.25 (1) knows of the existence of an order for protection issued under this section;

218.26 (2) is prohibited from direct or indirect contact with a vulnerable adult or restrained from  
218.27 committing any acts of financial exploitation against a vulnerable adult as provided in  
218.28 subdivision 9, paragraph (b); and

218.29 (3) violates the order by committing such conduct.

218.30 (b) A person who violates paragraph (a) within ten years of a previous conviction or  
218.31 adjudication of delinquency for a violation of this subdivision or section 609.2335, is guilty  
218.32 of a gross misdemeanor.

219.1 (c) A person who violates paragraph (a) within ten years of the first of two or more  
219.2 previous convictions or adjudications of delinquency for a violation of this subdivision or  
219.3 section 609.2335, is guilty of a felony and may be sentenced to imprisonment for not more  
219.4 than five years or to payment of a fine of not more than \$10,000, or both.

219.5 Subd. 14. **Admissibility of testimony in criminal proceeding.** Any testimony offered  
219.6 by a respondent in a hearing pursuant to this section is inadmissible in a criminal proceeding.

219.7 Subd. 15. **Other remedies available.** Any proceeding under this section shall be in  
219.8 addition to other civil or criminal remedies.

219.9 Sec. 19. Laws 2023, chapter 52, article 19, section 90, is amended to read:

219.10 Sec. 90. **EFFECTIVE DATE.**

219.11 Sections 83 to 89 are effective January 1, 2024, and apply to leases ~~signed~~ entered into,  
219.12 renewed, or extended on or after that date. For the purposes of this section, estates at will  
219.13 shall be deemed to be renewed or extended at the commencement of each rental period.

219.14 **EFFECTIVE DATE.** This section is effective July 1, 2025, and applies to leases entered  
219.15 into, renewed, or extended on or after that date.

219.16 Sec. 20. Laws 2023, chapter 52, article 19, section 102, is amended to read:

219.17 Sec. 102. **EFFECTIVE DATE.**

219.18 Sections 97, 98, and 100 are effective January 1, 2024, and apply to leases entered into  
219.19 ~~or~~, renewed, or extended on or after January 1, 2024. For the purposes of this section, estates  
219.20 at will shall be deemed to be renewed or extended at the commencement of each rental  
219.21 period.

219.22 **EFFECTIVE DATE.** This section is effective July 1, 2025, and applies to leases entered  
219.23 into, renewed, or extended on or after that date.

219.24 Sec. 21. **EVICITION PROCEEDINGS DELAYED; SECTION 8 HOUSING.**

219.25 (a) The definitions in Minnesota Statutes, section 504B.001, apply to this section.

219.26 (b) Notwithstanding any law to the contrary, a landlord must not file an eviction action  
219.27 against a tenant based on nonpayment of rent until at least three months following the date  
219.28 of the first delinquent rent payment if:

220.1 (1) the tenant is residing in housing subsidized by the United States Department of  
220.2 Housing and Urban Development under Section 8 of the United States Housing Act of 1937;  
220.3 and

220.4 (2) the United States Department of Housing and Urban Development withholds the  
220.5 tenant's rental assistance payments.

220.6 (c) Paragraph (b) does not apply to an eviction action based on a tenant's failure to pay  
220.7 the tenant's portion of rent.

220.8 (d) Nothing in this section supersedes or modifies obligations imposed upon the landlord  
220.9 by other law or contract and rights and remedies available to a tenant under other law or  
220.10 contract.

220.11 (e) This section expires on November 1, 2025.

220.12 **EFFECTIVE DATE.** This section is effective only upon enactment in the 2025 regular  
220.13 session of a bill styled as S.F. No. 2298, the third engrossment, article 1, section 2.

220.14     Sec. 22. **LANDLORD REIMBURSEMENT; CONTINGENT REDUCTION AND**  
220.15 **APPROPRIATION.**

220.16     (a) If the condition under article 13, section 17, paragraph (b), clause (2), becomes  
220.17 effective:

220.18         (1) the commissioner of management and budget must reduce the fiscal year 2026  
220.19 appropriation in 2025 S.F. No. 2298, the third engrossment, article 1, section 2, if enacted  
220.20 during the 2025 regular legislative session, by \$66,500,000. The commissioner must  
220.21 proportionally allocate the appropriation reduction among the appropriations and riders in  
220.22 2025 S.F. No. 2298, the third engrossment, article 1, section 2, subdivisions 2 to 19. This  
220.23 section applies regardless of order of enactment; and

220.24         (2) \$66,500,000 is appropriated in fiscal year 2026 from the general fund to the  
220.25 commissioner of the Housing Finance Agency to reimburse landlords for lost income due  
220.26 to the United States Department of Housing and Urban Development withholding a tenant's  
220.27 rental assistance payments.

220.28     (b) This section does not permit reimbursements to a landlord for lost income based on  
220.29 a tenant's failure to pay the tenant's portion of rent.

220.30     **EFFECTIVE DATE.** This section is effective only upon enactment in the 2025 regular  
220.31 session of a bill styled as S.F. No. 2298, the third engrossment, article 1, section 2.

221.1     Sec. 23. **REPEALER.**

221.2         Minnesota Statutes 2024, sections 517.05; and 517.18, are repealed.