CHAPTER 299A

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299A.001 MS 2006 [Renumbered 15.001]

GENERALLY

299A.01 DEPARTMENT OF PUBLIC SAFETY; CREATION, ORGANIZATION.

Subdivision 1. **Creation; commissioner and deputy commissioner.** The Department of Public Safety is created under the supervision and control of the commissioner of public safety, which office is established. The commissioner of public safety is appointed by the governor under the provisions of section 15.06. The commissioner may appoint a deputy commissioner.

Subd. 1a. **Mission; efficiency.** It is part of the department's mission that within the department's resources the commissioner shall endeavor to:

(1) prevent the waste or unnecessary spending of public money;

(2) use innovative fiscal and human resource practices to manage the state's resources and operate the department as efficiently as possible;

(3) coordinate the department's activities wherever appropriate with the activities of other governmental agencies;

(4) use technology where appropriate to increase agency productivity, improve customer service, increase public access to information about government, and increase public participation in the business of government;

(5) utilize constructive and cooperative labor-management practices to the extent otherwise required by chapters 43A and 179A; and

(6) recommend to the legislature appropriate changes in law necessary to carry out the mission and improve the performance of the department.

Subd. 1b. **Department advertising sales; appropriation.** The commissioner may accept paid advertising for departmental publications, media productions, or other informational materials. Advertising revenues received are appropriated to the commissioner to be used to defray costs of publications, media productions, or other informational materials. The commissioner may not accept paid advertising from an elected official or candidate for elective office.

Subd. 1c. **Performance report; performance measures and targets.** (a) The commissioner, as part of the department's mission and within the department's resources, shall report to the chairs and ranking minority members of the senate and house of representatives committees having jurisdiction over criminal justice policy and funding on the performance of agency operations and the accomplishment of agency goals

in the agency's biennial budget according to paragraph (b) and section 16A.10, subdivision 1. The purpose of the report is to determine the extent to which each program is accomplishing the program's mission, goals, and objectives. The report may address:

(1) factors that limited or delayed achievement of objectives or goals;

(2) resources used or saved and efficiencies achieved in reaching program objectives and goals;

(3) information from customers and partners of the agency regarding the quality of service and effectiveness of the agency and the agency's programs;

(4) recommendations on elimination of unnecessary or obsolete mandated reports; and

(5) major cases, events, or circumstances that required an agency response.

(b) By August 1 of each odd-numbered year, the commissioner must present to the individuals identified in paragraph (a) a report that states the mission, goals, and objectives of each program and lists and describes the performance measures and targets the department will include in the performance report required under paragraph (a). The report must include information on how program goals and objectives were created and who participated in formulating them. The measures and targets must include a history of the department's performance for the previous five years. At a minimum, the report must include measures and targets for the following:

(1) staffing and salaries for divisions within the agency;

(2) caseloads and responsibilities of Bureau of Criminal Apprehension agents;

(3) development and funding of the Allied Radio Matrix for Emergency Response (ARMER);

(4) grant programs administered under the Office of Justice Programs and Homeland Security and Emergency Management;

(5) receipt and expenditure of federal grant funds;

(6) expenditure of the fire safety insurance surcharge;

(7) emergency preparedness;

(8) crime lab operations; and

(9) assistance provided to crime victims.

Subd. 2. **Duties of commissioner.** The duties of the commissioner shall include the following:

(1) the coordination, development and maintenance of services contracts with existing state departments and agencies assuring the efficient and economic use of advanced business machinery including computers;

(2) the execution of contracts and agreements with existing state departments for the maintenance and servicing of vehicles and communications equipment, and the use of related buildings and grounds;

(3) the development of integrated fiscal services for all divisions, and the preparation of an integrated budget for the department;

(4) the publication and award of grant contracts with state agencies, local units of government, and other entities for programs that will benefit the safety of the public; and

(5) the establishment of a planning bureau within the department.

Subd. 3. **Delegation; classified employees.** (a) No delegation or assignment of a power or duty by the commissioner to an employee of the department shall be made in respect to, or in a manner resulting in a reenactment of, the powers, duties or responsibilities contained in section 299C.03, and acts amendatory thereof, except to the Division of the Bureau of Criminal Apprehension.

(b) Employees of the Department of Public Safety are in the classified civil service except where otherwise specifically provided for by law.

Subd. 4. [Repealed, 1976 c 5 s 12]

Subd. 5. [Renumbered 16B.875]

Subd. 6. [Repealed, 1997 c 239 art 8 s 36]

Subd. 7. **Rules remain in effect.** Notwithstanding sections 14.05, subdivision 1, and 645.36 or other law to the contrary, the rules adopted under the authority of Minnesota Statutes 1996, section 299A.01, subdivision 6, paragraph (a), remain in effect on and after July 1, 1997, until further amended or repealed.

Subd. 8. **Traffic safety report.** Annually by January 15, the commissioner of public safety must submit a traffic safety report to the governor and the chairs and ranking minority members of the legislative committees with jurisdiction over traffic safety and enforcement. In preparing the report, the commissioner must seek advice and comments from the Advisory Council on Traffic Safety under section 4.076. The report must analyze the safety of Minnesota's roads and transportation system, including but not limited to:

(1) injuries and fatalities that occur on or near a roadway or other transportation system facility;

(2) factors that caused crashes resulting in injuries and fatalities;

(3) roadway and system improvements broadly and at specific locations that could reduce injuries and fatalities;

(4) enforcement and education efforts that could reduce injuries and fatalities;

(5) other safety improvements or programs to improve the quality of the roadway and transportation use experience; and

(6) existing resources and resource gaps for roadway and transportation system safety improvements.

History: *1969 c 1129 art 1 s 1; 1976 c 5 s 1; 1977 c 305 s 35,36; 1981 c 356 s 248; 1982 c 424 s 130; 1983 c 289 s 115 subd 1; 1985 c 248 s 70; 1Sp1985 c 10 s 87; 1987 c 312 art 1 s 26 subd 2; 1993 c 163 art 1 s 29; 1995 c 248 art 11 s 21; 1998 c 366 s 68; 1999 c 238 art 2 s 69; 2000 c 445 art 1 s 1,2; 1Sp2001 c 8 art 2 s 65; 2009 c 83 art 3 s 16,17; 2023 c 68 art 4 s 80*

299A.012 ACCEPTANCE OF PRIVATE FUNDS; APPROPRIATION.

(a) The commissioner may accept donations, nonfederal grants, bequests, and other gifts of money to carry out the purposes of chapter 299A. The commissioner may not accept any contributions under this section unless the contributions can be applied to divisions and programs that are related to statutory duties of the department. Donations, nonfederal grants, bequests, or other gifts of money accepted by the commissioner must be deposited in an account in the special revenue fund and are appropriated to the commissioner for the purpose for which the money was given if the department is authorized to conduct that activity under this chapter.

(b) By January 15 of each year, the commissioner shall report to the chairs and ranking minority members of the senate and house of representatives committees with jurisdiction over public safety policy and finance on the money received under this section, the sources of the money, and the specific purposes for which it was used.

History: *2023 c 52 art 5 s 11*

299A.015 DUTIES TRANSFERRED FROM OTHER AGENCY.

The powers and duties of the Department of Children, Families, and Learning with respect to the Office of Drug Policy and Violence Prevention and Community Advisory Violence Prevention Council under Minnesota Statutes 1998, sections 119A.25, 119A.26, 119A.27, 119A.28, 119A.29, 119A.31, 119A.32, 119A.33, and 119A.34, are transferred to the Department of Public Safety under section 15.039.

History: *1999 c 216 art 2 s 12; 2003 c 130 s 12*

299A.017 STATE SAFETY OVERSIGHT.

Subdivision 1. **Office created.** The commissioner of public safety shall establish an Office of State Safety Oversight in the Department of Public Safety for safety oversight of rail fixed guideway public transportation systems within the state. The commissioner shall designate a director of the office.

Subd. 2. **Authority.** The director shall implement and has regulatory authority to enforce the requirements for the state set forth in United States Code, title 49, sections 5329 and 5330, federal regulations adopted pursuant to those sections, and successor or supplemental requirements.

History: *2014 c 312 art 11 s 30*

LIQUOR CONTROL

299A.02 LIQUOR CONTROL FUNCTIONS.

Subdivision 1. **Conflict of interest.** No employee of the Department of Public Safety or the Department of Revenue having any responsibility for the administration or enforcement of chapter 297G or 340A shall have a direct or indirect interest, except through ownership or investment in pension or mutual funds, in the manufacture, transportation or sale of intoxicating liquor or any malt or vinous beverages, intoxicating, nonintoxicating, or commercial or industrial alcohol. The commissioner of public safety or the commissioner of revenue may remove an employee in the unclassified civil service for any intentional violation of any provision of chapter 297G or 340A. Intentional violation of a provision of chapter 297G or 340A by a classified employee of one of the departments may be grounds for removal of that employee pursuant to section 43A.33.

Subd. 2. **General powers.** The commissioner shall administer and enforce the provisions of chapters 297G and 340A through the director of alcohol and gambling enforcement, except for those provisions thereof for which administration and enforcement are reserved to the commissioner of revenue.

Subd. 3. **Reports; rules.** The commissioner shall have power to require periodic factual reports from all licensed importers, manufacturers, wholesalers and retailers of intoxicating liquors and to make all reasonable rules to effect the object of chapters 297G and 340A. The rules shall include provisions for assuring the purity of intoxicating liquors and the true statement of its contents and proper labeling thereof with regard to all forms of sale. No rule may require the use of new containers in aging whiskey. No rule may require cordials or liqueurs to contain in excess of 2-1/2 percent by weight of sugar or dextrose or both.

Subd. 4. **Subpoena.** In all matters relating to official duties, the commissioner shall have the powers possessed by courts of law to issue subpoenas and cause them to be served and enforced. All public officials, and their respective deputies and employees, and all individuals, partnerships, firms, corporations, incorporated and unincorporated associations, and others who manufacture, transport, or sell intoxicating liquor, or are connected therewith in any manner, shall at all times attend and answer under oath the commissioner's lawful inquiries, produce and exhibit such books, accounts, documents, and property as the commissioner may desire to inspect, and in all things aid the commissioner in the performance of the commissioner's duties.

History: *1976 c 5 s 2; 1977 c 407 s 1; 1981 c 210 s 54; 1985 c 305 art 12 s 2; 1986 c 444; 1987 c 381 s 1; 1987 c 383 s 15; 1997 c 129 art 2 s 3-5; 2000 c 260 s 52*

299A.03 [Repealed, 1981 c 356 s 247]

299A.04 MS 1983 Supp [Renumbered 116J.405]

WHEELCHAIR SECUREMENT

299A.11 VEHICLE TRANSPORTING WHEELCHAIR USER; DEFINITIONS.

Subdivision 1. **Scope.** The following terms have the definitions given them for the purposes of sections 299A.11 to 299A.17.

Subd. 2. **Operator.** "Operator" means any person, firm, partnership, corporation, service club, public or private agency, city, town or county. Section 299A.15 does not apply to any school bus as defined in section 169.011, subdivision 71.

Subd. 3. **Transit vehicle.** "Transit vehicle" means a bus that is not a school bus as defined in section 169.011, subdivision 71, with a gross vehicle weight rating greater than 15,000 pounds.

Subd. 4. **Transportation service.** "Transportation service" means the transportation by motor vehicle, other than a school bus manufactured before January 1, 1988, of any sick, injured, invalid, incapacitated, or disabled individual while occupying a wheelchair, which transportation is offered or provided by any operator to the public or to its employees or in connection with any other service offered by the operator including schooling or nursing home, convalescent or child care services.

Subd. 5. **Wheelchair securement device.** "Wheelchair securement device" or "securement device" means an apparatus installed in a transit vehicle or other motor vehicle for the purpose of securing an occupied wheelchair into a location in the vehicle and preventing movement of that wheelchair while the vehicle is in motion.

History: *1978 c 752 s 1; 1987 c 383 s 16; 1991 c 163 s 1; 2005 c 56 s 1; 2020 c 83 art 1 s 78*

299A.12 WHEELCHAIR SECUREMENT DEVICE.

Subdivision 1. **General requirements.** Any vehicle used by an operator to provide transportation service must be equipped with wheelchair securement devices that meet the specifications of subdivisions 1 and 2. Only securement devices that meet the requirements of the Americans with Disabilities Act may be used. A wheelchair securement device must be installed and used according to the manufacturer's instructions and Code of Federal Regulations, title 49, section 38.23. Wheelchair securement devices installed in any vehicle must be maintained in working order and according to the manufacturer's recommendations.

Subd. 2. **Design requirements.** The design requirements for securement devices must meet the specifications in Code of Federal Regulations, title 49, section 38.23.

Subd. 3. **Maximum number of persons transported.** A vehicle used to provide transportation service must carry only as many persons seated in wheelchairs as the number of securement devices approved by the commissioner of public safety as meeting the specifications of subdivisions 1 and 2 with which the vehicle is equipped, and each occupied wheelchair must be secured by such a securement device before the vehicle is set in motion.

Subd. 4. MS 2018 [Repealed, 1Sp2019 c 3 art 3 s 140]

History: *1978 c 752 s 2; 1989 c 204 s 5; 1991 c 163 s 2,3; 1Sp2019 c 3 art 3 s 83-85*

299A.13 ADDITIONAL SAFETY REQUIREMENTS.

Subdivision 1. **Seat belt.** Any vehicle used to provide transportation service must be equipped with seat belts that are approved by the commissioner of public safety. The seat belts required by this subdivision must be adequate to secure the occupant of a wheelchair who is being transported by the vehicle. The seat belts must be used only to secure the person and must not be used to secure the wheelchair unless the wheelchair securement force is not cumulative to the seat belt. The seat belts must meet all other applicable state and federal requirements for safety.

Subd. 2. **Electric wheelchair.** When transportation service is provided to an individual in an electrically powered wheelchair, the main power switch of the wheelchair must be placed in the "off" position at all times while the vehicle is in motion.

Subd. 3. **Mobility aid accessibility.** (a) Vehicles equipped with wheelchair securement devices must provide a level-change mechanism or boarding device such as a lift or ramp that complies with Code of Federal Regulations, title 49, section 38.23.

(b) Wheelchair lifts must comply with the National Highway Traffic Safety Administration's Federal Motor Vehicle Safety Standards for public use lifts as outlined in Code of Federal Regulations, title 49, sections 571.403 and 571.404.

Subd. 4. **Driver's responsibility.** (a) The driver of a vehicle equipped with a wheelchair securement device has the duties outlined in this subdivision.

(b) The driver or a person designated by the driver must ensure that an occupied wheelchair is properly secured before the driver sets the vehicle in motion.

(c) The driver or a person designated by the driver must ensure that the seat belt assembly is properly adjusted and fastened around the wheelchair user in a manner consistent with the manufacturer's recommendations before the driver sets the vehicle in motion when:

(1) requested by the wheelchair user;

(2) the wheelchair user is unable to communicate;

(3) seat belt usage is required of all passengers in the vehicle; or

(4) the vehicle is a school bus.

The seat belt assembly must not be fastened if the wheelchair user or other responsible person advises the driver that to do so would aggravate a physical condition of the wheelchair user. If a restraint device is

available that would not aggravate the physical condition of the user, it must be fastened in the required manner.

(d) The driver or a person designated by the driver shall ensure that securement devices and seat belt assemblies are retracted, removed, or otherwise stored when not in use to prevent tripping of persons and damage to devices.

History: *1978 c 752 s 3; 1989 c 204 s 6; 1Sp2019 c 3 art 3 s 86*

299A.14 VEHICLE INSPECTION.

Subdivision 1. **Inspection certificate required.** No person shall drive and no operator shall knowingly permit or cause a vehicle to be used for transportation service unless there is displayed thereon a certificate issued upon inspection by the commissioner of public safety as provided in this section.

Subd. 2. **Wheelchair securement device.** Inspection shall be made by personnel in the department of public safety assigned to the State Patrol. An operator of transportation services shall submit a vehicle for inspection after the installation of a wheelchair securement device in the vehicle and before using the vehicle for transportation service, but not later than one month after the date of installation. Evidence of the date of installation shall be provided by the operator at the inspection.

Subd. 3. **Standards.** The inspection shall be made to determine that (1) the vehicle complies with the provisions of sections 299A.12 and 299A.13, and (2) the securement device and level-change mechanism or boarding device, such as a lift or ramp, are in working order and not in need of obvious repair. The inspection may include testing the use of a securement device while the vehicle is in motion.

Subd. 4. **Certificate display and contents.** A certificate furnished by the commissioner shall be issued upon completion of inspection if the vehicle complies with the requirements set forth in subdivision 3. The certificate shall be affixed to the lower left corner of the windshield. It shall note compliance with this section, record the number of wheelchairs which may be simultaneously carried in the vehicle, and note the month and year in which the next inspection is required.

Subd. 5. **When inspections required.** Subsequent inspections shall be made annually. If additional securement devices are installed in a vehicle already equipped with a securement device, inspection is required as specified in subdivision 2.

History: *1978 c 752 s 4; 1981 c 37 s 2; 1991 c 163 s 4; 1Sp2019 c 3 art 3 s 87*

299A.15 AID AND LICENSE WITHHELD.

No agency of the state, political subdivision or other public agency shall grant or approve any financial assistance to any operator for the purchase or operation of any vehicle used for transportation service or grant any permit or license otherwise required by law for operation of that service unless the operator of the transportation service complies with the provisions of sections 299A.11 to 299A.14.

History: *1978 c 752 s 5*

299A.16 EVIDENCE.

Proof of the installation or failure to install wheelchair securement devices, or proof of faulty installation of wheelchair securement devices, or proof of the maintenance or failure to properly maintain wheelchair securement devices, or proof of the use or failure to use wheelchair securement devices is admissible in evidence in any litigation involving personal injuries or property damage arising out of the use or operation

of a vehicle providing transportation service. For the purposes of this section "wheelchair securement device" means such a device approved by the commissioner of public safety.

History: *1978 c 752 s 6*

299A.17 MISDEMEANOR.

For each failure to comply with any requirement of section 299A.12, 299A.13 or 299A.14 an operator is guilty of a misdemeanor.

History: *1978 c 752 s 7*

299A.18 MS 2018 [Repealed, 1Sp2019 c 3 art 3 s 140]

299A.20 [Renumbered 257.80]

299A.21 [Renumbered 257.801]

299A.22 [Renumbered 257.802]

299A.23 [Renumbered 257.803]

299A.24 [Renumbered 257.804]

299A.25 [Renumbered 257.805]

299A.26 [Renumbered 257.806]

299A.27 [Renumbered 257.807]

299A.28 [Repealed, 2013 c 82 s 41]

DRUG POLICY AND VIOLENCE PREVENTION

299A.29 Subdivision 1. [Renumbered 119A.25, subdivision 1]

Subd. 1a. [Renumbered 119A.25, subd 2]

Subd. 2. [Repealed, 1991 c 279 s 41]

Subd. 3. [Renumbered 119A.25, subd 3]

Subd. 4. [Repealed, 1991 c 279 s 41]

Subd. 4a. [Renumbered 119A.25, subd 4]

Subd. 5. [Renumbered 119A.25, subd 5]

299A.291 DEFINITIONS.

Subdivision 1. **Applicability.** For purposes of sections 299A.291 to 299A.298, the following terms have the meanings given them in this section.

Subd. 2. **Chemical abuse.** "Chemical abuse" means the use of a controlled substance or the abuse of alcoholic beverages.

Subd. 3. **Controlled substance.** "Controlled substance" has the meaning given in section 152.01, subdivision 4.

Subd. 4. **Prevention activity.** "Prevention activity" means an activity carried on by a government agency that is designed to reduce chemical abuse and substance use disorder, including education, prevention, treatment, and rehabilitation programs.

Subd. 5. **Supply reduction activity.** "Supply reduction activity" means an activity carried on by a government agency that is designed to reduce the supply or use of controlled substances, including law enforcement, eradication, and prosecutorial activities.

History: *1989 c 290 art 9 s 1; 1989 c 356 s 56; 1991 c 279 s 10-13; 1999 c 216 art 2 s 28; 1999 c 241 art 10 s 8; 2022 c 98 art 4 s 51*

299A.292 OFFICE OF DRUG POLICY AND VIOLENCE PREVENTION.

Subdivision 1. **Office.** The Office of Drug Policy and Violence Prevention is an office in the Department of Public Safety, headed by the commissioner. The commissioner may appoint other employees. The commissioner shall coordinate the violence prevention activities and the prevention and supply reduction activities of state and local agencies and use the resources of the office to conduct activities related to crime prevention and enforcement as deemed necessary.

Subd. 2. **Duties.** (a) The commissioner shall:

(1) gather, develop, and make available throughout the state information and educational materials on preventing and reducing violence in the family and in the community, both directly and by serving as a clearinghouse for information and educational materials from schools, state and local agencies, community service providers, and local organizations;

(2) foster collaboration among schools, state and local agencies, community service providers, and local organizations that assist in violence intervention or prevention;

(3) assist schools, state and local agencies, service providers, and organizations, on request, with training and other programs designed to educate individuals about violence and reinforce values that contribute to ending violence;

(4) after consulting with all state agencies involved in preventing or reducing violence within the family or community, develop a statewide strategy for preventing and reducing violence that encompasses the efforts of those agencies and takes into account all money available for preventing or reducing violence from any source;

(5) submit the strategy to the governor by January 15 of each calendar year, along with a summary of activities occurring during the previous year to prevent or reduce violence experienced by children, young people, and their families;

(6) assist appropriate professional and occupational organizations, including organizations of law enforcement officers, prosecutors, and educators, in developing and operating informational and training programs to improve the effectiveness of activities to prevent or reduce violence within the family or community; and

(7) take other actions deemed necessary to reduce the incidence of crime.

The commissioner also may, through this program, support activities and strategies of the Violent Crime Coordinating Council as specified in section 299A.642.

(b) The commissioner shall gather and make available information on prevention and supply reduction activities throughout the state, foster cooperation among involved state and local agencies, and assist agencies and public officials in training and other programs designed to improve the effectiveness of prevention and supply reduction activities.

(c) The commissioner shall coordinate the distribution of funds received by the state of Minnesota through the federal Anti-Drug Abuse Act. The commissioner shall determine recipients of grants under section 299A.33, after consultation with the Chemical Abuse Prevention Resource Council.

(d) The commissioner shall:

(1) after consultation with all state agencies involved in prevention or supply reduction activities, develop a state chemical abuse and substance use disorder strategy encompassing the efforts of those agencies and taking into account all money available for prevention and supply reduction activities, from any source;

(2) submit the strategy to the governor by January 15 of each year, along with a summary of prevention and supply reduction activities during the preceding calendar year;

(3) assist appropriate professional and occupational organizations, including organizations of law enforcement officers, prosecutors, and educators, in developing and operating informational and training programs to improve the effectiveness of prevention and supply reduction activities;

(4) provide information, including information on drug trends, and assistance to state and local agencies, both directly and by functioning as a clearinghouse for information from other agencies;

(5) facilitate cooperation among drug program agencies; and

(6) in coordination with the Chemical Abuse Prevention Resource Council, review, approve, and coordinate the administration of prevention, criminal justice, and treatment grants.

History: *1989 c 290 art 9 s 2; 1991 c 328 art 2 s 14; 1991 c 279 s 14; 1991 c 345 art 2 s 51; 1992 c 571 art 10 s 20; 1Sp1995 c 3 art 16 s 13; 1997 c 7 art 2 s 10; 1999 c 86 art 1 s 28; 1999 c 216 art 2 s 1,28; 1999 c 241 art 10 s 8; 2006 c 212 art 1 s 15; 2010 c 383 s 7; 2022 c 98 art 4 s 51*

299A.293 [Repealed, 2007 c 133 art 2 s 13]

299A.294 RESPONSIBILITIES OF COUNCIL.

Subdivision 1. **Purpose of council.** The general purpose of the council is to serve as an advisory body to the governor and the legislature on all aspects of alcohol and drug abuse.

Subd. 2. **Specific duties and responsibilities.** In furtherance of the general purpose specified in subdivision 1, the council shall:

(1) assist state agencies in the coordination of drug policies and programs and in the provision of services to other units of government, communities, and citizens;

(2) promote among state agencies policies to achieve uniformity in state and federal grant programs and to streamline those programs;

(3) oversee comprehensive data collection and research and evaluation of alcohol and drug program activities;

(4) seek the advice and counsel of appropriate interest groups and advise the commissioner of public safety;

(5) seek additional private funding for community-based programs and research and evaluation;

(6) evaluate whether law enforcement narcotics task forces should be reduced in number and increased in geographic size, and whether new sources of funding are available for the task forces;

(7) continue to promote clarity of roles among federal, state, and local law enforcement activities; and

(8) establish criteria to evaluate law enforcement drug programs.

Subd. 3. **Grant programs.** The council shall, in coordination with the commissioner, review and approve state agency plans regarding the use of federal funds for programs to reduce chemical abuse or reduce the supply of controlled substances. The appropriate state agencies would have responsibility for management of state and federal drug grant programs.

History: *1989 c 290 art 9 s 4; 1991 c 279 s 16; 1992 c 571 art 10 s 22,23; 1994 c 636 art 9 s 3; 1999 c 216 art 2 s 2,3,28; 1999 c 241 art 10 s 8*

299A.295 YOUTH NEIGHBORHOOD CENTERS; PILOT PROJECTS.

Subdivision 1. **Establishment; requirements.** The commissioner of public safety may establish pilot projects at neighborhood centers serving youths between the ages of 11 to 21. The centers may offer recreational activities, social services, meals, job skills and career services, and provide referrals for youths to other available services outside the centers. The commissioner may consult with other appropriate agencies and, to the extent possible, use existing resources and staff in creating the programs. The commissioner shall ensure that the programs, if offered, are adequately staffed by specially trained personnel and outreach street workers. Each center may integrate community volunteers into the program's activities and services and cooperate with local law enforcement agencies. The centers must be open during hours convenient to youths including evenings, weekends, and extended summer hours. However, there may not be any conflicts with truancy laws. Each center must have a plan for evaluation designed to measure the program's effectiveness in aiding youths.

Subd. 2. [Repealed, 2001 c 161 s 58]

History: *1995 c 226 art 3 s 44; 1Sp1995 c 3 art 16 s 13; 1996 c 408 art 2 s 4; 1999 c 216 art 2 s 4,28; 1999 c 241 art 10 s 8*

299A.296 COMMUNITY CRIME INTERVENTION AND PREVENTION PROGRAMS; GRANTS.

Subdivision 1. **Programs.** The commissioner shall administer a grant program to fund community-based programs that operate crime or violence prevention and intervention programs that provide direct services to community members. Programs must be culturally competent and identify specific outcomes that can be tracked and measured to demonstrate the impact the program has on community crime and violence. Examples of qualifying programs include, but are not limited to, the following:

(1) community-based programs designed to provide services for children and youth who are juvenile offenders. The programs must give priority to:

(i) juvenile restitution;

(ii) prearrest or pretrial diversion, including through mediation;

(iii) probation innovation;

(iv) teen courts, community service; or

(v) post-incarceration alternatives to assist youth in returning to their communities;

(2) community-based programs designed to provide at-risk children and youth with after-school and summer enrichment activities;

(3) community-based programs designed to discourage young people from involvement in unlawful drug or street gang activities, such as neighborhood youth centers;

(4) neighborhood block clubs and innovative community-based crime prevention programs;

(5) community- and school-based programs designed to enrich the educational, cultural, or recreational opportunities of at-risk children and youth, including programs designed to keep at-risk youth from dropping out of school and encourage school dropouts to return to school;

(6) community-based programs designed to intervene with juvenile offenders who are identified as likely to engage in repeated criminal activity in the future unless intervention is undertaken;

(7) community-based collaboratives that coordinate multiple programs and funding sources to address the needs of at-risk children and youth, including, but not limited to, collaboratives that address the continuum of services for juvenile offenders and those who are at risk of becoming juvenile offenders;

(8) programs that are proven successful at increasing the rate of school success or the rate of postsecondary education attendance for high-risk students;

(9) homeless assistance programs;

(10) programs designed to reduce truancy;

(11) other community- and school-based crime prevention programs that are innovative and encourage substantial involvement by members of the community served by the program;

(12) community-based programs that attempt to prevent and educate on the risks of sex trafficking, ameliorate the effects of sex trafficking, or both;

(13) programs for mentoring at-risk youth, including youth at risk of gang involvement;

(14) programs operated by community violence prevention councils;

(15) programs that intervene in volatile situations to mediate disputes before they become violent; and

(16) programs that provide services to individuals and families harmed by gun violence.

Subd. 2. **Grant procedure.** (a) A local unit of government or a nonprofit community-based entity may apply for a grant by submitting an application with the commissioner. The applicant shall specify the following in its application:

(1) a description of each program for which funding is sought;

(2) specific outcomes and performance indicators for the program;

(3) a description of the planning process that identifies local community needs, surveys existing programs, provides for coordination with existing programs, and involves all affected sectors of the community;

(4) the geographical area to be served by the program; and

(5) crime data or other statistical information to demonstrate the need for the proposed services.

(b) The commissioner shall give priority to funding community-based collaboratives, programs that demonstrate involvement by members of the community served by the program, programs that have local government or law enforcement support, community intervention and prevention programs that are reducing disparities in the communities they serve, and programs that serve communities disproportionately impacted by violent crime.

[See Note.]

History: *1989 c 290 art 9 s 7; 1990 c 499 s 4; 1991 c 279 s 18; 1993 c 326 art 12 s 4,5; art 13 s 18; 1994 c 576 s 38,39; 1994 c 636 art 6 s 22; art 9 s 5; 1995 c 226 art 4 s 4; 1996 c 408 art 2 s 5; 1997 c 2 s 5; 1997 c 162 art 2 s 10; 1999 c 216 art 2 s 28; 1999 c 241 art 10 s 8; 2014 c 180 s 9; 2023 c 52 art 5 s 12; art 20 s 12*

NOTE: Subdivision 2 was also amended by Laws 2023, chapter 52, article 20, section 12, to read as follows:

"Subd. 2. **Grant procedure.** (a) A local unit of government or a nonprofit community-based entity may apply for a grant by submitting an application with the commissioner. The applicant shall specify the following in its application:

(1) a description of each program for which funding is sought;

(2) outcomes and performance indicators for the program;

(3) a description of the planning process that identifies local community needs, surveys existing programs, provides for coordination with existing programs, and involves all affected sectors of the community;

(4) the geographical area to be served by the program;

(5) statistical information as to the number of arrests in the geographical area for violent crimes and for crimes involving Schedule I and II controlled substances. "Violent crime" includes a violation of or an attempt or conspiracy to violate any of the following laws: sections 609.185; 609.19; 609.195; 609.20; 609.205; 609.2112; 609.2113; 609.2114; 609.221; 609.222; 609.223; 609.228; 609.235; 609.24; 609.245; 609.247; 609.25; 609.255; 609.2661; 609.2662; 609.2663; 609.2664; 609.2665; 609.267; 609.2671; 609.268; 609.342; 609.343; 609.344; 609.345; 609.498, subdivision 1; 609.561; 609.562; 609.582, subdivision 1; 609.687; or any provision of chapter 152 that is punishable by a maximum sentence greater than ten years; or Minnesota Statutes 2012, section 609.21; and

(6) the number of economically disadvantaged youth in the geographical areas to be served by the program.

(b) The commissioner shall give priority to funding community-based collaboratives, programs that demonstrate substantial involvement by members of the community served by the program and programs that either serve the geographical areas that have the highest crime rates, as measured by the data supplied

under paragraph (a), clause (5), or serve geographical areas that have the largest concentrations of economically disadvantaged youth. Up to 2.5 percent of the appropriation may be used by the commissioner to administer the program."

299A.297 OTHER DUTIES.

The commissioner of public safety, in consultation with the Chemical Abuse and Violence Prevention Council, shall:

(1) provide information and assistance upon request to school preassessment teams established under section 121A.26;

(2) provide information and assistance upon request to the State Board of Pharmacy with respect to the board's enforcement of chapter 152;

(3) cooperate with and provide information and assistance upon request to the Alcohol and Other Drug Abuse Section in the Department of Human Services;

(4) coordinate the policy of the office with that of the Narcotic Enforcement Unit in the Bureau of Criminal Apprehension; and

(5) coordinate the activities of the regional drug task forces, provide assistance and information to them upon request, and assist in the formation of task forces in areas of the state in which no task force operates.

History: *1989 c 290 art 9 s 8; 1989 c 356 s 57; 1991 c 279 s 19; 1992 c 571 art 10 s 25; 1994 c 636 art 9 s 6; 1998 c 397 art 11 s 3; 1999 c 216 art 2 s 6,28; 1999 c 241 art 10 s 8; 2009 c 96 art 6 s 9*

299A.298 COOPERATION OF OTHER AGENCIES.

State agencies, and agencies and governing bodies of political subdivisions, shall cooperate with the commissioner of public safety and shall provide any public information requested by the commissioner.

History: *1989 c 290 art 9 s 9; 1999 c 216 art 2 s 7,28; 1999 c 241 art 10 s 8*

299A.299 MULTIDISCIPLINARY CHEMICAL ABUSE PREVENTION TEAM.

Subdivision 1. **Establishment of team.** A county, a multicounty organization of counties formed by an agreement under section 471.59, or a city with a population of no more than 50,000, may establish a multidisciplinary chemical abuse prevention team. The chemical abuse prevention team may include, but not be limited to, representatives of health, mental health, public health, law enforcement, educational, social service, court service, community education, religious, and other appropriate agencies, and parent and youth groups. For purposes of this section, "chemical abuse" has the meaning given in section 254A.02, subdivision 6a. When possible the team must coordinate its activities with existing local groups, organizations, and teams dealing with the same issues the team is addressing.

Subd. 2. **Duties of team.** (a) A multidisciplinary chemical abuse prevention team shall:

(1) assist in coordinating chemical abuse prevention and treatment services provided by various groups, organizations, and agencies in the community;

(2) disseminate information on the chemical abuse prevention and treatment services that are available within the community in which the team is established;

(3) develop and conduct educational programs on chemical abuse prevention for adults and youth within the community in which the team is established;

(4) conduct activities to address other high-risk behaviors related to chemical abuse, including, but not limited to, suicide, delinquency, and family violence; and

(5) conduct other appropriate chemical abuse prevention activities.

(b) The team, in carrying out its duties under this subdivision, must focus on chemical abuse issues and needs unique to the community in which the team is established. In defining the needs and goals of the team, the team shall consult with the governmental body of the city or county in which the team is established. When a team is established in a multicounty area, the team shall consult with representatives of the county boards of each county.

(c) The team, in carrying out its duties, shall comply with the Government Data Practices Act in chapter 13, and requirements for confidentiality of records under Code of Federal Regulations, title 42, sections 2.1 to 2.67, as amended through December 31, 1988, and section 254A.09.

Subd. 3. **Grants for demonstration program.** The commissioner of public safety may award a grant to a county, multicounty organization, or city, as described in subdivision 1, for establishing and operating a multidisciplinary chemical abuse prevention team. The commissioner may approve up to five applications for grants under this subdivision. The grant funds must be used to establish a multidisciplinary chemical abuse prevention team to carry out the duties in subdivision 2.

Subd. 4. **Administration of grants.** The commissioner shall develop a process for administering grants under subdivision 3. The process must be compatible with the community grant program under the Drug Free Schools and Communities Act, Public Law 100-690. The process for administering the grants must include establishing criteria the commissioner shall apply in awarding grants. The commissioner shall issue requests for proposals for grants under subdivision 3. The request must be designed to obtain detailed information about the applicant and other information the commissioner considers necessary to evaluate and select a grant recipient. The applicant shall submit a proposal for a grant on a form and in a manner prescribed by the commissioner. The commissioner shall award grants under this section so that 50 percent of the funds appropriated for the grants go to the metropolitan area comprised of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington Counties, and 50 percent of the funds go to the area outside the metropolitan area. The process for administering the grants must also include procedures for monitoring the recipients' use of grant funds and reporting requirements for grant recipients.

History: *1989 c 290 art 12 s 1; 1991 c 345 art 2 s 53; 1999 c 216 art 2 s 8,9,28; 1999 c 241 art 10 s 8; 2023 c 50 art 2 s 61*

299A.2994 ASIAN-AMERICAN JUVENILE CRIME PREVENTION.

Subdivision 1. **Grant program.** The commissioner of public safety shall establish a grant program for coordinated, family-based crime intervention and prevention services for Asian-American youth. The commissioners of human services, education, and public safety shall work together to coordinate grant activities.

Subd. 2. **Grant recipients.** The commissioner, in consultation with the Asian-Pacific Council, shall award grants in amounts up to $150,000 to agencies based in the Asian-American community that have experience providing coordinated, family-based community services to Asian-American youth and families.

Subd. 3. **Project design.** Projects eligible for grants under this section must provide coordinated crime intervention, prevention, and educational services that include:

(1) education for Asian-American parents, including parenting methods in the United States and information about the United States legal and educational systems;

(2) crime intervention and prevention programs for Asian-American youth, including employment and career-related programs and guidance and counseling services;

(3) family-based services, including support networks, language classes, programs to promote parent-child communication, access to education and career resources, and conferences for Asian-American children and parents;

(4) coordination with public and private agencies to improve communication between the Asian-American community and the community at large; and

(5) hiring staff to implement the services in clauses (1) to (4).

Subd. 4. **Use of grant money to match federal funds.** Grant money awarded under this section may be used to satisfy any state or local match requirement that must be satisfied in order to receive federal funds.

Subd. 5. **Annual report.** Grant recipients must report to the commissioner by June 30 of each year on the services and programs provided, expenditures of grant money, and an evaluation of the program's success in reducing crime among Asian-American youth.

History: *1992 c 571 art 10 s 16; 1993 c 326 art 12 s 3; 1Sp1995 c 3 art 16 s 13; 1999 c 216 art 2 s 10,11,28; 2003 c 130 s 12*

299A.30 [Renumbered 119A.26]

299A.31 [Renumbered 119A.27]

299A.32 [Renumbered 119A.28]

299A.325 [Repealed, 1993 c 326 art 12 s 19]

299A.326 [Renumbered 119A.29]

299A.33 DRUG ABUSE RESISTANCE EDUCATION (DARE) PROGRAM.

Subdivision 1. **Program.** The drug abuse resistance education program assists law enforcement agencies or school districts by providing grants to enable peace officers to undergo the training described in subdivision 3. Grants may be used to cover the cost of the training as well as reimbursement for actual, reasonable travel and living expenses incurred in connection with the training. The commissioner shall administer the program, shall promote it throughout the state, and is authorized to receive money from public and private sources for use in carrying it out. For purposes of this section, "law enforcement agency" means a police department or sheriff's office.

Subd. 2. **Grant.** A law enforcement agency or a school district may apply to the commissioner for a grant under subdivision 1.

Subd. 3. **Training program.** The Bureau of Criminal Apprehension shall develop a program to train peace officers to teach a curriculum on drug abuse resistance in schools. The training program must be approved by the commissioner.

Subd. 4. **Availability of peace officer training.** The training described in subdivision 3 is available on a voluntary basis to local law enforcement agencies and school districts.

Subd. 5. **Coordination of activities.** If the commissioner receives grant requests from more than one applicant for programs to be conducted in a single school district, the commissioner shall require the applicants to submit a plan for coordination of their training and programs.

Subd. 6. **Report.** The commissioner may require grant recipients to account to the director at reasonable time intervals regarding the use of the grants and the training and programs provided.

History: *1989 c 290 art 9 s 5*

299A.331 [Repealed, 2007 c 133 art 2 s 13]

299A.34 [Renumbered 119A.30]

299A.35 [Renumbered 119A.31]

299A.36 [Renumbered 119A.32]

299A.37 [Renumbered 119A.33]

SOFT BODY ARMOR REIMBURSEMENT

299A.38 SOFT BODY ARMOR REIMBURSEMENT.

Subdivision 1. **Definitions.** As used in this section:

(1) "commissioner" means the commissioner of public safety;

(2) "firefighter" means a volunteer, paid on-call, part-time, or career firefighter serving a general population within the boundaries of the state;

(3) "peace officer" means a person who is licensed under section 626.84, subdivision 1, paragraph (c);

(4) "public safety officer" means a peace officer, firefighter, or qualified emergency medical service provider;

(5) "qualified emergency medical service provider" means a person certified under section 144E.28 who is actively employed by a Minnesota licensed ambulance service; and

(6) "vest" means bullet-resistant soft body armor that is flexible, concealable, and custom fitted to the public safety officer to provide ballistic and trauma protection.

Subd. 2. **State and local reimbursement.** Public safety officers and heads of agencies and entities who buy vests for the use of public safety officer employees may apply to the commissioner for reimbursement of funds spent to buy vests. On approving an application for reimbursement, the commissioner shall pay the applicant an amount equal to the lesser of one-half of the vest's purchase price or $600, as adjusted according to subdivision 2a. The agency or entity that employs the public safety officer shall pay at least the lesser of one-half of the vest's purchase price or $600, as adjusted according to subdivision 2a. The employer may not deduct or pay its share of the vest's cost from any clothing, maintenance, or similar allowance otherwise provided to the public safety officer by the employer.

Subd. 2a. **Adjustment of reimbursement amount.** On October 1, 2006, the commissioner of public safety shall adjust the $600 reimbursement amounts specified in subdivision 2, and in each subsequent year, on October 1, the commissioner shall adjust the reimbursement amount applicable immediately preceding that October 1 date. The adjusted rate must reflect the annual percentage change in the Consumer Price Index for all urban consumers, published by the federal Bureau of Labor Statistics, occurring in the one-year period ending on the preceding June 1.

Subd. 3. **Eligibility requirements.** (a) Only vests that either meet or exceed the requirements of standard 0101.03 of the National Institute of Justice or that meet or exceed the requirements of that standard, except wet armor conditioning, are eligible for reimbursement.

(b) Eligibility for reimbursement is limited to vests bought after December 31, 1986, by or for public safety officers (1) who did not own a vest meeting the requirements of paragraph (a) before the purchase, or (2) who owned a vest that was at least five years old.

(c) The requirement set forth in paragraph (b), clauses (1) and (2), shall not apply to any public safety officer who purchases a vest constructed from a zylon-based material, provided that the public safety officer provides proof of purchase or possession of the vest prior to July 1, 2005.

Subd. 4. **Rules.** The commissioner may adopt rules under chapter 14 to administer this section.

Subd. 5. **Limitation of liability.** A state agency, political subdivision of the state, state or local government employee, or other entity that provides reimbursement for purchase of a vest under this section is not liable to a public safety officer or the public safety officer's heirs for negligence in the death of or injury to the public safety officer because the vest was defective or deficient.

Subd. 6. **Right to benefits unaffected.** A public safety officer who is reimbursed for the purchase of a vest under this section and who suffers injury or death because the officer failed to wear the vest, or because the officer wore a vest that was defective or deficient, may not lose or be denied a benefit or right, including a benefit under section 299A.44, to which the officer, or the officer's heirs, is otherwise entitled.

History: *1989 c 290 art 9 s 10; 1991 c 8 s 1; 1991 c 199 art 2 s 1; 1994 c 636 art 4 s 16; 1995 c 226 art 2 s 3; 1995 c 265 art 2 s 25; 1997 c 159 art 2 s 40,41; 2005 c 136 art 11 s 1-3; 2023 c 52 art 5 s 13*

299A.40 [Renumbered 119A.34]

PUBLIC SAFETY OFFICER AND SURVIVOR BENEFITS

299A.41 DEFINITIONS.

Subdivision 1. **Scope.** The definitions used in this section apply to sections 299A.41 to 299A.46.

Subd. 2. **Dependent child.** A "dependent child" means a person who is unmarried and who was either living with or was receiving support contributions from the public safety officer at the time of death, including a child by birth, a stepchild, an adopted child, or a posthumous child, and who is:

(1) under 18 years of age;

(2) over 18 years of age and incapable of self-support because of physical or mental disability; or

(3) over 18 years of age and a student as defined by United States Code, title 5, section 8101.

Subd. 3. **Killed in the line of duty.** (a) "Killed in the line of duty" does not include deaths from natural causes, except as provided in this subdivision. In the case of a public safety officer, killed in the line of duty includes the death of a public safety officer caused by accidental means while the public safety officer is acting in the course and scope of duties as a public safety officer. Killed in the line of duty also means if a public safety officer dies as the direct and proximate result of a heart attack, stroke, or vascular rupture, that officer shall be presumed to have died as the direct and proximate result of a personal injury sustained in the line of duty if:

(1) that officer, while on duty:

(i) engaged in a situation, and that engagement involved nonroutine stressful or strenuous physical law enforcement, fire suppression, rescue, hazardous material response, emergency medical services, prison security, disaster relief, or other emergency response activity; or

(ii) participated in a training exercise, and that participation involved nonroutine stressful or strenuous physical activity;

(2) that officer died as a result of a heart attack, stroke, or vascular rupture suffered:

(i) while engaging or participating under clause (1);

(ii) while still on duty after engaging or participating under clause (1); or

(iii) not later than 24 hours after engaging or participating under clause (1); and

(3) the presumption is not overcome by competent medical evidence to the contrary.

(b) "Killed in the line of duty" also means that the officer died due to suicide:

(1) secondary to a diagnosis of posttraumatic stress disorder as described in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders published by the American Psychiatric Association; or

(2) within 45 days of the end of exposure, while on duty, to a traumatic event.

Subd. 4. **Public safety officer.** "Public safety officer" includes:

(1) a peace officer defined in section 626.84, subdivision 1, paragraph (c) or (d);

(2) a correction officer employed at a correctional facility and charged with maintaining the safety, security, discipline, and custody of inmates at the facility;

(3) a corrections staff person working in a public agency and supervising offenders in the community as defined in sections 243.05, subdivision 6; 244.19, subdivision 1; and 401.01, subdivision 2;

(4) an individual employed on a full-time basis by the state or by a fire department of a governmental subdivision of the state, who is engaged in any of the following duties:

(i) firefighting;

(ii) emergency motor vehicle operation;

(iii) investigation into the cause and origin of fires;

(iv) the provision of emergency medical services; or

(v) hazardous material responder;

(5) a legally enrolled member of a volunteer fire department or member of an independent nonprofit firefighting corporation who is engaged in the hazards of firefighting;

(6) a good samaritan while complying with the request or direction of a public safety officer to assist the officer;

(7) a reserve police officer or a reserve deputy sheriff while acting under the supervision and authority of a political subdivision;

(8) a driver or attendant with a licensed basic or advanced life-support transportation service who is engaged in providing emergency care;

(9) a first responder who is certified by the director of the Office of Emergency Medical Services to perform basic emergency skills before the arrival of a licensed ambulance service and who is a member of an organized service recognized by a local political subdivision to respond to medical emergencies to provide initial medical care before the arrival of an ambulance; and

(10) a person, other than a state trooper, employed by the commissioner of public safety and assigned to the State Patrol, whose primary employment duty is either Capitol security or the enforcement of commercial motor vehicle laws and regulations.

Subd. 5. **Spouse.** "Spouse" means a person legally married to the decedent at the time of the decedent's death.

Subd. 6. **Traumatic event.** "Traumatic event" means:

(1) a homicide, suicide, or the violent or gruesome death of another individual, including but not limited to a death resulting from a mass casualty event, mass fatality event, or mass shooting;

(2) a harrowing circumstance posing an extraordinary and significant danger or threat to the life of or of serious bodily harm to any individual, including but not limited to a death resulting from a mass casualty event, mass fatality event, or mass shooting; or

(3) an act of criminal sexual violence committed against any individual.

History: *1990 c 591 art 5 s 1; 1991 c 199 art 1 s 66; 1992 c 523 s 1,2; 1992 c 553 s 1; 1Sp2001 c 8 art 2 s 66; 2005 c 10 art 2 s 4; 2016 c 189 art 14 s 3,4; 2023 c 52 art 5 s 14,15; art 11 s 26; 2024 c 122 art 1 s 24; 2024 c 127 art 63 s 22*

299A.411 MS 2010 [Renumbered 299A.475]

299A.42 PUBLIC SAFETY OFFICER'S BENEFIT ACCOUNT.

Subdivision 1. **Public safety officer's benefit account.** The public safety officer's benefit account is created in the state treasury. Money in the account consists of money transferred and appropriated to that account. Money in the account that is not expended in the fiscal year in which it is transferred or appropriated does not revert to the general fund until claims for reimbursement under section 299A.465 that are submitted in that fiscal year are either paid or denied.

Subd. 2. **Annual report.** The commissioner of public safety must annually report, no later than 30 days after the end of each fiscal year, to the chairs and ranking minority members of the legislative committees with jurisdiction over public safety and pensions regarding the financial status of the public safety officer's

benefit account; the reimbursements paid by the commissioner during the preceding fiscal year under sections 299A.465, 352B.102, and 353.032; and payments, if any, made during the preceding fiscal year under sections 352B.103 and 353.033. If the commissioner anticipates, based on historical averages, that the public safety officer's benefit account will not have enough money to fund all reimbursements the commissioner reasonably anticipates will be requested under sections 299A.465, 352B.102, and 353.032 and payments for which invoices will be received under sections 352B.103 and 353.033 for the current and next fiscal year, the commissioner must include in the report the amounts the commissioner believes are necessary to fund the anticipated reimbursements and payments.

History: *1990 c 591 art 5 s 2; 1Sp2003 c 2 art 4 s 2; 2023 c 48 s 1*

299A.43 ELIGIBILITY DETERMINATION; CONTESTED CASE.

A challenge to a determination of eligibility by the commissioner of public safety must be heard as a contested case, except that the decision of the administrative law judge is binding on the parties to the proceeding. The order of the administrative law judge is the final decision of the commissioner. The hearing must be conducted according to sections 14.56 to 14.62 and is subject to appeal according to sections 14.63 to 14.68.

History: *1990 c 591 art 5 s 3*

299A.44 DEATH BENEFIT.

Subdivision 1. **Payment required.** (a) On certification to the governor by the commissioner of public safety that a public safety officer employed within this state has been killed in the line of duty, the commissioner of management and budget shall pay $100,000 from the public safety officer's benefit account, as follows:

(1) if there is no dependent child, to the spouse;

(2) if there is no spouse, to the dependent child or children in equal shares;

(3) if there are both a spouse and one or more dependent children, one-half to the spouse and one-half to the child or children, in equal shares;

(4) if there is no surviving spouse or dependent child or children, to the parent or parents dependent for support on the decedent, in equal shares; or

(5) if there is no surviving spouse, dependent child, or dependent parent, to the public safety officer's estate.

(b) If there are both a spouse and one or more dependent children under age 18, the spouse, at the spouse's discretion, may spend a maximum of one-third of a child's share on medical or dental treatment for the child or the child's education. Expenditures under this paragraph on behalf of a child do not diminish the shares of any other children. In addition, a spouse, at the spouse's discretion, may expend money from a child's share to pay state and federal taxes on any interest accrued on the share.

Subd. 2. **Adjustment of benefit.** On October 1 of each year beginning after July 1, 1995, the commissioner of public safety shall adjust the level of the benefit payable immediately before October 1 under subdivision 1, to reflect the annual percentage change in the Consumer Price Index for all urban

consumers, published by the federal Bureau of Labor Statistics, occurring in the one-year period ending on June 1 immediately preceding such October 1.

History: *1990 c 591 art 5 s 4; 1995 c 133 s 1; 1995 c 226 art 2 s 4; 1995 c 265 art 2 s 26; 1Sp2003 c 2 art 4 s 3; 2009 c 101 art 2 s 109*

299A.45 EDUCATION BENEFIT.

Subdivision 1. **Eligibility.** A person is eligible to receive educational benefits under this section if the person:

(1) is certified under section 299A.44 and in compliance with this section and rules of the commissioner of public safety and the Minnesota Office of Higher Education;

(2) is enrolled in an undergraduate degree or certificate program after June 30, 1990, or a graduate degree or certificate program after June 30, 2011, at an eligible Minnesota institution as provided in section 136A.101, subdivision 4;

(3) has not received benefits for the maximum duration specified in subdivision 4; and

(4) is related in one of the following ways to a public safety officer killed in the line of duty on or after January 1, 1973:

(i) as a dependent child less than 23 years of age;

(ii) as a surviving spouse; or

(iii) as a dependent child less than 30 years of age who has served on active military duty 181 consecutive days or more and has been honorably discharged or released to the dependent child's reserve or National Guard unit.

Subd. 2. **Award amount.** (a) The amount of the award is the lesser of:

(1) the average tuition and fees charged by the institution; or

(2) the tuition maximums established by law for the state grant program under section 136A.121. The tuition maximum for graduate study is the maximum established by law for the state grant program for four-year programs.

(b) An award under this subdivision must not affect a recipient's eligibility for a state grant under section 136A.121.

(c) For the purposes of this subdivision, "fees" include only those fees that are mandatory and charged to all students attending the institution.

(d) For the purpose of benefits awarded under this section, "full time" for a graduate program is eight or more credits per term or the equivalent.

Subd. 3. **Payment.** On proof of eligibility for this program, an eligible institution, on behalf of the student, shall request payment of the award from the Minnesota Office of Higher Education. An institution must not request payment unless the student is enrolled in or has completed the term for which the payment is intended.

Subd. 4. **Renewal.** Each award must be given for one academic year and is renewable for a maximum of eight semesters or the equivalent. A student who withdraws from enrollment for active military service

or for a major illness, while under the care of a medical professional, that substantially limits the student's ability to complete the term is entitled to an additional semester or the equivalent of grant eligibility. An award must not be given to a dependent child who is 23 years of age or older on the first day of the academic year.

History: *1990 c 591 art 5 s 5; 1991 c 356 art 8 s 22; 1995 c 212 art 3 s 59; 1Sp2001 c 1 art 2 s 20,21; 2003 c 133 art 3 s 26; 2005 c 107 art 2 s 53,54,59,60; 2008 c 363 art 4 s 10; 2009 c 95 art 2 s 36; 2012 c 270 s 12,13; 2013 c 99 art 2 s 25*

299A.46 RULES.

The commissioner of public safety may adopt rules under chapter 14 to implement, coordinate, and administer sections 299A.41 to 299A.44. The Minnesota Office of Higher Education may adopt rules to implement, coordinate, and administer section 299A.45.

History: *1990 c 591 art 5 s 6; 1995 c 212 art 3 s 59; 1995 c 233 art 2 s 56; 2005 c 107 art 2 s 60*

299A.465 CONTINUED HEALTH INSURANCE COVERAGE.

Subdivision 1. **Officer or firefighter disabled in line of duty.** (a) This subdivision applies to any peace officer or firefighter:

(1) who the Public Employees Retirement Association or the Minnesota State Retirement System determines is eligible to receive a duty disability benefit pursuant to section 353.656 or 352B.10, subdivision 1, respectively; or

(2) who is a member of a local police or salaried firefighters relief association and qualifies for a duty disability benefit under the terms of plans of the relief associations, and the peace officer or firefighter has discontinued public service as a peace officer or firefighter as a result of a disabling injury and has been determined, by the Public Employees Retirement Association, to have otherwise met the duty disability criteria set forth in section 353.01, subdivision 41.

(b) Determinations made in accordance with paragraph (a) are binding on the peace officer or firefighter, employer, and state. The determination must be made by the executive director of the Public Employees Retirement Association or by the executive director of the Minnesota State Retirement System, whichever applies, and is not subject to section 356.96, subdivision 2. Upon making a determination, the executive director must provide written notice to the peace officer or firefighter and the employer. The notice must include a written statement of the reasons for the determination. If the notice is from the executive director of the Minnesota State Retirement System, the notice must also include:

(1) a notice that the person may petition for a review of the determination by requesting that a contested case be initiated before the Office of Administrative Hearings, the cost of which must be borne by the peace officer or firefighter and the employer; and

(2) a statement that any person who does not petition for a review within 60 days is precluded from contesting issues determined by the executive director in any other administrative review or court procedure.

If, prior to the contested case hearing, additional information is provided to support the claim for duty disability as defined in section 352B.011, subdivision 7, the executive director may reverse the determination without the requested hearing. If a hearing is held before the Office of Administrative Hearings, the determination rendered by the judge conducting the fact-finding hearing is a final decision and order under section 14.62, subdivision 2a, and is binding on the applicable executive director, the peace officer or

firefighter, employer, and state. Review of a final determination made by the Office of Administrative Hearings under this section may only be obtained by writ of certiorari to the Minnesota Court of Appeals under sections 14.63 to 14.68. Only the peace officer or firefighter, employer, and state have standing to participate in a judicial review of the decision of the Office of Administrative Hearings.

(c) The officer's or firefighter's employer must continue to provide health coverage and pay for the coverage as required by paragraphs (d) to (g) for:

(1) the officer or firefighter; and

(2) the officer's or firefighter's dependents if the officer or firefighter was receiving dependent coverage at the time of the injury under the employer's group health plan.

(d) For an officer or firefighter who has applied for or been approved to receive benefits under section 353.656 prior to the date of enactment or an officer or firefighter who applies for and is approved for total and permanent duty disability benefits under section 353.656, subdivision 1a, the employer is responsible for the continued payment of the employer's contribution for health coverage of the officer or firefighter and, if applicable, the officer's or firefighter's dependents. Coverage must continue for the officer or firefighter and, if applicable, the officer's or firefighter's dependents until the officer or firefighter reaches age 65 or, if deceased, would have reached age 65.

(e) For an officer or firefighter approved to receive benefits under section 353.656 on or after the date of enactment and who is not approved for total and permanent duty disability benefits under section 353.656, subdivision 1a, the employer is responsible for the continued payment of the employer's contribution for health coverage of the officer or firefighter and, if applicable, the officer's or firefighter's dependents. Coverage must continue:

(1) for the officer or firefighter for a period of 60 months or, if earlier, until the officer or firefighter reaches age 65; and

(2) for the officer's or firefighter's dependents for a period of 60 months.

(f) For an officer or firefighter who has applied for or been approved to receive benefits under section 352B.10, subdivision 1, the employer is responsible for the continued payment of the employer's contribution for health coverage of the officer or firefighter and, if applicable, the officer's or firefighter's dependents. Coverage must continue for the officer or firefighter and, if applicable, the officer's or firefighter's dependents until the officer or firefighter reaches age 65 or, if deceased, would have reached age 65.

(g) The employer is not required to continue health coverage for dependents after the person is no longer a dependent.

(h) An officer or firefighter who has applied for or been approved to receive benefits under section 353.656 may affirmatively waive health coverage under this section but must not receive any payment or other consideration from the employer in exchange for waiver of the coverage. Any agreement entered into between an officer or firefighter who has applied for or been approved to receive benefits under section 353.656 and the officer's or firefighter's employer or the employer's agent providing for compensation for a waiver of coverage under this section is void. Nothing in this subdivision shall be construed to render void any agreement entered into prior to the date of enactment.

(i) Once a duty disability determination is made pursuant to section 353.656, the employer has no right to challenge and is prohibited from challenging the continuation and payment of health coverage under this section.

Subd. 2. **Officer or firefighter killed in line of duty.** (a) This subdivision applies when a peace officer, firefighter, or volunteer firefighter is killed while on duty and discharging the officer's, firefighter's, or volunteer firefighter's duties as a peace officer, firefighter, or volunteer firefighter.

(b) The officer's or firefighter's employer shall continue to cover the deceased officer's or firefighter's dependents, including the officer's or firefighter's spouse:

(1) if the officer, firefighter, or volunteer firefighter was receiving dependent coverage at the time of the officer's, firefighter's, or volunteer firefighter's death under the employer's group health plan; or

(2) if the officer's, firefighter's, or volunteer firefighter's spouse was not covered as a dependent at the time of the officer's, firefighter's, or volunteer firefighter's death, but at that time was eligible, or afterward becomes eligible, to be a dependent on the employer's group health plan.

(c) The employer is responsible for the employer's contribution for the coverage of the officer's, firefighter's, or volunteer firefighter's dependents. Subject to subdivision 5, paragraph (b), clause (2), coverage must continue for a dependent of the officer, firefighter, or volunteer firefighter as follows: (1) for a surviving spouse, until the surviving spouse reaches the age of 65; and (2) for each other dependent, until the dependent reaches the age of 26, except as otherwise provided in section 62L.02, subdivision 11.

Subd. 2a. **Volunteer firefighter killed in line of duty.** (a) This subdivision applies when a volunteer firefighter is killed while on duty and discharging the volunteer firefighter's duties as a volunteer firefighter and the municipality or municipalities that operate the fire department did not offer a group health insurance policy to which a volunteer firefighter was eligible to subscribe.

(b) The municipality or municipalities that operate the fire department that the volunteer firefighter served with shall, until coverage terminates as provided under subdivision 2, paragraph (c), either: (1) provide health insurance coverage for the volunteer firefighter's dependents that is equivalent to the average benefit provided by the municipality or municipalities to dependents of its employees who are covered by the plan; or (2) reimburse the dependents, if the municipality or municipalities do not offer a group health insurance plan for any employees, for a minimum of 50 percent of the cost of health insurance premiums for coverage selected by the dependents.

Subd. 3. **Coordination of benefits.** Health insurance benefits payable to the officer or firefighter and the officer's or firefighter's dependents from any other source provide the primary coverage, and coverage available under this section is secondary.

Subd. 4. **Public employer reimbursement.** (a) A public employer may annually apply by August 1 for the preceding fiscal year to the commissioner of public safety for reimbursement of its costs of complying with this section and sections 352B.102 and 353.032. Except as provided for in paragraph (b), the commissioner shall provide reimbursement to the public employer out of the public safety officer's benefit account.

(b) Beginning on January 1, 2024, a public employer is not eligible for reimbursement under paragraph (a) unless the employer provides at least one of the following:

(1) annual wellness training to peace officers and firefighters who either are employed or volunteer for the employer; or

(2) an employee assistance program or peer support program.

(c) Wellness training for peace officers under paragraph (b), clause (1), must incorporate the learning objectives established by the Peace Officer Standards and Training Board under section 626.8478. No later than February 1, 2024, the Minnesota Fire Initiative must create a wellness training program for public employers to offer to firefighters to satisfy the requirements of paragraph (b). Training programs established in the Hometown Heroes Assistance Program under section 299A.477, subdivision 2, clause (4), satisfy the requirements of paragraph (b).

Subd. 5. **Definition.** For purposes of this section:

(a) "Peace officer" or "officer" has the meaning given in section 626.84, subdivision 1, paragraph (c).

(b) "Dependent" means a person who: (1) meets the definition of dependent in section 62L.02, subdivision 11, at the time of the officer's or firefighter's injury or death, or at the time of the volunteer firefighter's death; and (2) is not covered under another group health plan. For purposes of this section, the term "eligible employee" as defined under section 62L.02, subdivision 13, includes a volunteer firefighter.

(c) "Firefighter" has the meaning given in Minnesota Statutes 2000, section 424.03, but does not include volunteer firefighters.

(d) "Volunteer firefighter" has the meaning given in section 299N.03, subdivision 7, and includes paid per call.

(e) "Fire department" has the meaning given in section 299N.03, subdivision 4.

(f) For purposes of subdivisions 2 to 5a, "employer" includes a municipality or municipalities that operate the fire department in which a volunteer firefighter serves.

Subd. 5a. **Minimum benefit.** Nothing in this section prohibits an employer from providing benefits to survivors of deceased volunteer firefighters that are greater than the benefits required under this section.

Subd. 6. MS 2006 [Expired, 2005 c 136 art 8 s 7]

Subd. 7. MS 2006 [Expired, 2005 c 136 art 8 s 8]

History: *1997 c 239 art 8 s 6; 1999 c 12 s 1; 2002 c 392 art 1 s 8; 1Sp2003 c 2 art 4 s 4; 1Sp2003 c 19 art 2 s 49; 2005 c 136 art 8 s 7,8; 2008 c 243 s 1; 2009 c 169 art 2 s 2; 2015 c 75 art 2 s 38-41; 2023 c 48 s 2; 2025 c 37 art 15 s 1*

299A.47 CLAIMS LIMITATION.

Claims for benefits from the public safety officer's death benefit account made by or on behalf of a survivor of a public safety officer must be filed within two years after the date of death of the officer.

History: *1992 c 523 s 3*

299A.473 CERTAIN GIFTS ALLOWED AFTER OFFICER KILLED IN THE LINE OF DUTY.

Subdivision 1. **Definitions.** (a) The definitions in this subdivision apply to this section.

(b) "Gift" means money, real or personal property, a plaque, or a service that is given and received without the giver receiving consideration of equal or greater value in return.

(c) "Killed in the line of duty" has the meaning given in section 299A.41, subdivision 3.

(d) "Plaque" means a decorative item with an inscription recognizing an individual for an accomplishment.

(e) "Political subdivision" means a county, home rule charter or statutory city, town, or any other political subdivision of the state.

(f) "Public safety officer" has the meaning given in section 299A.41, subdivision 4.

Subd. 2. **State agency or political subdivision as recipient.** (a) Notwithstanding any law or rule to the contrary, a state agency or political subdivision may receive a gift under the following circumstances:

(1) a public safety officer employed by the state agency or political subdivision was killed in the line of duty;

(2) the gift is given during the consecutive 24-month period beginning on the date of death of the public safety officer killed in the line of duty;

(3) the gift honors or commemorates the public safety officer who was killed in the line of duty or provides team morale or cohesion services to the agency or political subdivision; and

(4) the gift is in compliance with any applicable gift policies adopted by the state agency or political subdivision.

(b) The gift must be distributed and used by the state agency or political subdivision in compliance with the intentions of the donor:

(1) within one year of the receipt of the gift; and

(2) in compliance with any applicable gift policies adopted by the state agency or political subdivision.

Subd. 3. **Gift policies.** A state agency or political subdivision may adopt policies with additional requirements and restrictions for gifts received under this section.

Subd. 4. **Reporting.** A state agency or political subdivision shall report any gifts received under this section within three months of use or distribution to the commissioner of public safety. The report must specify the amount or description of the gift, its source, and the use to which it was put. The state agency or political subdivision shall also post this information on its website. The commissioner shall include the information received under this subdivision in the report required in section 299A.012, paragraph (b).

History: *2025 c 7 s 1*

POSTTRAUMATIC STRESS

299A.475 POSTTRAUMATIC STRESS SYNDROME BENEFIT.

(a) A law enforcement agency shall provide benefits to any peace officer, as defined in section 626.84, subdivision 1, paragraph (c), employed by the agency who:

(1) suffers a debilitating psychological reaction to a traumatic event;

(2) is diagnosed by a psychiatrist or a licensed psychologist as suffering from posttraumatic stress syndrome; and

(3) is determined by a psychiatrist or a licensed psychologist to be unable to perform other peace officer job duties offered by the employer through reassignment.

A peace officer who meets all of the conditions of this paragraph is entitled to the benefits described in paragraph (b). A peace officer who meets the conditions in clauses (1) and (2) is entitled to the benefits in paragraph (b), clause (2). The availability of benefits does not depend on whether there is also an accompanying physical injury or physical cause of the condition.

(b) The benefits provided by the law enforcement agency shall include:

(1) payment by the employer for unreimbursed loss of wages during the time period the officer is disabled, but not to exceed one year; and

(2) payment by the employer for unreimbursed expenses for medical treatment, including psychiatric or psychological counseling, to cure and relieve the effects of the posttraumatic stress syndrome during the time period the officer is disabled, but not to exceed one year.

(c) The employer may request a peace officer to undergo an examination by a psychiatrist or licensed psychologist selected by the employer.

(d) As used in this section, "traumatic event" means an event involving the employee lawfully taking the life of or causing great bodily harm, as defined in section 609.02, subdivision 8, to another by force or violence. "Debilitating psychological reaction" means that, following the traumatic event, the peace officer is unable to perform the essential functions of the peace officer's job without reassignment.

History: *1999 c 216 art 5 s 3*

299A.477 HOMETOWN HEROES ASSISTANCE PROGRAM.

Subdivision 1. **Definitions.** (a) The definitions in this subdivision apply to this section.

(b) "Critical illness" means cardiac disease and cancer as well as other illnesses covered by a policy of insurance issued by an insurer in compliance with chapter 60A.

(c) "Firefighter" means a volunteer, paid on-call, part-time, or career firefighter serving a general population within the boundaries of the state.

(d) "Minnesota Firefighter Initiative" means a collaborative that is established by major fire service organizations in Minnesota, is a nonprofit organization, and is tax exempt under section 501(c)(3) of the Internal Revenue Code.

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

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

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

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

(4) to develop, update, and annually make available to all firefighters in the state at least two hours of training on critical illnesses, such as cancer and heart disease, and emotional trauma as causes of illness and

death for firefighters; steps and best practices for firefighters to limit the occupational risks of cancer, heart disease, and emotional trauma; provide evidence-based suicide prevention strategies; and ways for firefighters to address occupation-related emotional trauma and promote emotional wellness. The training shall be presented by firefighters who attend an additional course to prepare them to serve as trainers; and

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

Subd. 3. **Critical illness monetary support program.** (a) The Minnesota Firefighter Initiative shall establish and administer a critical illness monetary support program which shall provide support payments of up to $20,000 to each eligible firefighter. A firefighter who is diagnosed with a critical illness on or after August 1, 2021, is eligible to apply for benefits under the monetary support program and has 12 months from the diagnosis to submit an application. A firefighter's application for monetary support must include a certification from the firefighter's health care provider of the firefighter's diagnosis of an eligible critical illness. The Minnesota Firefighter Initiative shall establish criteria to guide disbursement of monetary support payments under this program, and shall scale the amount of monetary support provided to each firefighter according to the severity of the firefighter's diagnosis.

(b) The commissioner of public safety may access the accounts of the critical illness monetary support program to conduct periodic audits of the program to ensure that payments are being made in compliance with this section and disbursement criteria established by the Minnesota Firefighter Initiative.

Subd. 4. **Money from nonstate sources.** The commissioner may accept contributions from nonstate sources to supplement state appropriations for the hometown heroes assistance program. Contributions received under this subdivision are appropriated to the commissioner for the grant to the Minnesota Firefighter Initiative for purposes of this section.

History: *1Sp2021 c 11 art 2 s 12; 2022 c 49 s 1; 2025 c 17 s 1*

HAZARDOUS MATERIALS; INCIDENT RESPONSE; SAFETY

299A.48 CITATION.

Sections 299A.48 to 299A.52 and 299K.095 may be cited as the "Minnesota Emergency Incident Response Act."

History: *1992 c 593 art 2 s 3; 2023 c 52 art 5 s 16*

299A.49 DEFINITIONS.

Subdivision 1. **Scope.** For the purposes of sections 299A.48 to 299A.52 and 299K.095, the following terms have the meanings given.

Subd. 1a. **Bomb squad.** "Bomb squad" means a team trained, equipped, and authorized by the commissioner to evaluate and provide disposal operations for bombs or other similar hazardous explosives. Bomb squad includes a bomb disposal unit as defined in section 299C.063.

Subd. 2. MS 2022 [Repealed by amendment, 2023 c 52 art 5 s 17]

Subd. 3. **Commissioner.** "Commissioner" means the commissioner of public safety.

Subd. 3a. **Emergency response incident.** "Emergency response incident" means any incident to which the response of a state emergency response asset is required.

Subd. 4. **Hazardous materials.** "Hazardous materials" means substances or materials that, because of their chemical, physical, or biological nature, pose a potential risk to life, health, or property if they are released. "Hazardous materials" includes any substance or material in a particular form or quantity that may pose an unreasonable risk to health, safety, and property, or any substance or material in a quantity or form that may be harmful to humans, animals, crops, water systems, or other elements of the environment if accidentally or intentionally released. Hazardous substances so designated may include explosives, radioactive materials, etiologic agents, flammable liquids or solids, combustible liquids or solids, poisons, oxidizing or corrosive materials, chemical and biological substances, and toxic or flammable gases.

Subd. 4a. **Hazardous materials emergency response team.** "Hazardous materials emergency response team" means a team (1) trained, equipped, and authorized to evaluate and, when possible, provide practical mitigation to a hazardous materials incident and (2) required to recommend to the local incident manager the best means of controlling the hazard after consideration of life safety concerns, environmental effects, exposure hazards, quantity and type of hazardous material, availability of resources, and other relevant factors.

Subd. 5. **Local unit of government.** "Local unit of government" means a county, home rule charter or statutory city, or town.

Subd. 5a. **Minnesota air rescue team.** "Minnesota air rescue team" means a team trained, equipped, and authorized by the commissioner to perform specialized air rescue operations.

Subd. 6. **Person.** "Person" means any individual, partnership, association, public or private corporation or other entity including the United States government, any interstate body, the state, and any agency, department, or political subdivision of the state.

Subd. 7. MS 2022 [Repealed by amendment, 2023 c 52 art 5 s 17]

Subd. 8. **State emergency response asset.** "State emergency response asset" means any team or teams defined under this section that has entered into a contractual agreement with the State Fire Marshal Division.

Subd. 9. **Urban search and rescue (US&R).** "Urban search and rescue " or "US&R" means a multihazard discipline that involves the location, extrication, and initial medical stabilization of victims trapped or missing because of a man-made or natural disaster.

History: *1992 c 593 art 2 s 4; 2003 c 39 s 1,2; 2023 c 52 art 5 s 17; 2024 c 123 art 5 s 10,11*

299A.50 RESPONSE PLAN.

Subdivision 1. **Elements of plan; rules.** After consultation with the commissioners of natural resources, agriculture, transportation, and the Pollution Control Agency, the state fire marshal, the Emergency Response Commission, appropriate technical emergency response representatives, and representatives of affected parties, the commissioner shall adopt rules to implement a statewide hazardous materials incident response plan. The plan must include:

(1) the locations of hazardous materials emergency response teams, based on the location of hazardous materials, response time, proximity to large population centers, and other factors;

(2) the number and qualifications of members on each team;

(3) the responsibilities of hazardous materials emergency response teams;

(4) equipment needed for hazardous materials emergency response teams;

(5) procedures for selecting and contracting with local governments or nonpublic persons to establish hazardous materials emergency response teams;

(6) procedures for dispatching teams at the request of local governments;

(7) a fee schedule for reimbursing local governments or nonpublic persons responding to an incident; and

(8) coordination with other state departments and agencies, local units of government, other states, Indian tribes, the federal government, and other nonpublic persons.

Subd. 2. **Contract and agreement.** The commissioner may cooperate with and enter into contracts with other state departments and agencies, local units of government, other states, Indian tribes, the federal government, or nonpublic persons to implement the emergency incident response plan.

Subd. 3. **Long-term oversight; transition.** When a hazardous materials emergency response team has completed its response to an incident, the commissioner shall notify the commissioner of the Pollution Control Agency, which is responsible for assessing environmental damage caused by the incident and providing oversight of monitoring and remediation of that damage from the time the response team has completed its activities.

History: *1992 c 593 art 2 s 5; 1993 c 341 art 2 s 6; 2023 c 52 art 5 s 18*

299A.51 LIABILITY AND WORKERS' COMPENSATION.

Subdivision 1. **Liability.** During operations authorized under section 299A.50, members of a state emergency response asset operating outside their geographic jurisdiction are "employees of the state" as defined in section 3.736.

Subd. 2. **Workers' compensation.** During operations authorized under section 299A.50, members of a state emergency response asset operating outside their geographic jurisdiction are considered employees of the Department of Public Safety for purposes of chapter 176.

Subd. 3. **Limitation.** A person who provides personnel and equipment to assist at the scene of an emergency response incident outside the person's geographic jurisdiction or property, at the request of the state or a local unit of government, is not liable for any civil damages resulting from acts or omissions in providing the assistance, unless the person acts in a willful and wanton or reckless manner in providing the assistance.

History: *1992 c 593 art 2 s 6; 1995 c 226 art 4 s 5; 2003 c 39 s 3,4; 2023 c 52 art 5 s 19*

299A.52 RESPONSIBLE PARTY.

Subdivision 1. **Response liability.** A responsible party, as described in section 115B.03, is liable for the reasonable and necessary costs, including legal and administrative costs, of response to an emergency response incident or explosives disposal under section 299C.063 incurred by a state emergency response asset or local unit of government. For the purposes of this section, "hazardous substance" as used in section 115B.03 means "hazardous material" as defined in section 299A.49.

Subd. 2. **Expense recovery.** The commissioner shall assess the responsible party for an emergency response asset's costs of response. The commissioner may bring an action for recovery of unpaid costs, reasonable attorney fees, and any additional court costs. Any funds received by the commissioner under this

subdivision are appropriated to the commissioner to pay for costs for which the funds were received. Any remaining funds at the end of the biennium shall be transferred to the Fire Safety Account.

Subd. 3. **Attempted avoidance of liability.** For purposes of sections 299A.48 to 299A.52 and 299K.095, a responsible party may not avoid liability by conveying any right, title, or interest in real property or by any indemnification, hold harmless agreement, or similar agreement.

History: *1992 c 593 art 2 s 7; 1Sp2021 c 11 art 2 s 13; 2023 c 52 art 5 s 20*

299A.55 RAILROAD AND PIPELINE SAFETY; OIL AND OTHER HAZARDOUS SUBSTANCES.

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

(b) "Applicable rail carrier" means a railroad company that is subject to an assessment under section 219.015, subdivision 2.

(c) "Emergency manager" has the meaning given in section 219.055, subdivision 1.

(d) "Hazardous substance" means any material identified in the definition of hazardous substance under section 115B.02, subdivision 8, or Code of Federal Regulations, title 49, section 171.8.

(e) "Incident compelling a significant response" means an event involving rail carrier or pipeline company operations and a derailment, collision, discharge, or other similar activity resulting in applicable response actions performed by firefighters, peace officers, incident commanders, emergency managers, or emergency first responders. For purposes of this paragraph, "applicable response actions" consist of one or more of the following: a request for mutual aid or special response resources, establishment of an exclusion zone, an order for evacuation or shelter in place, or emergency notification to the general public.

(f) "Oil" has the meaning given in section 115E.01, subdivision 8.

(g) "Pipeline company" means any individual, partnership, association, or public or private corporation who owns and operates pipeline facilities and is required to show specific preparedness under section 115E.03, subdivision 2.

Subd. 2. **Railroad and pipeline safety account.** (a) A railroad and pipeline safety account is created in the special revenue fund. The account consists of funds collected under subdivision 4 and funds donated, allotted, transferred, or otherwise provided to the account.

(b) By January 15, 2026, the commissioner of public safety must submit a report on the railroad and pipeline safety account to the chairs and ranking minority members of the legislative committees with jurisdiction over transportation policy and finance. The report must list detailed revenues to and expenditures from the account for the previous two fiscal years and must include information on the purpose of each expenditure.

(c) If the balance of the account at the end of a fiscal biennium is greater than $2,000,000, the amount above $2,000,000 must be transferred to the grade crossing safety account under section 219.1651.

Subd. 3. **Allocation of funds.** (a) Subject to funding appropriated for this subdivision, the commissioner shall provide funds for training and response preparedness related to (1) derailments, discharge incidents, or spills involving trains carrying oil or other hazardous substances, and (2) pipeline discharge incidents or spills involving oil or other hazardous substances.

(b) The commissioner must allocate available funds as follows:

(1) $100,000 annually for emergency response teams; and

(2) the remaining amount to the Board of Firefighter Training and Education under section 299N.02, the Division of Homeland Security and Emergency Management, and the State Fire Marshal Division.

(c) Prior to making allocations under paragraph (b), the commissioner must consult with the Fire Service Advisory Committee under section 299F.012, subdivision 2.

(d) The commissioner and the entities identified in paragraph (b), clause (2), must prioritize uses of funds based on:

(1) training needs for firefighters, emergency managers, incident commanders, and emergency first responders;

(2) community risk from discharge incidents or spills;

(3) geographic balance;

(4) risks to the general public; and

(5) recommendations of the Fire Service Advisory Committee.

(e) The following are permissible uses of funds provided under this subdivision:

(1) training costs, which may include, but are not limited to, training curriculum, trainers, trainee overtime salary, other personnel overtime salary, and tuition;

(2) costs of gear and equipment related to hazardous materials readiness, response, and management, which may include, but are not limited to, original purchase, maintenance, and replacement;

(3) supplies related to the uses under clauses (1) and (2);

(4) emergency preparedness planning and coordination;

(5) emergency response team costs;

(6) public safety emergency response exercises under section 219.055, subdivision 6;

(7) incident commander and response site response exercises under section 219.055, subdivision 7;

(8) education and outreach to encourage the adoption of the AskRail wireless communication device application under section 219.055, subdivision 5;

(9) postincident review and analysis under subdivision 5, based on costs incurred to state agencies and local units of government; and

(10) public education and outreach, including but not limited to:

(i) informing and engaging the public regarding hazards of derailments and discharge incidents;

(ii) assisting the development of evacuation readiness;

(iii) undertaking public information campaigns; and

(iv) providing accurate information to the media on likelihood and consequences of derailments and discharge incidents.

(f) Notwithstanding paragraph (b), clause (2), from funds in the railroad and pipeline safety account provided for the purposes under this subdivision, the commissioner may retain a balance in the account for budgeting in subsequent fiscal years.

Subd. 4. **Assessments.** (a) The commissioner of public safety must annually assess $3,418,000 to railroad companies, divided in equal proportion among applicable rail carriers based on route miles operated in Minnesota. Of the amount collected annually under this paragraph:

(1) $560,000 is deposited in the railroad and pipeline safety account and appropriated to the commissioner of the Pollution Control Agency for environmental protection activities related to railroad discharge preparedness under chapter 115E;

(2) $1,500,000 is deposited in the grade crossing safety account under section 219.1651; and

(3) the remainder is deposited in the railroad and pipeline safety account and appropriated to the commissioner of public safety for the purposes specified in subdivision 3.

(b) The commissioner of public safety must annually assess $582,000 to pipeline companies, divided in equal proportion among companies based on the yearly aggregate gallons of oil and other hazardous substances transported by pipeline in Minnesota. Money collected under this paragraph is deposited in the railroad and pipeline safety account and appropriated to the commissioner of public safety for the purposes specified in subdivision 3.

(c) In addition to the amounts identified in paragraphs (a) and (b), the commissioner must assess the rail carrier or pipeline company involved in an incident compelling a significant response for all postincident review and analysis costs under subdivision 5 incurred by the state and local units of government. This paragraph applies regardless of whether an assessment is imposed under paragraph (a) or (b) in a fiscal year.

Subd. 5. **Postincident review and analysis; legislative report; data.** (a) After an incident compelling a significant response, or upon request of a fire chief or emergency manager after an incident, the commissioner must ensure a postincident review and analysis is performed in a timely manner. The review and analysis must be undertaken under an agreement with an entity having relevant knowledge and experience that is fully independent of the state, any local units of government involved in the incident, rail carriers, and pipeline companies.

(b) The review and analysis process must include an after action review and must evaluate, at a minimum, processes occurring during the incident for emergency assessment, hazard operations, population protection, and incident management. The review and analysis must be designed to minimize duplication of topics and issues addressed in any federal review of the incident.

(c) By March 1 following any calendar year in which one or more postincident reviews and analyses are performed, the commissioner must submit a report to the chairs and ranking minority members of the legislative committees with jurisdiction over transportation and public safety policy and finance. The report must:

(1) provide a summary of the incidents;

(2) identify findings, lessons learned, and process changes; and

(3) make recommendations for legislative changes, if any.

(d) Except for the report under paragraph (c), any data under this subdivision are nonpublic data, as defined under section 13.02, subdivision 9.

History: *2014 c 312 art 10 s 9; 2017 c 95 art 3 s 10; 1Sp2021 c 5 art 4 s 104; 2023 c 68 art 4 s 81; 1Sp2025 c 8 art 2 s 83,84*

ANTICRIME PROGRAMS

299A.59 NOTICE OF MULTIPLE LAW ENFORCEMENT OPERATIONS CONFLICTS.

(a) Notwithstanding section 299C.405, the Department of Public Safety may employ a secure subscription service designed to promote and enhance officer safety during tactical operations by and between federal, state, and local law enforcement agencies by notifying law enforcement agencies of conflicts where multiple law enforcement operations may be occurring on the same subject or vehicle or on or near the same location. The notification may include warrant executions, surveillance activities, SWAT activities, and undercover operations.

(b) Data created, collected, received, maintained, or disseminated by this system is classified as criminal investigative data as defined in section 13.82, subdivision 7.

History: *2006 c 253 s 15*

299A.60 [Repealed, 1996 c 408 art 2 s 16]

299A.61 CRIMINAL ALERT NETWORK.

Subdivision 1. **Establishment.** The commissioner of public safety, in cooperation with the Department of Information Technology Services, shall develop and maintain an integrated criminal alert network to facilitate the communication of crime prevention information by electronic means among state agencies, law enforcement officials, and the private sector. The network shall disseminate data regarding the commission of crimes, including information on missing and endangered children or vulnerable adults, and attempt to reduce theft and other crime by the use of electronic transmission of information. In addition, the commissioner shall evaluate the feasibility of using the network to disseminate data regarding the use of fraudulent checks and the coordination of security and antiterrorism efforts with the Federal Bureau of Investigation. If the commissioner determines that one or both of these uses are feasible, the commissioner shall ensure that the network disseminates data in the area or areas determined to be feasible.

Subd. 2. **Data on members.** Data that identify individuals or businesses as members of the criminal alert network, including names, addresses, telephone and fax numbers, are private data on individuals or nonpublic data, as defined in section 13.02, subdivision 9 or 12.

Subd. 3. **Limit on liability of financial institution.** A financial institution, including its employees or company agents, that provides or reasonably attempts to provide information regarding stolen, forged, or fraudulent checks for use by the crime alert network, check verification services, consumer reporting agencies, a banking industry antifraud database consistent with federal privacy law, or by law enforcement agencies that are investigating a crime is not liable to any person for disclosing the information, provided that the financial institution is acting in good faith.

Subd. 4. **Fee authorized.** The commissioner of public safety may charge a fee to members of the network for the services that the network provides. Money collected from these fees is appropriated to the commissioner of public safety and must be used for network expenses.

History: *1995 c 226 art 4 s 6; 1995 c 244 s 6; 1996 c 440 art 1 s 48; 1997 c 239 art 8 s 7; 1998 c 337 s 1; 1998 c 367 art 11 s 8; 2000 c 354 s 1; 2005 c 118 s 16; 2009 c 119 s 6; 2010 c 382 s 62; 2013 c 134 s 30; 2013 c 142 art 3 s 36; 2021 c 31 art 2 s 16*

299A.62 COMMUNITY-ORIENTED POLICING (COPS) GRANT PROGRAM.

Subdivision 1. **Program established.** (a) A community-oriented policing grant program is established under the administration of the commissioner of public safety.

(b) Grants may be awarded as provided in subdivision 2 for the following purposes:

(1) to enable local law enforcement agencies to hire law enforcement officers. The grants must be used by law enforcement agencies to increase the complement of officers in the agency by paying the salaries of new officers who replace an existing officer who has been reassigned primarily to investigate and prevent juvenile crime or to perform community-oriented policing duties;

(2) to enable local law enforcement agencies to assign overtime officers to high crime areas within their jurisdictions; and

(3) to enable local law enforcement agencies to implement or expand community-oriented policing projects, liaison efforts with local school districts, and other innovative community policing initiatives.

Subd. 2. **Awarding grant.** Grants under this section shall be awarded by the commissioner of public safety. A grant under subdivision 1, paragraph (b), clause (1), may be awarded only to a law enforcement agency that demonstrates in its application that it currently has a need for an additional officer to be assigned to: (1) community-oriented policing duties; or (2) the investigation and prevention of juvenile crime, based on the juvenile crime rate in the area over which the agency has jurisdiction. More than one grant under subdivision 1, paragraph (b), clause (1), may be awarded to an agency; however, each grant may fund only one position. At least 50 percent of the grants awarded under subdivision 1, paragraph (b), clause (1), must be awarded to the cities of Minneapolis and St. Paul.

Subd. 3. **Amount of grant to hire officer.** A grant awarded under subdivision 1, paragraph (b), clause (1), must reimburse up to 150 percent of the entry level salary and benefits of a law enforcement officer, not to exceed $75,000. However, the money may not be used to pay for equipment or uniforms for the officer. The grant is intended to be used for the salary of the officer over a three-year period.

Subd. 4. **Conditions of grant to hire officer.** (a) Grant recipients who receive grants under subdivision 1, paragraph (b), clause (1), shall continue to employ a law enforcement officer hired with money granted under this section for at least a three-year period. If for any reason during the three-year period the employment relationship ends, the agency shall hire an additional officer so that the total number of officers employed by the agency does not change.

(b) A law enforcement agency that fails to comply with this subdivision shall reimburse the commissioner as follows:

(1) if the failure occurs during the first year, the agency shall reimburse the full amount of the grant;

(2) if the failure occurs during the second year, the agency shall reimburse two-thirds of the grant; or

(3) if the failure occurs during the third year but prior to the three-year anniversary of the officer's hiring, the agency shall reimburse one-third of the grant.

The commissioner shall deposit the reimbursement in the state treasury and credit it to the general fund.

History: *1996 c 408 art 2 s 6; 1999 c 216 art 2 s 13; 2014 c 286 art 6 s 1*

299A.63 [Repealed, 2014 c 212 art 1 s 15]

299A.64 [Repealed, 2005 c 136 art 11 s 18]

299A.641 [Repealed, 2010 c 383 s 8]

VIOLENT CRIME COORDINATING COUNCIL

299A.642 VIOLENT CRIME COORDINATING COUNCIL.

Subdivision 1. **Coordinating council established.** The Violent Crime Coordinating Council is established to provide guidance related to the investigation and prosecution of gang and drug crime. For the purposes of this section, "gang and drug crime" includes violent crimes associated with gang activity.

Subd. 2. **Membership.** (a) The coordinating council shall consist of the following individuals or their designees:

(1) the director of the Office of Special Investigations as the representative of the commissioner of corrections;

(2) the superintendent of the Bureau of Criminal Apprehension as the representative of the commissioner of public safety;

(3) the attorney general;

(4) four chiefs of police, selected by the Minnesota Chiefs of Police Association, of which one must be employed by the city of Minneapolis, one must be employed by the city of St. Paul, one must be employed by a municipality located in the seven-county metropolitan area excluding Minneapolis and St. Paul, and one must be employed in greater Minnesota;

(5) four sheriffs, selected by the Minnesota Sheriffs' Association, of which, one must work in Hennepin County, one must work in Ramsey County, one must work in Anoka, Carver, Dakota, Scott, or Washington County, and one must work in greater Minnesota;

(6) the United States attorney for the district of Minnesota;

(7) two county attorneys, selected by the Minnesota County Attorneys Association, one who must work in the seven-county metropolitan area and one who must work in greater Minnesota;

(8) four citizen members appointed by the commissioner of public safety in consultation with representatives from the councils created in sections 3.922 and 15.0145; and

(9) a tribal peace officer, selected by the commissioner of public safety, in consultation with the Minnesota Indian Affairs Council.

(b) The coordinating council shall adopt procedures to govern its conduct as necessary and shall select a chair from among its members. The chair shall serve a two-year term and the appointment of the chair

shall alternate between a person who works in greater Minnesota and a person who works in the seven-county metropolitan area.

Subd. 3. **Coordinating council's duties.** The coordinating council shall develop an overall strategy to ameliorate the harm caused to the public by gang and drug crime within the state of Minnesota. Additionally, the coordinating council shall:

(1) subject to approval by the commissioner of public safety, develop an operating procedures and policies manual to investigate gang and drug crime in a multijurisdictional manner;

(2) identify and recommend a candidate or candidates for statewide coordinator to the commissioner of public safety;

(3) assist the Department of Public Safety in developing grant eligibility criteria and operating an objective and conflict-free grant review application process;

(4) make recommendations to the commissioner of public safety to terminate grant funding for multijurisdictional entities if an entity no longer operates in accordance with subdivision 4, or no longer functions in a manner consistent with the best interests of the state or public;

(5) assist in developing a process to collect and share information to improve the investigation and prosecution of gang and drug offenses;

(6) develop and approve an operational budget for the coordinating council;

(7) develop policies that prohibit the improper use of personal characteristics such as race, color, national origin, gender, or religion to target individuals for law enforcement action, prosecution, or forfeiture action; and

(8) subject to approval by the commissioner of public safety, adopt narrowly tailored, objective criteria and identifying characteristics for use in determining whether individuals are or may be members of gangs involved in criminal activity. The council shall review and update the criteria and characteristics adopted under this clause every two years with the objective to ensure effectiveness and relevance to the accurate identification of subjects actively involved in criminal gang activity. As part of its review process, the council shall obtain input from members of communities that are impacted by criminal gang activity. Before adopting any changes under this clause, the council must submit its recommendations to the commissioner of public safety for approval.

Subd. 4. **Duties and authority of commissioner.** (a) The commissioner of public safety shall certify multijurisdictional entities, and their designated fiscal agents, that are established pursuant to this section to combat gang and drug crime and receive grant funding under subdivision 9. To certify an entity and its designated fiscal agent, the commissioner shall require that a multijurisdictional entity:

(1) be subject to the operational command and supervision of one of the participating agencies;

(2) be subject to a biennial operational and financial audit contracted out to an external organization not associated with the multijurisdictional entity and designed to ensure that the entity and its designated fiscal agent are in compliance with applicable legal requirements, proper law enforcement standards and practices, and effective financial controls;

(3) have adequate staffing and funding to support law enforcement, prosecutorial, and financial operations, including bookkeeping, evidence handling, and inventory recording; and

(4) be subject to any other conditions the commissioner deems necessary to carry out the purposes of this section.

The commissioner may use grant funds authorized under subdivision 9 to pay for costs incurred in conducting audits under clause (2).

(b) A multijurisdictional entity, and its designated fiscal agent, must be certified annually by the commissioner and may not operate under this section unless it is certified. If the commissioner revokes an entity's or fiscal agent's certification, the commissioner may order, for purposes relating to this section, any or all of the following:

(1) dissolution of the entity, its governing boards, or both;

(2) transfer of duties of the entity, its governing boards, or both, to the Department of Public Safety; and

(3) any other action deemed necessary by the commissioner.

Notwithstanding any action taken by the commissioner, any outstanding obligations or liabilities of the entity remain with the entity and the parties of the agreement and do not transfer.

(c) An agreement entered into pursuant to section 471.59 and this section shall provide that the parties to the agreement are subject to the provisions in this subdivision and shall provide for the disposition of property and allocation of obligations upon voluntary or mandated dissolution of the entity or upon termination of the agreement.

Subd. 5. **Statewide coordinator.** The commissioner of public safety shall appoint a statewide coordinator. The coordinator serving in the unclassified service shall:

(1) coordinate and monitor all multijurisdictional gang and drug enforcement activities;

(2) facilitate local efforts and ensure statewide coordination with efforts to combat gang and drug crime;

(3) facilitate training for personnel;

(4) monitor compliance with investigative protocols; and

(5) review audits conducted under subdivision 4, take corrective actions based on audit results, and submit a summary report of the audits and any corrective actions to the commissioner of public safety.

Subd. 6. **Participating officers; employment status.** All participating law enforcement officers must be licensed peace officers as defined in section 626.84, subdivision 1, or qualified federal law enforcement officers as defined in section 626.8453. Participating officers remain employees of the same entity that employed them before joining any multijurisdictional entity established under this section. Participating officers are not employees of the state. Participating officers shall be subject to annual performance reviews conducted by the entity's operational supervisor.

Subd. 7. **Jurisdiction and powers.** Law enforcement officers participating in any multijurisdictional entity established under this section have statewide jurisdiction to conduct criminal investigations and have the same powers of arrest as those possessed by a sheriff.

Subd. 8. **Evidence handling.** A multijurisdictional entity established pursuant to this section shall process all seized cash, physical assets, and evidence through the standard evidence handling procedures established by the participating agencies.

Subd. 9. **Grants authorized.** The commissioner of public safety may make grants to state and local units of government to combat gang and drug crime. When awarding grants, the commissioner shall consider awarding grants under this section to fund community-based gang intervention and prevention efforts for youth.

Subd. 10. **Coordinating council is permanent.** Notwithstanding section 15.059, this section does not expire.

Subd. 11. **Governing board; prosecutor's role.** (a) A multijurisdictional entity established under this section shall create a governing board consisting of the chief law enforcement officer, or designee, from each participating agency, a prosecutor from one of the participating agencies, and up to three additional members selected by the governing board. A governing board shall have no less than six members.

(b) The prosecutor on the governing board shall have the following responsibilities:

(1) to recommend to the governing board the nature and frequency of training for officers assigned to a multijurisdictional entity in order to increase successful prosecutions;

(2) to advise on the lawful handling and processing of seized property and evidence and forfeited property and money; and

(3) to ensure that seizures and forfeitures are reported in accordance with section 609.5315, subdivision 6.

Subd. 12. **Funding.** Participating agencies may accept lawful grants or contributions from any federal source or legal business or entity.

Subd. 13. **Role of attorney general.** The attorney general or a designee shall generally advise on any matters that the coordinating council deems appropriate.

Subd. 14. **Attorney general; community liaison.** (a) The attorney general or a designee shall serve as a liaison between the coordinating council and the councils created in sections 3.922 and 15.0145. The attorney general or designee will be responsible for:

(1) informing the councils of the plans, activities, and decisions and hearing their reactions to those plans, activities, and decisions; and

(2) providing the coordinating council with the position of the councils on the coordinating council's plan, activities, and decisions.

(b) In no event is the coordinating council required to disclose the names of individuals identified by it to the councils referenced in this subdivision.

(c) Nothing in this subdivision changes the data classification of any data held by the coordinating council.

Subd. 15. **Required reports.** (a) By February 1 of each year, the commissioner of public safety shall submit the following reports to the chairs and ranking minority members of the senate and house of representatives committees and divisions having jurisdiction over criminal justice policy and funding:

(1) a report containing a summary of all audits conducted on multijurisdictional entities under subdivision 4;

(2) a report on the results of audits conducted on data submitted to the criminal gang investigative data system under section 299C.091;

(3) a report on the activities and goals of the coordinating council; and

(4) a report on how funds appropriated for violent crime reduction strategies were used.

(b) The report submitted under paragraph (a), clause (4), must include the following information regarding actions taken by the Bureau of Criminal Apprehension and Violent Crime Enforcement Teams receiving funding under this section:

(1) the number of firearms seized;

(2) the number of gun trafficking investigations conducted; and

(3) a summary of the types of investigations conducted.

History: *2010 c 383 s 1; 2013 c 125 art 1 s 62; 2015 c 77 art 2 s 87; 2023 c 52 art 5 s 21; 2024 c 127 art 36 s 1*

299A.65 [Repealed, 2005 c 136 art 11 s 18]

299A.66 [Repealed, 2005 c 136 art 11 s 18]

FINANCIAL CRIMES AND IDENTITY THEFT INVESTIGATION

299A.68 [Repealed, 2005 c 136 art 11 s 18]

299A.681 FINANCIAL CRIMES ADVISORY BOARD AND TASK FORCE.

Subdivision 1. **Advisory board.** The Minnesota Financial Crimes Advisory Board shall provide advice to the commissioner of public safety related to the investigation and prosecution of identity theft and financial crime.

Subd. 2. **Membership.** The advisory board consists of the following individuals, or their designees:

(1) the commissioner of public safety;

(2) the attorney general;

(3) two chiefs of police, selected by the Minnesota Chiefs of Police Association;

(4) two sheriffs, selected by the Minnesota Sheriffs Association;

(5) the United States attorney for the district of Minnesota;

(6) a county attorney, selected by the Minnesota County Attorneys Association;

(7) a representative from the Board of Public Defense, selected by that board;

(8) a representative from a federal law enforcement agency, selected by the advisory board;

(9) a representative from the retail merchants industry, selected by the advisory board;

(10) a representative from the banking and credit union industry, selected by the advisory board;

(11) a representative on behalf of senior citizens, selected by the advisory board;

(12) the statewide commander of the task force;

(13) two additional members selected by the advisory board;

(14) a senator who serves on the committee having jurisdiction over criminal justice policy, chosen by the Subcommittee on Committees of the senate Committee on Rules and Administration; and

(15) a representative who serves on the committee having jurisdiction over criminal justice policy, chosen by the speaker of the house.

The advisory board may adopt procedures to govern its conduct and shall select a chair from among its members. The legislative members of the advisory board may not vote on matters before the board.

Subd. 3. **Duties.** The advisory board shall offer advice to the commissioner on the development of an overall strategy to ameliorate the harm caused to the public by identity theft and financial crime within Minnesota. The strategy may include the development of protocols and procedures to investigate financial crimes and a structure for best addressing these issues on a statewide basis and in a multijurisdictional manner. The commissioner shall:

(1) establish a multijurisdictional statewide Minnesota Financial Crimes Task Force to investigate major financial crimes;

(2) with advice from the advisory board, select a statewide commander of the task force who serves at the pleasure of the commissioner;

(3) develop an objective grant review application process that is free from conflicts of interest;

(4) with advice from the advisory board, issue grants to support efforts to combat identity theft and financial crime;

(5) with advice from the advisory board, assist law enforcement agencies and victims in developing a process to collect and share information to improve the investigation and prosecution of identity theft and financial crime;

(6) with advice from the advisory board, develop and approve an operational budget for the office of the statewide commander and the Minnesota Financial Crimes Task Force; and

(7) enter into any contracts necessary to establish and maintain a relationship with retailers, financial institutions, and other businesses to deal effectively with identity theft and financial crime.

The task force described in clause (1) may consist of members from local law enforcement agencies, federal law enforcement agencies, state and federal prosecutors' offices, and representatives from retail businesses, financial institutions, and not-for-profit organizations.

Subd. 4. **Statewide commander.** (a) The commissioner of public safety shall appoint a statewide commander.

(b) The commander shall:

(1) coordinate and monitor all multijurisdictional identity theft and financial crime enforcement activities;

(2) facilitate local efforts and ensure statewide coordination with efforts to combat identity theft and financial crime;

(3) facilitate training for law enforcement and other personnel;

(4) monitor compliance with investigative protocols;

(5) implement an outcome evaluation and data quality control process;

(6) be responsible for the selection and for cause removal of assigned task force investigators who are designated participants under a memorandum of understanding or who receive grant funding;

(7) provide supervision of assigned task force investigators;

(8) submit a task force operational budget to the commissioner of public safety for approval; and

(9) submit quarterly task force activity reports to the advisory board.

Subd. 5. **Participating officers; employment status.** All law enforcement officers selected to participate in the task force must be licensed peace officers as defined in section 626.84, subdivision 1, or qualified federal law enforcement officers as defined in section 626.8453. Participating officers remain employees of the same entity that employed them before joining any multijurisdictional entity established under this section. Participating officers are not employees of the state.

Subd. 6. **Jurisdiction and powers.** Law enforcement officers participating in any multijurisdictional entity established under this section have statewide jurisdiction to conduct criminal investigations and have the same powers of arrest as those possessed by a sheriff.

Subd. 7. **Grants authorized.** The commissioner of public safety, with advice from the advisory board, shall make grants to state and local units of government to combat identity theft and financial crime. The commander, as funding permits, may prepare a budget to establish four regional districts and funding grant allocations programs outside the counties of Hennepin, Ramsey, Anoka, Washington, and Dakota. The budget must be reviewed and approved by the commissioner to support these efforts.

Subd. 8. **Victims assistance program.** (a) The commissioner may establish a victims' assistance program to assist victims of economic crimes and provide prevention and awareness programs. The commissioner may retain the services of not-for-profit organizations to assist in the development and delivery systems in aiding victims of financial crime. The program may not provide any financial assistance to victims, but may assist victims in obtaining police assistance and advise victims in how to protect personal accounts and identities. Services may include a victim toll-free telephone number, fax number, website, Monday through Friday telephone service, email response, and interfaces to other helpful websites. Victims' information compiled are governed under chapter 13.

(b) The commissioner may post or communicate through public service announcements in newspapers, radio, television, cable access, billboards, Internet, websites, and other normal advertising channels, a financial reward of up to $2,000 for tips leading to the apprehension and successful prosecution of individuals committing economic crime. All rewards must be approved by the commissioner. The release of funds must be made to an individual whose information leads to the apprehension and prosecution of offenders committing economic or financial crimes against citizens or businesses in Minnesota. All rewards paid to an individual must be reported to the Department of Revenue along with the individual's Social Security number.

Subd. 9. **Advisory board and task force are permanent.** Notwithstanding section 15.059, this section does not expire.

Subd. 10. **Funding.** The commissioner may accept lawful grants and in-kind contributions from any federal, state, or local source or legal business or individual not funded by this section for general operation

support, including personnel costs. These grants or in-kind contributions are not to be directed toward the case of a particular victim or business. The task force's fiscal agent shall handle all funds approved by the commissioner, including in-kind contributions.

Subd. 11. **Forfeiture.** Property seized by the task force is subject to forfeiture pursuant to sections 609.531, 609.5312, 609.5313, and 609.5315 if ownership cannot be established. The task force shall receive the proceeds from the sale of all property properly seized and forfeited.

Subd. 12. [Repealed by amendment, 2009 c 59 art 5 s 9]

Subd. 13. **Report required.** By February 1 of each year, the commissioner shall report to the chairs and ranking minority members of the senate and house of representatives committees and divisions having jurisdiction over criminal justice policy and funding on the activities of the task force. At a minimum, this annual report must include:

(1) a description of the task force's goals for the previous year and for the coming year;

(2) a description of the outcomes the task force achieved or did not achieve during the preceding year and a description of the outcomes they will seek to achieve during the coming year;

(3) any legislative recommendations the advisory board or commissioner has including, where necessary, a description of the specific legislation needed to implement the recommendations;

(4) a detailed accounting of how appropriated money, grants, and in-kind contributions were spent; and

(5) a detailed accounting of the grants awarded under this section.

History: *2005 c 136 art 11 s 5; 2007 c 54 art 7 s 5,6; 2009 c 59 art 5 s 9*

ACCOUNTS

299A.70 PUBLIC SAFETY MOTOR VEHICLE ACCOUNT.

The public safety motor vehicle account is created in the special revenue fund, consisting of the fees collected under section 168A.29, subdivision 1, paragraph (b). Money in the account is annually appropriated to the commissioner for purchasing and equipping department vehicles.

History: *1997 c 159 art 2 s 42*

299A.705 DRIVER AND VEHICLE SERVICES ACCOUNTS.

Subdivision 1. **Driver and vehicle services operating account.** (a) The driver and vehicle services operating account is created in the special revenue fund. The account consists of all money from the vehicle services fees specified in chapters 168, 168A, and 168D, all money collected under chapter 171, and any other money donated, allotted, transferred, or otherwise provided to the account.

(b) Funds appropriated from the account must be used by the commissioner of public safety to administer:

(1) the driver services specified in chapters 169A and 171, including the activities associated with producing and mailing drivers' licenses and identification cards and notices relating to issuance, renewal, or withdrawal of driving and identification card privileges for any fiscal year or years and for the testing and examination of drivers; and

(2) the vehicle services specified in chapters 168, 168A, and 168D, and section 169.345, including:

(i) designing, producing, issuing, and mailing vehicle registrations, plates, emblems, and titles;

(ii) collecting title and registration taxes and fees;

(iii) transferring vehicle registration plates and titles;

(iv) maintaining vehicle records;

(v) issuing disability certificates and plates;

(vi) licensing vehicle dealers;

(vii) appointing, monitoring, and auditing deputy registrars; and

(viii) inspecting vehicles when required by law.

(c) In conjunction with each forecast under section 16A.103, the submission of the governor's budget under section 16A.11, and the completion of a legislative session, the commissioner of management and budget must publish a supplemental statement for the account. The statement must include:

(1) categorization of revenue and expenditures for recent, current, and upcoming fiscal years, with breakouts by anticipated expenditures under statutory and direct appropriations;

(2) specification of the account balance actuals or estimates in each fiscal year; and

(3) identification of changes in comparison to the most recent prior forecast.

Subd. 2. MS 2022 [Repealed, 2023 c 68 art 4 s 129]

Subd. 3. **Driver and vehicle services technology account.** (a) The driver and vehicle services technology account is created in the special revenue fund, consisting of the technology surcharge collected as specified in chapters 168, 168A, and 171; the filing fee revenue collected under section 168.33, subdivision 7; and any other money donated, allotted, transferred, or otherwise provided to the account.

(b) Money in the account is annually appropriated to the commissioner of public safety for the development, deployment, and maintenance of the driver and vehicle services information systems.

(c) By January 15 of each year, the commissioner must submit a report to the chairs and ranking minority members of the legislative committees with jurisdiction over transportation policy and finance concerning the account, which must include information on (1) total revenue deposited in the driver and vehicle services technology account, with a breakdown by sources of funds; and (2) an estimate of ongoing system maintenance costs, including a breakdown of the amounts spent by category.

Subd. 4. **Prohibited expenditures.** The commissioner is prohibited from expending money from driver and vehicle services accounts created in the special revenue fund for any purpose that is not specifically authorized in this section or in the chapters specified in this section.

History: *1Sp2005 c 6 art 2 s 46; 2008 c 287 art 1 s 90; 2008 c 363 art 11 s 9; 2011 c 117 s 6,7; 2013 c 86 art 3 s 4; 1Sp2019 c 3 art 2 s 31; 2023 c 68 art 4 s 82*

299A.706 ALCOHOL ENFORCEMENT ACCOUNT; APPROPRIATION.

An alcohol enforcement account is created in the special revenue fund, consisting of money credited to the account by law. Money in the account may be appropriated by law for (1) costs of the Alcohol and

Gambling Division related to administration and enforcement of sections 340A.403, subdivision 4; 340A.414, subdivision 1a; and 340A.504, subdivision 7; and (2) costs of the State Patrol.

History: *1Sp2003 c 19 art 2 s 50,79; 2018 c 182 art 1 s 90*

299A.707 COMMUNITY JUSTICE REINVESTMENT ACCOUNT.

Subdivision 1. **Account established.** The community justice reinvestment account is established in the special revenue fund.

Subd. 2. **Account purpose, grants.** Money in this account shall be allocated by a grant program administered by the commissioner of public safety through the Office of Justice Programs. Local units of government and nonprofit organizations are eligible for grants to establish or operate substance use disorder and mental health treatment programs, programs that improve supervision, including pretrial and precharge supervision, and programs to reduce recidivism of controlled substances offenders on probation or supervised release or participating in treatment courts or to fund local participation in treatment court initiatives approved by the Judicial Council.

Subd. 3. **Reporting.** By January 15, in each even-numbered year, the commissioner shall report to the chairs and ranking minority members of the senate and house of representatives committees and divisions having jurisdiction over criminal justice funding on grants made in the preceding two years from the account.

Subd. 4. **Legislative intent.** It is the legislature's intent that savings to the state realized as a result of the passage of Laws 2016, chapter 160, be used to fund the transfers from the general fund to this account.

Subd. 5. **Appropriation.** The amounts transferred to the account are appropriated to the commissioner to make grants under subdivision 2.

Subd. 6. **Annual transfer.** In fiscal year 2018 and each year thereafter, the commissioner of management and budget shall transfer $461,000 from the general fund to the community justice reinvestment account.

History: *2016 c 160 s 14; 2017 c 95 art 2 s 6; 1Sp2019 c 5 art 2 s 5; 2022 c 98 art 4 s 51*

299A.708 MINNESOTA VICTIMS OF CRIME ACCOUNT.

Subdivision 1. **Account established.** The Minnesota victims of crime account is established in the special revenue fund.

Subd. 2. **Source of funds.** The account consists of money deposited, donated, allotted, transferred, or otherwise provided to the account and any interest or earnings of the account.

Subd. 3. **Appropriation; account purpose; grants.** Money in the account, including interest accrued, is appropriated to the commissioner of public safety for the Office of Justice Programs to provide grants to crime victim services providers. Grants must be used for direct services and advocacy for victims of sexual assault, general crime, domestic violence, and child abuse. Funding must support the direct needs of organizations serving victims of crime and may provide: direct client assistance to crime victims; competitive wages for direct service staff; hotel stays and other housing-related supports and services; culturally responsive programming; prevention programming, including domestic abuse transformation and restorative justice programming; and for other needs of organizations and crime victim survivors. Up to ten percent of the appropriation is available for grant administration.

Subd. 4. **Reporting; carryover.** (a) By January 15 of each year, the commissioner of public safety shall submit a report to the chairs and ranking minority members of the legislative committees with jurisdiction

over public safety policy and finance on the account established in subdivision 1. The report must provide detailed information on the money deposited into the account and any money carried over from the previous year, including the amounts and sources of the money.

(b) Money in the account does not cancel but remains available for expenditures for grants identified in subdivision 3.

Subd. 5. **Annual transfer.** In fiscal year 2028, the commissioner of management and budget shall transfer $878,000 from the general fund to the Minnesota victims of crime account. In fiscal year 2029 and each year thereafter, the commissioner of management and budget shall transfer $879,000 from the general fund to the Minnesota victims of crime account.

History: *2025 c 35 art 2 s 16*

JUVENILE PROGRAMS

299A.71 COMBATING JUVENILE PROSTITUTION; PREVENTION GRANTS.

Subdivision 1. **Establishment.** A grant program is established for enhanced law enforcement efforts and peace officer education and training to combat juvenile prostitution. The goal of the grants is to provide peace officers with the knowledge and skills to recognize individuals who sexually exploit youth, charge and prosecute these individuals for promotion and solicitation of prostitution, and effectively communicate with the victims of juvenile prostitution.

Subd. 2. **Eligibility.** The commissioner of public safety shall make juvenile prostitution prevention grants to local law enforcement agencies to provide enhanced efforts targeted to juvenile prostitution and training and staff development relating to the prevention of juvenile prostitution. The law enforcement agency must utilize all of the grant funding received for efforts to combat juvenile prostitution.

Subd. 3. **Grant application.** A local law enforcement agency must submit an application to the commissioner of public safety in the form and manner the commissioner establishes.

History: *2000 c 488 art 6 s 6*

299A.72 [Renumbered 142A.75]

299A.73 [Renumbered 142A.43]

299A.75 MS 2002 [Renumbered 65B.84]

SUICIDE STATISTICS

299A.76 SUICIDE STATISTICS.

(a) The commissioner of public safety shall not:

(1) include any statistics on committing suicide or attempting suicide in any compilation of crime statistics published by the commissioner; or

(2) label as a crime statistic, any data on committing suicide or attempting suicide.

(b) This section does not apply to the crimes of aiding suicide under section 609.215, subdivision 1, or aiding attempted suicide under section 609.215, subdivision 2, or to statistics on a suicide directly related to the commission of a crime.

History: *1Sp2001 c 9 art 13 s 17; 2002 c 379 art 1 s 113*

299A.77 MS 2010 [Renumbered 299A.706]

HUMAN TRAFFICKING

299A.78 STATEWIDE HUMAN TRAFFICKING ASSESSMENT.

Subdivision 1. **Definitions.** For purposes of sections 299A.78 to 299A.795, the following definitions apply:

(a) "Commissioner" means the commissioner of the Department of Public Safety.

(b) "Nongovernmental organizations" means nonprofit, nongovernmental organizations that provide legal, social, or other community services.

(c) "Debt bondage" has the meaning given in section 609.281, subdivision 3.

(d) "Forced or coerced labor or services" has the meaning given in section 609.281, subdivision 4.

(e) "Labor trafficking" has the meaning given in section 609.281, subdivision 5.

(f) "Labor trafficking victim" has the meaning given in section 609.281, subdivision 6.

(g) "Sex trafficking" has the meaning given in section 609.321, subdivision 7a.

(h) "Sex trafficking victim" has the meaning given in section 609.321, subdivision 7b.

(i) "Trafficking" includes "labor trafficking" and "sex trafficking."

(j) "Trafficking victim" includes "labor trafficking victim" and "sex trafficking victim."

Subd. 2. **General duties.** The commissioner of public safety, in cooperation with local authorities, shall:

(1) collect, share, and compile trafficking data among government agencies to assess the nature and extent of trafficking in Minnesota; and

(2) analyze the collected data to develop a plan to address and prevent human trafficking.

Subd. 3. **Outside services.** As provided for in section 15.061, the commissioner of public safety may contract with professional or technical services in connection with the duties to be performed under sections 299A.785, 299A.79, and 299A.795. The commissioner may also contract with other outside organizations to assist with the duties to be performed under sections 299A.785, 299A.79, and 299A.795.

History: *2005 c 136 art 11 s 6; 2006 c 282 art 13 s 8; 2013 c 125 art 1 s 63; 2023 c 27 s 1*

299A.783 STATEWIDE ANTITRAFFICKING INVESTIGATION COORDINATION.

Subdivision 1. **Antitrafficking investigation coordinator.** The commissioner of public safety must appoint a statewide antitrafficking investigation coordinator. The coordinator must be a current or former law enforcement officer or prosecutor with experience investigating or prosecuting trafficking-related

offenses. The coordinator must also have knowledge of services available to and Safe Harbor response for victims of sex trafficking and sexual exploitation and Minnesota's child welfare system response. The coordinator serves at the pleasure of the commissioner in the unclassified service.

Subd. 2. **Coordinator's responsibilities.** The coordinator shall have the following duties:

(1) develop, coordinate, and facilitate training for law enforcement officers, prosecutors, courts, child welfare workers, social service providers, medical providers, and other community members;

(2) establish standards for approved training and review compliance with those standards;

(3) coordinate and monitor multijurisdictional sex trafficking task forces;

(4) review, develop, promote, and monitor compliance with investigative protocols to ensure that law enforcement officers and prosecutors engage in best practices;

(5) provide technical assistance and advice related to the investigation and prosecution of trafficking offenses and the treatment of victims;

(6) promote the efficient use of resources by addressing issues of deconfliction, providing advice regarding questions of jurisdiction, and promoting the sharing of data between entities investigating and prosecuting trafficking offenses;

(7) assist in the appropriate distribution of grants;

(8) perform other duties necessary to ensure effective and efficient investigation and prosecution of trafficking-related offenses; and

(9) coordinate with other federal, state, and local agencies to ensure multidisciplinary responses to trafficking and exploitation of youth in Minnesota.

History: *1Sp2021 c 11 art 2 s 14; 2023 c 52 art 5 s 23*

299A.785 TRAFFICKING STUDY.

Subdivision 1. **Information to be collected.** The commissioner shall elicit the cooperation and assistance of government agencies and nongovernmental organizations as appropriate to assist in the collection of trafficking data. The commissioner shall direct the appropriate authorities in each agency and organization to make best efforts to collect information relevant to tracking progress on trafficking. The information to be collected may include, but is not limited to:

(1) the numbers of arrests, prosecutions, and successful convictions of traffickers and those committing trafficking-related crimes, including, but not limited to, the following offenses: 609.27 (coercion); 609.282 (labor trafficking); 609.283 (unlawful conduct with respect to documents in furtherance of labor or sex trafficking); 609.321 (promotion of prostitution); 609.322 (solicitation of prostitution); 609.324 (other prostitution crimes); 609.33 (disorderly house); 609.352 (solicitation of a child); 617.245 and 617.246 (use of minors in sexual performance); 617.247 (possession of child sexual abuse material); and 617.293 (harmful materials; dissemination and display to minors prohibited);

(2) statistics on the number of trafficking victims, including demographics, method of recruitment, and method of discovery;

(3) trafficking routes and patterns, states or country of origin, and transit states or countries;

(4) method of transportation, motor vehicles, aircraft, watercraft, or by foot if any transportation took place; and

(5) social factors, including pornography, that contribute to and foster trafficking, especially trafficking of women and children.

Subd. 2. **Publication.** The commissioner shall gather and compile annually statistical data on the extent and nature of trafficking in Minnesota. The commissioner shall publish the data every two years. This publication shall be available to the public and include, to the extent possible, the information to be collected in subdivision 1 and any other information the commissioner finds relevant to the issue of trafficking in Minnesota.

History: *2005 c 136 art 11 s 7; 2009 c 137 s 1; 2018 c 144 s 1; 2025 c 35 art 5 s 27*

299A.79 TRAFFICKING STUDY; ANALYSIS AND USE OF DATA.

Subdivision 1. **Data analysis.** The commissioner shall analyze the data collected in section 299A.785 to develop a plan to address current trafficking and prevent future trafficking in this state. The commissioner may evaluate various approaches used by other state and local governments to address trafficking. The plan must include, but not be limited to:

(1) ways to train agencies, organizations, and officials involved in law enforcement, prosecution, and social services;

(2) ways to increase public awareness of trafficking; and

(3) procedures to enable the state government to work with nongovernmental organizations to prevent trafficking.

Subd. 2. **Training plan.** The training plan required in subdivision 1 must include:

(1) methods used in identifying trafficking victims, including preliminary interview techniques and appropriate interrogation methods;

(2) methods for prosecuting traffickers;

(3) methods for protecting the rights of trafficking victims, taking into account the need to consider human rights and special needs of women and children trafficking victims; and

(4) methods for promoting the safety of trafficking victims.

Subd. 3. **Public awareness initiative.** The public awareness initiative required in subdivision 1 must address, at a minimum, the following subjects:

(1) the risks of becoming a trafficking victim;

(2) common recruitment techniques; use of debt bondage, forced or coerced labor or services, prostitution, and other coercive tactics; and risks of assault, criminal sexual conduct, exposure to sexually transmitted diseases, and psychological harm;

(3) crime victims' rights; and

(4) reporting recruitment activities involved in trafficking.

Subd. 4. **Report to legislature.** The commissioner shall report the plan to the chairs and ranking minority members of the senate and house of representatives committees and divisions having jurisdiction over criminal justice policy and funding by December 15, 2006.

History: *2006 c 282 art 13 s 9; 2023 c 27 s 2*

299A.795 TRAFFICKING VICTIM ASSISTANCE.

The commissioner may review the existing services and facilities to meet trafficking victims' needs and recommend a plan that would coordinate the services including, but not limited to:

(1) medical and mental health services;

(2) housing;

(3) education and job training;

(4) English as a second language;

(5) interpreting services;

(6) legal and immigration services; and

(7) victim compensation.

History: *2006 c 282 art 13 s 10*

299A.7955 MS 2010 [Expired, 2006 c 282 art 13 s 11]

299A.7957 TOLL-FREE HOTLINE FOR TRAFFICKING VICTIMS.

(a) As used in this section, "trafficking victim" has the meaning given in section 299A.78, subdivision 1.

(b) The commissioner of public safety shall contract with a nonprofit organization that provides legal services to domestic and international trafficking victims to maintain a toll-free telephone hotline for trafficking victims. The hotline must be in place by January 1, 2007, and must be operated 24 hours a day, 365 days a year. The hotline must offer language interpreters for languages commonly spoken in Minnesota, including, but not limited to, Spanish, Vietnamese, Hmong, and Somali. At a minimum, the hotline must screen trafficking victims, both domestic and international, and provide appropriate referrals to attorneys and victims' services organizations.

History: *2006 c 282 art 13 s 12*

ADMINISTRATIVE PENALTIES AND REMEDIES

299A.80 ADMINISTRATIVE POWERS AND PENALTIES; GENERAL.

Subdivision 1. **Definitions.** (a) For purposes of sections 299A.80 to 299A.802, the terms defined in this subdivision have the meanings given them.

(b) "Administrative agent" means a person or entity licensed by or granted authority by the commissioner of public safety under:

(1) section 168.33 as a deputy registrar; or

(2) section 171.061 as a driver's license agent.

(c) "Other authority" means licenses, orders, stipulation agreements, settlements, or compliance agreements adopted or issued by the commissioner of public safety.

(d) "Commissioner" means the commissioner of public safety.

(e) "License" means a license, permit, registration, appointment, or certificate issued or granted to an administrative agent by the commissioner of public safety.

Subd. 2. **Applicability.** Sections 299A.80 to 299A.802 apply to administrative agents licensed by or subject to other authority of the commissioner.

Subd. 3. **Cumulative remedy.** The authority of the commissioner to issue a corrective order or assess an administrative penalty under sections 299A.80 to 299A.802 is in addition to other remedies available under statutory or common law, except that the state may not seek a civil penalty under any other law for a violation covered by an administrative penalty order. The payment of a penalty does not preclude the use of other enforcement provisions, under which civil fines are not assessed, in connection with the violation for which the penalty was assessed.

Subd. 4. **Access to information and property.** The commissioner, an employee, or an agent authorized by the commissioner, upon presentation of credentials, may:

(1) examine and copy any books, papers, records, memoranda, or data of an administrative agent; and

(2) enter upon any property where an administrative agent conducts its place of business to take actions authorized under statute, rule, or other authority, including (i) obtaining information from an administrative agent who has a duty to provide information under statute, rule, or other authority, (ii) taking steps to remedy violations, or (iii) conducting surveys or investigations.

Subd. 5. **False information.** (a) An administrative agent may not:

(1) make a false material statement, representation, or certification in a required document;

(2) omit material information from a required document; or

(3) alter, conceal, or fail to file or maintain a required document.

(b) In this section, "required document" means a notice, application, record, report, plan, or other document required under statute, rule, or other authority.

Subd. 6. **Enforcement.** (a) The attorney general may proceed on behalf of the state to enforce administrative penalties that are due and payable under section 299A.802 in any manner provided by law for the collection of debts.

(b) The attorney general may petition the district court to file a final administrative penalty order as an order of the court. At any court hearing to enforce a final administrative penalty order, the only issues the parties may contest are procedural and notice issues. Once entered, the administrative penalty order may be enforced in the same manner as a final judgment of the district court. This paragraph does not preclude district court review of the merits of an administrative penalty order if the order is appealed by the administrative agent under section 299A.802, subdivision 5.

(c) If an administrative agent fails to pay an administrative penalty, the attorney general may bring a civil action in district court seeking payment of the penalty, injunctive relief, or other appropriate relief including monetary damages, attorney fees, costs, and interest.

Subd. 7. **Recovery of reasonable costs and attorney fees.** (a) In any judicial action brought by the attorney general for civil penalties, injunctive relief, or an action to compel performance pursuant to this section, if the state finally prevails, and if the proven violation was willful, the state, in addition to other penalties provided by law, may be allowed an amount determined by the court to be the reasonable value of all or part of the costs and attorney fees incurred by the state or the prevailing party. In determining the amount of the reasonable costs and attorney fees to be allowed, the court must give consideration to the economic circumstances of the defendant.

(b) However, if a defendant prevails, the court may award the reasonable value of all or part of the reasonable costs and attorney fees incurred by the defendant.

Subd. 8. **Education and compliance account; money allocated.** An education and compliance account is created for the deposit of administrative penalty order receipts. Of the funds deposited in this account, $5,000 each year is appropriated to the commissioner for education and compliance activities related to the regulated parties affected by this chapter. At the end of each biennium, all money not expended lapses to the general fund.

Subd. 9. **Plan for using penalty order or cease and desist authority.** The commissioner shall prepare a plan for using the administrative penalty order and cease and desist authority in this section. The commissioner shall provide a 30-day period for public comment on the plan. The plan must be finalized by July 1, 2004, and may be modified as necessary upon subsequent notice and opportunity for comment.

History: *1Sp2003 c 19 art 2 s 51; 2006 c 212 art 3 s 30*

299A.801 CORRECTIVE ORDERS AND INJUNCTIONS.

Subdivision 1. **Corrective order.** (a) Before seeking an administrative penalty order under section 299A.802, the commissioner must issue a corrective order that requires the administrative agent to correct the violation of statute, rule, or other authority. The corrective order must state the deficiencies that constitute the violation of the specific statute, rule, or other authority, and the time by which the violation must be corrected. In addition to service by certified mail on the administrative agent, a copy of the corrective order must be given to the county auditor in the county where the administrative agent is located.

(b) The administrative agent to whom the corrective order was issued shall provide information to the commissioner, by the due date stated in the corrective order, demonstrating that the violation has been corrected or that the administrative agent has developed a corrective plan acceptable to the commissioner. The commissioner must determine whether the violation has been corrected and notify the administrative agent subject to the order of the commissioner's determination.

(c) If the administrative agent believes that the information contained in the commissioner's corrective order is in error, the administrative agent may ask the commissioner to reconsider the parts of the corrective order that are alleged to be in error. The request must:

(1) be in writing;

(2) be delivered to the commissioner by certified mail within seven calendar days after receipt of the corrective order;

(3) specify which parts of the corrective order are alleged to be in error and explain why they are in error; and

(4) provide documentation to support the allegation of error.

(d) The commissioner shall respond to requests made under paragraph (c) within 15 calendar days after receiving a request. A request for reconsideration does not stay the corrective order; however, after reviewing the request for reconsideration, the commissioner may provide additional time to comply with the order if necessary. The commissioner's disposition of a request for reconsideration of a corrective order is final.

Subd. 2. **Cease and desist order.** The commissioner, or an employee of the department designated by the commissioner, may issue an order to cease an activity otherwise authorized by statute, rule, or other authority if continuation of the activity would result in an immediate risk to public safety. A cease and desist order issued under this subdivision is effective for a maximum of 72 hours. In conjunction with issuing the cease and desist order, the commissioner may post a sign to cease an activity until the cease and desist order is lifted and the sign is removed by the commissioner. To restrain activities for a period beyond 72 hours, the commissioner must seek an injunction or take other administrative action authorized by law. The issuance of a cease and desist order does not preclude the commissioner from pursuing any other enforcement action available to the commissioner.

Subd. 3. **Action for injunctive relief.** In addition to any other remedy provided by law, the commissioner may bring an action for injunctive relief in the District Court in Ramsey County or, at the commissioner's discretion, in the district court in the county in which a violation of a statute, rule, or other authority has occurred to enjoin the violation.

History: *1Sp2003 c 19 art 2 s 52*

299A.802 ADMINISTRATIVE PENALTY ORDER.

Subdivision 1. **Authority; maximum penalty amount; notice.** The commissioner may issue an administrative penalty order for a violation of statute, rule, or other authority if an administrative agent has failed to comply with a corrective order issued under section 299A.801 related to that violation. The maximum amount of an administrative penalty order is $10,000 for each administrative agent for all violations identified in an inspection or review of compliance. In addition to service by certified mail on the administrative agent, a copy of the administrative penalty order must be given to the county auditor in the county where the administrative agent is located.

Subd. 2. **Amount of penalty; considerations.** (a) In determining the amount of a penalty to be assessed under this section, the commissioner may consider:

(1) the willfulness of the violation;

(2) the gravity of the violation, including damage to consumers or the state;

(3) the history of past violations;

(4) the number of violations;

(5) the economic benefit gained by the administrative agent by allowing or committing the violation; and

(6) other factors as justice may require, if the commissioner specifically identifies the additional factors in the commissioner's order.

(b) If an administrative agent violates a corrective order after a violation of a previous corrective order, the commissioner, in determining the amount of a penalty, must consider the factors in paragraph (a) and the following factors:

(1) similarity of the most recent previous violation of a corrective order and the violation to be penalized;

(2) time elapsed since the last violation of a corrective order;

(3) number of previous violations; and

(4) response of the administrative agent to the most recent previous violation identified.

Subd. 3. **Contents of order.** An administrative penalty order under this section must include:

(1) a concise statement of the facts alleged to constitute a violation;

(2) a reference to the portion of the statute, rule, variance, order, or stipulation agreement or the term or condition of a permit that has been violated;

(3) a description of the violation of the corrective order that forms the basis for issuance of the administrative penalty order;

(4) a statement of the amount of the administrative penalty to be imposed and the factors upon which the penalty is based; and

(5) a statement of the administrative agent's right to review and appeal of the administrative penalty order.

Subd. 4. **Due date.** (a) Unless the administrative agent requests review of the administrative penalty order under subdivision 5 before the penalty is due, the penalty in the order is due and payable on the 31st day after the administrative penalty order was received, if the administrative agent subject to the order fails to provide information to the commissioner showing that the violation has been corrected or that appropriate steps have been taken toward correcting the violation. These requirements may be waived or extended by the commissioner.

(b) Interest at the rate established in section 549.09 begins to accrue on penalties under this subdivision on the 31st day after the order with the penalty was received, unless waived by the commissioner.

Subd. 5. **Expedited administrative hearing.** (a) Within 30 days after receiving an administrative penalty order, the administrative agent subject to an order under this section may request an expedited hearing, using the procedures of Minnesota Rules, parts 1400.8510 to 1400.8612, or their successor rules, to review the commissioner's action. The hearing request must specifically state the reasons for seeking review of the administrative penalty order. The administrative agent to whom the administrative penalty order is directed and the commissioner are the parties to the expedited hearing. At least 15 days before the hearing, the commissioner shall notify the administrative agent to whom the administrative penalty order is directed of the time and place of the hearing. The expedited hearing must be held within 30 days after a request for hearing has been filed with the commissioner unless the parties agree to a later date.

(b) All written arguments must be submitted within ten days following the close of the hearing. The hearing must be conducted under Minnesota Rules, parts 1400.8510 to 1400.8612, or their successor rules, as modified by this subdivision. The Office of Administrative Hearings, in consultation with the agency, may adopt rules specifically applicable to cases under this section.

(c) Within 30 days following the close of the record, the administrative law judge shall issue a report making recommendations about the commissioner's action to the commissioner. The administrative law judge may not recommend a change in the amount of the proposed administrative penalty unless the administrative law judge determines that, based on the factors in subdivision 1, the amount of the administrative penalty is unreasonable.

(d) If the administrative law judge makes a finding that the hearing was requested solely for purposes of delay or that the hearing request was frivolous, the commissioner may add to the amount of the administrative penalty the costs charged to the agency by the Office of Administrative Hearings for the hearing.

(e) If a hearing has been held, the commissioner may not issue a final order until at least five days after receipt of the report of the administrative law judge. Within those five days, the administrative agent to whom an administrative penalty order is issued may comment to the commissioner on the recommendations and the commissioner shall consider the comments. The final administrative penalty order may be appealed to the district court for a de novo review of the order.

(f) If a hearing has been held and a final administrative penalty order issued by the commissioner, the administrative penalty must be paid by 30 days after the date the final order is received unless it is appealed to the district court. If an appeal is not taken or the administrative penalty order is upheld on appeal, the amount due is the administrative penalty, together with interest accruing from 31 days after the original order was received, at the rate established in section 549.09.

Subd. 6. **Mediation.** In addition to review under subdivision 5, the commissioner may enter into mediation concerning an order issued under this section if the commissioner and the administrative agent to whom the order is issued both agree to mediation.

History: *1Sp2003 c 19 art 2 s 53*

DEATH SCENE INVESTIGATION

299A.81 DEATH SCENE INVESTIGATIONS.

(a) The Department of Public Safety shall provide information to local law enforcement agencies about best practices for handling death scene investigations.

(b) The Department of Public Safety shall identify any publications or training opportunities that may be available to local law enforcement agencies or law enforcement officers concerning the handling of death scene investigations.

History: *2006 c 260 art 3 s 12*

MISSING AND MURDERED INDIGENOUS RELATIVES AND BLACK WOMEN AND GIRLS

299A.85 OFFICE FOR MISSING AND MURDERED INDIGENOUS RELATIVES.

Subdivision 1. **Definitions.** As used in this section, the following terms have the meanings given.

(a) "Indigenous" means descended from people who were living in North America at the time people from Europe began settling in North America.

(b) "Missing and murdered Indigenous relatives" means missing and murdered Indigenous people.

(c) "Missing and Murdered Indigenous Women Task Force report" means the report titled "Missing and Murdered Indigenous Women Task Force: a Report to the Minnesota Legislature," published by the Wilder Research organization in December 2020.

Subd. 2. **Establishment.** The commissioner shall establish and maintain an office dedicated to preventing and ending the targeting of Indigenous women, children, and two-spirited people with the Minnesota Office of Justice Programs.

Subd. 3. **Director; staff.** (a) The commissioner must appoint a director who is a person closely connected to a Tribe or Indigenous community and who is highly knowledgeable about criminal investigations. The commissioner is encouraged to consider candidates for appointment who are recommended by Tribes and Indigenous communities.

(b) The director may select, appoint, and compensate out of available funds assistants and employees as necessary to discharge the office's responsibilities.

(c) The director and full-time staff shall be members of the Minnesota State Retirement System.

Subd. 4. **Duties.** The office has the following duties:

(1) advocate in the legislature for legislation that will facilitate the accomplishment of the mandates identified in the Missing and Murdered Indigenous Women Task Force report;

(2) advocate for state agencies to take actions to facilitate the accomplishment of the mandates identified in the Missing and Murdered Indigenous Women Task Force report;

(3) develop recommendations for legislative and agency actions to address injustice in the criminal justice system's response to the cases of missing and murdered Indigenous relatives;

(4) facilitate research to refine the mandates in the Missing and Murdered Indigenous Women Task Force report and to assess the potential efficacy, feasibility, and impact of the recommendations;

(5) develop tools and processes to evaluate the implementation and impact of the efforts of the office;

(6) track and collect Minnesota data on missing and murdered indigenous women, children, and relatives, and provide statistics upon public or legislative inquiry;

(7) facilitate technical assistance for local and Tribal law enforcement agencies during active missing and murdered Indigenous relatives cases;

(8) conduct case reviews and report on the results of case reviews for the following types of missing and murdered Indigenous relatives cases: cold cases for missing Indigenous people and death investigation review for cases of Indigenous people ruled as suicide or overdose under suspicious circumstances;

(9) conduct case reviews of the prosecution and sentencing for cases where a perpetrator committed a violent or exploitative crime against an Indigenous person. These case reviews should identify those cases where the perpetrator is a repeat offender;

(10) prepare draft legislation as necessary to allow the office access to the data required for the office to conduct the reviews required in this section and advocate for passage of that legislation;

(11) review sentencing guidelines for missing and murdered Indigenous women-related crimes, recommend changes if needed, and advocate for consistent implementation of the guidelines across Minnesota courts;

(12) develop and maintain communication with relevant divisions in the Department of Public Safety regarding any cases involving missing and murdered Indigenous relatives and on procedures for investigating cases involving missing and murdered Indigenous relatives; and

(13) coordinate, as relevant, with the Bureau of Indian Affairs' Cold Case Office through Operation Lady Justice and other federal efforts, as well as efforts in neighboring states and Canada. This recommendation pertains to state efforts. Tribes are sovereign nations that have the right to determine if and how they will coordinate with these other efforts.

Subd. 5. **Coordination with other organizations.** In fulfilling its duties the office may coordinate, as useful, with stakeholder groups that were represented on the Missing and Murdered Indigenous Women Task Force and state agencies that are responsible for the systems that play a role in investigating, prosecuting, and adjudicating cases involving violence committed against Indigenous women, those who have a role in supporting or advocating for missing or murdered Indigenous women and the people who seek justice for them, and those who represent the interests of Indigenous people. This includes the following entities: Minnesota Chiefs of Police Association; Minnesota Sheriffs' Association; Bureau of Criminal Apprehension; Minnesota Police and Peace Officers Association; Tribal law enforcement; Minnesota County Attorneys Association; United States Attorney's Office; juvenile courts; Minnesota Coroners' and Medical Examiners' Association; United States Coast Guard; state agencies, including the Departments of Health, Human Services, Education, Corrections, and Public Safety; the Minnesota Indian Affairs Council; service providers who offer legal services, advocacy, and other services to Indigenous women and girls; the Minnesota Indian Women's Sexual Assault Coalition; Mending the Sacred Hoop; Indian health organizations; Indigenous women and girls who are survivors; the 11 Tribal nations that share geography with Minnesota; and organizations and leadership from urban and statewide American Indian communities.

Subd. 6. **Reports.** The office must report on measurable outcomes achieved to meet its statutory duties, along with specific objectives and outcome measures proposed for the following year. The report must include data and statistics on missing and murdered Indigenous women, children, and Two-Spirit relatives in Minnesota, including names, dates of disappearance, and dates of death, to the extent the data is publicly available. The report must also identify and describe the work of any reward advisory group and itemize the expenditures of the Gaagige-Mikwendaagoziwag reward account, if any. The office must submit the report by January 15 each year to the chairs and ranking minority members of the legislative committees with primary jurisdiction over public safety.

Subd. 7. **Grants.** The office may apply for and receive grants from public and private entities for purposes of carrying out the office's duties under this section.

Subd. 8. **Access to data.** Notwithstanding section 13.384 or 13.85, the director has access to corrections and detention data and medical data maintained by an agency and classified as private data on individuals or confidential data on individuals to the extent the data is necessary for the office to perform its duties under this section.

History: *1Sp2021 c 11 art 2 s 15; 2023 c 52 art 5 s 24*

299A.86 GAAGIGE-MIKWENDAAGOZIWAG REWARD ACCOUNT FOR INFORMATION ON MISSING AND MURDERED INDIGENOUS RELATIVES.

Subdivision 1. **Definitions.** As used in this section:

(1) "Gaagige-Mikwendaagoziwag" means "they will be remembered forever";

(2) "missing and murdered Indigenous relatives" means missing and murdered Indigenous people from or descended from a federally recognized Indian Tribe; and

(3) "Two-Spirit" means cultural, spiritual, sexual, and gender identity as reflected in complex Indigenous understandings of gender roles, spirituality, and the long history of gender diversity in Indigenous cultures.

Subd. 2. **Account created.** An account for rewards for information on missing and murdered Indigenous women, children, and Two-Spirit relatives is created in the special revenue fund. Money deposited into the account is appropriated to the commissioner of public safety to pay rewards and for the purposes provided under this section.

Subd. 3. **Reward.** The director of the Office for Missing and Murdered Indigenous Relatives, in consultation with the Gaagige-Mikwendaagoziwag reward advisory group:

(1) shall determine the eligibility criteria and procedures for granting rewards under this section; and

(2) is authorized to pay a reward to any person who provides relevant information relating to a missing and murdered Indigenous woman, child, and Two-Spirit relative investigation.

Subd. 4. **Reward advisory group.** (a) The director of the Office for Missing and Murdered Indigenous Relatives, in consultation with the stakeholder groups described in section 299A.85, subdivision 5, shall appoint an advisory group to make recommendations on:

(1) paying rewards under this section;

(2) supporting community-based efforts through funding community-led searches and search kits, including but not limited to global position system devices and vests; community-led communications, including but not limited to flyers, staples, and duct tape; and other justice-related expenses;

(3) funding for community-led communications and outreach, including but not limited to billboards and other media-related expenses;

(4) funding activities and programs to gather information on missing and murdered Indigenous women, children, and Two-Spirit relatives and to partner with and support community-led efforts;

(5) developing, implementing, and coordinating prevention and awareness programming based on best practices and data-driven research; and

(6) any other funding activities and needs.

(b) The advisory group shall consist of the following individuals:

(1) a representative from the Office for Missing and Murdered Indigenous Relatives;

(2) a representative from a Tribal, statewide, or local organization that provides legal services to Indigenous women and girls;

(3) a representative from a Tribal, statewide, or local organization that provides advocacy or counseling for Indigenous women and girls who have been victims of violence;

(4) a representative from a Tribal, statewide, or local organization that provides services to Indigenous women and girls;

(5) a Tribal peace officer who works for or resides on a federally recognized American Indian reservation in Minnesota;

(6) a representative from the Minnesota Human Trafficking Task Force; and

(7) a survivor or family member of a missing and murdered Indigenous woman, child, or Two-Spirit relative.

(c) Members serve a term of four years. Vacancies shall be filled by the appointing authority and members may be reappointed.

(d) The advisory group shall meet as necessary but at a minimum twice per year to carry out its duties. The director shall provide necessary office space and administrative support to the group. Members of the group serve without compensation but shall receive expense reimbursement as provided in section 15.059.

(e) The representative from the Office for Missing and Murdered Indigenous Relatives may fully participate in the advisory group's activities but may not vote on issues before the group.

Subd. 5. **Advertising.** The director of the Office for Missing and Murdered Indigenous Relatives, in consultation with the reward advisory group, may spend up to four percent of available funds on an advertising or public relations campaign to increase public awareness on the availability of rewards under this section.

Subd. 6. **Grants; donations.** The director of the Office for Missing and Murdered Indigenous Relatives, in consultation with the reward advisory group, may apply for and accept grants and donations from the public and from public and private entities to implement this section. The commissioner of public safety shall deposit any grants or donations received under this subdivision into the account established under subdivision 1.

Subd. 7. **Expiration.** Notwithstanding section 15.059, subdivision 6, the advisory group does not expire.

History: *2023 c 52 art 5 s 25*

299A.90 OFFICE FOR MISSING AND MURDERED BLACK WOMEN AND GIRLS.

Subdivision 1. **Establishment.** The commissioner shall establish and maintain an office dedicated to preventing and ending the targeting of Black women and girls within the Minnesota Office of Justice Programs.

Subd. 2. **Director; staff.** (a) The commissioner must appoint a director who is a person closely connected to the Black community and who is highly knowledgeable about criminal investigations. The commissioner is encouraged to consider candidates for appointment who are recommended by members of the Black community.

(b) The director may select, appoint, and compensate out of available funds assistants and employees as necessary to discharge the office's responsibilities.

(c) The director and full-time staff shall be members of the Minnesota State Retirement Association.

Subd. 3. **Duties.** (a) The office has the following duties:

(1) advocate in the legislature for legislation that will facilitate the accomplishment of mandates identified in the report of the Task Force on Missing and Murdered African American Women;

(2) advocate for state agencies to take actions to facilitate the accomplishment of mandates identified in the report of the Task Force on Missing and Murdered African American Women;

(3) develop recommendations for legislative and agency actions to address injustice in the criminal justice system's response to cases of missing and murdered Black women and girls;

(4) facilitate research to refine the mandates in the report of the Task Force on Missing and Murdered African American Women and to assess the potential efficacy, feasibility, and impact of the recommendations;

(5) collect data on missing person and homicide cases involving Black women and girls, including the total number of cases, the rate at which the cases are solved, the length of time the cases remain open, and a comparison to similar cases involving different demographic groups;

(6) collect data on Amber Alerts, including the total number of Amber Alerts issued, the total number of Amber Alerts that involve Black girls, and the outcome of cases involving Amber Alerts disaggregated by the child's race and sex;

(7) collect data on reports of missing Black girls, including the number classified as voluntary runaways, and a comparison to similar cases involving different demographic groups;

(8) analyze and assess the intersection between cases involving missing and murdered Black women and girls and labor trafficking and sex trafficking;

(9) develop recommendations for legislative, agency, and community actions to address the intersection between cases involving missing and murdered Black women and girls and labor trafficking and sex trafficking;

(10) analyze and assess the intersection between cases involving murdered Black women and girls and domestic violence, including prior instances of domestic violence within the family or relationship, whether an offender had prior convictions for domestic assault or related offenses, and whether the offender used a firearm in the murder or any prior instances of domestic assault;

(11) develop recommendations for legislative, agency, and community actions to address the intersection between cases involving murdered Black women and girls and domestic violence;

(12) develop tools and processes to evaluate the implementation and impact of the efforts of the office;

(13) track and collect Minnesota data on missing and murdered Black women and girls, and provide statistics upon public or legislative inquiry;

(14) facilitate technical assistance for local and Tribal law enforcement agencies during active cases involving missing and murdered Black women and girls;

(15) conduct case reviews and report on the results of case reviews for the following types of cases involving missing and murdered Black women and girls: cold cases for missing Black women and girls and death investigation review for cases of Black women and girls ruled as suicide or overdose under suspicious circumstances;

(16) conduct case reviews of the prosecution and sentencing for cases where a perpetrator committed a violent or exploitative crime against a Black woman or girl. These case reviews must identify those cases where the perpetrator is a repeat offender;

(17) prepare draft legislation as necessary to allow the office access to the data necessary for the office to conduct the reviews required in this section and advocate for passage of that legislation;

(18) review sentencing guidelines for crimes related to missing and murdered Black women and girls, recommend changes if needed, and advocate for consistent implementation of the guidelines across Minnesota courts;

(19) develop and maintain communication with relevant divisions in the Department of Public Safety, including but not limited to the Bureau of Criminal Apprehension, regarding any cases involving missing and murdered Black women and girls and on procedures for investigating cases involving missing and murdered Black women and girls;

(20) consult with the Council for Minnesotans of African Heritage established in section 15.0145; and

(21) coordinate, as relevant, with federal efforts, and efforts in neighboring states and Canada.

(b) As used in this subdivision:

(1) "labor trafficking" has the meaning given in section 609.281, subdivision 5; and

(2) "sex trafficking" has the meaning given in section 609.321, subdivision 7a.

Subd. 4. **Coordination with other organizations.** In fulfilling its duties, the office may coordinate, as useful, with stakeholder groups that were represented on the Task Force on Missing and Murdered African American Women and state agencies that are responsible for the systems that play a role in investigating, prosecuting, and adjudicating cases involving violence committed against Black women and girls; those who have a role in supporting or advocating for missing or murdered Black women and girls and the people who seek justice for them; and those who represent the interests of Black people. This includes the following entities: Minnesota Chiefs of Police Association; Minnesota Sheriffs' Association; Bureau of Criminal Apprehension; Minnesota Police and Peace Officers Association; Tribal law enforcement; Minnesota County Attorneys Association; United States Attorney's Office; juvenile courts; Minnesota Coroners' and Medical Examiners' Association; United States Coast Guard; state agencies, including the Departments of Health, Human Services, Education, Corrections, and Public Safety; service providers who offer legal services, advocacy, and other services to Black women and girls; Black women and girls who are survivors; and organizations and leadership from urban and statewide Black communities.

Subd. 5. **Reports.** The office must report on measurable outcomes achieved to meet its statutory duties, along with specific objectives and outcome measures proposed for the following year. The report must include data and statistics on missing and murdered Black women and girls in Minnesota, including names, dates of disappearance, and dates of death, to the extent the data is publicly available. The office must submit the report by January 15 each year to the chairs and ranking minority members of the legislative committees with primary jurisdiction over public safety.

Subd. 6. **Acceptance of gifts and receipt of grants.** (a) A missing and murdered Black women and girls account is established in the special revenue fund. Money in the account, including interest earned, is appropriated to the office for the purposes of carrying out the office's duties, including but not limited to issuing grants to community-based organizations.

(b) Notwithstanding sections 16A.013 to 16A.016, the office may accept funds contributed by individuals and may apply for and receive grants from public and private entities. The funds accepted or received under this subdivision must be deposited in the missing and murdered Black women and girls account created under paragraph (a).

Subd. 7. **Grants to organizations.** (a) The office shall issue grants to community-based organizations that provide services designed to prevent or end the targeting of Black women or girls, or to provide assistance to victims of offenses that targeted Black women or girls.

(b) Grant recipients must use money to:

(1) provide services designed to reduce or prevent crimes or other negative behaviors that target Black women or girls;

(2) provide training to the community about how to handle situations and crimes involving the targeting of Black women and girls, including but not limited to training for law enforcement officers, county attorneys, city attorneys, judges, and other criminal justice partners; or

(3) provide services to Black women and girls who are victims of crimes or other offenses, or to the family members of missing and murdered Black women and girls.

(c) Applicants must apply in a form and manner established by the office.

(d) Grant recipients must provide an annual report to the office that includes:

(1) the services provided by the grant recipient;

(2) the number of individuals served in the previous year; and

(3) any other information required by the office.

(e) On or before February 1 of each year, the office shall report to the legislative committees and divisions with jurisdiction over public safety on the work of grant recipients, including a description of the number of entities awarded grants, the amount of those grants, and the number of individuals served by the grantees.

(f) The office may enter into agreements with the Office of Justice Programs for the administration of grants issued under this subdivision.

Subd. 8. **Access to data.** Notwithstanding section 13.384 or 13.85, the director has access to corrections and detention data and medical data maintained by an agency and classified as private data on individuals or confidential data on individuals to the extent the data is necessary for the office to perform its duties under this section.

History: *2023 c 52 art 5 s 26*

OFFICE OF RESTORATIVE PRACTICES

299A.95 [Renumbered 142A.76]

299A.955 [Renumbered 142A.765]