CHAPTER 299E

CAPITOL COMPLEX SECURITY

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299E.005 DEFINITIONS.

Subdivision 1. **Scope.** For purposes of this chapter, the terms defined in this section have the meanings given.

Subd. 2. **Capitol Area.** "Capitol Area" has the meaning given in section 15B.02.

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

History: *2026 c 118 art 2 s 4*

299E.01 CAPITOL SECURITY.

Subdivision 1. **Created; director.** A section in the Department of Public Safety to be known as Capitol Security is created within the State Patrol. Capitol Security is under the supervision and control of the director of Capitol Security, who must be a member of the State Patrol and to whom are assigned the duties and responsibilities described in this section. The commissioner of public safety may place the director's position in the unclassified service if the position meets the criteria of section 43A.08, subdivision 1a.

Subd. 2. **Responsibilities.** (a) Capitol Security is responsible and must utilize state employees for: (1) security and public information services in state-owned buildings and state leased-to-own buildings in the Capitol Area, as described in section 15B.02; and (2) legislative services as provided under section 299E.10. The commissioner must provide personnel as are required by the circumstances to ensure the orderly conduct of state business and the convenience of the public. Until July 1, 2026, it must provide emergency assistance and security escorts at any location within the Capitol Area, as described in section 15B.02, when requested by a state constitutional officer.

(b) As part of Capitol Security permanent staff, the director of Capitol Security must establish the position of emergency manager that includes, at a minimum, the following duties:

(1) oversight of the consolidation, development, and maintenance of plans and procedures that provide continuity of security operations;

(2) the development and implementation of tenant training that addresses threats and emergency procedures; and

(3) the development and implementation of threat and emergency exercises.

(c) The director must provide a minimum of one state trooper assigned to the Capitol complex at all times. The director and any state troopers assigned to the Capitol complex must have current training in, or recent experience conducting, criminal investigations that include identifying witnesses and report writing.

(d) Subject to available resources, the director must provide for a staffing complement and reimbursements to meet the requirements under section 299E.10.

(e) The director, in consultation with the advisory committee under section 299E.04, must, at least annually, hold a meeting or meetings to discuss, among other issues, Capitol complex security, emergency planning, public safety, and public access to the Capitol complex. The meetings must include, at a minimum:

(1) Capitol complex tenants and state employees;

(2) nongovernmental entities, such as lobbyists, vendors, and the media; and

(3) the public and public advocacy groups.

(f) Notwithstanding arrest referral requirements in section 299D.03, subdivision 1, paragraph (b), clause (12), Capitol Security is the lead agency responsible for investigating alleged criminal offenses that occur in state-owned buildings and state leased-to-own buildings, or on grounds surrounding these buildings, within the Capitol Area. Another law enforcement agency may assume responsibility for a criminal investigation under this paragraph if the director and the chief law enforcement officer for the other agency agree, in writing, to transfer responsibility for the investigation.

Subd. 3. **Powers and duties transferred.** All powers, duties and responsibilities heretofore assigned by law to the commissioner of administration relating to the general function of security in Capitol complex state-owned buildings are hereby transferred to the commissioner of public safety. The commissioner of public safety has the final authority regarding public safety and security in the Capitol complex. The commissioner of administration has the powers, duties, and responsibilities relating to the Capitol complex of state-owned buildings as provided under chapter 16B.

Subd. 4. MS 1969 [Repealed, Ex1971 c 48 s 8 subd 3]

Subd. 4. **Capitol complex.** For purposes of this section, the Capitol complex of state-owned buildings is as defined in chapter 15B, and acts amendatory thereof and such other state-owned or state-leased buildings and property within the Twin Cities metropolitan area as the governor from time to time may designate.

Subd. 5. **Legislative intent.** Nothing in this section shall be construed to conflict with the power of the legislature to appoint and assign such personnel and equipment as it deems necessary for the conduct of its business.

Subd. 6. **Vehicle towing.** Towing policy and practice for vehicles in public parking spaces within the Capitol complex must conform to provisions of section 168B.035.

History: *1969 c 1129 art 1 s 19; Ex1971 c 48 s 8 subd 1; 1982 c 560 s 54; 1992 c 513 art 3 s 52; 2003 c 17 s 2; 1Sp2003 c 19 art 2 s 54; 2006 c 260 art 3 s 18; 2012 c 287 art 3 s 64; 2013 c 117 art 3 s 30,31; 2024 c 127 art 3 s 94; 2026 c 118 art 2 s 5-8*

299E.015 CAPITOL COMPLEX SECURITY; REPORTS.

Subdivision 1. **Public report.** (a) By January 15 of each year beginning in calendar year 2028, the commissioner must submit a report on the legislative services unit and security in the Capitol Area to the chairs and ranking minority members of the legislative committees with jurisdiction over state government, public safety, and transportation and to the Advisory Committee on Capitol Area Security.

(b) At a minimum, the report must:

(1) provide sufficient information to support a public conversation on Capitol complex security while maintaining the integrity of the state's security posture;

(2) provide an overview of the activities of Capitol Security and the legislative services unit;

(3) review the performance of the legislative services unit in each of the duties specified under section 299E.10, subdivisions 3 and 4;

(4) provide summary data for the prior year on the number of:

(i) threat assessments performed;

(ii) credible threats identified, disaggregated by the type and nature of the threat;

(iii) personal security and protection instances performed following a request or based on a threat assessment; and

(iv) changes from the preceding year in the amounts under items (i) to (iii);

(5) subject to the limitations of paragraph (d), describe how money appropriated for Capitol complex security was used in the previous year;

(6) subject to the limits of paragraph (d), provide a detailed description of security services costs, disaggregated by type of activity and any reimbursements; and

(7) provide any recommendations for relevant efficiency improvements, cost saving measures, and changes in security practices or state law.

(c) The public report may include summary data, as defined in section 13.02, subdivision 19, and may include the executive summary of the report required under subdivision 2.

(d) The report prepared under this subdivision must not contain descriptions of identified security vulnerabilities; public and controlled access systems and pathways; staffing patterns; architectural constraints; camera, alarm, and records technology systems; or any other information of which the disclosure would be likely to jeopardize the security of the Capitol Area buildings and the individuals who work in and visit those spaces.

Subd. 2. **Not public report.** (a) By January 15 of each year, the commissioner of public safety must report on the legislative services unit and security in the Capitol Area to the Advisory Committee on Capitol Area Security, the senate majority leader, the senate minority leader, the speaker of the house, and the minority leader of the house of representatives or, if there is no minority leader, the leader of the caucus that is not represented by the speaker of the house. At a minimum, the report must:

(1) describe how money appropriated for Capitol complex security was used in the previous year;

(2) provide a detailed description of security services costs, disaggregated by type of activity and any reimbursements;

(3) provide summary data for the legislative services unit in the previous year on the number of personal security and protection requests made and the number of personal security and protection instances performed following a request or based on a threat assessment;

(4) provide information on security incidents that occurred in the previous year, including incident categorization and trends compared to prior years;

(5) summarize the status of security staffing, use of technology, training, and other security procedures;

(6) describe any identified security vulnerabilities and propose steps to eliminate or mitigate those vulnerabilities; and

(7) make recommendations for changes in security policy and levels of funding.

(b) The report prepared under this subdivision is security information as defined in section 13.37, subdivision 1, paragraph (a). The report under this subdivision is not subject to the requirements under section 3.195.

(c) Upon request in writing by a recipient of the report under paragraph (a), the commissioner must provide additional details on security incidents.

(d) A member who receives a report prepared under this subdivision or information under paragraph (c) must not disseminate the report or information to the public. A member who willfully discloses the report or information in violation of this paragraph is subject to the penalties under section 13.09.

History: *2026 c 118 art 2 s 9*

299E.02 MS 2014 [Repealed, 2015 c 75 art 2 s 58]

299E.03 MS 2003 Supp [Expired, 1Sp2003 c 19 art 2 s 55]

299E.04 ADVISORY COMMITTEE ON CAPITOL AREA SECURITY.

Subdivision 1. **Membership and terms.** The advisory committee on Capitol Area Security shall consist of six members, appointed as follows:

(1) the lieutenant governor;

(2) two senators, including one member from the majority party, appointed by the senate majority leader, and one member from the minority party, appointed by the senate minority leader;

(3) two members of the house of representatives, including one member appointed by the speaker of the house and one member appointed by the minority leader; and

(4) the chief justice of the Minnesota Supreme Court or the designee of the chief justice.

A member may be removed by the appointing authority at any time at the pleasure of the appointing authority.

Subd. 2. **Duties.** (a) The advisory committee shall meet at least quarterly to assess current safety and security risks in the Capitol Area, as defined by section 15B.02, and discuss developments that might affect those risks in the future. The committee shall provide advice and recommendations to the governor and legislature regarding security priorities, strategies for addressing these priorities, and recommendations for funding to implement the strategies. In performing its duties under this section, the committee shall consult with the commissioners of administration and public safety, the Capitol Area Architectural and Planning Board, the director of the Minnesota Historical Society, and the sergeants-at-arms of the senate and house of representatives.

(b) The committee shall report to the governor, the chairs and ranking minority members of the legislative committees with jurisdiction over the Capitol Area Architectural and Planning Board and the Department of Public Safety, and chief justice of the supreme court by January 15 of each year. This report shall provide a general assessment of the status of security in the Capitol Area, describe improvements implemented, and recommend future improvements. As appropriate, the committee shall offer recommendations for capital

or operating expenditures, statutory changes, or other changes in security-related policies or practices. The report shall include draft legislation to implement any recommended changes in law. Spending recommendations shall be made in a timely manner to ensure that they can be considered as part of the state's capital and operating budget processes.

Subd. 3. **Administrative provisions.** (a) The lieutenant governor shall serve as the chair of the committee. The committee may elect a vice-chair to convene and conduct meetings when the lieutenant governor is not available.

(b) Meetings of the committee shall be subject to chapter 13D.

(c) Administrative support for the committee shall be provided by the commissioners of administration and public safety and the sergeants-at-arms of the senate and house of representatives.

(d) The committee shall seek advice from at least one person with experience designating and implementing security for a public college or university campus, at least one person with experience designating and implementing security for courts, and at least one person with experience designating and implementing security for a private Minnesota company.

Subd. 4. **Data practices.** (a) The committee is subject to the Minnesota Government Data Practices Act, chapter 13. The committee may request access to nonpublic data, as defined in section 13.02, subdivision 9, as necessary to fulfill its responsibilities under this section. A government entity receiving a request under this subdivision must provide nonpublic data requested by the committee if the government entity reasonably determines that the data requested are relevant to the committee's responsibilities under this section.

(b) Paragraph (a) must not be construed to give the committee access to data classified under section 13.87, subdivision 2, or data on persons who provide the notice described in section 609.66, subdivision 1g, paragraph (b), clause (2).

Subd. 5. **Expiration.** The advisory committee on Capitol Area Security expires June 30, 2036.

History: *2012 c 258 s 2; 2014 c 286 art 8 s 37; 2022 c 73 s 1*

299E.10 LEGISLATIVE SERVICES.

Subdivision 1. **Unit created.** A legislative services unit is established within Capitol Security to perform the duties specified in this section.

Subd. 2. **Staffing.** The legislative services unit must be under the supervision and control of a member of the State Patrol who is a peace officer.

Subd. 3. **Threat assessment, mitigation, and response.** (a) The legislative services unit must (1) identify, assess, and investigate threats to the life or safety of a member of the legislature, and (2) assist in mitigation of threats that the unit determines are credible. The credible threat mitigation responsibilities of the unit include but are not limited to coordination with the State Patrol, local law enforcement, the relevant sergeant-at-arms of the senate or house of representatives, and other available resources on a security response to threats, including provision of personal security and protection for the member when warranted by a threat.

(b) Unless there are exigent circumstances or information that indicates otherwise, the unit must prioritize assessment of threats against members of the legislature in the following order:

(1) threats that involved a request for an emergency services response;

(2) threats that are referred for assessment by the speaker of the house, the minority leader of the house, or the majority or minority leader of the senate;

(3) threats that are specifically referred for assessment by any other member of the legislature; and

(4) threats that are identified by the unit, referred by a member of the legislature where a threat assessment is not requested, and gathered from any other source.

(c) For an imminent credible threat, the commissioner must immediately coordinate a response by available law enforcement resources.

(d) The commissioner may consult with the Bureau of Criminal Apprehension to determine whether a threat is credible.

(e) In response to a request under paragraph (b), clause (2) or (3), the commissioner must as soon as practicable provide the subject of a threat, and when appropriate and authorized by law, any referring party, with:

(1) an initial estimate on how long the requested threat assessment will take to complete;

(2) an explanation of the unit's threat analysis and determination;

(3) recommendations for mitigating the threat; and

(4) the proposed and intended actions of the unit to implement the recommendations under clause (3).

(f) The commissioner is not required to perform threat mitigation actions identified under paragraph (e) that are declined by the subject of the threat.

(g) The house of representatives and the senate, as appropriate, must reimburse the Department of Public Safety or a law enforcement agency for the reasonable costs of personal security and protection incurred under this subdivision. The house of representatives and the senate may enter into agreements with the commissioner to implement the requirements under this paragraph and subdivision 5.

Subd. 4. **Responsibilities.** (a) For purposes of this subdivision, "security services" includes but is not limited to security activities; protective activities; identification and assessment of public safety vulnerabilities, risks, and threats; and emergency response.

(b) Subject to available resources, the legislative services unit must:

(1) coordinate security services provided to members of the legislature, including but not limited to activities as a centralized communications and coordination hub and a liaison between members of the legislature, the sergeants-at-arms of the senate and house of representatives, the Minnesota Fusion Center, and local law enforcement agencies;

(2) develop and maintain a plan on security services provided to members of the legislature, which must include but is not limited to a threat matrix protocol for members of the legislature, for statewide use by the state and political subdivisions;

(3) develop protocols or procedures for security services communications related to or conducted with members of the legislature;

(4) develop protocols or procedures to identify, collate, assess, and respond to a credible threat to life or safety of a member of the legislature;

(5) upon request of a member of the legislature, review and provide input on plans by political subdivisions and local law enforcement agencies for security services provided to members of the legislature;

(6) offer to provide security orientation and training for newly elected members of the legislature within 21 days of taking the oath of office; and

(7) perform other activities determined to be necessary and related to the responsibilities specified in this subdivision, after consultation with the commissioner and the governor.

(c) The duties of the legislative services unit do not include individualized personal protective activities or emergency response outside the Capitol complex, except as provided under this section or section 299D.03, subdivision 1, paragraph (c).

(d) The commissioner may provide security and protection under this section in the form and manner the commissioner deems necessary.

(e) The protocols and procedures under paragraph (b) must follow generally accepted practices for security activities information gathering and evaluation and must safeguard the due process rights, civil liberties, and privacy rights of individuals.

Subd. 5. **Agreements with local law enforcement; reimbursement.** (a) The commissioner may enter into an agreement or similar arrangement with a local law enforcement agency for assistance by local peace officers to meet the security activities requirements under this section or section 299D.03, subdivision 1, paragraph (c).

(b) The following are available for reimbursement to a local law enforcement agency for eligible costs of assistance:

(1) an appropriation to the commissioner for the legislative services unit or the State Patrol, other than from the trunk highway fund or highway user tax distribution fund; and

(2) money received under subdivision 3, paragraph (g).

(c) The commissioner must establish a reimbursement process that minimizes submission and implementation burdens. Eligible costs for reimbursement must include but are not limited to time and overtime of personnel, travel expenses, equipment use, and other documented direct costs determined by the commissioner as necessary and reasonable.

History: *2026 c 118 art 2 s 10*