

**241.013 LICENSING AND INSPECTING LOCAL JUVENILE CORRECTIONAL FACILITIES.**

Subdivision 1. **Scope.** This section applies to local juvenile correctional facilities under section 241.011, subdivision 2, paragraph (g), licensed by the commissioner of corrections to detain or serve juveniles, including those providing residential or foster care facility placements under chapter 260C.

Subd. 2. **Facilities for children and youth; inspection and licensing.** (a) Notwithstanding any provisions in sections 245A.03; 245A.04; and 256.01, subdivision 2, paragraph (a), clause (2); and chapter 245C to the contrary, the commissioner must inspect all local juvenile correctional facilities under section 241.011, subdivision 3, except as provided under paragraph (c).

(b) The commissioner must grant a license for up to two years to a county, municipality, or facility:

(1) according to section 241.011, subdivision 5; and

(2) if the commissioner is satisfied that the interests and well-being of children and youth are protected.

(c) For local juvenile correctional facilities licensed by the commissioner of human services, the commissioner of corrections may inspect and certify programs based on certification standards under Minnesota Rules. For purposes of this paragraph, "certification" has the meaning given in section 245A.02.

Subd. 3. **Commissioner consultation.** Local juvenile correctional facilities must consult with the commissioner as needed to strengthen services to children and youth.

Subd. 4. **Affected municipality; notice.** (a) The commissioner must not grant a license to a local juvenile correctional facility without giving 30 calendar days' written notice to any affected municipality or other political subdivision unless the facility:

(1) has a licensed capacity of six or fewer individuals; and

(2) is occupied by either the licensee or a group foster home parent.

(b) The notification must be given before the license is first granted and annually thereafter if annual notification is requested in writing by the affected municipality or other political subdivision.

(c) State funds must not be made available to or be spent by an agency or department of state, county, or municipal government for payment to a foster care facility licensed under this section until the requirements under this subdivision have been met.

Subd. 5. **Licensing with juveniles from outside state.** The commissioner must not issue or renew a license to a facility under this section to operate a local juvenile correctional facility if:

(1) the facility accepts juveniles who reside outside Minnesota; and

(2) there is no agreement with the entity placing the juvenile at the facility that obligates the entity to pay the juvenile's educational expenses.

Subd. 6. **Licensing actions.** The licensing actions under section 241.012 apply to a facility licensed under this section.

Subd. 7. **Education for juveniles.** Notwithstanding subdivision 1, the education program offered in a state or local correctional facility for the placement, confinement, or incarceration of juveniles must be approved by the commissioner of education before the commissioner of corrections may grant a license to the facility.

Subd. 8. **Rulemaking.** (a) The commissioner must adopt rules for local juvenile correctional facilities according to Laws 1995, chapter 226, article 3, sections 50, 51, and 60, as amended.

(b) The time limit to adopt rules under section 14.125 does not apply to amendments to Minnesota Rules, chapter 2960, in effect on August 1, 2026.

**History:** 2026 c 97 art 5 s 3