

**SENATE**  
**STATE OF MINNESOTA**  
**NINETY-THIRD SESSION**

**S.F. No. 2909**

(SENATE AUTHORS: LATZ)

DATE	D-PG	OFFICIAL STATUS
03/15/2023	1792	Introduction and first reading Referred to Judiciary and Public Safety
04/04/2023	3239a	Comm report: To pass as amended and re-refer to Finance
04/13/2023		Comm report: To pass as amended Second reading

1.1 A bill for an act

1.2 relating to state government; amending certain judiciary, public safety, corrections,

1.3 human rights, firearm, and 911 Emergency Communication System statutory policy

1.4 provisions; providing for reports; authorizing rulemaking; appropriating money

1.5 for judiciary, courts, civil legal services, Guardian ad Litem Board, Uniform Laws

1.6 Commission, Board on Judicial Standards, Board of Public Defense, human rights,

1.7 sentencing guidelines, public safety, emergency management, criminal

1.8 apprehension, fire marshal, firefighters, Office of Justice programs, Peace Officer

1.9 Standards and Training Board, Private Detective Board, corrections, incarceration

1.10 and release, probation, juveniles, and Ombudsperson for Corrections; amending

1.11 Minnesota Statutes 2022, sections 13.072, subdivision 1; 13.825, subdivision 3;

1.12 13.871, subdivisions 8, 14; 13A.02, subdivisions 1, 2; 144.6586, subdivision 2;

1.13 145.4712; 152.01, by adding a subdivision; 152.021, subdivisions 1, 2; 152.022,

1.14 subdivisions 1, 2; 152.023, subdivision 2; 152.18, subdivision 1; 181.981,

1.15 subdivision 1; 214.10, subdivision 10; 241.01, subdivision 3a; 241.021, subdivision

1.16 1d; 243.05, subdivision 1; 244.03; 244.05, subdivisions 1b, 2, 3, 4, 5, by adding

1.17 a subdivision; 244.101, subdivision 1; 244.19, subdivisions 1, 5; 244.195,

1.18 subdivisions 1, 2, by adding subdivisions; 244.20; 244.21; 297L.06, subdivision

1.19 1; 299A.38; 299A.41, subdivisions 3, 4, by adding a subdivision; 299A.52;

1.20 299A.642, subdivision 15; 299A.73, by adding a subdivision; 299C.10, subdivision

1.21 1; 299C.106, subdivision 3; 299C.11, subdivision 3; 299C.111; 299C.17; 299C.53,

1.22 subdivision 3; 299N.02, subdivision 3; 326.32, subdivision 10; 326.3381,

1.23 subdivision 3; 357.021, subdivision 2; 363A.06, subdivision 1; 401.01; 401.02;

1.24 401.025, subdivision 1; 401.06; 401.09; 401.10; 401.11; 401.14, subdivision 3;

1.25 401.16; 403.02, subdivisions 7, 9a, 11b, 16a, 17, 17c, 18, 19, 19a, 20, 20a, 21, by

1.26 adding subdivisions; 403.025; 403.03, subdivision 2; 403.05; 403.06; 403.07;

1.27 403.08; 403.09, subdivision 2; 403.10, subdivisions 2, 3; 403.11; 403.113; 403.15,

1.28 subdivisions 1, 2, 3, 4, 5, 6, by adding a subdivision; 609.05, by adding a

1.29 subdivision; 609.106, subdivision 2, by adding a subdivision; 609.14, subdivision

1.30 1, by adding a subdivision; 609.2231, subdivision 4; 609.2233; 609.3455,

1.31 subdivisions 2, 5; 609.35; 609.52, subdivision 3; 609.527, subdivision 1, by adding

1.32 a subdivision; 609.582, subdivisions 3, 4; 609.595, subdivisions 1a, 2; 609.749,

1.33 subdivision 3; 609A.01; 609A.02, subdivision 3; 609A.03, subdivisions 5, 7a, 9;

1.34 611.23; 611A.03, subdivision 1; 611A.211, subdivision 1; 611A.31, subdivisions

1.35 2, 3, by adding a subdivision; 611A.32; 626.15; 626.5531, subdivision 1; 626.843,

1.36 by adding a subdivision; 626.8451, subdivision 1; 626.8469, subdivision 1;

1.37 626.8473, subdivision 3; 638.01; 641.15, subdivision 2; 641.155; Laws 2021, First

1.38 Special Session chapter 11, article 1, section 15, subdivision 3; proposing coding

2.1 for new law in Minnesota Statutes, chapters 243; 244; 299A; 299C; 401; 609;  
 2.2 609A; 626; 638; repealing Minnesota Statutes 2022, sections 244.18; 244.19,  
 2.3 subdivisions 6, 7, 8; 244.22; 244.24; 244.30; 299C.80, subdivision 7; 403.02,  
 2.4 subdivision 13; 403.09, subdivision 3; 638.02; 638.03; 638.04; 638.05; 638.06;  
 2.5 638.07; 638.075; 638.08.

2.6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

2.7 **ARTICLE 1**

2.8 **APPROPRIATIONS**

2.9 Section 1. **APPROPRIATIONS.**

2.10 The sums shown in the columns marked "Appropriations" are appropriated to the agencies  
 2.11 and for the purposes specified in this article. The appropriations are from the general fund,  
 2.12 or another named fund, and are available for the fiscal years indicated for each purpose.

2.13 The figures "2024" and "2025" used in this article mean that the appropriations listed under  
 2.14 them are available for the fiscal year ending June 30, 2024, or June 30, 2025, respectively.

2.15 The figure "2023" used in this article means that the appropriations listed under it are  
 2.16 available for the fiscal year ending June 30, 2023. "The first year" is fiscal year 2024. "The  
 2.17 second year" is fiscal year 2025. "The biennium" is fiscal years 2024 and 2025.

2.18 Appropriations for fiscal year 2023 are effective the day following final enactment.

	<b><u>APPROPRIATIONS</u></b>	
	<b><u>Available for the Year</u></b>	
	<b><u>Ending June 30</u></b>	
	<b><u>2024</u></b>	<b><u>2025</u></b>

2.23 Sec. 2. **SUPREME COURT**

2.24 <b><u>Subdivision 1. Total Appropriation</u></b>	<b><u>\$</u></b>	<b><u>70,971,000</u></b>	<b><u>\$</u></b>	<b><u>78,014,000</u></b>
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2.25 The amounts that may be spent for each  
 2.26 purpose are specified in the following  
 2.27 subdivisions.

2.28 <b><u>Subd. 2. Supreme Court Operations</u></b>		<b><u>46,689,000</u></b>		<b><u>49,300,000</u></b>
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2.29 **(a) Contingent Account**

2.30 \$5,000 each year is for a contingent account  
 2.31 for expenses necessary for the normal  
 2.32 operation of the court for which no other  
 2.33 reimbursement is provided.

2.34 **(b) Justices' Compensation**

3.1 Justices' compensation is increased by nine  
 3.2 percent in the first year and six percent in the  
 3.3 second year.

3.4 **(c) Extreme Risk Protection Orders**

3.5 \$91,000 the first year and \$182,000 the second  
 3.6 year are to implement the provisions of Senate  
 3.7 File No. 1117. If this provision or a  
 3.8 substantially similar one is not enacted in the  
 3.9 2023 legislative session, this appropriation  
 3.10 cancel to the general fund.

3.11 **Subd. 3. Civil Legal Services**

24,282,000

28,714,000

3.12 The general fund base is \$30,345,000 in fiscal  
 3.13 year 2026 and thereafter.

3.14 **Legal Services to Low-Income Clients in**

3.15 **Family Law Matters**

3.16 \$1,017,000 each year is to improve the access  
 3.17 of low-income clients to legal representation  
 3.18 in family law matters. This appropriation must  
 3.19 be distributed under Minnesota Statutes,  
 3.20 section 480.242, to the qualified legal services  
 3.21 program described in Minnesota Statutes,  
 3.22 section 480.242, subdivision 2, paragraph (a).  
 3.23 Any unencumbered balance remaining in the  
 3.24 first year does not cancel and is available in  
 3.25 the second year.

3.26 **Sec. 3. COURT OF APPEALS**

**\$**

**14,606,000**

**\$**

**15,410,000**

3.27 **Judges' Compensation**

3.28 Judges' compensation is increased by nine  
 3.29 percent in the first year and six percent in the  
 3.30 second year.

3.31 **Sec. 4. DISTRICT COURTS**

**\$**

**377,862,000**

**\$**

**384,027,000**

3.32 **(a) Judges' Compensation**

4.1 Judges' compensation is increased by nine  
 4.2 percent in the first year and six percent in the  
 4.3 second year.

4.4 **(b) Court Case Backlog**

4.5 \$6,545,000 the first year is to fund the judicial  
 4.6 branch's court case backlog.

4.7 **(c) Mandated Psychological Services**

4.8 \$1,996,000 each year is for mandated  
 4.9 psychological services.

4.10 **(d) New Treatment Courts**

4.11 \$422,000 each year is to fund four new  
 4.12 treatment courts.

4.13 **(e) Courtroom Technology Enhancements**

4.14 \$7,400,000 the first year is for courtroom  
 4.15 technology enhancements.

4.16 **(f) Law Clerk Salary**

4.17 \$2,033,000 each year is to increase district  
 4.18 court law clerks' starting salaries.

4.19 Notwithstanding Minnesota Statutes, section  
 4.20 16A.285, the agency must not transfer this  
 4.21 appropriation.

4.22 **(g) Interpreter Pay**

4.23 \$200,000 each year is to fund the increase in  
 4.24 the hourly fee paid to contract interpreters.

4.25 Sec. 5. **GUARDIAN AD LITEM BOARD**      \$      **24,358,000** \$      **25,620,000**

4.26 Sec. 6. **TAX COURT**      \$      **2,133,000** \$      **2,268,000**

4.27 Sec. 7. **UNIFORM LAWS COMMISSION**      \$      **115,000** \$      **115,000**

4.28 Sec. 8. **BOARD ON JUDICIAL STANDARDS**      \$      **655,000** \$      **645,000**

4.29 **(a) Availability of Appropriation**

5.1 If the appropriation for either year is  
 5.2 insufficient, the appropriation for the other  
 5.3 fiscal year is available.

5.4 **(b) Major Disciplinary Actions**

5.5 \$125,000 each year is for special investigative  
 5.6 and hearing costs for major disciplinary  
 5.7 actions undertaken by the board. This  
 5.8 appropriation is available until June 30, 2027.

5.9 **Sec. 9. BOARD OF PUBLIC DEFENSE**      **\$      154,134,000      \$      164,360,000**

5.10 This appropriation is contingent on House File  
 5.11 No. 90, or a substantially similar bill funding  
 5.12 the Board of Public Defense for the 2025-2026  
 5.13 fiscal biennium, not being enacted in the 2023  
 5.14 legislative session.

5.15 **Sec. 10. SENTENCING GUIDELINES**      **\$      1,549,000      \$      1,488,000**

5.16 **(a) Analysis of Sentencing-Related Data**

5.17 \$125,000 the first year and \$124,000 the  
 5.18 second year are to expand analysis of  
 5.19 sentencing-related data.

5.20 **(b) Small Agency Resource Team (SmART)**

5.21 \$50,000 each year is for the commission's  
 5.22 accounting, budgeting, and human resources  
 5.23 to be provided by the Department of  
 5.24 Administration's small agency resource team.

5.25 **(c) Court Information System Integration**

5.26 \$340,000 the first year and \$348,000 the  
 5.27 second year are to fully integrate the  
 5.28 Sentencing Guidelines information systems  
 5.29 with the Minnesota Criminal Information  
 5.30 System (MNCIS). The base for this is \$78,000  
 5.31 in fiscal year 2026 and thereafter.

6.1 **(d) Comprehensive Review of the**  
 6.2 **Guidelines**  
 6.3 \$243,000 the first year and \$147,000 the  
 6.4 second year are to begin a comprehensive  
 6.5 review of the Sentencing Guidelines. This is  
 6.6 a onetime appropriation.

6.7 **Sec. 11. PUBLIC SAFETY**

6.8 **Subdivision 1. Total Appropriation**      \$                      **330,879,000**      \$                      **299,248,000**

6.9	<u>Appropriations by Fund</u>		
6.10	<u>2024</u>	<u>2025</u>	
6.11	<u>General</u>	<u>234,825,000</u>	<u>209,665,000</u>
6.12	<u>Special Revenue</u>	<u>18,074,000</u>	<u>18,327,000</u>
6.13	<u>State Government</u>		
6.14	<u>Special Revenue</u>	<u>103,000</u>	<u>103,000</u>
6.15	<u>Environmental</u>	<u>119,000</u>	<u>127,000</u>
6.16	<u>Trunk Highway</u>	<u>2,429,000</u>	<u>2,429,000</u>
6.17	<u>911 Fund</u>	<u>75,329,000</u>	<u>68,597,000</u>

6.18 The amounts that may be spent for each  
 6.19 purpose are specified in the following  
 6.20 subdivisions.

6.21 **Subd. 2. Emergency Management**    5,511,000    5,597,000

6.22	<u>Appropriations by Fund</u>		
6.23	<u>General</u>	<u>5,392,000</u>	<u>5,470,000</u>
6.24	<u>Environmental</u>	<u>119,000</u>	<u>127,000</u>

6.25 **(a) Supplemental Nonprofit Security Grants**  
 6.26 \$225,000 each year is for supplemental  
 6.27 nonprofit security grants under this paragraph.  
 6.28 Nonprofit organizations whose applications  
 6.29 for funding through the Federal Emergency  
 6.30 Management Agency's nonprofit security grant  
 6.31 program have been approved by the Division  
 6.32 of Homeland Security and Emergency  
 6.33 Management are eligible for grants under this  
 6.34 paragraph. No additional application shall be

7.1 required for grants under this paragraph, and  
7.2 an application for a grant from the federal  
7.3 program is also an application for funding  
7.4 from the state supplemental program.

7.5 Eligible organizations may receive grants of  
7.6 up to \$75,000, except that the total received  
7.7 by any individual from both the federal  
7.8 nonprofit security grant program and the state  
7.9 supplemental nonprofit security grant program  
7.10 shall not exceed \$75,000. Grants shall be  
7.11 awarded in an order consistent with the  
7.12 ranking given to applicants for the federal  
7.13 nonprofit security grant program. No grants  
7.14 under the state supplemental nonprofit security  
7.15 grant program shall be awarded until the  
7.16 announcement of the recipients and the  
7.17 amount of the grants awarded under the federal  
7.18 nonprofit security grant program.

7.19 The commissioner may use up to one percent  
7.20 of the appropriation received under this  
7.21 paragraph to pay costs incurred by the  
7.22 department in administering the supplemental  
7.23 nonprofit security grant program. This is a  
7.24 onetime appropriation.

7.25 **(b) Emergency Preparedness Staff**  
7.26 \$250,000 each year is for two additional  
7.27 emergency preparedness staff members.

7.28 **(c) School Safety Center**  
7.29 \$150,000 each year is to fund one new school  
7.30 safety specialist at the Minnesota School  
7.31 Safety Center.

7.32 **(d) Local Government Emergency**  
7.33 **Management**

8.1 \$1,500,000 each year is to award grants in  
 8.2 equal amounts to the emergency management  
 8.3 organization of the 87 counties, 11 federally  
 8.4 recognized Tribes, and four cities of the first  
 8.5 class for reimbursement of planning and  
 8.6 preparedness activities, including capital  
 8.7 purchases, that are eligible under federal  
 8.8 emergency management grant guidelines.

8.9 Local emergency management organizations  
 8.10 must make a request to HSEM for these grants.

8.11 Current local funding for emergency  
 8.12 management and preparedness activities may  
 8.13 not be supplanted by these additional state  
 8.14 funds. Of this amount, up to one percent may  
 8.15 be used for the administrative costs of the  
 8.16 agency. This appropriation is available until  
 8.17 June 30, 2027. Unspent money may be  
 8.18 redistributed to eligible local emergency  
 8.19 management organizations.

8.20 By March 15, 2025, the commissioner of  
 8.21 public safety must submit a report on the grant  
 8.22 awards to the chairs and ranking minority  
 8.23 members of the legislative committees with  
 8.24 jurisdiction over emergency management and  
 8.25 preparedness activities. At a minimum, the  
 8.26 report must identify grant recipients and give  
 8.27 detailed information on how the grantees used  
 8.28 the money received.

8.29 This is a onetime appropriation.

8.30 Subd. 3. Criminal Apprehension 112,699,000 105,547,000

8.31	<u>Appropriations by Fund</u>	
8.32	<u>General</u>	<u>110,263,000</u> <u>103,111,000</u>
8.33	<u>State Government</u>	
8.34	<u>Special Revenue</u>	<u>7,000</u> <u>7,000</u>
8.35	<u>Trunk Highway</u>	<u>2,429,000</u> <u>2,429,000</u>



9.1 **(a) DWI Lab Analysis; Trunk Highway**

9.2 **Fund**

9.3 Notwithstanding Minnesota Statutes, section  
9.4 161.20, subdivision 3, \$2,429,000 each year  
9.5 is from the trunk highway fund for staff and  
9.6 operating costs for laboratory analysis related  
9.7 to driving-while-impaired cases.

9.8 **(b) Use of Force Investigations Unit**

9.9 \$4,419,000 each year is to fund the Use of  
9.10 Force Investigations Unit.

9.11 **(c) Violent Crime Reduction Strategy;**

9.12 **Violent Crime Support Unit (VCSU)**

9.13 \$2,000,000 each year is for Violent Crime  
9.14 Support Unit forensic staff and equipment.

9.15 **(d) Violent Crime Reduction Strategy;**

9.16 **Criminal Information and Operations**

9.17 **(CIOS)**

9.18 \$2,000,000 each year is for analytical and  
9.19 operational support.

9.20 **(e) Violent Crime Reduction Strategy;**

9.21 **Violent Crime Reduction Strategy Initiative**

9.22 **(VCRSI)**

9.23 \$2,000,000 the first year and \$1,600,000 the  
9.24 second year are to fund partnerships among  
9.25 local, state, and federal agencies. The VCRSI  
9.26 shall work with civilian criminal intelligence  
9.27 analysts and forensic science laboratory  
9.28 personnel to strategically identify those  
9.29 involved in acts of violence or other threats to  
9.30 public safety.

9.31 **(f) Firearm Transfers; Permitting Modified**

10.1 \$70,000 the first year is to implement Senate  
10.2 File No. 1116. If this provision or a  
10.3 substantially similar one is not enacted in the  
10.4 2023 legislative session, this appropriation  
10.5 cancels to the general fund.

10.6 **(g) Human Trafficking Response Task**  
10.7 **Force**

10.8 \$2,200,000 each year is for staff and operating  
10.9 costs to support the Bureau of Criminal  
10.10 Apprehension-led Minnesota Human  
10.11 Trafficking Investigator's Task Force.

10.12 **(h) FBI Compliance, Critical IT**  
10.13 **Infrastructure, and Cybersecurity**  
10.14 **Upgrades**

10.15 \$9,910,000 the first year and \$5,097,000 the  
10.16 second year are for cybersecurity investments,  
10.17 critical infrastructure upgrades, and Federal  
10.18 Bureau of Investigation audit compliance. Of  
10.19 this amount, \$6,643,000 the first year and  
10.20 \$1,830,000 the second year are onetime and  
10.21 is available until June 30, 2026. The base in  
10.22 fiscal year 2026 and thereafter is \$3,267,000.

10.23 **(i) State Fraud Unit**

10.24 \$870,000 each year is for staff and operating  
10.25 costs to create the State Fraud Unit to  
10.26 centralize the state's response to activities of  
10.27 fraud with an estimated impact of \$100,000  
10.28 or more.

10.29 **(j) Decrease Forensic Evidence Turnaround**

10.30 \$3,000,000 the first year and \$2,500,000 the  
10.31 second year are to decrease turnaround times  
10.32 for forensic processing of evidence in criminal

11.1 investigations for state and local law

11.2 enforcement partners.

11.3 **(k) Expungement-Related Costs**

11.4 \$3,737,000 the first year and \$190,000 the

11.5 second year are for costs associated with the

11.6 changes to expungement law made in this act.

11.7 **(l) Report on Fusion Center Activities**

11.8 \$115,000 each year is for the report required

11.9 under Minnesota Statutes, section 299C.055.

11.10 This is a onetime appropriation.

11.11 **Subd. 4. Fire Marshal**

17,013,000

17,272,000

11.12 Appropriations by Fund

11.13 General                      5,184,000              5,190,000

11.14 Special Revenue              11,829,000              12,082,000

11.15 The special revenue fund appropriation is from

11.16 the fire safety account in the special revenue

11.17 fund and is for activities under Minnesota

11.18 Statutes, section 299F.012. The base

11.19 appropriation for this account is \$12,182,000

11.20 in fiscal year 2026 and \$12,082,000 in fiscal

11.21 year 2027.

11.22 **(a) Inspections**

11.23 \$300,000 each year is for inspection of nursing

11.24 homes and boarding care facilities.

11.25 **(b) Hazardous Materials and Emergency**

11.26 **Response Teams**

11.27 \$1,695,000 the first year and \$1,595,000 the

11.28 second year are from the fire safety account

11.29 in the special revenue fund for hazardous

11.30 materials and emergency response teams. The

11.31 base for these purposes is \$1,695,000 in the

11.32 first year of future biennia and \$1,595,000 in

11.33 the second year of future biennia.

12.1 **(c) Bomb Squad Reimbursements**

12.2 \$300,000 each year is for reimbursements to  
 12.3 local governments for bomb squad services.

12.4 **(d) Nonresponsible Party Reimbursements**

12.5 \$750,000 each year is for the nonresponsible  
 12.6 party hazardous material and bomb squad  
 12.7 incident reimbursements.

12.8 **(e) Hometown Heroes Assistance Program**

12.9 \$4,000,000 each year is for grants to the  
 12.10 Minnesota Firefighter Initiative to fund the  
 12.11 hometown heroes assistance program  
 12.12 established in Minnesota Statutes, section  
 12.13 299A.477.

12.14 **Subd. 5. Firefighter Training and Education**  
 12.15 **Board**

7,175,000

7,175,000

12.16 Appropriations by Fund

12.17 <u>General</u>	<u>1,000,000</u>	<u>1,000,000</u>
12.18 <u>Special Revenue</u>	<u>6,175,000</u>	<u>6,175,000</u>

12.19 The special revenue fund appropriation is from  
 12.20 the fire safety account in the special revenue  
 12.21 fund and is for activities under Minnesota  
 12.22 Statutes, section 299F.012.

12.23 **(a) Firefighter Training and Education**

12.24 \$4,500,000 each year from the special revenue  
 12.25 fund and \$1,000,000 each year from the  
 12.26 general fund is for firefighter training and  
 12.27 education. The general fund base for this  
 12.28 activity is \$0 in fiscal year 2026 and thereafter.

12.29 **(b) Task Force 1**

12.30 \$1,125,000 each year is for the Minnesota  
 12.31 Task Force 1.

12.32 **(c) Task Force 2**

13.1 \$200,000 each year is for Minnesota Task

13.2 Force 2.

13.3 **(d) Air Rescue**

13.4 \$350,000 each year is for the Minnesota Air

13.5 Rescue Team.

13.6 **(e) Firefighter Training and Education**

13.7 \$1,000,000 each year is for firefighter training

13.8 and education. This is a onetime appropriation.

13.9 **(f) Unappropriated Revenue**

13.10 Any additional unappropriated money

13.11 collected in fiscal year 2023 is appropriated

13.12 to the commissioner of public safety for the

13.13 purposes of Minnesota Statutes, section

13.14 299F.012. The commissioner may transfer

13.15 appropriations and base amounts between

13.16 activities in this subdivision.

13.17 **Subd. 6. Alcohol and Gambling**

13.18 **Enforcement**

4,102,000

3,857,000

13.19 Appropriations by Fund

13.20 General 4,032,000 3,787,000

13.21 Special Revenue 70,000 70,000

13.22 (a) \$70,000 each year is from the lawful

13.23 gambling regulation account in the special

13.24 revenue fund.

13.25 (b) \$600,000 the first year and \$100,000 the

13.26 second year are for enforcement information

13.27 technology improvements.

13.28 **Subd. 7. Office of Justice Programs**

86,505,000

86,603,000

13.29 Appropriations by Fund

13.30 General 86,409,000 86,507,000

13.31 State Government

13.32 Special Revenue 96,000 96,000

13.33 **(a) Federal Victims of Crime Funding Gap**

14.1 \$11,000,000 each year is to fund services for  
14.2 victims of domestic violence, sexual assault,  
14.3 child abuse, and other crimes. This is a  
14.4 onetime appropriation.

14.5 **(b) Additional Staff**

14.6 \$667,000 each year is for additional Office of  
14.7 Justice Program administrative and oversight  
14.8 staff.

14.9 **(c) Domestic and Sexual Violence Housing**

14.10 \$1,250,000 each year is to establish: a  
14.11 Domestic Violence Housing First grant  
14.12 program to provide resources for survivors of  
14.13 violence to access safe and stable housing and  
14.14 for staff to provide mobile advocacy and  
14.15 expertise in housing resources in their  
14.16 community, and a Minnesota Domestic and  
14.17 Sexual Violence Transitional Housing  
14.18 program to develop and support medium- to  
14.19 long-term transitional housing for survivors  
14.20 of domestic and sexual violence with  
14.21 supportive services. This is a onetime  
14.22 appropriation.

14.23 **(d) Office for Missing and Murdered**

14.24 **African American Women**

14.25 \$790,000 each year is to establish and  
14.26 maintain the Minnesota Office for Missing  
14.27 and Murdered African American Women.

14.28 **(e) Office of Missing and Murdered**

14.29 **Indigenous Relatives (MMIR)**

14.30 \$274,000 each year is for increased staff and  
14.31 operating costs of the Office and MMIR  
14.32 Advisory Board.

14.33 **(f) Reward Account**

15.1 \$110,000 the first year is transferred to the  
15.2 reward account in the special revenue fund  
15.3 created in Minnesota Statutes, section  
15.4 299A.86.

15.5 **(g) Minnesota Youth Justice Office**

15.6 \$5,000,000 each year is for staff and data  
15.7 analysis and evaluation, increased funding for  
15.8 youth intervention programs, disparities  
15.9 reduction and delinquency prevention  
15.10 programming, and to establish a Statewide  
15.11 Crossover/Dual Status Youth grant program,  
15.12 justice involved youth mental health grant  
15.13 program, gang prevention grant program, and  
15.14 community based alternatives to incarceration  
15.15 grant program. This is a onetime  
15.16 appropriation.

15.17 **(h) Community Crime Prevention Grants**

15.18 \$5,000,000 each year is for Community Crime  
15.19 Prevention Program grants, authorized under  
15.20 Minnesota Statutes, section 299A.296. This  
15.21 is a onetime appropriation.

15.22 **(i) Resources for Victims of Crime**

15.23 \$1,000,000 each year is for general crime  
15.24 victim grants to meet the needs of victims of  
15.25 crime not covered by domestic violence,  
15.26 sexual assault, or child abuse services. This is  
15.27 a onetime appropriation.

15.28 **(j) Minnesota Heals**

15.29 \$2,800,000 each year is for the Minnesota  
15.30 Heals grant program. This is a onetime  
15.31 appropriation.

15.32 **(k) Youth Intervention Grants**

16.1 \$5,000,000 each year is for youth intervention  
16.2 programs under Minnesota Statutes, section  
16.3 299A.73. This is a onetime appropriation.

16.4 **(l) Sexual Assault Exam Costs**

16.5 \$4,000,000 each year is to reimburse qualified  
16.6 health care providers for the expenses  
16.7 associated with medical examinations  
16.8 administered to victims of criminal sexual  
16.9 conduct as required under Minnesota Statutes,  
16.10 section 609.35.

16.11 **(m) Pathways to Policing**

16.12 \$400,000 each year is for reimbursement  
16.13 grants to state and local law enforcement  
16.14 agencies that operate pathway to policing  
16.15 programs. Applicants for reimbursement  
16.16 grants may receive up to 50 percent of the cost  
16.17 of compensating and training program  
16.18 participants. Reimbursement grants shall be  
16.19 proportionally allocated based on the number  
16.20 of grant applications approved by the  
16.21 commissioner. This is a onetime appropriation.

16.22 **(n) Direct Assistance to Crime Victim**

16.23 **Survivors**

16.24 \$5,000,000 each year is for crime victim  
16.25 services for the Office of Justice Programs to  
16.26 provide grants for direct services and advocacy  
16.27 for victims of sexual assault, general crime,  
16.28 domestic violence, and child abuse. Funding  
16.29 must support the direct needs of organizations  
16.30 serving victims of crime by providing: direct  
16.31 client assistance to crime victims; competitive  
16.32 wages for direct service staff; hotel stays and  
16.33 other housing-related supports and services;  
16.34 culturally responsive programming; prevention



17.1 programming, including domestic abuse  
17.2 transformation and restorative justice  
17.3 programming; and other needs of  
17.4 organizations and crime victim survivors.  
17.5 Services funded must include services for  
17.6 victims of crime in underserved communities  
17.7 most impacted by violence and reflect the  
17.8 ethnic, racial, economic, cultural, and  
17.9 geographic diversity of the state. The office  
17.10 shall prioritize culturally specific programs,  
17.11 or organizations led and staffed by persons of  
17.12 color that primarily serve communities of  
17.13 color, when allocating funds.

17.14 **(o) Racially Diverse Youth**

17.15 \$250,000 each year is for grants to  
17.16 organizations to address racial disparity of  
17.17 youth using shelter services in the Rochester  
17.18 and St. Cloud regional areas. Of this amount,  
17.19 \$125,000 each year is to address this in the  
17.20 Rochester area and \$125,000 each year is to  
17.21 address this in the St. Cloud area. A grant  
17.22 recipient shall establish and operate a pilot  
17.23 program connected to shelter services to  
17.24 engage in community intervention outreach,  
17.25 mobile case management, family reunification,  
17.26 aftercare, and follow up when family members  
17.27 are released from shelter services. A pilot  
17.28 program must specifically address the high  
17.29 number of racially diverse youth that enter  
17.30 shelters in the regions. This is a onetime  
17.31 appropriation.

17.32 **(p) Violence Prevention Project Research**  
17.33 **Center**

17.34 \$500,000 each year is to fund a violence  
17.35 prevention project research center that operates

18.1 as a nonprofit, nonpartisan research center  
18.2 dedicated to reducing violence in society and  
18.3 using data and analysis to improve criminal  
18.4 justice-related policy and practice in  
18.5 Minnesota. The research center must place an  
18.6 emphasis on issues related to gun violence.  
18.7 This is a onetime appropriation.

18.8 **(q) Prosecutorial Training Grants**

18.9 \$100,000 each year is for grants to the  
18.10 Minnesota County Attorneys Association to  
18.11 be used for prosecutorial and law enforcement  
18.12 training, including trial school training and  
18.13 train-the-trainer courses. This is a onetime  
18.14 appropriation.

18.15 **(r) Law Enforcement Mental Health and**  
18.16 **Wellness Training Grant**

18.17 \$75,000 each year is for a grant to an  
18.18 accredited, nonprofit graduate school that  
18.19 trains mental health professionals.  
18.20 The grantee must use the grant to develop and  
18.21 implement a law enforcement mental health  
18.22 and wellness training program to train licensed  
18.23 counselors to understand the nuances, culture,  
18.24 and stressors of the law enforcement  
18.25 profession so that they can provide effective  
18.26 and successful treatment to officers in distress.  
18.27 The grantee must collaborate with law  
18.28 enforcement officers and mental health  
18.29 professionals who are familiar with the  
18.30 psychological, cultural, and professional issues  
18.31 of their field to develop and implement the  
18.32 program.  
18.33 The grantee may provide the program online.

19.1 The grantee must seek to recruit additional  
 19.2 participants from outside the 11-county  
 19.3 metropolitan area.

19.4 The grantee must create a resource directory  
 19.5 to provide law enforcement agencies with  
 19.6 names of counselors who complete the  
 19.7 program and other resources to support law  
 19.8 enforcement professionals with overall  
 19.9 wellness. The grantee shall collaborate with  
 19.10 the Department of Public Safety and law  
 19.11 enforcement organizations to promote the  
 19.12 directory. This is a onetime appropriation.

19.13 **(s) Public Safety Innovation Board**

19.14 \$55,000 each year is for the Public Safety  
 19.15 Innovation Board described in Minnesota  
 19.16 Statutes, section 299A.625. This is a onetime  
 19.17 appropriation.

19.18 **(t) First Responders' Mental Health**

19.19 \$500,000 each year is for a grant to a nonprofit  
 19.20 organization that provides nonmedical mental  
 19.21 health support for present and former law  
 19.22 enforcement officers and first responders  
 19.23 facing employment-related mental health  
 19.24 issues, utilizing interactive group activity and  
 19.25 other methods. This is a onetime  
 19.26 appropriation.

19.27 **(u) Administration Costs**

19.28 Up to 2.5 percent of the grant funds  
 19.29 appropriated in this subdivision may be used  
 19.30 by the commissioner to administer the grant  
 19.31 program.

19.32 **Subd. 8. Emergency Communication Networks**

90,274,000

68,597,000

20.1	<u>Appropriations by Fund</u>		
20.2	<u>General</u>	<u>14,945,000</u>	<u>-0-</u>
20.3	<u>911 Fund</u>	<u>75,329,000</u>	<u>68,597,000</u>

20.4 This appropriation is from the state  
 20.5 government special revenue fund for 911  
 20.6 emergency telecommunications services unless  
 20.7 otherwise indicated.

20.8 **(a) Public Safety Answering Points**

20.9 \$28,011,000 the first year and \$28,011,000  
 20.10 the second year shall be distributed as  
 20.11 provided under Minnesota Statutes, section  
 20.12 403.113, subdivision 2.

20.13 **(b) Transition to Next Generation 911**

20.14 \$7,000,000 the first year is to support Public  
 20.15 Safety Answering Points' transition to Next  
 20.16 Generation 911. Funds may be used for  
 20.17 planning, cybersecurity, GIS data collection  
 20.18 and maintenance, 911 call processing  
 20.19 equipment, and new Public Safety Answering  
 20.20 Point technology to improve service delivery.  
 20.21 Funds shall be distributed by October 1, 2023,  
 20.22 as provided in Minnesota Statutes, section  
 20.23 403.113, subdivision 2. Funds are available  
 20.24 until June 30, 2025, and any unspent funds  
 20.25 must be returned to the 911 emergency  
 20.26 telecommunications service account. This is  
 20.27 a onetime appropriation.

20.28 Each eligible entity receiving these funds must  
 20.29 provide a detailed report on how the funds  
 20.30 were used to the commissioner of public safety  
 20.31 by August 1, 2025.

20.32 **(c) ARMER State Backbone Operating**

20.33 **Costs**

21.1 \$10,116,000 the first year and \$10,384,000  
21.2 the second year are transferred to the  
21.3 commissioner of transportation for costs of  
21.4 maintaining and operating the statewide radio  
21.5 system backbone.

21.6 **(d) Statewide Emergency Communications**

21.7 **Board**

21.8 \$1,000,000 each year is to the Statewide  
21.9 Emergency Communications Board. Funds  
21.10 may be used for operating costs, to provide  
21.11 competitive grants to local units of  
21.12 government to fund enhancements to a  
21.13 communication system, technology, or support  
21.14 activity that directly provides the ability to  
21.15 deliver the 911 call between the entry point to  
21.16 the 911 system and the first responder, and to  
21.17 further the strategic goals set forth by the  
21.18 SECB Statewide Communication  
21.19 Interoperability Plan.

21.20 **(e) Statewide Public Safety Radio**

21.21 **Communication System Equipment Grants**

21.22 \$9,945,000 the first year from the general fund  
21.23 is for grants to local government units,  
21.24 federally recognized Tribal entities, and state  
21.25 agencies participating in the statewide Allied  
21.26 Radio Matrix for Emergency Response  
21.27 (ARMER) public safety radio communication  
21.28 system established under Minnesota Statutes,  
21.29 section 403.36, subdivision 1e. The grants  
21.30 must be used to purchase or upgrade portable  
21.31 radios, mobile radios, and related equipment  
21.32 that is interoperable with the ARMER system.  
21.33 Each local government unit may receive only  
21.34 one grant. The grant is contingent upon a  
21.35 match of at least five percent from nonstate

22.1 funds. The director of the Department of  
 22.2 Public Safety Emergency Communication  
 22.3 Networks division, in consultation with the  
 22.4 Statewide Emergency Communications Board,  
 22.5 must administer the grant program. This  
 22.6 appropriation is available until June 30, 2026.

22.7 **Subd. 9. Public Safety Administration**

7,600,000

4,600,000

22.8 **(a) Public Safety Officer Survivor Benefits**

22.9 \$1,500,000 each year is for payment of public  
 22.10 safety officer survivor benefits under  
 22.11 Minnesota Statutes, section 299A.44. If the  
 22.12 appropriation for either year is insufficient,  
 22.13 the appropriation for the other year is  
 22.14 available.

22.15 **(b) Soft Body Armor Reimbursements**

22.16 \$1,000,000 each year is for increases in the  
 22.17 base appropriation for soft body armor  
 22.18 reimbursements under Minnesota Statutes,  
 22.19 section 299A.38. This is a onetime  
 22.20 appropriation.

22.21 **(c) Body Camera Grants**

22.22 \$4,500,000 the first year and \$1,500,000 the  
 22.23 second year are for grants to local units of  
 22.24 government to purchase and maintain portable  
 22.25 recording devices for use by licensed peace  
 22.26 officers employed by the applicant. Each grant  
 22.27 is contingent upon a local match of at least 25  
 22.28 percent from nonstate funds. The board must  
 22.29 give priority to applicants that do not have a  
 22.30 portable recording system program and to  
 22.31 applicants with law enforcement departments  
 22.32 that employ fewer than 50 licensed peace  
 22.33 officers. Up to 2.5 percent of the appropriation  
 22.34 is available to be used for administrative costs

23.1 incurred by the commissioner in carrying out  
 23.2 the provisions of this paragraph. This is a  
 23.3 onetime appropriation.

23.4 **(d) First Responder Wellness Office**

23.5 \$600,000 each year is to establish and  
 23.6 administer an office to provide leadership and  
 23.7 resources for improving the mental health of  
 23.8 emergency and first responders statewide.

23.9 **(e) Firearm Storage Cost Reimbursement**

23.10 \$250,000 each year is to implement Senate  
 23.11 File No. 1117. If this provision or a  
 23.12 substantially similar one is not enacted in the  
 23.13 2023 legislative session, this appropriation  
 23.14 cancel to the general fund.

23.15 **Sec. 12. PEACE OFFICER STANDARDS AND**  
 23.16 **TRAINING (POST) BOARD**

**\$ 12,863,000 \$ 12,717,000**

23.17 **(a) Peace Officer Training Reimbursements**

23.18 \$2,949,000 each year is for reimbursements  
 23.19 to local governments for peace officer training  
 23.20 costs.

23.21 **(b) Additional Staff**

23.22 \$592,000 the first year and \$593,000 the  
 23.23 second year are for additional staff and  
 23.24 equipment. The base for this appropriation is  
 23.25 \$576,000 in fiscal year 2026 and thereafter.

23.26 **(c) Additional Office Space**

23.27 \$228,000 the first year and \$30,000 the second  
 23.28 year are for additional office space.

23.29 **(d) Compliance Reviews and Investigations**

23.30 \$435,000 each year is to hire investigators and  
 23.31 additional staff to perform compliance reviews  
 23.32 and investigate alleged code of conduct

24.1 violations, and to obtain or improve equipment  
 24.2 for that purpose. This is a onetime  
 24.3 appropriation.

24.4 Sec. 13. **PRIVATE DETECTIVE BOARD**                   \$           476,000 \$           411,000

24.5 \$178,000 the first year and \$103,000 the  
 24.6 second year are for equipment and an  
 24.7 additional staff member.

24.8 Sec. 14. **HUMAN RIGHTS**                                   \$           8,191,000 \$           8,575,000

24.9 **(a) Civil Rights Enforcement**

24.10 \$1,500,000 each year is for increased civil  
 24.11 rights enforcement. The base for this  
 24.12 appropriation is \$2,000,000 in fiscal year 2026  
 24.13 and thereafter.

24.14 **(b) Mediator Payments**

24.15 \$20,000 each year is to fund payments to  
 24.16 mediators. This appropriation is onetime and  
 24.17 is available until June 30, 2027.

24.18 **(c) Data Gathering and Reporting**

24.19 \$538,000 the first year and \$396,000 the  
 24.20 second year are to gather, analyze, and report  
 24.21 on discrimination and hate incidents  
 24.22 throughout Minnesota.

24.23 Sec. 15. **CORRECTIONS**

24.24 **Subdivision 1. Total**  
 24.25 **Appropriation**

\$           818,323,000 \$           850,310,000

24.26 The amounts that may be spent for each  
 24.27 purpose are specified in the following  
 24.28 subdivisions.

24.29 **Subd. 2. Incarceration and**  
 24.30 **Prerelease Services**

534,052,000                                   566,040,000

24.31 **(a) ARMER Radio System**



- 25.1 \$1,500,000 each year is to upgrade and  
25.2 maintain the ARMER radio system within  
25.3 correctional facilities. This is a onetime  
25.4 appropriation.
- 25.5 **(b) State Corrections Safety and Security**
- 25.6 \$2,055,000 the first year and \$2,772,000 the  
25.7 second year are for state corrections safety  
25.8 and security investments. The base for this  
25.9 appropriation is \$3,560,000 in fiscal year 2026  
25.10 and thereafter.
- 25.11 **(c) Health Services**
- 25.12 \$2,348,000 the first year and \$3,723,000 the  
25.13 second year are for the health services  
25.14 division. Of this amount:
- 25.15 (1) \$1,072,000 the first year and \$2,542,000  
25.16 the second year are for 24-hour nursing  
25.17 support to five state correctional facilities;
- 25.18 (2) \$247,000 each year is for behavioral health  
25.19 care at Minnesota Correctional  
25.20 Facility-Shakopee;
- 25.21 (3) \$247,000 each year is for dental care  
25.22 equipment, software, and information  
25.23 technology support;
- 25.24 (4) \$225,000 the first year and \$375,000 the  
25.25 second year are to establish a disease  
25.26 management unit;
- 25.27 (5) \$75,000 the first year is for a feasibility  
25.28 study of creating a private sector nursing home  
25.29 for difficult-to-place inmates with significant  
25.30 health care needs; and
- 25.31 (6) \$482,000 the first year and \$312,000 the  
25.32 second year are for investments in

26.1 telemedicine. The base for this appropriation  
26.2 is \$227,000 in fiscal year 2026 and thereafter.

26.3 **(d) Virtual Court Coordination**

26.4 \$500,000 each year is for virtual court  
26.5 coordination and modernization.

26.6 **(e) Educational Programming and Support**  
26.7 **Services**

26.8 \$6,806,000 the first year and \$7,631,000 the  
26.9 second year are for educational programming  
26.10 and support services. Of this amount:

26.11 (1) \$2,320,000 the first year and \$3,145,000  
26.12 the second year are for increased education  
26.13 staffing. The base for this appropriation is  
26.14 \$2,901,000 in fiscal year 2026 and thereafter;

26.15 (2) \$280,000 each year is for increased  
26.16 classroom space. The base for this  
26.17 appropriation is \$285,000 in fiscal year 2026  
26.18 and thereafter;

26.19 (3) \$918,000 each year is for information  
26.20 technology education components. The base  
26.21 for this appropriation is \$779,000 in fiscal year  
26.22 2026 and thereafter;

26.23 (4) \$650,000 each year is to expand vocational  
26.24 training. The base for this appropriation is  
26.25 \$50,000 in fiscal year 2026 and thereafter;

26.26 (5) \$200,000 each year is to support Pell  
26.27 partnerships in Minnesota correctional  
26.28 facilities;

26.29 (6) \$310,000 each year to expand cognitive  
26.30 processing therapy at Minnesota Correctional  
26.31 Facility-Faribault, Minnesota Correctional  
26.32 Facility-Lino Lakes, and Minnesota

- 27.1 Correctional Facility-Red Wing minimum  
27.2 security units;  
27.3 (7) \$128,000 each year is for educational  
27.4 supplies; and  
27.5 (8) \$2,000,000 each year is to expand work  
27.6 release, including educational work release.  
27.7 This is a onetime appropriation.
- 27.8 **(f) Successful Re-Entry**  
27.9 \$1,000,000 each year is for successful re-entry  
27.10 initiatives.
- 27.11 **(g) Evidence-based Correctional Practices**  
27.12 **Unit**  
27.13 \$750,000 each year is to establish and  
27.14 maintain a unit to direct and oversee the use  
27.15 of evidence-based correctional practices across  
27.16 the department.
- 27.17 **(h) Inmate Phone Calls**  
27.18 \$2,000,000 each year is to support  
27.19 communications infrastructure for incarcerated  
27.20 individuals to maintain contact with family  
27.21 members and supportive contacts. This is a  
27.22 onetime appropriation.
- 27.23 **(i) Compensation for Program Participation**  
27.24 \$1,000,000 each year is to increase  
27.25 compensation for incarcerated persons who  
27.26 participate in prison programming  
27.27 assignments, including work, education, and  
27.28 treatment. This is a onetime appropriation.
- 27.29 **(j) Interstate Compact for Adult**  
27.30 **Supervision; Transfer Expense**  
27.31 **Reimbursement**

28.1 \$250,000 each year is for reimbursements  
 28.2 under Minnesota Statutes, section 243.1609.

28.3 **(k) Model Discharge Plans**

28.4 \$80,000 each year is to comply with the model  
 28.5 discharge plan requirements under Minnesota  
 28.6 Statutes, section 641.155. This is a onetime  
 28.7 appropriation.

28.8 **(l) Task Force on Aiding and Abetting**

28.9 **Felony Murder**

28.10 \$25,000 the first year is for costs associated  
 28.11 with the revival of the task force on aiding and  
 28.12 abetting felony murder.

28.13 **Subd. 3. Community**  
 28.14 **Supervision and Postrelease**  
 28.15 **Services**

209,106,000

203,085,000

28.16 **(a) Community Corrections Act**

28.17 \$142,971,000 each year is for community  
 28.18 supervision services. This appropriation shall  
 28.19 be distributed according to the community  
 28.20 corrections aid funding formula in Minnesota  
 28.21 Statutes, section 401.10.

28.22 **(b) Tribal Nation Supervision**

28.23 \$2,750,000 each year is for grants to Tribal  
 28.24 Nations to provide supervision in tandem with  
 28.25 the department.

28.26 **(c) Treatment and Support Grants**

28.27 \$10,000,000 each year is to provide grants to  
 28.28 counties and local providers to implement  
 28.29 treatment programs, support programs, and  
 28.30 innovative supervision practices to reduce the  
 28.31 risk of recidivism. The base for this  
 28.32 appropriation is \$8,560,000 in fiscal year 2026  
 28.33 and thereafter.

- 29.1 **(d) Community Supervision Advisory**  
29.2 **Committee**  
29.3 \$75,000 the first year is to fund the community  
29.4 supervision advisory committee under  
29.5 Minnesota Statutes, section 401.17.
- 29.6 **(e) Successful Re-Entry**  
29.7 \$266,000 each year is for successful re-entry  
29.8 initiatives.
- 29.9 **(f) Community-Based Sex Offender**  
29.10 **Treatment**  
29.11 \$2,415,000 each year is for additional  
29.12 community-based sex offender treatment.
- 29.13 **(g) Housing Initiatives**  
29.14 \$2,130,000 each year is for housing initiatives  
29.15 to support stable housing of incarcerated  
29.16 individuals upon release. The base for this  
29.17 appropriation in fiscal year 2026 and thereafter  
29.18 is \$1,685,000. Of this amount:
- 29.19 (1) \$1,000,000 each year is for housing  
29.20 stabilization prerelease services and program  
29.21 evaluation. The base for this appropriation in  
29.22 fiscal year 2026 and thereafter is \$760,000;
- 29.23 (2) \$500,000 each year is for rental assistance  
29.24 for incarcerated individuals approaching  
29.25 release, on supervised release, or on probation  
29.26 who are at risk of homelessness;
- 29.27 (3) \$405,000 each year is for culturally  
29.28 responsive trauma-informed transitional  
29.29 housing. The base for this appropriation in  
29.30 fiscal year 2026 and thereafter is \$200,000;  
29.31 and

30.1 (4) \$225,000 each year is for housing  
30.2 coordination activities.

30.3 **(h) Pathways from Prison to Employment**

30.4 \$1,460,000 the first year and \$1,775,000 the  
30.5 second year are to establish an economic  
30.6 opportunity and public safety unit to support  
30.7 job training and connect incarcerated  
30.8 individuals with public and private employers,  
30.9 trade associations, and community colleges to  
30.10 provide stable employment upon release. Of  
30.11 this amount:

30.12 (1) \$488,000 the first year and \$625,000 the  
30.13 second year are to establish an Economic  
30.14 Opportunity and Public Safety (EOPS) unit to  
30.15 develop and strengthen relationships in the  
30.16 community and between the state and  
30.17 employers;

30.18 (2) \$472,000 the first year and \$650,000 the  
30.19 second year are for the EMPLOY program to  
30.20 increase employment readiness; and

30.21 (3) \$500,000 each year is for  
30.22 community-based contracted programming  
30.23 and services for prerelease and postrelease  
30.24 employment and vocational services.

30.25 **(i) Juvenile Treatment Homes**

30.26 \$5,000,000 the first year is for a grant to  
30.27 Ramsey County to establish, with input from  
30.28 community stakeholders, including impacted  
30.29 youth and families, up to seven intensive  
30.30 trauma-informed therapeutic treatment homes  
30.31 in Ramsey County that are culturally specific,  
30.32 community-based, and can be secured. These  
30.33 residential spaces must provide intensive  
30.34 treatment and intentional healing for youth as

31.1 ordered by the court as part of the disposition  
31.2 of a case in juvenile court.

31.3 **(j) Violence Prevention and Wellness**

31.4 **Support**

31.5 \$2,500,000 the first year is for a grant to  
31.6 Ramsey County to award grants to develop  
31.7 new and further enhance existing  
31.8 community-based organizational support  
31.9 through violence prevention and community  
31.10 wellness grants. Grantees must use the money  
31.11 to:

31.12 (1) create family support groups and resources  
31.13 to support families during the time a young  
31.14 person is placed out-of-home following a  
31.15 juvenile delinquency disposition and support  
31.16 the family through the period of post  
31.17 placement reentry;

31.18 (2) create community-based respite options  
31.19 for conflict or crisis de-escalation to prevent  
31.20 incarceration or further systems involvement  
31.21 for families; and

31.22 (3) establish additional meaningful  
31.23 employment opportunities for  
31.24 systems-involved youth.

31.25 **(k) Alternatives to Incarceration; Mower**  
31.26 **County**

31.27 \$80,000 each year is for Mower County to  
31.28 facilitate access to community treatment  
31.29 options under the alternatives to incarceration  
31.30 program.

31.31 **Subd. 4. Organizational, Regulatory, and**  
31.32 **Administrative Services**

75,165,000

81,185,000

31.33 **(a) Public Safety Data Infrastructure**

32.1 \$22,500,000 each year is for the development  
32.2 and management of statewide public safety  
32.3 information sharing infrastructure and  
32.4 foundation technologies. The department shall  
32.5 consult with county correctional supervision  
32.6 providers, the Judicial Branch, the Minnesota  
32.7 Sheriff's Association, the Minnesota Chiefs  
32.8 of Police Association, and the Bureau of  
32.9 Criminal Apprehension, among other public  
32.10 safety stakeholders, in the development,  
32.11 design, and implementation of a statewide  
32.12 public safety information sharing  
32.13 infrastructure. This is a onetime appropriation.

32.14 **(b) Recruitment and Retention**

32.15 \$4,803,000 the first year and \$7,323,000 the  
32.16 second year are for recruitment and retention  
32.17 initiatives. The base for this appropriation is  
32.18 \$4,173,000 in fiscal year 2026 and thereafter.

32.19 Of this amount, \$2,300,000 each year is to  
32.20 create a pilot staff wellness program for  
32.21 trauma recovery, resiliency, and well-being  
32.22 and for the staff support and wellness unit.  
32.23 The base for this appropriation in fiscal year  
32.24 2026 and thereafter is \$300,000.

32.25 **(c) Accountability and Transparency**

32.26 \$1,200,000 each year is for Accountability  
32.27 and Transparency Initiatives. Of this amount,  
32.28 \$191,000 the first year and \$362,000 the  
32.29 second year are for additional financial  
32.30 services staff.

32.31 **(d) Supervised Release Board**

32.32 \$40,000 each year is to establish a supervised  
32.33 release board as described in Minnesota  
32.34 Statutes, section 244.049.



33.1 (e) State Corrections Safety and Security

33.2 \$190,000 each year is for a continuity of  
33.3 operations plan coordinator and continuity of  
33.4 operations software.

33.5 (f) Clemency Review Commission

33.6 \$986,000 each year is for the clemency review  
33.7 commission described in Minnesota Statutes,  
33.8 section 638.09.

33.9 Sec. 16. OMBUDSPERSON FOR  
33.10 CORRECTIONS

\$ 1,105,000 \$ 1,099,000

33.11 Sec. 17. COMPETENCY RESTORATION  
33.12 BOARD

\$ 11,350,000 \$ 10,900,000

33.13 Sec. 18. PUBLIC SAFETY OFFICER SURVIVOR BENEFITS DEFICIENCY;  
33.14 FISCAL YEAR 2023 APPROPRIATION.

33.15 \$1,000,000 in fiscal year 2023 is appropriated from the general fund to the commissioner  
33.16 of public safety to be used for payment of public safety officer survivor benefits under  
33.17 Minnesota Statutes, section 299A.44. This is a onetime appropriation.

33.18 Sec. 19. INTENSIVE COMPREHENSIVE PEACE OFFICER EDUCATION AND  
33.19 TRAINING PROGRAM; OUTREACH; FISCAL YEAR 2023 APPROPRIATION.

33.20 \$5,000,000 in fiscal year 2023 is appropriated to the commissioner of public safety from  
33.21 the general fund to implement the intensive comprehensive peace officer education and  
33.22 training program described in Minnesota Statutes, section 626.8516, and conduct outreach  
33.23 to qualified candidates under that section. The commissioner shall use the funds to target  
33.24 and recruit candidates or groups of candidates who meet the program's eligibility  
33.25 requirements with an emphasis placed on reaching candidates from groups that are currently  
33.26 underrepresented in law enforcement and who represent the state's increasingly diverse  
33.27 population. The commissioner shall conduct outreach directly to statewide and national  
33.28 peace officer affinity groups that represent groups that are currently underrepresented in  
33.29 law enforcement. The commissioner shall contract with an agency with proven experience  
33.30 and success in targeting and recruiting candidates for specific professions.

34.1 **Sec. 20. DEPARTMENT OF CORRECTIONS DEFICIENCY; FISCAL YEAR 2023**  
34.2 **APPROPRIATION.**

34.3 \$12,643,000 in fiscal year 2023 is appropriated from the general fund to the commissioner  
34.4 of corrections for operational expenses. This is a onetime appropriation.

34.5 **Sec. 21. VIOLENT CRIME INVESTIGATION TEAMS; SPECIAL REVENUE**  
34.6 **ACCOUNT; APPROPRIATION.**

34.7 (a) The violent crime investigation team account is created in the special revenue fund  
34.8 consisting of money deposited, donated, allotted, transferred, or otherwise provided to the  
34.9 account. Of the amount in the account, up to \$2,800,000 in each of fiscal years 2024, 2025,  
34.10 2026, 2027, and 2028 are appropriated to the commissioner of public safety for violent  
34.11 crime investigation teams, organized under Minnesota Statutes, section 299A.642, to increase  
34.12 their capacity to conduct forensic and investigatory work to expedite clearance rates.

34.13 (b) The commissioner shall allocate the funds to the violent crime investigation teams  
34.14 that have the most acute need for supplemental resources based on the rate of violent crime  
34.15 in the team's jurisdiction and the need to improve clearance rates for violent crime  
34.16 investigations. The commissioner must consult with and consider recommendations from  
34.17 the Violent Crime Coordinating Council created under Minnesota Statutes, section 299A.642,  
34.18 prior to awarding grants from this fund.

34.19 (c) As a condition of receiving funds from this account, the lead local unit of government  
34.20 of a violent crime investigation team must enter a joint powers agreement with the  
34.21 commissioner of public safety under which the commissioner shall provide an investigator  
34.22 from the Bureau of Criminal Apprehension to be a member of the team.

34.23 **Sec. 22. VIOLENT CRIME INVESTIGATION TEAM ACCOUNT; TRANSFER.**

34.24 \$14,000,000 in fiscal year 2024 is transferred from the general fund to the violent crime  
34.25 investigation team account in the special revenue fund. The base for this appropriation is  
34.26 \$0 in fiscal year 2025 and thereafter. Any balance in the account on June 30, 2028, cancels  
34.27 to the general fund.

34.28 **Sec. 23. COMMUNITY CRIME AND VIOLENCE PREVENTION GRANTS;**  
34.29 **SPECIAL REVENUE ACCOUNT; APPROPRIATION.**

34.30 (a) The community crime and violence prevention account is created in the special  
34.31 revenue fund consisting of money deposited, donated, allotted, transferred, or otherwise  
34.32 provided to the account. Of the amount in the account, up to \$2,800,000 in each of fiscal

35.1 years 2024, 2025, 2026, 2027, and 2028 are appropriated to the commissioner of public  
35.2 safety for grants administered by the Office of Justice Programs to be awarded to community  
35.3 violence prevention and intervention programs.

35.4 (b) Grants may be awarded to community-based nonprofit organizations, local  
35.5 governments, or the governing bodies of federally recognized Indian Tribes. Applicants  
35.6 that are nonprofit organizations must demonstrate the support of the local government or  
35.7 Indian Tribe where the nonprofit will be offering services. Support may be demonstrated  
35.8 by partnerships with the local government or Indian Tribe, or letters or other affirmations  
35.9 of support.

35.10 (c) Grant recipients must operate crime or violence prevention programs with an  
35.11 established record of providing direct services to community members. Programs must be  
35.12 culturally competent and identify specific outcomes that can be tracked and measured to  
35.13 demonstrate the impact the program has on community crime and violence. Crime or violence  
35.14 prevention programs may include but are not limited to:

35.15 (1) victim services programs, including but not limited to programs that provide services  
35.16 to victims and families that have experienced gun violence;

35.17 (2) re-entry programs that provide support and reintegration services to recently  
35.18 incarcerated individuals;

35.19 (3) homelessness assistance programs;

35.20 (4) restorative justice programs;

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

35.23 (6) juvenile diversion programs.

35.24 (d) As part of the narrative and statistical progress reports provided to the Office of  
35.25 Justice Programs, grant recipients must report on the specific outcomes identified pursuant  
35.26 to paragraph (c).

35.27 (e) The Office of Justice Programs may use up to 2.5 percent of the annual appropriation  
35.28 to administer the grants.

35.29 **Sec. 24. COMMUNITY CRIME AND VIOLENCE PREVENTION ACCOUNT;**  
35.30 **TRANSFER.**

35.31 \$14,000,000 in fiscal year 2024 is transferred from the general fund to the community  
35.32 crime and violence prevention account in the special revenue fund. The base for this

36.1 appropriation is \$0 in fiscal year 2025 and thereafter. Any balance in the account on June  
 36.2 30, 2028, cancels to the general fund.

36.3 **Sec. 25. CRISIS RESPONSE AND CRIMINAL INVESTIGATION GRANTS;**  
 36.4 **SPECIAL REVENUE ACCOUNT; APPROPRIATION.**

36.5 (a) The crisis response and criminal investigation account is created in the special revenue  
 36.6 fund consisting of money deposited, donated, allotted, transferred, or otherwise provided  
 36.7 to the account. Of the amount in the account, up to \$2,800,000 in each of fiscal years 2024,  
 36.8 2025, 2026, 2027, and 2028 are appropriated to the commissioner of public safety for grants  
 36.9 administered by the Office of Justice Programs to be awarded to local law enforcement  
 36.10 agencies or local governments to improve responses to situations involving individuals  
 36.11 experiencing a mental health crisis and to improve criminal investigations.

36.12 (b) Of the amount appropriated in fiscal year 2024, \$1,120,000 is for grants to local law  
 36.13 enforcement agencies to acquire, upgrade, or replace technology or equipment used to  
 36.14 investigate crimes or process evidence and \$1,680,000 is for the grants described in paragraph  
 36.15 (c).

36.16 (c) Up to \$2,800,000 in fiscal years 2025, 2026, 2027, and 2028 is for grants to local  
 36.17 law enforcement agencies and local governments to maintain or expand crisis response  
 36.18 teams in which social workers or mental health providers are sent as first responders when  
 36.19 calls for service indicate that an individual is having a mental health crisis.

36.20 (d) The Office of Justice Programs may use up to 2.5 percent of the annual appropriation  
 36.21 to administer the grants.

36.22 **Sec. 26. CRISIS RESPONSE AND CRIMINAL INVESTIGATION ACCOUNT;**  
 36.23 **TRANSFER.**

36.24 \$14,000,000 in fiscal year 2024 is transferred from the general fund to the crisis response  
 36.25 and criminal investigation account in the special revenue fund. The base for this appropriation  
 36.26 is \$0 in fiscal year 2025 and thereafter. Any balance in the account on June 30, 2028, cancels  
 36.27 to the general fund.

36.28 **Sec. 27. FINANCIAL REVIEW OF NONPROFIT GRANT RECIPIENTS.**

36.29 Subdivision 1. Financial information required; determination of ability to  
 36.30 perform. Before an agency awards a competitive, legislatively-named, single source, or  
 36.31 sole source grant to a nonprofit organization with money appropriated in this act, the agency

37.1 must assess the risk that a grantee cannot or would not perform the required duties. In making  
37.2 this assessment, the agency must review the following information:

37.3 (1) the grantee's history of performing duties similar to those required by the grant,  
37.4 whether the size of the grant requires the grantee to perform services at a significantly  
37.5 increased scale, and whether the size of the grant will require significant changes to the  
37.6 operation of the grantee's organization;

37.7 (2) the applicant's Form 990 or Form 990-EZ filed with the Internal Revenue Service  
37.8 in each of the prior three years. If the applicant has not been in existence long enough or is  
37.9 not required to file Form 990 or Form 990-EZ, the applicant must demonstrate to the grantor's  
37.10 satisfaction that the applicant is exempt and must instead submit the applicant's most recent  
37.11 board-reviewed financial statements and documentation of internal controls;

37.12 (3) evidence of registration and good standing with the secretary of state under Minnesota  
37.13 Statutes, chapter 317A, or other applicable law;

37.14 (4) if the applicant's total annual revenue exceeds \$750,000, the applicant's most recent  
37.15 financial audit performed by an independent third party in accordance with generally accepted  
37.16 accounting principles; and

37.17 (5) certification, provided by the applicant, that none of its principals have been convicted  
37.18 of a financial crime.

37.19 Subd. 2. **Additional measures for some grantees.** The agency may require additional  
37.20 information and must provide enhanced oversight for grants to nonprofit organizations that  
37.21 have not previously received state or federal grants for similar amounts or similar duties  
37.22 and so have not yet demonstrated the ability to perform the duties required under the grant  
37.23 on the scale required.

37.24 Subd. 3. **Assistance from administration.** An agency without adequate resources or  
37.25 experience to perform obligations under this section may contract with the commissioner  
37.26 of administration to perform the agency's duties under this section.

37.27 Subd. 4. **Agency authority to not award grant.** If an agency determines that there is  
37.28 an appreciable risk that a grantee receiving a competitive, single source, or sole source grant  
37.29 cannot or would not perform the required duties under the grant agreement, the agency must  
37.30 notify the grantee and the commissioner of administration and give the grantee an opportunity  
37.31 to respond to the agency's concerns. If the grantee does not satisfy the agency's concerns  
37.32 within 45 days, the agency must not award the grant.

38.1 Subd. 5. **Legislatively-named grantees.** If an agency determines that there is an  
 38.2 appreciable risk that a grantee receiving a legislatively-named grant cannot or would not  
 38.3 perform the required duties under the grant agreement, the agency must notify the grantee,  
 38.4 the commissioner of administration, and the chair and ranking minority members of Ways  
 38.5 and Means Committee in the house of representatives, the chairs and ranking minority  
 38.6 members of the Finance Committee in the senate, and the chairs and ranking minority  
 38.7 members of the committees in the house of representatives and the senate with primary  
 38.8 jurisdiction over the bill in which the money for the grant was appropriated. The agency  
 38.9 must give the grantee an opportunity to respond to the agency's concerns. If the grantee  
 38.10 does not satisfy the agency's concerns within 45 days, the agency must delay award of the  
 38.11 grant until adjournment of the next regular or special legislative session.

38.12 Subd. 6. **Subgrants.** If a grantee will disburse the money received from the grant to  
 38.13 other organizations to perform duties required under the grant agreement, the agency must  
 38.14 be a party to agreements between the grantee and a subgrantee. Before entering agreements  
 38.15 for subgrants, the agency must perform the financial review required under this section with  
 38.16 respect to the subgrantees.

38.17 Subd. 7. **Effect.** The requirements of this section are in addition to other requirements  
 38.18 imposed by law, the commissioner of administration under Minnesota Statutes, sections  
 38.19 16B.97 to 16B.98, or agency grant policy.

## 38.20 **ARTICLE 2**

### 38.21 **JUDICIARY**

38.22 Section 1. Minnesota Statutes 2022, section 13.072, subdivision 1, is amended to read:

38.23 Subdivision 1. **Opinion; when required.** (a) Upon request of a government entity, the  
 38.24 commissioner may give a written opinion on any question relating to public access to  
 38.25 government data, rights of subjects of data, or classification of data under this chapter or  
 38.26 other Minnesota statutes governing government data practices. Upon request of any person  
 38.27 who disagrees with a determination regarding data practices made by a government entity,  
 38.28 the commissioner may give a written opinion regarding the person's rights as a subject of  
 38.29 government data or right to have access to government data.

38.30 (b) Upon request of a body subject to chapter 13D, the commissioner may give a written  
 38.31 opinion on any question relating to the body's duties under chapter 13D. Upon request of a  
 38.32 person who disagrees with the manner in which members of a governing body perform their  
 38.33 duties under chapter 13D, the commissioner may give a written opinion on compliance with

39.1 chapter 13D. ~~A governing body or person requesting an opinion under this paragraph must~~  
 39.2 ~~pay the commissioner a fee of \$200. Money received by the commissioner under this~~  
 39.3 ~~paragraph is appropriated to the commissioner for the purposes of this section.~~

39.4 (c) If the commissioner determines that no opinion will be issued, the commissioner  
 39.5 shall give the government entity or body subject to chapter 13D or person requesting the  
 39.6 opinion notice of the decision not to issue the opinion within five business days of receipt  
 39.7 of the request. Notice must be in writing. For notice by mail, the decision not to issue an  
 39.8 opinion is effective when placed with the United States Postal Service or with the central  
 39.9 mail system of the state of Minnesota. If this notice is not given, the commissioner shall  
 39.10 issue an opinion within ~~20~~ 50 days of receipt of the request.

39.11 (d) ~~For good cause and upon written notice to the person requesting the opinion, the~~  
 39.12 ~~commissioner may extend this deadline for one additional 30-day period. The notice must~~  
 39.13 ~~state the reason for extending the deadline.~~ The government entity or the members of a body  
 39.14 subject to chapter 13D must be provided a reasonable opportunity to explain the reasons  
 39.15 for its decision regarding the data or how they perform their duties under chapter 13D. The  
 39.16 commissioner or the government entity or body subject to chapter 13D may choose to give  
 39.17 notice to the subject of the data concerning the dispute regarding the data or compliance  
 39.18 with chapter 13D.

39.19 (e) This section does not apply to a determination made by the commissioner of health  
 39.20 under section 13.3805, subdivision 1, paragraph (b), or 144.6581.

39.21 (f) A written, numbered, and published opinion issued by the attorney general shall take  
 39.22 precedence over an opinion issued by the commissioner under this section.

39.23 Sec. 2. Minnesota Statutes 2022, section 357.021, subdivision 2, is amended to read:

39.24 Subd. 2. **Fee amounts.** The fees to be charged and collected by the court administrator  
 39.25 shall be as follows:

39.26 (1) In every civil action or proceeding in said court, including any case arising under  
 39.27 the tax laws of the state that could be transferred or appealed to the Tax Court, the plaintiff,  
 39.28 petitioner, or other moving party shall pay, when the first paper is filed for that party in said  
 39.29 action, a fee of \$285, except in marriage dissolution actions the fee is \$315.

39.30 The defendant or other adverse or intervening party, or any one or more of several  
 39.31 defendants or other adverse or intervening parties appearing separately from the others,  
 39.32 shall pay, when the first paper is filed for that party in said action, a fee of \$285, except in  
 39.33 marriage dissolution actions the fee is \$315. This subdivision does not apply to the filing

40.1 of an Application for Discharge of Judgment. Section 548.181 applies to an Application  
40.2 for Discharge of Judgment.

40.3 The party requesting a trial by jury shall pay \$100.

40.4 The fees above stated shall be the full trial fee chargeable to said parties irrespective of  
40.5 whether trial be to the court alone, to the court and jury, or disposed of without trial, and  
40.6 shall include the entry of judgment in the action, but does not include copies or certified  
40.7 copies of any papers so filed or proceedings under chapter 103E, except the provisions  
40.8 therein as to appeals.

40.9 (2) Certified copy of any instrument from a civil or criminal proceeding, \$14, ~~and \$8~~  
40.10 ~~for an uncertified copy.~~

40.11 (3) Issuing a subpoena, \$16 for each name.

40.12 (4) Filing a motion or response to a motion in civil, family, excluding child support, and  
40.13 guardianship cases, \$75.

40.14 (5) Issuing an execution and filing the return thereof; issuing a writ of attachment,  
40.15 injunction, habeas corpus, mandamus, quo warranto, certiorari, or other writs not specifically  
40.16 mentioned, \$55.

40.17 (6) Issuing a transcript of judgment, or for filing and docketing a transcript of judgment  
40.18 from another court, \$40.

40.19 (7) Filing and entering a satisfaction of judgment, partial satisfaction, or assignment of  
40.20 judgment, \$5.

40.21 (8) Certificate as to existence or nonexistence of judgments docketed, \$5 for each name  
40.22 certified to.

40.23 (9) Filing and indexing trade name; or recording basic science certificate; or recording  
40.24 certificate of physicians, osteopathic physicians, chiropractors, veterinarians, or optometrists,  
40.25 \$5.

40.26 (10) For the filing of each partial, final, or annual account in all trusteeships, \$55.

40.27 (11) For the deposit of a will, \$27.

40.28 (12) For recording notary commission, \$20.

40.29 (13) Filing a motion or response to a motion for modification of child support, a fee of  
40.30 \$50.



41.1 (14) All other services required by law for which no fee is provided, such fee as compares  
41.2 favorably with those herein provided, or such as may be fixed by rule or order of the court.

41.3 (15) In addition to any other filing fees under this chapter, a surcharge in the amount of  
41.4 \$75 must be assessed in accordance with section 259.52, subdivision 14, for each adoption  
41.5 petition filed in district court to fund the fathers' adoption registry under section 259.52.

41.6 The fees in clauses (3) and (5) need not be paid by a public authority or the party the  
41.7 public authority represents. No fee may be charged to view or download a publicly available  
41.8 instrument from a civil or criminal proceeding or for an uncertified copy of that instrument.

41.9 **EFFECTIVE DATE.** This section is effective July 1, 2023.

41.10 Sec. 3. Minnesota Statutes 2022, section 611.23, is amended to read:

41.11 **611.23 OFFICE OF STATE PUBLIC DEFENDER; APPOINTMENT; SALARY.**

41.12 The state public defender is responsible to the State Board of Public Defense. The state  
41.13 public defender shall supervise the operation, activities, policies, and procedures of the  
41.14 statewide public defender system. When requested by a district public defender or appointed  
41.15 counsel, the state public defender may assist the district public defender, appointed counsel,  
41.16 or an organization designated in section 611.216 in the performance of duties, including  
41.17 trial representation in matters involving legal conflicts of interest or other special  
41.18 circumstances, and assistance with legal research and brief preparation. The state public  
41.19 defender shall be appointed by the State Board of Public Defense for a term of four years,  
41.20 except as otherwise provided in this section, and until a successor is appointed and qualified.  
41.21 The state public defender shall be a full-time qualified attorney, licensed to practice law in  
41.22 this state, serve in the unclassified service of the state, and be removed only for cause by  
41.23 the appointing authority. Vacancies in the office shall be filled by the appointing authority  
41.24 for the unexpired term. The salary of the state public defender shall be fixed by the State  
41.25 Board of Public Defense ~~but must not exceed the salary of a district court judge.~~ Terms of  
41.26 the state public defender shall commence on July 1. The state public defender shall devote  
41.27 full time to the performance of duties and shall not engage in the general practice of law.

41.28 **ARTICLE 3**

41.29 **PUBLIC SAFETY**

41.30 Section 1. Minnesota Statutes 2022, section 13.825, subdivision 3, is amended to read:

41.31 Subd. 3. **Retention of data.** (a) Portable recording system data that are not active or  
41.32 inactive criminal investigative data and are not described in paragraph (b) or (c) must be

42.1 maintained for at least 90 days and destroyed according to the agency's records retention  
42.2 schedule approved pursuant to section 138.17.

42.3 (b) Portable recording system data must be maintained for at least one year and destroyed  
42.4 according to the agency's records retention schedule approved pursuant to section 138.17  
42.5 if:

42.6 (1) the data document (i) the discharge of a firearm by a peace officer in the course of  
42.7 duty if a notice is required under section 626.553, subdivision 2, or (ii) the use of force by  
42.8 a peace officer that results in substantial bodily harm; or

42.9 (2) a formal complaint is made against a peace officer related to the incident.

42.10 (c) Portable recording system data that document a peace officer's use of deadly force  
42.11 must be maintained indefinitely.

42.12 (d) If a subject of the data submits a written request to the law enforcement agency to  
42.13 retain the recording beyond the applicable retention period for possible evidentiary or  
42.14 exculpatory use related to the circumstances under which the data were collected, the law  
42.15 enforcement agency shall retain the recording for an additional time period requested by  
42.16 the subject of up to 180 days and notify the requester that the recording will then be destroyed  
42.17 unless a new request is made under this paragraph.

42.18 ~~(d)~~ (e) Notwithstanding paragraph (b) ~~or~~ (c), or (d), a government entity may retain a  
42.19 recording for as long as reasonably necessary for possible evidentiary or exculpatory use  
42.20 related to the incident with respect to which the data were collected.

42.21 Sec. 2. Minnesota Statutes 2022, section 13A.02, subdivision 1, is amended to read:

42.22 Subdivision 1. **Access by government.** Except as authorized by this chapter, no  
42.23 government authority may have access to, or obtain copies of, or the information contained  
42.24 in, the financial records of any customer from a financial institution unless the financial  
42.25 records are reasonably described and:

42.26 (1) the customer has authorized the disclosure;

42.27 (2) the financial records are disclosed in response to a search warrant;

42.28 (3) the financial records are disclosed in response to a judicial or administrative subpoena;

42.29 (4) the financial records are disclosed to law enforcement, a lead investigative agency  
42.30 as defined in section 626.5572, subdivision 13, or prosecuting authority that is investigating  
42.31 financial exploitation of a vulnerable adult in response to a judicial subpoena or  
42.32 administrative subpoena under section 388.23; or

43.1 (5) the financial records are disclosed pursuant to section 609.527 or 609.535 or other  
43.2 statute or rule.

43.3 **EFFECTIVE DATE.** This section is effective August 1, 2023.

43.4 Sec. 3. Minnesota Statutes 2022, section 13A.02, subdivision 2, is amended to read:

43.5 Subd. 2. **Release prohibited.** No financial institution, or officer, employee, or agent of  
43.6 a financial institution, may provide to any government authority access to, or copies of, or  
43.7 the information contained in, the financial records of any customer except in accordance  
43.8 with the provisions of this chapter.

43.9 Nothing in this chapter shall require a financial institution to inquire or determine that  
43.10 those seeking disclosure have duly complied with the requirements of this chapter, provided  
43.11 only that the customer authorization, search warrant, subpoena, or written certification  
43.12 pursuant to section 609.527, subdivision 8; 609.535, subdivision 6; 626.557; or other statute  
43.13 or rule, served on or delivered to a financial institution shows compliance on its face.

43.14 **EFFECTIVE DATE.** This section is effective August 1, 2023.

43.15 Sec. 4. Minnesota Statutes 2022, section 144.6586, subdivision 2, is amended to read:

43.16 Subd. 2. **Contents of notice.** The commissioners of health and public safety, in  
43.17 consultation with sexual assault victim advocates and health care professionals, shall develop  
43.18 the notice required by subdivision 1. The notice must inform the victim, at a minimum, of:

43.19 (1) the obligation under section 609.35 of the ~~county where the criminal sexual conduct~~  
43.20 ~~occurred~~ state to pay for the examination performed for the purpose of gathering evidence,  
43.21 that payment is not contingent on the victim reporting the criminal sexual conduct to law  
43.22 enforcement, and that the victim may incur expenses for treatment of injuries;

43.23 (2) the victim's rights if the crime is reported to law enforcement, including the victim's  
43.24 right to apply for reparations under sections 611A.51 to 611A.68, information on how to  
43.25 apply for reparations, and information on how to obtain an order for protection or a  
43.26 harassment restraining order; and

43.27 (3) the opportunity under section 611A.27 to obtain status information about an  
43.28 unrestricted sexual assault examination kit, as defined in section 299C.106, subdivision 1,  
43.29 paragraph (h).

44.1 Sec. 5. Minnesota Statutes 2022, section 145.4712, is amended to read:

44.2 **145.4712 EMERGENCY CARE TO SEXUAL ASSAULT VICTIMS.**

44.3 Subdivision 1. **Emergency care to female sexual assault victims.** (a) It shall be the  
44.4 standard of care for all hospitals and other health care providers that provide emergency  
44.5 care to, at a minimum:

44.6 (1) provide each female sexual assault victim with medically and factually accurate and  
44.7 unbiased written and oral information about emergency contraception from the American  
44.8 College of Obstetricians and Gynecologists and distributed to all hospitals by the Department  
44.9 of Health;

44.10 (2) orally inform each female sexual assault victim of the option of being provided with  
44.11 emergency contraception at the hospital or other health care facility; and

44.12 (3) immediately provide emergency contraception to each sexual assault victim who  
44.13 requests it provided it is not medically contraindicated and is ordered by a legal prescriber.  
44.14 Emergency contraception shall be administered in accordance with current medical protocols  
44.15 regarding timing and dosage necessary to complete the treatment.

44.16 (b) A hospital or health care provider may administer a pregnancy test. If the pregnancy  
44.17 test is positive, the hospital or health care provider does not have to comply with the  
44.18 provisions in paragraph (a).

44.19 Subd. 2. **Emergency care to male and female sexual assault victims.** It shall be the  
44.20 standard of care for all hospitals and health care providers that provide emergency care to,  
44.21 at a minimum:

44.22 (1) provide each sexual assault victim with factually accurate and unbiased written and  
44.23 oral medical information about prophylactic antibiotics for treatment of sexually transmitted  
44.24 ~~diseases~~ infections;

44.25 (2) orally inform each sexual assault victim of the option of being provided prophylactic  
44.26 antibiotics for treatment of sexually transmitted ~~diseases~~ infections at the hospital or other  
44.27 health care facility; and

44.28 (3) immediately provide prophylactic antibiotics for treatment of sexually transmitted  
44.29 ~~diseases~~ infections to each sexual assault victim who requests it, provided it is not medically  
44.30 contraindicated and is ordered by a legal prescriber.

45.1 Sec. 6. Minnesota Statutes 2022, section 152.01, is amended by adding a subdivision to  
45.2 read:

45.3 Subd. 25. **Fentanyl.** As used in sections 152.021 to 152.025, "fentanyl" includes fentanyl,  
45.4 carfentanil, and any fentanyl analogs and fentanyl-related substances listed in section 152.02,  
45.5 subdivisions 2 and 3.

45.6 **EFFECTIVE DATE.** This section is effective August 1, 2023, and applies to crimes  
45.7 committed on or after that date.

45.8 Sec. 7. Minnesota Statutes 2022, section 152.021, subdivision 1, is amended to read:

45.9 Subdivision 1. **Sale crimes.** A person is guilty of controlled substance crime in the first  
45.10 degree if:

45.11 (1) on one or more occasions within a 90-day period the person unlawfully sells one or  
45.12 more mixtures of a total weight of 17 grams or more containing cocaine or methamphetamine;

45.13 (2) on one or more occasions within a 90-day period the person unlawfully sells one or  
45.14 more mixtures of a total weight of ten grams or more containing cocaine or methamphetamine  
45.15 and:

45.16 (i) the person or an accomplice possesses on their person or within immediate reach, or  
45.17 uses, whether by brandishing, displaying, threatening with, or otherwise employing, a  
45.18 firearm; or

45.19 (ii) the offense involves two aggravating factors;

45.20 (3) on one or more occasions within a 90-day period the person unlawfully sells one or  
45.21 more mixtures of a total weight of ten grams or more, or 40 dosage units or more, containing  
45.22 heroin or fentanyl;

45.23 (4) on one or more occasions within a 90-day period the person unlawfully sells one or  
45.24 more mixtures of a total weight of 50 grams or more containing a narcotic drug other than  
45.25 cocaine, heroin, fentanyl, or methamphetamine;

45.26 (5) on one or more occasions within a 90-day period the person unlawfully sells one or  
45.27 more mixtures of a total weight of 50 grams or more containing amphetamine, phencyclidine,  
45.28 or hallucinogen or, if the controlled substance is packaged in dosage units, equaling 200 or  
45.29 more dosage units; or

45.30 (6) on one or more occasions within a 90-day period the person unlawfully sells one or  
45.31 more mixtures of a total weight of 25 kilograms or more containing marijuana or  
45.32 Tetrahydrocannabinols.

46.1 **EFFECTIVE DATE.** This section is effective August 1, 2023, and applies to crimes  
46.2 committed on or after that date.

46.3 Sec. 8. Minnesota Statutes 2022, section 152.021, subdivision 2, is amended to read:

46.4 Subd. 2. **Possession crimes.** (a) A person is guilty of a controlled substance crime in  
46.5 the first degree if:

46.6 (1) the person unlawfully possesses one or more mixtures of a total weight of 50 grams  
46.7 or more containing cocaine or methamphetamine;

46.8 (2) the person unlawfully possesses one or more mixtures of a total weight of 25 grams  
46.9 or more containing cocaine or methamphetamine and:

46.10 (i) the person or an accomplice possesses on their person or within immediate reach, or  
46.11 uses, whether by brandishing, displaying, threatening with, or otherwise employing, a  
46.12 firearm; or

46.13 (ii) the offense involves two aggravating factors;

46.14 (3) the person unlawfully possesses one or more mixtures of a total weight of 25 grams  
46.15 or more, or 100 dosage units or more, containing heroin or fentanyl;

46.16 (4) the person unlawfully possesses one or more mixtures of a total weight of 500 grams  
46.17 or more containing a narcotic drug other than cocaine, heroin, fentanyl, or methamphetamine;

46.18 (5) the person unlawfully possesses one or more mixtures of a total weight of 500 grams  
46.19 or more containing amphetamine, phencyclidine, or hallucinogen or, if the controlled  
46.20 substance is packaged in dosage units, equaling 500 or more dosage units; or

46.21 (6) the person unlawfully possesses one or more mixtures of a total weight of 50  
46.22 kilograms or more containing marijuana or Tetrahydrocannabinols, or possesses 500 or  
46.23 more marijuana plants.

46.24 (b) For the purposes of this subdivision, the weight of fluid used in a water pipe may  
46.25 not be considered in measuring the weight of a mixture except in cases where the mixture  
46.26 contains four or more fluid ounces of fluid.

46.27 **EFFECTIVE DATE.** This section is effective August 1, 2023, and applies to crimes  
46.28 committed on or after that date.

47.1 Sec. 9. Minnesota Statutes 2022, section 152.022, subdivision 1, is amended to read:

47.2 Subdivision 1. **Sale crimes.** A person is guilty of controlled substance crime in the  
47.3 second degree if:

47.4 (1) on one or more occasions within a 90-day period the person unlawfully sells one or  
47.5 more mixtures of a total weight of ten grams or more containing a narcotic drug other than  
47.6 heroin or fentanyl;

47.7 (2) on one or more occasions within a 90-day period the person unlawfully sells one or  
47.8 more mixtures of a total weight of three grams or more containing cocaine or  
47.9 methamphetamine and:

47.10 (i) the person or an accomplice possesses on their person or within immediate reach, or  
47.11 uses, whether by brandishing, displaying, threatening with, or otherwise employing, a  
47.12 firearm; or

47.13 (ii) the offense involves three aggravating factors;

47.14 (3) on one or more occasions within a 90-day period the person unlawfully sells one or  
47.15 more mixtures of a total weight of three grams or more, or 12 dosage units or more,  
47.16 containing heroin or fentanyl;

47.17 (4) on one or more occasions within a 90-day period the person unlawfully sells one or  
47.18 more mixtures of a total weight of ten grams or more containing amphetamine, phencyclidine,  
47.19 or hallucinogen or, if the controlled substance is packaged in dosage units, equaling 50 or  
47.20 more dosage units;

47.21 (5) on one or more occasions within a 90-day period the person unlawfully sells one or  
47.22 more mixtures of a total weight of ten kilograms or more containing marijuana or  
47.23 Tetrahydrocannabinols;

47.24 (6) the person unlawfully sells any amount of a Schedule I or II narcotic drug to a person  
47.25 under the age of 18, or conspires with or employs a person under the age of 18 to unlawfully  
47.26 sell the substance; or

47.27 (7) the person unlawfully sells any of the following in a school zone, a park zone, a  
47.28 public housing zone, or a drug treatment facility:

47.29 (i) any amount of a Schedule I or II narcotic drug, lysergic acid diethylamide (LSD),  
47.30 3,4-methylenedioxy amphetamine, or 3,4-methylenedioxymethamphetamine;

47.31 (ii) one or more mixtures containing methamphetamine or amphetamine; or

48.1 (iii) one or more mixtures of a total weight of five kilograms or more containing marijuana  
48.2 or Tetrahydrocannabinols.

48.3 **EFFECTIVE DATE.** This section is effective August 1, 2023, and applies to crimes  
48.4 committed on or after that date.

48.5 Sec. 10. Minnesota Statutes 2022, section 152.022, subdivision 2, is amended to read:

48.6 Subd. 2. **Possession crimes.** (a) A person is guilty of controlled substance crime in the  
48.7 second degree if:

48.8 (1) the person unlawfully possesses one or more mixtures of a total weight of 25 grams  
48.9 or more containing cocaine or methamphetamine;

48.10 (2) the person unlawfully possesses one or more mixtures of a total weight of ten grams  
48.11 or more containing cocaine or methamphetamine and:

48.12 (i) the person or an accomplice possesses on their person or within immediate reach, or  
48.13 uses, whether by brandishing, displaying, threatening with, or otherwise employing, a  
48.14 firearm; or

48.15 (ii) the offense involves three aggravating factors;

48.16 (3) the person unlawfully possesses one or more mixtures of a total weight of six grams  
48.17 or more, or 50 dosage units or more, containing heroin or fentanyl;

48.18 (4) the person unlawfully possesses one or more mixtures of a total weight of 50 grams  
48.19 or more containing a narcotic drug other than cocaine, heroin, fentanyl, or methamphetamine;

48.20 (5) the person unlawfully possesses one or more mixtures of a total weight of 50 grams  
48.21 or more containing amphetamine, phencyclidine, or hallucinogen or, if the controlled  
48.22 substance is packaged in dosage units, equaling 100 or more dosage units; or

48.23 (6) the person unlawfully possesses one or more mixtures of a total weight of 25  
48.24 kilograms or more containing marijuana or Tetrahydrocannabinols, or possesses 100 or  
48.25 more marijuana plants.

48.26 (b) For the purposes of this subdivision, the weight of fluid used in a water pipe may  
48.27 not be considered in measuring the weight of a mixture except in cases where the mixture  
48.28 contains four or more fluid ounces of fluid.

48.29 **EFFECTIVE DATE.** This section is effective August 1, 2023, and applies to crimes  
48.30 committed on or after that date.



49.1 Sec. 11. Minnesota Statutes 2022, section 152.023, subdivision 2, is amended to read:

49.2 Subd. 2. **Possession crimes.** (a) A person is guilty of controlled substance crime in the  
49.3 third degree if:

49.4 (1) on one or more occasions within a 90-day period the person unlawfully possesses  
49.5 one or more mixtures of a total weight of ten grams or more containing a narcotic drug other  
49.6 than heroin or fentanyl;

49.7 (2) on one or more occasions within a 90-day period the person unlawfully possesses  
49.8 one or more mixtures of: (i) a total weight of three grams or more containing heroin; or (ii)  
49.9 a total weight of five grams or more, or 25 dosage units or more, containing fentanyl;

49.10 (3) on one or more occasions within a 90-day period the person unlawfully possesses  
49.11 one or more mixtures containing a narcotic drug, it is packaged in dosage units, and equals  
49.12 50 or more dosage units;

49.13 (4) on one or more occasions within a 90-day period the person unlawfully possesses  
49.14 any amount of a schedule I or II narcotic drug or five or more dosage units of lysergic acid  
49.15 diethylamide (LSD), 3,4-methylenedioxy amphetamine, or  
49.16 3,4-methylenedioxymethamphetamine in a school zone, a park zone, a public housing zone,  
49.17 or a drug treatment facility;

49.18 (5) on one or more occasions within a 90-day period the person unlawfully possesses  
49.19 one or more mixtures of a total weight of ten kilograms or more containing marijuana or  
49.20 Tetrahydrocannabinols; or

49.21 (6) the person unlawfully possesses one or more mixtures containing methamphetamine  
49.22 or amphetamine in a school zone, a park zone, a public housing zone, or a drug treatment  
49.23 facility.

49.24 (b) For the purposes of this subdivision, the weight of fluid used in a water pipe may  
49.25 not be considered in measuring the weight of a mixture except in cases where the mixture  
49.26 contains four or more fluid ounces of fluid.

49.27 **EFFECTIVE DATE.** This section is effective August 1, 2023, and applies to crimes  
49.28 committed on or after that date.

49.29 Sec. 12. Minnesota Statutes 2022, section 214.10, subdivision 10, is amended to read:

49.30 Subd. 10. **Board of Peace Officers Standards and Training; receipt of**  
49.31 **complaint.** Notwithstanding the provisions of subdivision 1 to the contrary, when the  
49.32 executive director or any member of the Board of Peace Officer Standards and Training

50.1 produces or receives a written statement or complaint that alleges a violation of a statute or  
 50.2 rule that the board is empowered to enforce, the executive director shall designate the  
 50.3 appropriate law enforcement agency to investigate the complaint and ~~shall~~ may order it to  
 50.4 conduct an inquiry into the complaint's allegations. The investigating agency must complete  
 50.5 the inquiry and submit a written summary of it to the executive director within 30 days of  
 50.6 the order for inquiry.

50.7 Sec. 13. Minnesota Statutes 2022, section 297I.06, subdivision 1, is amended to read:

50.8 Subdivision 1. **Insurance policies surcharge.** (a) Except as otherwise provided in  
 50.9 subdivision 2, each licensed insurer engaged in writing policies of homeowner's insurance  
 50.10 authorized in section 60A.06, subdivision 1, clause (1)(c), or commercial fire policies or  
 50.11 commercial nonliability policies shall collect a surcharge as provided in this paragraph.  
 50.12 ~~Through June 30, 2013,~~ The surcharge is equal to 0.65 percent of the gross premiums and  
 50.13 assessments, less return premiums, on direct business received by the company, or by its  
 50.14 agents for it, for homeowner's insurance policies, commercial fire policies, and commercial  
 50.15 nonliability insurance policies in this state. ~~Beginning July 1, 2013, the surcharge is 0.5~~  
 50.16 ~~percent.~~

50.17 (b) The surcharge amount collected under paragraph (a) or subdivision 2, paragraph (b),  
 50.18 may not be considered premium for any other purpose. The surcharge amount under  
 50.19 paragraph (a) must be separately stated on either a billing or policy declaration or document  
 50.20 containing similar information sent to an insured.

50.21 (c) Amounts collected by the commissioner under this section must be deposited in the  
 50.22 fire safety account established pursuant to subdivision 3.

50.23 Sec. 14. Minnesota Statutes 2022, section 299A.38, is amended to read:

50.24 **299A.38 SOFT BODY ARMOR REIMBURSEMENT.**

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

50.26 (a) "Commissioner" means the commissioner of public safety.

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

50.29 ~~(b)~~ (c) "Peace officer" means a person who is licensed under section 626.84, subdivision  
 50.30 1, paragraph (c).

51.1 (d) "Public safety officer" means a peace officer, firefighter, or qualified emergency  
 51.2 medical service provider.

51.3 (e) "Qualified emergency medical service provider" means a person certified under  
 51.4 section 144E.28 who is actively employed by a Minnesota licensed ambulance service.

51.5 ~~(e)~~ (f) "Vest" means bullet-resistant soft body armor that is flexible, concealable, and  
 51.6 custom fitted to the ~~peace~~ public safety officer to provide ballistic and trauma protection.

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

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

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

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

51.32 (c) The requirement set forth in paragraph (b), clauses (1) and (2), shall not apply to any  
 51.33 ~~peace~~ public safety officer who purchases a vest constructed from a zylon-based material,

52.1 provided that the ~~peace~~ public safety officer provides proof of purchase or possession of  
 52.2 the vest prior to July 1, 2005.

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

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

52.10 Subd. 6. **Right to benefits unaffected.** A ~~peace~~ public safety officer who is reimbursed  
 52.11 for the purchase of a vest under this section and who suffers injury or death because the  
 52.12 officer failed to wear the vest, or because the officer wore a vest that was defective or  
 52.13 deficient, may not lose or be denied a benefit or right, including a benefit under section  
 52.14 299A.44, to which the officer, or the officer's heirs, is otherwise entitled.

52.15 Sec. 15. Minnesota Statutes 2022, section 299A.41, subdivision 3, is amended to read:

52.16 Subd. 3. **Killed in the line of duty.** (a) "Killed in the line of duty" does not include  
 52.17 deaths from natural causes, except as provided in this subdivision. In the case of a public  
 52.18 safety officer, killed in the line of duty includes the death of a public safety officer caused  
 52.19 by accidental means while the public safety officer is acting in the course and scope of  
 52.20 duties as a public safety officer.

52.21 (b) Killed in the line of duty also means if a public safety officer dies as the direct and  
 52.22 proximate result of a heart attack, stroke, or vascular rupture, that officer shall be presumed  
 52.23 to have died as the direct and proximate result of a personal injury sustained in the line of  
 52.24 duty if:

52.25 (1) that officer, while on duty:

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

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

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

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

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

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

53.3 (3) that officer died as a result of a disabling cancer of a type caused by exposure to

53.4 heat, radiation, or a known or suspected carcinogen, as defined by the International Agency

53.5 for Research on Cancer, and the carcinogen is reasonably linked to the disabling cancer;

53.6 and

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

53.8 (c) Killed in the line of duty also means if a public safety officer dies as a result of suicide

53.9 when:

53.10 (1) a licensed mental health provider previously diagnosed the officer with post-traumatic

53.11 stress disorder; and

53.12 (2) the officer's mental health provider determined the post-traumatic stress disorder

53.13 resulted from the officer's work as a public safety officer.

53.14 As used in this paragraph, "public safety officer" includes only the individuals described

53.15 in subdivision 4, clauses (1) to (4) and (6) to (9).

53.16 **EFFECTIVE DATE.** This section is effective retroactively from January 1, 2017.

53.17 Sec. 16. Minnesota Statutes 2022, section 299A.41, is amended by adding a subdivision

53.18 to read:

53.19 **Subd. 3a. Post-traumatic stress disorder.** "Post-traumatic stress disorder" means the

53.20 condition as described in the most recently published edition of the Diagnostic and Statistical

53.21 Manual of Mental Disorders by the American Psychiatric Association.

53.22 **EFFECTIVE DATE.** This section is effective retroactively from January 1, 2017.

53.23 Sec. 17. Minnesota Statutes 2022, section 299A.41, subdivision 4, is amended to read:

53.24 **Subd. 4. Public safety officer.** Except as provided in subdivision 3, paragraph (c),

53.25 "public safety officer" includes:

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

53.27 (2) a correction officer employed at a correctional facility and charged with maintaining

53.28 the safety, security, discipline, and custody of inmates at the facility;

53.29 (3) an individual employed on a full-time basis by the state or by a fire department of a

53.30 governmental subdivision of the state, who is engaged in any of the following duties:

- 54.1 (i) firefighting;
- 54.2 (ii) emergency motor vehicle operation;
- 54.3 (iii) investigation into the cause and origin of fires;
- 54.4 (iv) the provision of emergency medical services; or
- 54.5 (v) hazardous material responder;
- 54.6 (4) a legally enrolled member of a volunteer fire department or member of an independent
- 54.7 nonprofit firefighting corporation who is engaged in the hazards of firefighting;
- 54.8 (5) a good samaritan while complying with the request or direction of a public safety
- 54.9 officer to assist the officer;
- 54.10 (6) a reserve police officer or a reserve deputy sheriff while acting under the supervision
- 54.11 and authority of a political subdivision;
- 54.12 (7) a driver or attendant with a licensed basic or advanced life-support transportation
- 54.13 service who is engaged in providing emergency care;
- 54.14 (8) a first responder who is certified by the emergency medical services regulatory board
- 54.15 to perform basic emergency skills before the arrival of a licensed ambulance service and
- 54.16 who is a member of an organized service recognized by a local political subdivision to
- 54.17 respond to medical emergencies to provide initial medical care before the arrival of an
- 54.18 ambulance; and
- 54.19 (9) a person, other than a state trooper, employed by the commissioner of public safety
- 54.20 and assigned to the State Patrol, whose primary employment duty is either Capitol security
- 54.21 or the enforcement of commercial motor vehicle laws and regulations.

54.22 **EFFECTIVE DATE.** This section is effective retroactively from January 1, 2017.

54.23 Sec. 18. Minnesota Statutes 2022, section 299A.52, is amended to read:

54.24 **299A.52 RESPONSIBLE PERSON PARTY.**

54.25 Subdivision 1. **Response liability.** A responsible person party, as described in section

54.26 115B.03, is liable for the reasonable and necessary costs, including legal and administrative

54.27 costs, of response to a hazardous materials incident or explosives sweep as defined in section

54.28 299C.063 incurred by a ~~regional~~ hazardous materials response team or local unit of

54.29 government. For the purposes of this section, "hazardous substance" as used in section

54.30 115B.03 means "hazardous material" as defined in section 299A.49.

55.1 Subd. 2. **Expense recovery.** The commissioner shall assess the responsible ~~person~~ party  
 55.2 ~~for the regional state bomb disposal unit or hazardous materials response team costs of~~  
 55.3 response. The commissioner may bring an action for recovery of unpaid costs, reasonable  
 55.4 attorney fees, and any additional court costs. Any funds received by the commissioner under  
 55.5 this subdivision are appropriated to the commissioner to pay for costs for which the funds  
 55.6 were received. Any remaining funds at the end of the biennium shall be transferred to the  
 55.7 ~~Fire Safety Account~~ general fund.

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

55.12 Sec. 19. **[299A.53] NONRESPONSIBLE PARTY FUND.**

55.13 In the event that there is no identified responsible party as defined in section 115B.03,  
 55.14 a special account, to be known as the nonresponsible party fund, shall be created in the state  
 55.15 treasury. The legislature intends that all money in the nonresponsible party fund be  
 55.16 appropriated to the commissioner of public safety to reimburse all reasonable and necessary  
 55.17 costs, including legal and administrative costs, of response to a hazardous materials incident  
 55.18 or explosives sweep as defined in section 299C.063 when there is no identified responsible  
 55.19 party as described in section 299A.52. Any remaining funds at the end of the biennium shall  
 55.20 be transferred to the general fund.

55.21 Sec. 20. **[299A.625] PUBLIC SAFETY INNOVATION BOARD.**

55.22 Subdivision 1. **Establishment.** The Public Safety Innovation Board is established in the  
 55.23 Office of Justice Programs within the Department of Public Safety. The board has the powers  
 55.24 and duties described in this section.

55.25 Subd. 2. **Membership.** (a) The Public Safety Innovation Board is composed of the  
 55.26 following members:

55.27 (1) three individuals with experience conducting research in the areas of crime, policing,  
 55.28 or sociology while employed by an academic or nonprofit entity, appointed by the governor;

55.29 (2) five individuals appointed by the governor of whom:

55.30 (i) one shall be a victim of a crime or an advocate for victims of crime;

55.31 (ii) one shall be a person impacted by the criminal justice system or an advocate for  
 55.32 defendants in criminal cases; and

56.1 (iii) one shall have a background in social work;

56.2 (3) four members representing the community-specific boards established under sections  
56.3 3.922 and 15.0145, with one appointment made by each board; and

56.4 (4) three members representing law enforcement, with one appointment by the Minnesota  
56.5 Sheriffs' Association, one by the Minnesota Chiefs of Police Association, and one by the  
56.6 Minnesota Police and Peace Officers Association.

56.7 (b) The members of the board shall elect one member to serve as chair.

56.8 Subd. 3. **Terms; removal; vacancy.** (a) Members are appointed to serve three-year  
56.9 terms following the initial staggered-term lot determination and may be reappointed.

56.10 (b) Initial appointment of members must take place by August 1, 2023. The initial term  
56.11 of members appointed under paragraph (a) shall be determined by lot by the secretary of  
56.12 state and shall be as follows:

56.13 (1) five members shall serve one-year terms;

56.14 (2) five members shall serve two-year terms; and

56.15 (3) five members shall serve three-year terms.

56.16 (c) A member may be removed by the appointing authority at any time for cause, after  
56.17 notice and hearing.

56.18 (d) If a vacancy occurs, the appointing authority shall appoint a new qualifying member  
56.19 within 90 days.

56.20 (e) Compensation of board members is governed by section 15.0575.

56.21 Subd. 4. **Powers and duties.** The board shall improve public safety by increasing the  
56.22 efficiency, effectiveness, and capacity of public safety providers and has the following  
56.23 powers and duties:

56.24 (1) monitoring trends in crime within Minnesota;

56.25 (2) reviewing research on criminal justice and public safety;

56.26 (3) providing information on criminal trends and research to the commissioner,  
56.27 municipalities, and the legislature;

56.28 (4) providing advice on awarding grants;

56.29 (5) providing advice on evaluating grant applications to assure compliance with  
56.30 evidence-based practices;



57.1 (6) providing advice on assuring an efficient and expeditious distribution of grant funds;  
 57.2 and

57.3 (7) working with the Minnesota Statistical Analysis Center to identify appropriate  
 57.4 outcomes to track on an annual basis for both programs receiving grants and local  
 57.5 communities for the purpose of monitoring trends in public safety and the impact of specific  
 57.6 programmatic models.

57.7 Subd. 5. **Meetings.** The board shall meet at least monthly. Meetings of the board are  
 57.8 subject to chapter 13D.

57.9 Subd. 6. **Report.** Each year by January 15, the board shall report to the legislative  
 57.10 committees and divisions with jurisdiction over public safety on the work of the board  
 57.11 conducted pursuant to subdivision 4.

57.12 **EFFECTIVE DATE.** This section is effective the day following final enactment.

57.13 Sec. 21. Minnesota Statutes 2022, section 299A.642, subdivision 15, is amended to read:

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

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

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

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

57.23 (4) a report on how the funds in the violent crime investigation team account were  
 57.24 distributed and how those funds were used by violent crime investigation teams.

57.25 **EFFECTIVE DATE.** This section is effective the day following final enactment.

57.26 Sec. 22. Minnesota Statutes 2022, section 299A.73, is amended by adding a subdivision  
 57.27 to read:

57.28 Subd. 3a. **Report.** On or before March 31 of each year, the Minnesota Youth Intervention  
 57.29 Programs Association shall report to the chairs and ranking minority members of the  
 57.30 committees and divisions with jurisdiction over public safety policy and finance on the  
 57.31 implementation, use, and administration of the grant program created under this section.

- 58.1 The report shall include information sent by agencies administering youth intervention  
 58.2 programs to the Minnesota Youth Intervention Programs Association and the Office of  
 58.3 Justice Programs. At a minimum, the report must identify:
- 58.4 (1) the grant recipients;
- 58.5 (2) the geographic location of the grant recipients;
- 58.6 (3) the total number of individuals served by all grant recipients, disaggregated by race,  
 58.7 ethnicity, and gender;
- 58.8 (4) the total number of individuals served by all grant recipients who successfully  
 58.9 completed programming, disaggregated by age, race, ethnicity, and gender;
- 58.10 (5) the total amount of money awarded in grants and the total amount remaining to be  
 58.11 awarded from each appropriation;
- 58.12 (6) the amount of money granted to each recipient;
- 58.13 (7) grantee workplan objectives;
- 58.14 (8) how the grant was used based on grantee quarterly narrative reports and financial  
 58.15 reports; and
- 58.16 (9) summarized relevant youth intervention program outcome survey data measuring  
 58.17 the developmental assets of participants, based on Search Institute's Developmental Assets  
 58.18 Framework.

58.19 **Sec. 23. [299A.86] REWARD ACCOUNT FOR INFORMATION ON MISSING**  
 58.20 **AND MURDERED INDIGENOUS RELATIVES.**

58.21 Subdivision 1. **Account created.** An account for rewards for information on missing  
 58.22 and murdered Indigenous relatives is created in the special revenue fund. Money deposited  
 58.23 into the account is appropriated to the commissioner of public safety to pay rewards and  
 58.24 for other purposes as authorized under this section.

58.25 Subd. 2. **Reward.** The director of the Office for Missing and Murdered Indigenous  
 58.26 Relatives, in consultation with the reward advisory group established under subdivision 3:

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

58.29 (2) is authorized to pay a reward to any person who provides relevant information relating  
 58.30 to a missing and murdered Indigenous relative investigation.

59.1 Subd. 3. **Reward advisory group.** (a) The director of the Office for Missing and  
59.2 Murdered Indigenous Relatives, in consultation with the stakeholder groups described in  
59.3 section 299A.85, subdivision 5, shall appoint an advisory group to make recommendations  
59.4 on paying rewards under this section. The advisory group shall consist of the following  
59.5 individuals:

59.6 (1) a representative from the Office for Missing and Murdered Indigenous Relatives;

59.7 (2) a representative from a Tribal, statewide, or local organization that provides legal  
59.8 services to Indigenous women and girls;

59.9 (3) a representative from a Tribal, statewide, or local organization that provides advocacy  
59.10 or counseling for Indigenous women and girls who have been victims of violence;

59.11 (4) a representative from a Tribal, statewide, or local organization that provides services  
59.12 to Indigenous women and girls;

59.13 (5) a Tribal peace officer who works for or resides on a federally recognized American  
59.14 Indian reservation in Minnesota; and

59.15 (6) a representative from the Minnesota Human Trafficking Task Force.

59.16 (b) Members serve a term of four years. The advisory group shall meet as necessary but  
59.17 at a minimum twice per year to carry out its duties. The group shall elect a chair from among  
59.18 its members. The chair shall serve a term of two years. The director shall provide necessary  
59.19 office space and administrative support to the group. Members of the group serve without  
59.20 compensation but shall receive expense reimbursement as provided in section 15.059.

59.21 (c) The representative from the Office for Missing and Murdered Indigenous Relatives  
59.22 may fully participate in the advisory group's activities but may not vote on issues before  
59.23 the group.

59.24 Subd. 4. **Advertising.** The director of the Office for Missing and Murdered Indigenous  
59.25 Relatives, in consultation with the reward advisory group, may spend up to four percent of  
59.26 available funds on an advertising or public relations campaign to increase public awareness  
59.27 on the availability of rewards under this section.

59.28 Subd. 5. **Grants; donations.** The director of the Office for Missing and Murdered  
59.29 Indigenous Relatives, in consultation with the reward advisory group, may apply for and  
59.30 accept grants and donations from the public and from public and private entities to implement  
59.31 this section. The commissioner of public safety shall deposit any grants or donations received  
59.32 under this subdivision into the account established under subdivision 1.

60.1 Subd. 6. **Definition.** As used in this section, "missing and murdered Indigenous relatives"  
 60.2 means missing and murdered Indigenous people from or descended from one of the United  
 60.3 States' federally recognized American Indian Tribes.

60.4 Sec. 24. **[299A.90] OFFICE FOR MISSING AND MURDERED BLACK WOMEN**  
 60.5 **AND GIRLS.**

60.6 Subdivision 1. **Establishment.** The commissioner shall establish and maintain an office  
 60.7 dedicated to preventing and ending the targeting of Black women and girls within the  
 60.8 Minnesota Office of Justice Programs.

60.9 Subd. 2. **Director; staff.** (a) The commissioner must appoint a director who is a person  
 60.10 closely connected to the Black community and who is highly knowledgeable about criminal  
 60.11 investigations. The commissioner is encouraged to consider candidates for appointment  
 60.12 who are recommended by members of the Black community.

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

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

60.17 Subd. 3. **Duties.** (a) The office has the following duties:

60.18 (1) advocate in the legislature for legislation that will facilitate the accomplishment of  
 60.19 mandates identified in the report of the Task Force on Missing and Murdered African  
 60.20 American Women;

60.21 (2) advocate for state agencies to take actions to facilitate the accomplishment of mandates  
 60.22 identified in the report of the Task Force on Missing and Murdered African American  
 60.23 Women;

60.24 (3) develop recommendations for legislative and agency actions to address injustice in  
 60.25 the criminal justice system's response to cases of missing and murdered Black women and  
 60.26 girls;

60.27 (4) facilitate research to refine the mandates in the report of the Task Force on Missing  
 60.28 and Murdered African American Women and to assess the potential efficacy, feasibility,  
 60.29 and impact of the recommendations;

60.30 (5) collect data on missing person and homicide cases involving Black women and girls,  
 60.31 including the total number of cases, the rate at which the cases are solved, the length of time

61.1 the cases remain open, and a comparison to similar cases involving different demographic  
61.2 groups;

61.3 (6) collect data on Amber Alerts, including the total number of Amber Alerts issued,  
61.4 the total number of Amber Alerts that involve Black girls, and the outcome of cases involving  
61.5 Amber Alerts disaggregated by the child's race and sex;

61.6 (7) collect data on reports of missing Black girls, including the number classified as  
61.7 voluntary runaways, and a comparison to similar cases involving different demographic  
61.8 groups;

61.9 (8) analyze and assess the intersection between cases involving missing and murdered  
61.10 Black women and girls and labor trafficking and sex trafficking;

61.11 (9) develop recommendations for legislative, agency, and community actions to address  
61.12 the intersection between cases involving missing and murdered Black women and girls and  
61.13 labor trafficking and sex trafficking;

61.14 (10) analyze and assess the intersection between cases involving murdered Black women  
61.15 and girls and domestic violence, including prior instances of domestic violence within the  
61.16 family or relationship, whether an offender had prior convictions for domestic assault or  
61.17 related offenses, and whether the offender used a firearm in the murder or any prior instances  
61.18 of domestic assault;

61.19 (11) develop recommendations for legislative, agency, and community actions to address  
61.20 the intersection between cases involving murdered Black women and girls and domestic  
61.21 violence;

61.22 (12) develop tools and processes to evaluate the implementation and impact of the efforts  
61.23 of the office;

61.24 (13) track and collect Minnesota data on missing and murdered Black women and girls,  
61.25 and provide statistics upon public or legislative inquiry;

61.26 (14) facilitate technical assistance for local and Tribal law enforcement agencies during  
61.27 active cases involving missing and murdered Black women and girls;

61.28 (15) conduct case reviews and report on the results of case reviews for the following  
61.29 types of cases involving missing and murdered Black women and girls: cold cases for  
61.30 missing Black women and girls and death investigation review for cases of Black women  
61.31 and girls ruled as suicide or overdose under suspicious circumstances;

62.1 (16) conduct case reviews of the prosecution and sentencing for cases where a perpetrator  
 62.2 committed a violent or exploitative crime against a Black woman or girl. These case reviews  
 62.3 must identify those cases where the perpetrator is a repeat offender;

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

62.7 (18) review sentencing guidelines for crimes related to missing and murdered Black  
 62.8 women and girls, recommend changes if needed, and advocate for consistent implementation  
 62.9 of the guidelines across Minnesota courts;

62.10 (19) develop and maintain communication with relevant divisions in the Department of  
 62.11 Public Safety, including but not limited to the Bureau of Criminal Apprehension, regarding  
 62.12 any cases involving missing and murdered Black women and girls and on procedures for  
 62.13 investigating cases involving missing and murdered Black women and girls;

62.14 (20) consult with the Council for Minnesotans of African Heritage established in section  
 62.15 15.0145; and

62.16 (21) coordinate, as relevant, with federal efforts, and efforts in neighboring states and  
 62.17 Canada.

62.18 (b) As used in this subdivision:

62.19 (1) "labor trafficking" has the meaning given in section 609.281, subdivision 5; and

62.20 (2) "sex trafficking" has the meaning given in section 609.321, subdivision 7a.

62.21 Subd. 4. **Coordination with other organizations.** In fulfilling its duties, the office may  
 62.22 coordinate, as useful, with stakeholder groups that were represented on the Task Force on  
 62.23 Missing and Murdered African American Women and state agencies that are responsible  
 62.24 for the systems that play a role in investigating, prosecuting, and adjudicating cases involving  
 62.25 violence committed against Black women and girls; those who have a role in supporting or  
 62.26 advocating for missing or murdered Black women and girls and the people who seek justice  
 62.27 for them; and those who represent the interests of Black people. This includes the following  
 62.28 entities: Minnesota Chiefs of Police Association; Minnesota Sheriffs' Association; Bureau  
 62.29 of Criminal Apprehension; Minnesota Police and Peace Officers Association; Tribal law  
 62.30 enforcement; Minnesota County Attorneys Association; United States Attorney's Office;  
 62.31 juvenile courts; Minnesota Coroners' and Medical Examiners' Association; United States  
 62.32 Coast Guard; state agencies, including the Departments of Health, Human Services,  
 62.33 Education, Corrections, and Public Safety; service providers who offer legal services,

63.1 advocacy, and other services to Black women and girls; Black women and girls who are  
63.2 survivors; and organizations and leadership from urban and statewide Black communities.

63.3 Subd. 5. **Reports.** The office must report on measurable outcomes achieved to meet its  
63.4 statutory duties, along with specific objectives and outcome measures proposed for the  
63.5 following year. The report must include data and statistics on missing and murdered Black  
63.6 women and girls in Minnesota, including names, dates of disappearance, and dates of death,  
63.7 to the extent the data is publicly available. The office must submit the report by January 15  
63.8 each year to the chairs and ranking minority members of the legislative committees with  
63.9 primary jurisdiction over public safety.

63.10 Subd. 6. **Acceptance of gifts and receipt of grants.** (a) A missing and murdered Black  
63.11 women and girls account is established in the special revenue fund. Money in the account,  
63.12 including interest earned, is appropriated to the office for the purposes of carrying out the  
63.13 office's duties, including but not limited to issuing grants to community-based organizations.

63.14 (b) Notwithstanding sections 16A.013 to 16A.016, the office may accept funds  
63.15 contributed by individuals and may apply for and receive grants from public and private  
63.16 entities. The funds accepted or received under this subdivision must be deposited in the  
63.17 missing and murdered Black women and girls account created under paragraph (a).

63.18 Subd. 7. **Grants to organizations.** (a) The commissioner in consultation with the office  
63.19 shall issue grants to community-based organizations that provide services designed to prevent  
63.20 or end the targeting of Black women or girls, or to provide assistance to victims of offenses  
63.21 that targeted Black women or girls.

63.22 (b) Grant recipients must use money to:

63.23 (1) provide services designed to reduce or prevent crimes or other negative behaviors  
63.24 that target Black women or girls;

63.25 (2) provide training to the community about how to handle situations and crimes involving  
63.26 the targeting of Black women and girls, including but not limited to training for law  
63.27 enforcement officers, county attorneys, city attorneys, judges, and other criminal justice  
63.28 partners; or

63.29 (3) provide services to Black women and girls who are victims of crimes or other offenses,  
63.30 or to the family members of missing and murdered Black women and girls.

63.31 (c) Applicants must apply in a form and manner established by the commissioner in  
63.32 consultation with the office.

63.33 (d) Grant recipients must provide an annual report to the office that includes:

64.1 (1) the services provided by the grant recipient;

64.2 (2) the number of individuals served in the previous year; and

64.3 (3) any other information required by the office.

64.4 (e) On or before February 1 of each year, the office shall report to the legislative  
 64.5 committees and divisions with jurisdiction over public safety on the work of grant recipients,  
 64.6 including a description of the number of entities awarded grants, the amount of those grants,  
 64.7 and the number of individuals served by the grantees.

64.8 (f) The office shall enter into agreements with the Office of Justice Programs for the  
 64.9 administration of grants issued under this subdivision.

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

64.14 **EFFECTIVE DATE.** This section is effective July 1, 2023.

64.15 Sec. 25. **[299C.055] LEGISLATIVE REPORT ON FUSION CENTER ACTIVITIES.**

64.16 (a) The superintendent must prepare an annual report for the public and the legislature  
 64.17 on the Minnesota Fusion Center (MNFC) that includes general information about the MNFC;  
 64.18 the types of activities it monitors; the scale of information it collects; the local, state, and  
 64.19 federal agencies with which it shares information; and the quantifiable benefits it produces.  
 64.20 None of the reporting requirements in this section supersede chapter 13 or any other state  
 64.21 or federal law. The superintendent must report on activities for the preceding calendar year  
 64.22 unless another time period is specified. The report must include the following information,  
 64.23 to the extent allowed by other law:

64.24 (1) the MNFC's operating budget for the current biennium, number of staff, and staff  
 64.25 duties;

64.26 (2) the number of publications generated and an overview of the type of information  
 64.27 provided in the publications, including products such as law enforcement briefs, partner  
 64.28 briefs, risk assessments, threat assessments, and operational reports;

64.29 (3) a summary of audit findings for the MNFC and what corrective actions were taken  
 64.30 pursuant to audits;

64.31 (4) the number of data requests received by the MNFC and a general description of those  
 64.32 requests;



65.1 (5) the types of surveillance and data analysis technologies utilized by the MNFC, such  
65.2 as artificial intelligence or social media analysis tools;

65.3 (6) a description of the commercial and governmental databases utilized by the MNFC  
65.4 to the extent permitted by law;

65.5 (7) the number of suspicious activity reports (SARs) received and processed by the  
65.6 MNFC;

65.7 (8) the number of SARs received and processed by the MNFC that were converted into  
65.8 Bureau of Criminal Apprehension case files, that were referred to the Federal Bureau of  
65.9 Investigation, or that were referred to local law enforcement agencies;

65.10 (9) the number of SARs received and processed by the MNFC that involve an individual  
65.11 on the Terrorist Screening Center watchlist;

65.12 (10) the number of requests for information (RFIs) that the MNFC received from law  
65.13 enforcement agencies and the number of responses to federal requests for RFIs;

65.14 (11) the names of the federal agencies the MNFC received data from or shared data  
65.15 with;

65.16 (12) the names of the agencies that submitted SARs;

65.17 (13) a summary description of the MNFC's activities with the Joint Terrorism Task  
65.18 Force; and

65.19 (14) the number of investigations aided by the MNFC's use of SARs and RFIs.

65.20 (b) The report shall be provided to the chairs and ranking minority members of the  
65.21 committees of the house of representatives and senate with jurisdiction over data practices  
65.22 and public safety issues, and shall be posted on the MNFC website by February 15 each  
65.23 year beginning on February 15, 2024.

65.24 **Sec. 26. [299C.061] STATE FRAUD UNIT.**

65.25 Subdivision 1. **Definitions.** (a) As used in this section, the following terms have the  
65.26 meanings provided.

65.27 (1) "Fraud" includes any violation of sections 609.466, 609.611, 609.651, 609.7475, or  
65.28 609.821.

65.29 (2) "Peace officer" has the meaning given in section 626.84, subdivision 1, paragraph  
65.30 (c).

65.31 (3) "State agency" has the meaning given in section 13.02, subdivision 17.

66.1 (4) "Superintendent" means the superintendent of the Bureau of Criminal Apprehension.

66.2 (5) "Unit" means the State Fraud Unit housed at the Bureau of Criminal Apprehension.

66.3 Subd. 2. **State Fraud Unit.** The superintendent shall form a State Fraud Unit within the  
66.4 Bureau of Criminal Apprehension to conduct investigations into fraud involving state-funded  
66.5 programs or services subject to availability of funds.

66.6 Subd. 3. **Mandatory referral; duty to investigate.** A state agency shall refer all  
66.7 suspected fraudulent activity under the provisions noted within subdivision 1, clause (1),  
66.8 equaling \$100,000 or more, to the unit for evaluation and investigation or appropriate  
66.9 referral. Upon receipt of this referral, the unit shall review and, where appropriate, conduct  
66.10 criminal investigations into such allegations. The unit has sole discretion as to which  
66.11 allegations are investigated further, referred back to the reporting agency for appropriate  
66.12 regulatory investigation, or referred to another law enforcement agency with appropriate  
66.13 jurisdiction.

66.14 Subd. 4. **Discretionary referral.** (a) A state agency may refer suspected fraudulent  
66.15 activity related to any state-funded programs or services equaling less than \$100,000 to the  
66.16 unit for investigation. Upon referral, the unit shall:

66.17 (1) accept the referral and, where appropriate, conduct criminal investigations into the  
66.18 allegations and make appropriate referrals for criminal prosecution; or

66.19 (2) redirect the referral to another appropriate law enforcement agency or civil  
66.20 investigative authority, offering assistance where appropriate.

66.21 Subd. 5. **State agency reporting.** By January 15 of each year, each state agency must  
66.22 report all suspected fraudulent activities equaling \$10,000 or more to the unit to be  
66.23 summarized in the report under subdivision 6.

66.24 Subd. 6. **State Fraud Unit annual report.** By February 1 of each odd-numbered year,  
66.25 the superintendent shall report to the commissioner, the governor, and the chairs and ranking  
66.26 minority members of the legislative committees with jurisdiction over public safety finance  
66.27 and policy the following information about the unit:

66.28 (1) the number of investigations initiated;

66.29 (2) the number of allegations investigated;

66.30 (3) the outcomes or current status of each investigation;

66.31 (4) the charging decisions made by the prosecuting authority of incidents investigated  
66.32 by the unit;

67.1 (5) the number of plea agreements reached in incidents investigated by the unit;

67.2 (6) the number of reports received under subdivision 5; and

67.3 (7) any other information relevant to the unit's mission.

67.4 **EFFECTIVE DATE.** Referrals to the unit under subdivisions 3 and 4 may begin on  
67.5 January 1, 2024.

67.6 Sec. 27. Minnesota Statutes 2022, section 299C.106, subdivision 3, is amended to read:

67.7 Subd. 3. **Submission and storage of sexual assault examination kits.** (a) Within 60  
67.8 days of receiving an unrestricted sexual assault examination kit, a law enforcement agency  
67.9 shall submit the kit for testing to a forensic laboratory. The testing laboratory shall return  
67.10 unrestricted sexual assault examination kits to the submitting agency for storage after testing  
67.11 is complete. The submitting agency must store unrestricted sexual assault examination kits  
67.12 indefinitely.

67.13 (b) Within 60 days of a hospital preparing a restricted sexual assault examination kit or  
67.14 a law enforcement agency receiving a restricted sexual assault examination kit from a  
67.15 hospital, the hospital or the agency shall submit the kit to ~~the Bureau of Criminal~~  
67.16 ~~Apprehension~~ a forensic laboratory. The ~~bureau~~ laboratory shall store all restricted sexual  
67.17 assault examination kits collected by hospitals or law enforcement agencies in the state.  
67.18 The ~~bureau~~ laboratory shall retain a restricted sexual assault examination kit for at least 30  
67.19 months from the date the ~~bureau~~ laboratory receives the kit.

67.20 (c) The receiving forensic laboratory must test the sexual assault examination kit within  
67.21 90 days of receipt from a hospital or law enforcement agency. Upon completion of testing,  
67.22 the forensic laboratory will update the kit-tracking database to indicate that testing is  
67.23 complete. The forensic laboratory must notify the submitting agency when any kit testing  
67.24 does not meet the 90-day deadline and provide an estimated time frame for testing  
67.25 completion.

67.26 Sec. 28. Minnesota Statutes 2022, section 299C.53, subdivision 3, is amended to read:

67.27 Subd. 3. **Missing and endangered persons.** The Bureau of Criminal Apprehension  
67.28 must operate a missing person alert program. If the Bureau of Criminal Apprehension  
67.29 receives a report from a law enforcement agency indicating that a person is missing and  
67.30 endangered, the superintendent must originate an alert. The superintendent may assist the  
67.31 law enforcement agency in conducting the preliminary investigation, offer resources, and  
67.32 assist the agency in helping implement the investigation policy with particular attention to

68.1 the need for immediate action. The law enforcement agency shall promptly notify all  
 68.2 appropriate law enforcement agencies in the state and is required to issue a missing person  
 68.3 alert utilizing the Crime Alert Network as prescribed in section 299A.61 and, if deemed  
 68.4 appropriate, law enforcement agencies in adjacent states or jurisdictions of any information  
 68.5 that may aid in the prompt location and safe return of a missing and endangered person.  
 68.6 The superintendent shall provide guidance on issuing alerts using this system and provide  
 68.7 the system for law enforcement agencies to issue these alerts. The Bureau of Criminal  
 68.8 Apprehension may provide assistance to agencies in issuing missing person alerts as required  
 68.9 by this section.

68.10 Sec. 29. Minnesota Statutes 2022, section 299N.02, subdivision 3, is amended to read:

68.11 Subd. 3. **Powers and duties.** (a) The board shall:

68.12 (1) review fire service training needs and make recommendations on training to Minnesota  
 68.13 fire service organizations;

68.14 (2) establish standards for educational programs for the fire service and develop  
 68.15 procedures for continuing oversight of the programs;

68.16 (3) establish qualifications for fire service training instructors in programs established  
 68.17 under clause (2);

68.18 (4) maintain a list of instructors that have met the qualifications established under clause  
 68.19 (3), subject to application procedures and requirements established by the board; and

68.20 (5) license full-time firefighters and volunteer firefighters under this chapter.

68.21 (b) The board may:

68.22 (1) hire or contract for technical or professional services according to section 15.061;

68.23 (2) pay expenses necessary to carry out its duties;

68.24 (3) apply for, receive, and accept grants, gifts, devises, and endowments that any entity  
 68.25 may make to the board for the purposes of this chapter and may use any money given to it  
 68.26 consistent with the terms and conditions under which the money was received and for the  
 68.27 purposes stated;

68.28 (4) accept funding from the fire safety account and allocate funding to Minnesota fire  
 68.29 departments in the form of reimbursements that are consistent with the board's  
 68.30 recommendations and the Department of Public Safety firefighter training;

69.1 (5) accept funding from the general fund and allocate funding to Minnesota Board of  
 69.2 Firefighter Training and Education for reimbursements that are consistent with the board's  
 69.3 recommendations and the Department of Public Safety firefighter training;

69.4 ~~(5)~~ (6) set guidelines regarding how the allocated reimbursement funds must be disbursed;

69.5 ~~(6)~~ (7) set and make available to the fire service standards governing the use of funds  
 69.6 reimbursed under this section;

69.7 ~~(7)~~ (8) make recommendations to the legislature to improve the quality of firefighter  
 69.8 training;

69.9 ~~(8)~~ (9) collect and provide data, subject to section 13.03;

69.10 ~~(9)~~ (10) conduct studies and surveys and make reports; and

69.11 ~~(10)~~ (11) conduct other activities necessary to carry out its duties.

69.12 Sec. 30. Minnesota Statutes 2022, section 326.32, subdivision 10, is amended to read:

69.13 Subd. 10. **License holder.** "License holder" means any individual, partnership as defined  
 69.14 in section 323A.0101, clause (8), or corporation licensed to perform the duties of a private  
 69.15 detective or a protective agent.

69.16 **EFFECTIVE DATE.** This section is effective the day following final enactment.

69.17 Sec. 31. Minnesota Statutes 2022, section 326.3381, subdivision 3, is amended to read:

69.18 Subd. 3. **Disqualification.** (a) No person is qualified to hold a license who has:

69.19 (1) been convicted of (i) a felony by the courts of this or any other state or of the United  
 69.20 States; (ii) acts which, if done in Minnesota, would be criminal sexual conduct; assault;  
 69.21 theft; larceny; burglary; robbery; unlawful entry; extortion; defamation; buying or receiving  
 69.22 stolen property; using, possessing, manufacturing, or carrying weapons unlawfully; using,  
 69.23 possessing, or carrying burglary tools unlawfully; escape; possession, production, sale, or  
 69.24 distribution of narcotics unlawfully; or (iii) in any other country of acts which, if done in  
 69.25 Minnesota, would be a felony or would be any of the other offenses provided in this clause  
 69.26 and for which a full pardon or similar relief has not been granted;

69.27 (2) made any false statement in an application for a license or any document required  
 69.28 to be submitted to the board; or

69.29 (3) failed to demonstrate to the board good character, honesty, and integrity.

70.1 (b) Upon application for a license, the applicant shall submit, as part of the application,  
70.2 a full set of fingerprints and the applicant's written consent that their fingerprints shall be  
70.3 submitted to the Bureau of Criminal Apprehension (BCA) and the Federal Bureau of  
70.4 Investigation (FBI) to determine whether that person has a criminal record. The BCA shall  
70.5 promptly forward the fingerprints to the FBI and request that the FBI conduct a criminal  
70.6 history check of each prospective licensee. The Minnesota Board of Private Detective and  
70.7 Protective Agents Services shall determine if the FBI report indicates that the prospective  
70.8 licensee or licensee was convicted of a disqualifying offense. The submission to the FBI  
70.9 shall be coordinated through the BCA. The results of the criminal record check shall be  
70.10 provided to the board who will determine if the applicant is disqualified from holding a  
70.11 license under this subdivision.

70.12 Sec. 32. Minnesota Statutes 2022, section 363A.06, subdivision 1, is amended to read:

70.13 Subdivision 1. **Formulation of policies.** (a) The commissioner shall formulate policies  
70.14 to effectuate the purposes of this chapter and shall do the following:

70.15 (1) exercise leadership under the direction of the governor in the development of human  
70.16 rights policies and programs, and make recommendations to the governor and the legislature  
70.17 for their consideration and implementation;

70.18 (2) establish and maintain a principal office in St. Paul, and any other necessary branch  
70.19 offices at any location within the state;

70.20 (3) meet and function at any place within the state;

70.21 (4) employ attorneys, clerks, and other employees and agents as the commissioner may  
70.22 deem necessary and prescribe their duties;

70.23 (5) to the extent permitted by federal law and regulation, utilize the records of the  
70.24 Department of Employment and Economic Development of the state when necessary to  
70.25 effectuate the purposes of this chapter;

70.26 (6) obtain upon request and utilize the services of all state governmental departments  
70.27 and agencies;

70.28 (7) adopt suitable rules for effectuating the purposes of this chapter;

70.29 (8) issue complaints, receive and investigate charges alleging unfair discriminatory  
70.30 practices, and determine whether or not probable cause exists for hearing;

71.1 (9) subpoena witnesses, administer oaths, take testimony, and require the production for  
71.2 examination of any books or papers relative to any matter under investigation or in question  
71.3 as the commissioner deems appropriate to carry out the purposes of this chapter;

71.4 (10) attempt, by means of education, conference, conciliation, and persuasion to eliminate  
71.5 unfair discriminatory practices as being contrary to the public policy of the state;

71.6 (11) develop and conduct programs of formal and informal education designed to  
71.7 eliminate discrimination and intergroup conflict by use of educational techniques and  
71.8 programs the commissioner deems necessary;

71.9 (12) make a written report of the activities of the commissioner to the governor each  
71.10 year;

71.11 (13) accept gifts, bequests, grants, or other payments public and private to help finance  
71.12 the activities of the department;

71.13 (14) create such local and statewide advisory committees as will in the commissioner's  
71.14 judgment aid in effectuating the purposes of the Department of Human Rights;

71.15 (15) develop such programs as will aid in determining the compliance throughout the  
71.16 state with the provisions of this chapter, and in the furtherance of such duties, conduct  
71.17 research and study discriminatory practices based upon race, color, creed, religion, national  
71.18 origin, sex, age, disability, marital status, status with regard to public assistance, familial  
71.19 status, sexual orientation, or other factors and develop accurate data on the nature and extent  
71.20 of discrimination and other matters as they may affect housing, employment, public  
71.21 accommodations, schools, and other areas of public life;

71.22 (16) develop and disseminate technical assistance to persons subject to the provisions  
71.23 of this chapter, and to agencies and officers of governmental and private agencies;

71.24 (17) provide staff services to such advisory committees as may be created in aid of the  
71.25 functions of the Department of Human Rights;

71.26 (18) make grants in aid to the extent that appropriations are made available for that  
71.27 purpose in aid of carrying out duties and responsibilities; ~~and~~

71.28 (19) cooperate and consult with the commissioner of labor and industry regarding the  
71.29 investigation of violations of, and resolution of complaints regarding section 363A.08,  
71.30 subdivision 7; and

71.31 (20) solicit, receive, and compile information from community organizations, school  
71.32 districts and charter schools, and individuals regarding incidents committed in whole or in

72.1 substantial part because of the victim's or another's actual or perceived race, color, ethnicity,  
 72.2 religion, sex, gender, sexual orientation, gender identity, gender expression, age, national  
 72.3 origin, or disability as defined in section 363A.03, or because of the victim's actual or  
 72.4 perceived association with another person or group of a certain actual or perceived race,  
 72.5 color, ethnicity, religion, sex, gender, sexual orientation, gender identity, gender expression,  
 72.6 age, national origin, or disability as defined in section 363A.03, and compile data in the  
 72.7 aggregate on the nature and extent of such incidents and include summary data as defined  
 72.8 by section 13.02, subdivision 19, on this information in the report required under clause  
 72.9 (12), disaggregated by the type of incident and the actual or perceived characteristic for  
 72.10 which the person was targeted. The commissioner shall provide information on the  
 72.11 department's website about when and how a victim can report criminal conduct to a law  
 72.12 enforcement agency. Data collected and maintained under this clause are private data on  
 72.13 individuals as defined in section 13.02, subdivision 12.

72.14 In performing these duties, the commissioner shall give priority to those duties in clauses  
 72.15 (8), (9), and (10) and to the duties in section 363A.36.

72.16 (b) All gifts, bequests, grants, or other payments, public and private, accepted under  
 72.17 paragraph (a), clause (13), must be deposited in the state treasury and credited to a special  
 72.18 account. Money in the account is appropriated to the commissioner of human rights to help  
 72.19 finance activities of the department.

72.20 **EFFECTIVE DATE.** This section is effective July 1, 2023.

72.21 Sec. 33. Minnesota Statutes 2022, section 609.2231, subdivision 4, is amended to read:

72.22 Subd. 4. **Assaults motivated by bias.** (a) Whoever assaults another in whole or in  
 72.23 substantial part because of the victim's or another's actual or perceived race, color, ethnicity,  
 72.24 religion, sex, gender, sexual orientation, gender identity, gender expression, age, national  
 72.25 origin, or disability as defined in section 363A.03, ~~age, or national origin~~ or because of the  
 72.26 victim's actual or perceived association with another person or group of a certain actual or  
 72.27 perceived race, color, ethnicity, religion, sex, gender, sexual orientation, gender identity,  
 72.28 gender expression, age, national origin, or disability as defined in section 363A.03, may be  
 72.29 sentenced to imprisonment for not more than one year or to payment of a fine of not more  
 72.30 than \$3,000, or both.

72.31 (b) Whoever violates the provisions of paragraph (a) within five years of a previous  
 72.32 conviction under paragraph (a) is guilty of a felony and may be sentenced to imprisonment  
 72.33 for not more than one year and a day or to payment of a fine of not more than \$3,000, or  
 72.34 both.



73.1 **EFFECTIVE DATE.** This section is effective August 1, 2023, and applies to crimes  
 73.2 committed on or after that date.

73.3 Sec. 34. Minnesota Statutes 2022, section 609.2233, is amended to read:

73.4 **609.2233 FELONY ASSAULT MOTIVATED BY BIAS; INCREASED**  
 73.5 **STATUTORY MAXIMUM SENTENCE.**

73.6 A person who violates section 609.221, 609.222, or 609.223 in whole or in substantial  
 73.7 part because of the victim's or another person's actual or perceived race, color, ethnicity,  
 73.8 religion, sex, gender, sexual orientation, gender identity, gender expression, age, national  
 73.9 origin, or disability as defined in section 363A.03, ~~age, or national origin~~ or because of the  
 73.10 victim's actual or perceived association with another person or group of a certain actual or  
 73.11 perceived race, color, ethnicity, religion, sex, gender, sexual orientation, gender identity,  
 73.12 gender expression, age, national origin, or disability as defined in section 363A.03, is subject  
 73.13 to a statutory maximum penalty of 25 percent longer than the maximum penalty otherwise  
 73.14 applicable.

73.15 **EFFECTIVE DATE.** This section is effective August 1, 2023, and applies to crimes  
 73.16 committed on or after that date.

73.17 Sec. 35. Minnesota Statutes 2022, section 609.35, is amended to read:

73.18 **609.35 COSTS OF MEDICAL EXAMINATION.**

73.19 (a) Costs incurred by a ~~county, city, or private~~ hospital or other emergency medical  
 73.20 facility or by a ~~private~~ physician, sexual assault nurse examiner, forensic nurse, or other  
 73.21 licensed health care provider for the examination of a victim of criminal sexual conduct  
 73.22 ~~when the examination is performed for the purpose of gathering evidence~~ that occurred in  
 73.23 the state shall be paid by the ~~county in which the criminal sexual conduct occurred~~ state.  
 73.24 These costs include, but are not limited to, the full cost of the ~~rape kit~~ medical forensic  
 73.25 examination, associated tests and treatments relating to the complainant's sexually transmitted  
 73.26 ~~disease status~~ infection, and pregnancy status, including emergency contraception. A hospital,  
 73.27 emergency medical facility, or health care provider shall submit the costs for examination  
 73.28 and any associated tests and treatment to the Office of Justice Programs for payment. Upon  
 73.29 receipt of the costs, the commissioner shall provide payment to the facility or health care  
 73.30 provider. Reimbursement for an examination and any associated test and treatments shall  
 73.31 not exceed \$1,400. Beginning on January 1, 2024, the maximum amount of an award shall  
 73.32 be adjusted annually by the inflation rate.

74.1 (b) Nothing in this section shall be construed to limit the duties, responsibilities, or  
 74.2 liabilities of any insurer, whether public or private. ~~However, a county~~ The hospital or other  
 74.3 licensed health care provider performing the examination may seek insurance reimbursement  
 74.4 from the victim's insurer only if authorized by the victim. This authorization may only be  
 74.5 sought after the examination is performed. When seeking this authorization, the ~~county~~  
 74.6 hospital or other licensed health care provider shall inform the victim that if the victim does  
 74.7 not authorize this, the ~~county~~ state is required by law to pay for the examination and that  
 74.8 the victim is in no way liable for these costs or obligated to authorize the reimbursement.

74.9 (c) The applicability of this section does not depend upon whether the victim reports  
 74.10 the offense to law enforcement or the existence or status of any investigation or prosecution.

74.11 **EFFECTIVE DATE.** This section is effective July 1, 2023, and applies to any  
 74.12 examination that occurs on or after that date.

74.13 Sec. 36. Minnesota Statutes 2022, section 609.52, subdivision 3, is amended to read:

74.14 Subd. 3. **Sentence.** Whoever commits theft may be sentenced as follows:

74.15 (1) to imprisonment for not more than 20 years or to payment of a fine of not more than  
 74.16 \$100,000, or both, if the property is a firearm, or the value of the property or services stolen  
 74.17 is more than \$35,000 and the conviction is for a violation of subdivision 2, clause (3), (4),  
 74.18 (15), (16), or (19), or section 609.2335, subdivision 1, clause (1) or (2), item (i); or

74.19 (2) to imprisonment for not more than ten years or to payment of a fine of not more than  
 74.20 \$20,000, or both, if the value of the property or services stolen exceeds \$5,000, or if the  
 74.21 property stolen was an article representing a trade secret, an explosive or incendiary device,  
 74.22 or a controlled substance listed in Schedule I or II pursuant to section 152.02 with the  
 74.23 exception of marijuana; or

74.24 (3) to imprisonment for not more than five years or to payment of a fine of not more  
 74.25 than \$10,000, or both, if any of the following circumstances exist:

74.26 (a) the value of the property or services stolen is more than \$1,000 but not more than  
 74.27 \$5,000; or

74.28 (b) the property stolen was a controlled substance listed in Schedule III, IV, or V pursuant  
 74.29 to section 152.02; or

74.30 (c) the value of the property or services stolen is more than \$500 but not more than  
 74.31 \$1,000 and the person has been convicted within the preceding five years for an offense  
 74.32 under this section, section 256.98; 268.182; 609.24; 609.245; 609.522; 609.53; 609.582,

75.1 subdivision 1, 2, or 3; 609.625; 609.63; 609.631; or 609.821, or a statute from another state,  
75.2 the United States, or a foreign jurisdiction, in conformity with any of those sections, and  
75.3 the person received a felony or gross misdemeanor sentence for the offense, or a sentence  
75.4 that was stayed under section 609.135 if the offense to which a plea was entered would  
75.5 allow imposition of a felony or gross misdemeanor sentence; or

75.6 (d) the value of the property or services stolen is not more than \$1,000, and any of the  
75.7 following circumstances exist:

75.8 (i) the property is taken from the person of another or from a corpse, or grave or coffin  
75.9 containing a corpse; or

75.10 (ii) the property is a record of a court or officer, or a writing, instrument or record kept,  
75.11 filed or deposited according to law with or in the keeping of any public officer or office; or

75.12 (iii) the property is taken from a burning, abandoned, or vacant building or upon its  
75.13 removal therefrom, or from an area of destruction caused by civil disaster, riot, bombing,  
75.14 or the proximity of battle; or

75.15 (iv) the property consists of public funds belonging to the state or to any political  
75.16 subdivision or agency thereof; or

75.17 (v) the property stolen is a motor vehicle; or

75.18 (4) to imprisonment for not more than one year or to payment of a fine of not more than  
75.19 \$3,000, or both, if the value of the property or services stolen is more than \$500 but not  
75.20 more than \$1,000; or

75.21 (5) in all other cases where the value of the property or services stolen is \$500 or less,  
75.22 to imprisonment for not more than 90 days or to payment of a fine of not more than \$1,000,  
75.23 or both, provided, however, in any prosecution under subdivision 2, clauses (1), (2), (3),  
75.24 (4), (13), and (19), the value of the money or property or services received by the defendant  
75.25 in violation of any one or more of the above provisions within any six-month period may  
75.26 be aggregated and the defendant charged accordingly in applying the provisions of this  
75.27 subdivision; provided that when two or more offenses are committed by the same person  
75.28 in two or more counties, the accused may be prosecuted in any county in which one of the  
75.29 offenses was committed for all of the offenses aggregated under this paragraph.

75.30 **EFFECTIVE DATE.** This section is effective August 1, 2023, and applies to crimes  
75.31 committed on or after that date.

76.1 Sec. 37. [609.522] ORGANIZED RETAIL THEFT.

76.2 Subdivision 1. Definitions. (a) As used in this section, the terms in this subdivision have  
76.3 the meanings given.

76.4 (b) "Article surveillance system" means any electronic device or other security device  
76.5 that is designed to detect or prevent the unauthorized removal of retail merchandise from  
76.6 a retailer.

76.7 (c) "Organized retail theft enterprise" means an ongoing criminal enterprise having retail  
76.8 theft as one of its goals in which two or more individuals participate. The term does not  
76.9 require that the same individuals participate in each offense.

76.10 (d) "Retailer" means a person or entity that sells retail merchandise.

76.11 (e) "Retail merchandise" means all forms of tangible property, without limitation, held  
76.12 out for sale by a retailer.

76.13 (f) "Value" means the retail market value at the time of the theft or, if the retail market  
76.14 value cannot be ascertained, the cost of replacement of the property within a reasonable  
76.15 time after the theft.

76.16 Subd. 2. Organized retail theft. (a) Whoever, while acting as a participant in an  
76.17 organized retail theft enterprise, steals or fraudulently obtains retail merchandise from a  
76.18 retailer commits organized retail theft and may be sentenced as provided in subdivision 3  
76.19 if the actor:

76.20 (1)(i) resells or intends to resell the retail merchandise;

76.21 (ii) advertises or displays any item of the retail merchandise for sale;

76.22 (iii) returns any item of the retail merchandise to a retailer for anything of value; or

76.23 (iv) steals retail merchandise within five years of a conviction under this section; and

76.24 (2) has, while acting as a participant in an organized retail theft enterprise, committed  
76.25 an act described in clause (1) or in paragraph (b), or a combination of the two, on at least  
76.26 two occasions in the preceding six months.

76.27 (b) Whoever, while acting as a participant in an organized retail theft enterprise, receives,  
76.28 purchases, or possesses retail merchandise knowing or having reason to know the retail  
76.29 merchandise was stolen from a retailer and with the intent to resell that merchandise may  
76.30 be sentenced as provided in subdivision 3 if the person has, while acting as a participant in  
76.31 an organized retail theft enterprise, committed an act described in this paragraph or an act

77.1 described in paragraph (a), clause (1), or a combination of the two, on at least two occasions  
77.2 in the preceding six months.

77.3 Subd. 3. **Sentence.** Whoever commits organized retail theft may be sentenced as follows:

77.4 (1) to imprisonment for not more than 15 years or to payment of a fine of not more than  
77.5 \$35,000, or both, if the value of the property stolen exceeds \$5,000;

77.6 (2) to imprisonment for not more than seven years or to payment of a fine of not more  
77.7 than \$14,000, or both, if either of the following circumstances exist:

77.8 (i) the value of the property stolen is more than \$1,000 but not more than \$5,000; or

77.9 (ii) the value of the property is more than \$500 but not more than \$1,000 and the person  
77.10 commits the offense within ten years of the first of two or more convictions under this  
77.11 section;

77.12 (3) to imprisonment for not more than two years or to payment of a fine of not more  
77.13 than \$5,000, or both, if either of the following circumstances exist:

77.14 (i) the value of the property stolen is more than \$500 but not more than \$1,000; or

77.15 (ii) the value of the property is \$500 or less and the person commits the offense within  
77.16 ten years of a previous conviction under this section; or

77.17 (4) to imprisonment of not more than one year or to payment of a fine of not more than  
77.18 \$3,000, or both, if the value of the property stolen is \$500 or less.

77.19 Subd. 4. **Aggregation.** The value of the retail merchandise received by the defendant  
77.20 in violation of this section within any six-month period may be aggregated and the defendant  
77.21 charged accordingly in applying the provisions of this subdivision; provided that when two  
77.22 or more offenses are committed by the same person in two or more counties, the accused  
77.23 may be prosecuted in any county in which one of the offenses was committed for all of the  
77.24 offenses aggregated under this paragraph.

77.25 Subd. 5. **Enhanced penalty.** If a violation of this section creates a reasonably foreseeable  
77.26 risk of bodily harm to another, the penalties described in subdivision 3 are enhanced as  
77.27 follows:

77.28 (1) if the penalty is a gross misdemeanor, the person is guilty of a felony and may be  
77.29 sentenced to imprisonment for not more than three years or to payment of a fine of not more  
77.30 than \$5,000, or both; and

77.31 (2) if the penalty is a felony, the statutory maximum sentence for the offense is 50 percent  
77.32 longer than for the underlying crime.

78.1 **EFFECTIVE DATE.** This section is effective August 1, 2023, and applies to crimes  
 78.2 committed on or after that date.

78.3 Sec. 38. Minnesota Statutes 2022, section 609.527, subdivision 1, is amended to read:

78.4 Subdivision 1. **Definitions.** (a) As used in this section, the following terms have the  
 78.5 meanings given them in this subdivision.

78.6 (b) "Direct victim" means any person or entity described in section 611A.01, paragraph  
 78.7 (b), whose identity has been transferred, used, or possessed in violation of this section.

78.8 (c) "False pretense" means any false, fictitious, misleading, or fraudulent information  
 78.9 or pretense or pretext depicting or including or deceptively similar to the name, logo, website  
 78.10 address, email address, postal address, telephone number, or any other identifying information  
 78.11 of a for-profit or not-for-profit business or organization or of a government agency, to which  
 78.12 the user has no legitimate claim of right.

78.13 (d) "Financial institution" has the meaning given in section 13A.01, subdivision 2.

78.14 (e) "Identity" means any name, number, or data transmission that may be used, alone or  
 78.15 in conjunction with any other information, to identify a specific individual or entity, including  
 78.16 any of the following:

78.17 (1) a name, Social Security number, date of birth, official government-issued driver's  
 78.18 license or identification number, government passport number, or employer or taxpayer  
 78.19 identification number;

78.20 (2) unique electronic identification number, address, account number, or routing code;

78.21 or

78.22 (3) telecommunication identification information or access device.

78.23 ~~(e)~~ (f) "Indirect victim" means any person or entity described in section 611A.01,  
 78.24 paragraph (b), other than a direct victim.

78.25 ~~(f)~~ (g) "Loss" means value obtained, as defined in section 609.52, subdivision 1, clause  
 78.26 (3), and expenses incurred by a direct or indirect victim as a result of a violation of this  
 78.27 section.

78.28 ~~(g)~~ (h) "Unlawful activity" means:

78.29 (1) any felony violation of the laws of this state or any felony violation of a similar law  
 78.30 of another state or the United States; and

79.1 (2) any nonfelony violation of the laws of this state involving theft, theft by swindle,  
79.2 forgery, fraud, or giving false information to a public official, or any nonfelony violation  
79.3 of a similar law of another state or the United States.

79.4 ~~(h)~~ (i) "Scanning device" means a scanner, reader, or any other electronic device that is  
79.5 used to access, read, scan, obtain, memorize, or store, temporarily or permanently,  
79.6 information encoded on a computer chip or magnetic strip or stripe of a payment card,  
79.7 driver's license, or state-issued identification card.

79.8 ~~(i)~~ (j) "Reencoder" means an electronic device that places encoded information from the  
79.9 computer chip or magnetic strip or stripe of a payment card, driver's license, or state-issued  
79.10 identification card, onto the computer chip or magnetic strip or stripe of a different payment  
79.11 card, driver's license, or state-issued identification card, or any electronic medium that  
79.12 allows an authorized transaction to occur.

79.13 ~~(j)~~ (k) "Payment card" means a credit card, charge card, debit card, or any other card  
79.14 that:

79.15 (1) is issued to an authorized card user; and

79.16 (2) allows the user to obtain, purchase, or receive credit, money, a good, a service, or  
79.17 anything of value.

79.18 **EFFECTIVE DATE.** This section is effective August 1, 2023.

79.19 Sec. 39. Minnesota Statutes 2022, section 609.527, is amended by adding a subdivision  
79.20 to read:

79.21 **Subd. 8. Release of limited account information to law enforcement authorities.** (a)  
79.22 A financial institution may release the information described in paragraph (b) to a law  
79.23 enforcement or prosecuting authority that certifies in writing that it is investigating or  
79.24 prosecuting a crime of identity theft under this section. The certification must describe with  
79.25 reasonable specificity the nature of the suspected identity theft that is being investigated or  
79.26 prosecuted, including the dates of the suspected criminal activity.

79.27 (b) This subdivision applies to requests for the following information relating to a  
79.28 potential victim's account:

79.29 (1) the name of the account holder or holders; and

79.30 (2) the last known home address and telephone numbers of the account holder or holders.

80.1 (c) A financial institution may release the information requested under this subdivision  
80.2 that it possesses within a reasonable time after the request. The financial institution may  
80.3 not impose a fee for furnishing the information.

80.4 (d) A financial institution is not liable in a criminal or civil proceeding for releasing  
80.5 information in accordance with this subdivision.

80.6 (e) Release of limited account information to a law enforcement agency under this  
80.7 subdivision is criminal investigative data under section 13.82, subdivision 7.

80.8 **EFFECTIVE DATE.** This section is effective August 1, 2023.

80.9 Sec. 40. Minnesota Statutes 2022, section 609.582, subdivision 3, is amended to read:

80.10 Subd. 3. **Burglary in the third degree.** (a) Except as otherwise provided in this section,  
80.11 whoever enters a building without consent and with intent to steal or commit any felony or  
80.12 gross misdemeanor while in the building, or enters a building without consent and steals or  
80.13 commits a felony or gross misdemeanor while in the building, either directly or as an  
80.14 accomplice, commits burglary in the third degree and may be sentenced to imprisonment  
80.15 for not more than five years or to payment of a fine of not more than \$10,000, or both.

80.16 (b) Whoever enters a building that is open to the public, other than a building identified  
80.17 in subdivision 2, paragraph (b), with intent to steal while in the building, or enters a building  
80.18 that is open to the public, other than a building identified in subdivision 2, paragraph (b),  
80.19 and steals while in the building, either directly or as an accomplice, commits burglary in  
80.20 the third degree and may be sentenced to imprisonment for not more than five years or to  
80.21 payment of a fine of not more than \$10,000, or both, if:

80.22 (1) the person enters the building within one year after being told to leave the building  
80.23 and not return; and

80.24 (2) the person has been convicted within the preceding five years for an offense under  
80.25 this section, section 256.98, 268.182, 609.24, 609.245, 609.52, 609.522, 609.53, 609.625,  
80.26 609.63, 609.631, or 609.821, or a statute from another state, the United States, or a foreign  
80.27 jurisdiction, in conformity with any of those sections, and the person received a felony  
80.28 sentence for the offense or a sentence that was stayed under section 609.135 if the offense  
80.29 to which a plea was entered would allow imposition of a felony sentence.

80.30 **EFFECTIVE DATE.** This section is effective August 1, 2023, and applies to crimes  
80.31 committed on or after that date.



81.1 Sec. 41. Minnesota Statutes 2022, section 609.582, subdivision 4, is amended to read:

81.2 Subd. 4. **Burglary in the fourth degree.** (a) Whoever enters a building without consent  
 81.3 and with intent to commit a misdemeanor other than to steal, or enters a building without  
 81.4 consent and commits a misdemeanor other than to steal while in the building, either directly  
 81.5 or as an accomplice, commits burglary in the fourth degree and may be sentenced to  
 81.6 imprisonment for not more than one year or to payment of a fine of not more than \$3,000,  
 81.7 or both.

81.8 (b) Whoever enters a building that is open to the public, other than a building identified  
 81.9 in subdivision 2, paragraph (b), with intent to steal while in the building, or enters a building  
 81.10 that is open to the public, other than a building identified in subdivision 2, paragraph (b),  
 81.11 and steals while in the building, either directly or as an accomplice, commits burglary in  
 81.12 the fourth degree and may be sentenced to imprisonment for not more than one year or to  
 81.13 payment of a fine of not more than \$3,000, or both, if the person enters the building within  
 81.14 one year after being told to leave the building and not return.

81.15 **EFFECTIVE DATE.** This section is effective August 1, 2023, and applies to crimes  
 81.16 committed on or after that date.

81.17 Sec. 42. Minnesota Statutes 2022, section 609.595, subdivision 1a, is amended to read:

81.18 Subd. 1a. **Criminal damage to property in the second degree.** (a) Whoever intentionally  
 81.19 causes damage described in subdivision 2, paragraph (a), ~~because of the property owner's~~  
 81.20 ~~or another's actual or perceived race, color, religion, sex, sexual orientation, disability as~~  
 81.21 ~~defined in section 363A.03, age, or national origin~~ is guilty of a felony and may be sentenced  
 81.22 to imprisonment for not more than one year and a day or to payment of a fine of not more  
 81.23 than \$3,000, or both-, if the damage:

81.24 (1) was committed in whole or in substantial part because of the property owner's or  
 81.25 another's actual or perceived race, color, ethnicity, religion, sex, gender, sexual orientation,  
 81.26 gender identity, gender expression, age, national origin, or disability as defined in section  
 81.27 363A.03;

81.28 (2) was committed in whole or in substantial part because of the victim's actual or  
 81.29 perceived association with another person or group of a certain actual or perceived race,  
 81.30 color, ethnicity, religion, sex, gender, sexual orientation, gender identity, gender expression,  
 81.31 age, national origin, or disability as defined in section 363A.03; or

81.32 (3) was motivated in whole or in substantial part by an intent to intimidate or harm an  
 81.33 individual or group of individuals because of actual or perceived race, color, ethnicity,

82.1 religion, sex, gender, sexual orientation, gender identity, gender expression, age, national  
 82.2 origin, or disability as defined in section 363A.03.

82.3 (b) In any prosecution under paragraph (a), the value of property damaged by the  
 82.4 defendant in violation of that paragraph within any six-month period may be aggregated  
 82.5 and the defendant charged accordingly in applying this section. When two or more offenses  
 82.6 are committed by the same person in two or more counties, the accused may be prosecuted  
 82.7 in any county in which one of the offenses was committed for all of the offenses aggregated  
 82.8 under this paragraph.

82.9 **EFFECTIVE DATE.** This section is effective August 1, 2023, and applies to crimes  
 82.10 committed on or after that date.

82.11 Sec. 43. Minnesota Statutes 2022, section 609.595, subdivision 2, is amended to read:

82.12 Subd. 2. **Criminal damage to property in the third degree.** (a) Except as otherwise  
 82.13 provided in subdivision 1a, whoever intentionally causes damage to another person's physical  
 82.14 property without the other person's consent may be sentenced to imprisonment for not more  
 82.15 than one year or to payment of a fine of not more than \$3,000, or both, if: (1) the damage  
 82.16 reduces the value of the property by more than \$500 but not more than \$1,000 as measured  
 82.17 by the cost of repair and replacement; or (2) the damage was to a public safety motor vehicle  
 82.18 and the defendant knew the vehicle was a public safety motor vehicle.

82.19 (b) Whoever intentionally causes damage to another person's physical property without  
 82.20 the other person's consent ~~because of the property owner's or another's actual or perceived~~  
 82.21 ~~race, color, religion, sex, sexual orientation, disability as defined in section 363A.03, age,~~  
 82.22 ~~or national origin~~ may be sentenced to imprisonment for not more than one year or to  
 82.23 payment of a fine of not more than \$3,000, or both, if the damage reduces the value of the  
 82.24 property by not more than \$500- and:

82.25 (1) was committed in whole or in substantial part because of the property owner's or  
 82.26 another's actual or perceived race, color, ethnicity, religion, sex, gender, sexual orientation,  
 82.27 gender identity, gender expression, age, national origin, or disability as defined in section  
 82.28 363A.03;

82.29 (2) was committed in whole or in substantial part because of the victim's actual or  
 82.30 perceived association with another person or group of a certain actual or perceived race,  
 82.31 color, ethnicity, religion, sex, gender, sexual orientation, gender identity, gender expression,  
 82.32 age, national origin, or disability as defined in section 363A.03; or

83.1 (3) was motivated in whole or in substantial part by an intent to intimidate or harm an  
 83.2 individual or group of individuals because of actual or perceived race, color, ethnicity,  
 83.3 religion, sex, gender, sexual orientation, gender identity, gender expression, age, national  
 83.4 origin, or disability as defined in section 363A.03.

83.5 (c) In any prosecution under paragraph (a), clause (1), the value of property damaged  
 83.6 by the defendant in violation of that paragraph within any six-month period may be  
 83.7 aggregated and the defendant charged accordingly in applying this section. When two or  
 83.8 more offenses are committed by the same person in two or more counties, the accused may  
 83.9 be prosecuted in any county in which one of the offenses was committed for all of the  
 83.10 offenses aggregated under this paragraph.

83.11 **EFFECTIVE DATE.** This section is effective August 1, 2023, and applies to crimes  
 83.12 committed on or after that date.

83.13 Sec. 44. Minnesota Statutes 2022, section 609.749, subdivision 3, is amended to read:

83.14 Subd. 3. **Aggravated violations.** (a) A person who commits any of the following acts  
 83.15 is guilty of a felony and may be sentenced to imprisonment for not more than five years or  
 83.16 to payment of a fine of not more than \$10,000, or both:

83.17 (1) commits any offense described in subdivision 2 in whole or in substantial part because  
 83.18 of the victim's or another's actual or perceived race, color, ethnicity, religion, sex, gender,  
 83.19 sexual orientation, gender identity, gender expression, age, national origin, or disability as  
 83.20 defined in section 363A.03, ~~age, or national origin~~ or because of the victim's actual or  
 83.21 perceived association with another person or group of a certain actual or perceived race,  
 83.22 color, ethnicity, religion, sex, gender, sexual orientation, gender identity, gender expression,  
 83.23 age, national origin, or disability as defined in section 363A.03;

83.24 (2) commits any offense described in subdivision 2 by falsely impersonating another;

83.25 (3) commits any offense described in subdivision 2 and a dangerous weapon was used  
 83.26 in any way in the commission of the offense;

83.27 (4) commits any offense described in subdivision 2 with intent to influence or otherwise  
 83.28 tamper with a juror or a judicial proceeding or with intent to retaliate against a judicial  
 83.29 officer, as defined in section 609.415, or a prosecutor, defense attorney, or officer of the  
 83.30 court, because of that person's performance of official duties in connection with a judicial  
 83.31 proceeding; or

83.32 (5) commits any offense described in subdivision 2 against a victim under the age of  
 83.33 18, if the actor is more than 36 months older than the victim.

84.1 (b) A person who commits any offense described in subdivision 2 against a victim under  
 84.2 the age of 18, if the actor is more than 36 months older than the victim, and the act is  
 84.3 committed with sexual or aggressive intent, is guilty of a felony and may be sentenced to  
 84.4 imprisonment for not more than ten years or to payment of a fine of not more than \$20,000,  
 84.5 or both.

84.6 EFFECTIVE DATE. This section is effective August 1, 2023, and applies to crimes  
 84.7 committed on or after that date.

84.8 Sec. 45. Minnesota Statutes 2022, section 611A.211, subdivision 1, is amended to read:

84.9 Subdivision 1. **Grants.** The commissioner of public safety shall award grants to programs  
 84.10 which provide support services or emergency shelter and housing supports as defined by  
 84.11 section 611A.31 to victims of sexual assault. The commissioner shall also award grants for  
 84.12 training, technical assistance, and the development and implementation of education programs  
 84.13 to increase public awareness of the causes of sexual assault, the solutions to preventing and  
 84.14 ending sexual assault, and the problems faced by sexual assault victims.

84.15 Sec. 46. Minnesota Statutes 2022, section 611A.31, subdivision 2, is amended to read:

84.16 Subd. 2. ~~Battered woman~~ **Domestic abuse victim.** ~~"Battered woman"~~ "Domestic abuse  
 84.17 victim" means a ~~woman~~ person who is being or has been victimized by domestic abuse as  
 84.18 defined in section 518B.01, subdivision 2.

84.19 Sec. 47. Minnesota Statutes 2022, section 611A.31, subdivision 3, is amended to read:

84.20 Subd. 3. **Emergency shelter services.** "Emergency shelter services" include, but are  
 84.21 not limited to, secure crisis shelters for ~~battered women~~ domestic abuse victims and housing  
 84.22 networks for ~~battered women~~ domestic abuse victims.

84.23 Sec. 48. Minnesota Statutes 2022, section 611A.31, is amended by adding a subdivision  
 84.24 to read:

84.25 Subd. 3a. **Housing supports.** "Housing supports" means services and supports used to  
 84.26 enable victims to secure and maintain transitional and permanent housing placement. Housing  
 84.27 supports include but are not limited to rental assistance and financial assistance to maintain  
 84.28 housing stability. Transitional housing placements may take place in communal living,  
 84.29 clustered site or scattered site programs, or other transitional housing models.

85.1 Sec. 49. Minnesota Statutes 2022, section 611A.32, is amended to read:

85.2 **611A.32 ~~BATTERED WOMEN~~ DOMESTIC ABUSE PROGRAMS.**

85.3 Subdivision 1. **Grants awarded.** The commissioner shall award grants to programs  
 85.4 which provide emergency shelter services ~~to battered women~~, housing supports, and support  
 85.5 services to ~~battered women~~ and domestic abuse victims and their children. The commissioner  
 85.6 shall also award grants for training, technical assistance, and for the development and  
 85.7 implementation of education programs to increase public awareness of the causes of ~~battering~~  
 85.8 domestic abuse, the solutions to preventing and ending domestic violence, and the problems  
 85.9 faced by ~~battered women~~ and domestic abuse victims. Grants shall be awarded in a manner  
 85.10 that ensures that they are equitably distributed to programs serving metropolitan and  
 85.11 nonmetropolitan populations. ~~By July 1, 1995, community-based domestic abuse advocacy~~  
 85.12 ~~and support services programs must be established in every judicial assignment district.~~

85.13 Subd. 1a. **Program for American Indian ~~women~~ domestic abuse victims.** The  
 85.14 commissioner shall establish at least one program under this section to provide emergency  
 85.15 shelter services and support services to ~~battered~~ American Indian ~~women~~ domestic abuse  
 85.16 victims and their children. The commissioner shall grant continuing operating expenses to  
 85.17 the program established under this subdivision in the same manner as operating expenses  
 85.18 are granted to programs established under subdivision 1.

85.19 Subd. 2. **Applications.** Any public or private nonprofit agency may apply to the  
 85.20 commissioner for a grant to provide emergency shelter services ~~to battered women~~, housing  
 85.21 supports, support services, and one or more of these services and supports to domestic abuse  
 85.22 victims, ~~or both, to battered women~~ and their children. The application shall be submitted  
 85.23 in a form approved by the commissioner by rule adopted under chapter 14 and shall include:

85.24 (1) a proposal for the provision of emergency shelter services ~~for battered women~~,  
 85.25 housing supports, support services, and one or more of these services and supports for  
 85.26 domestic abuse victims, ~~or both, for battered women~~ and their children;

85.27 (2) a proposed budget;

85.28 (3) the agency's overall operating budget, including documentation on the retention of  
 85.29 financial reserves and availability of additional funding sources;

85.30 (4) evidence of an ability to integrate into the proposed program the uniform method of  
 85.31 data collection and program evaluation established under section 611A.33;

86.1 (5) evidence of an ability to represent the interests of ~~battered women and~~ domestic  
 86.2 abuse victims and their children to local law enforcement agencies and courts, county welfare  
 86.3 agencies, and local boards or departments of health;

86.4 (6) evidence of an ability to do outreach to unserved and underserved populations and  
 86.5 to provide culturally and linguistically appropriate services; and

86.6 (7) any other content the commissioner may require by rule adopted under chapter 14,  
 86.7 ~~after considering the recommendations of the advisory council.~~

86.8 Programs which have been approved for grants in prior years may submit materials  
 86.9 which indicate changes in items listed in clauses (1) to (7), in order to qualify for renewal  
 86.10 funding. Nothing in this subdivision may be construed to require programs to submit  
 86.11 complete applications for each year of renewal funding.

86.12 Subd. 3. **Duties of grantees.** Every public or private nonprofit agency which receives  
 86.13 a grant to provide emergency shelter services to ~~battered women and~~, housing supports, or  
 86.14 support services to ~~battered women and~~ domestic abuse victims shall comply with all rules  
 86.15 of the commissioner related to the administration of the ~~pilot~~ programs.

86.16 Subd. 5. **Classification of data collected by grantees.** Personal history information and  
 86.17 other information collected, used or maintained by a grantee from which the identity or  
 86.18 location of any victim of domestic abuse may be determined is private data on individuals,  
 86.19 as defined in section 13.02, subdivision 12, and the grantee shall maintain the data in  
 86.20 accordance with the provisions of chapter 13.

86.21 Sec. 50. Minnesota Statutes 2022, section 626.15, is amended to read:

86.22 **626.15 EXECUTION AND RETURN OF WARRANT; TIME.**

86.23 (a) Except as provided in ~~paragraph~~ paragraphs (b) and (c), a search warrant must be  
 86.24 executed and returned to the court which issued it within ten days after its date. After the  
 86.25 expiration of this time, the warrant is void unless previously executed.

86.26 (b) A search warrant on a financial institution for financial records is valid for 30 days.

86.27 (c) A district court judge may grant an extension of a warrant on a financial institution  
 86.28 for financial records upon an application under oath stating that the financial institution has  
 86.29 not produced the requested financial records within ten days the 30-day period and that an  
 86.30 extension is necessary to achieve the purposes for which the search warrant was granted.  
 86.31 Each extension may not exceed 30 days.

87.1 (d) For the purposes of this ~~paragraph~~ section, "financial institution" has the meaning  
 87.2 given in section 13A.01, subdivision 2, and "financial records" has the meaning given in  
 87.3 section 13A.01, subdivision 3.

87.4 **EFFECTIVE DATE.** This section is effective August 1, 2023.

87.5 Sec. 51. Minnesota Statutes 2022, section 626.5531, subdivision 1, is amended to read:

87.6 Subdivision 1. **Reports required.** A peace officer must report to the head of the officer's  
 87.7 department every violation of chapter 609 or a local criminal ordinance if the officer has  
 87.8 reason to believe, or if the victim alleges, that ~~the offender was motivated to commit the~~  
 87.9 ~~act by~~ the act was committed in whole or in substantial part because of the victim's actual  
 87.10 or perceived race, color, ethnicity, religion, ~~national origin~~, sex, gender, sexual orientation,  
 87.11 gender identity, gender expression, age, national origin, or disability as defined in section  
 87.12 363A.03, or ~~characteristics identified as sexual orientation~~ because of the victim's actual or  
 87.13 perceived association with another person or group of a certain actual or perceived race,  
 87.14 color, ethnicity, religion, sex, gender, sexual orientation, gender identity, gender expression,  
 87.15 age, national origin, or disability as defined in section 363A.03. The superintendent of the  
 87.16 Bureau of Criminal Apprehension shall adopt a reporting form to be used by law enforcement  
 87.17 agencies in making the reports required under this section. The reports must include for  
 87.18 each incident all of the following:

87.19 (1) the date of the offense;

87.20 (2) the location of the offense;

87.21 (3) whether the target of the incident is a person, private property, or public property;

87.22 (4) the crime committed;

87.23 (5) the type of bias and information about the offender and the victim that is relevant to  
 87.24 that bias;

87.25 (6) any organized group involved in the incident;

87.26 (7) the disposition of the case;

87.27 (8) whether the determination that the offense was motivated by bias was based on the  
 87.28 officer's reasonable belief or on the victim's allegation; and

87.29 (9) any additional information the superintendent deems necessary for the acquisition  
 87.30 of accurate and relevant data.

88.1 Sec. 52. Minnesota Statutes 2022, section 626.843, is amended by adding a subdivision  
88.2 to read:

88.3 Subd. 1c. **Rules governing certain misconduct.** No later than January 1, 2025, the  
88.4 board must adopt rules under chapter 14 that permit the board to take disciplinary action  
88.5 on a licensee for a violation of a standard of conduct in Minnesota Rules, chapter 6700,  
88.6 whether or not criminal charges have been filed and in accordance with the evidentiary  
88.7 standards and civil processes for boards under chapter 214.

88.8 Sec. 53. [626.8443] OPIATE ANTAGONISTS; TRAINING; CARRYING; USE.

88.9 Subdivision 1. **Training.** A chief law enforcement officer must provide basic training  
88.10 to peace officers employed by the chief's agency on:

88.11 (1) identifying persons who are suffering from narcotics overdoses; and

88.12 (2) the proper use of opiate antagonists to treat a narcotics overdose.

88.13 Subd. 2. **Mandatory supply.** A chief law enforcement officer must maintain a sufficient  
88.14 supply of opiate antagonists to ensure that officers employed by the chief's agency can  
88.15 satisfy the requirements of subdivision 3.

88.16 Subd. 3. **Mandatory carrying.** Each on-duty peace officer who is assigned to respond  
88.17 to emergency calls must have at least two unexpired opiate antagonist doses readily available  
88.18 when the officer's shift begins. An officer who depletes their supply of opiate antagonists  
88.19 during the officer's shift shall replace the expended doses from the officer's agency's supply  
88.20 so long as replacing the doses will not compromise public safety.

88.21 Subd. 4. **Authorization of use.** (a) A chief law enforcement officer must authorize peace  
88.22 officers employed by the chief's agency to perform administration of an opiate antagonist  
88.23 when an officer believes a person is suffering a narcotics overdose.

88.24 (b) In order to administer opiate antagonists, a peace officer must comply with section  
88.25 151.37, subdivision 12, paragraph (b), clause (1).

88.26 Sec. 54. Minnesota Statutes 2022, section 626.8451, subdivision 1, is amended to read:

88.27 Subdivision 1. **Training course; crimes motivated by bias.** (a) The board must ~~prepare~~  
88.28 and approve a list of training ~~course~~ courses to assist peace officers in identifying and,  
88.29 responding to, and reporting crimes ~~motivated by~~ committed in whole or in substantial part  
88.30 because of the victim's or another's actual or perceived race, color, ethnicity, religion,  
88.31 ~~national origin~~, sex, gender, sexual orientation, gender identity, gender expression, age,



89.1 national origin, or disability as defined in section 363A.03, or characteristics identified as  
 89.2 sexual orientation because of the victim's actual or perceived association with another person  
 89.3 or group of a certain actual or perceived race, color, ethnicity, religion, sex, gender, sexual  
 89.4 orientation, gender identity, gender expression, age, national origin, or disability as defined  
 89.5 in section 363A.03. The course must include material to help officers distinguish bias crimes  
 89.6 from other crimes, to help officers in understanding and assisting victims of these crimes,  
 89.7 and to ensure that bias crimes will be accurately reported as required under section 626.5531.  
 89.8 ~~The course must be updated periodically~~ board must review the approved courses every  
 89.9 three years and update the list of approved courses as the board, in consultation with  
 89.10 communities most targeted by hate crimes because of their characteristics as described  
 89.11 above, organizations with expertise in providing training on hate crimes, and the statewide  
 89.12 coalition of organizations representing communities impacted by hate crimes, considers  
 89.13 appropriate.

89.14 (b) In updating the list of approved training courses described in paragraph (a), the board  
 89.15 must consult and significantly incorporate input from communities most targeted by hate  
 89.16 crimes because of their characteristics as described above, organizations with expertise in  
 89.17 providing training on hate crimes, and the statewide coalition of organizations representing  
 89.18 communities impacted by hate crimes.

89.19 **EFFECTIVE DATE.** This section is effective July 1, 2023.

89.20 Sec. 55. Minnesota Statutes 2022, section 626.8469, subdivision 1, is amended to read:

89.21 Subdivision 1. **In-service training required.** (a) Beginning July 1, 2018, the chief law  
 89.22 enforcement officer of every state and local law enforcement agency shall provide in-service  
 89.23 training in crisis intervention and mental illness crises; conflict management and mediation;  
 89.24 ~~and~~ recognizing and valuing community diversity and cultural differences to include implicit  
 89.25 bias training; and training to assist peace officers in identifying, responding to, and reporting  
 89.26 incidents committed in whole or in substantial part because of the victim's actual or perceived  
 89.27 race, color, ethnicity, religion, sex, gender, sexual orientation, gender identity, gender  
 89.28 expression, age, national origin, or disability as defined in section 363A.03, or because of  
 89.29 the victim's actual or perceived association with another person or group of a certain actual  
 89.30 or perceived race, color, ethnicity, religion, sex, gender, sexual orientation, gender identity,  
 89.31 gender expression, age, national origin, or disability as defined in section 363A.03, to every  
 89.32 peace officer and part-time peace officer employed by the agency. The training shall comply  
 89.33 with learning objectives developed and approved by the board and shall meet board  
 89.34 requirements for board-approved continuing education credit. Every three years the board

90.1 shall review the learning objectives and must consult and collaborate with communities  
 90.2 most targeted by hate crimes because of their characteristics as described above, organizations  
 90.3 with expertise in providing training on hate crimes, and the statewide coalition of  
 90.4 organizations representing communities impacted by hate crimes in identifying appropriate  
 90.5 objectives and training courses related to identifying, responding to, and reporting incidents  
 90.6 committed in whole or in substantial part because of the victim's or another's actual or  
 90.7 perceived race, color, ethnicity, religion, national origin, sex, gender, sexual orientation,  
 90.8 gender identity, gender expression, age, national origin, or disability as defined in section  
 90.9 363A.03, or because of the victim's actual or perceived association with another person or  
 90.10 group of a certain actual or perceived race, color, ethnicity, religion, sex, gender, sexual  
 90.11 orientation, gender identity, gender expression, age, national origin, or disability as defined  
 90.12 in section 363A.03. The training shall consist of at least 16 continuing education credits  
 90.13 within an officer's three-year licensing cycle. Each peace officer with a license renewal date  
 90.14 after June 30, 2018, is not required to complete this training until the officer's next full  
 90.15 three-year licensing cycle.

90.16 (b) Beginning July 1, 2021, the training mandated under paragraph (a) must be provided  
 90.17 by an approved entity. The board shall create a list of approved entities and training courses  
 90.18 and make the list available to the chief law enforcement officer of every state and local law  
 90.19 enforcement agency. Each peace officer (1) with a license renewal date before June 30,  
 90.20 2022, and (2) who received the training mandated under paragraph (a) before July 1, 2021,  
 90.21 is not required to receive this training by an approved entity until the officer's next full  
 90.22 three-year licensing cycle.

90.23 (c) For every peace officer and part-time peace officer with a license renewal date of  
 90.24 June 30, 2022, or later, the training mandated under paragraph (a) must:

90.25 (1) include a minimum of six hours for crisis intervention and mental illness crisis  
 90.26 training that meets the standards established in subdivision 1a; and

90.27 (2) include a minimum of four hours to ensure safer interactions between peace officers  
 90.28 and persons with autism in compliance with section 626.8474.

90.29 **EFFECTIVE DATE.** This section is effective July 1, 2023.

90.30 Sec. 56. Minnesota Statutes 2022, section 626.8473, subdivision 3, is amended to read:

90.31 Subd. 3. **Written policies and procedures required.** (a) The chief officer of every state  
 90.32 and local law enforcement agency that uses or proposes to use a portable recording system  
 90.33 must establish and enforce a written policy governing its use. In developing and adopting

91.1 the policy, the law enforcement agency must provide for public comment and input as  
 91.2 provided in subdivision 2. Use of a portable recording system without adoption of a written  
 91.3 policy meeting the requirements of this section is prohibited. The written policy must be  
 91.4 posted on the agency's website, if the agency has a website.

91.5 (b) At a minimum, the written policy must incorporate and require compliance with the  
 91.6 following:

91.7 (1) the requirements of section 13.825 and other data classifications, access procedures,  
 91.8 retention policies, and data security safeguards that, at a minimum, meet the requirements  
 91.9 of chapter 13 and other applicable law;

91.10 (2) prohibit altering, erasing, or destroying any recording made with a peace officer's  
 91.11 portable recording system or data and metadata related to the recording prior to the expiration  
 91.12 of the applicable retention period under section 13.825, subdivision 3;

91.13 (3) mandate that a portable recording system be:

91.14 (i) worn where it affords an unobstructed view, and above the mid-line of the waist;

91.15 (ii) activated during all contacts with citizens in the performance of official duties other  
 91.16 than community engagement, to the extent practical without compromising officer safety;  
 91.17 and

91.18 (iii) activated when the officer arrives on scene of an incident and remain active until  
 91.19 the conclusion of the officer's duties at the scene of the incident;

91.20 (4) mandate that officers assigned a portable recording system wear and operate the  
 91.21 system in compliance with the agency's policy adopted under this section while performing  
 91.22 law enforcement activities under the command and control of another chief law enforcement  
 91.23 officer or federal law enforcement official;

91.24 (5) procedures for testing the portable recording system to ensure adequate functioning;

91.25 ~~(3)~~ (6) procedures to address a system malfunction or failure, including requirements  
 91.26 for documentation by the officer using the system at the time of a malfunction or failure;

91.27 ~~(4)~~ (7) circumstances under which recording is mandatory, prohibited, or at the discretion  
 91.28 of the officer using the system;

91.29 ~~(5)~~ (8) circumstances under which a data subject must be given notice of a recording;

91.30 ~~(6)~~ (9) circumstances under which a recording may be ended while an investigation,  
 91.31 response, or incident is ongoing;

92.1 ~~(7)~~ (10) procedures for the secure storage of portable recording system data and the  
 92.2 creation of backup copies of the data; and

92.3 ~~(8)~~ (11) procedures to ensure compliance and address violations of the policy, which  
 92.4 must include, at a minimum, supervisory or internal audits and reviews, and the employee  
 92.5 discipline standards for unauthorized access to data contained in section 13.09.

92.6 (c) The board has authority to inspect state and local law enforcement agency policies  
 92.7 to ensure compliance with this section. The board may conduct this inspection based upon  
 92.8 a complaint it receives about a particular agency or through a random selection process.  
 92.9 The board may impose licensing sanctions and seek injunctive relief under section 214.11  
 92.10 for an agency's or licensee's failure to comply with this section.

92.11 **Sec. 57. [626.8516] INTENSIVE COMPREHENSIVE PEACE OFFICER**  
 92.12 **EDUCATION AND TRAINING PROGRAM.**

92.13 Subdivision 1. **Establishment; title.** A program is established within the Department  
 92.14 of Public Safety to fund the intensive comprehensive law enforcement education and training  
 92.15 of college degree holders. The program shall be known as the intensive comprehensive  
 92.16 peace officer education and training program.

92.17 Subd. 2. **Purpose.** The program is intended to address the critical shortage of peace  
 92.18 officers in the state. The program shall reimburse law enforcement agencies that recruit,  
 92.19 educate, and train highly qualified college graduates to become licensed peace officers in  
 92.20 the state.

92.21 Subd. 3. **Eligibility for reimbursement grant; grant cap.** (a) The chief law enforcement  
 92.22 officer of a law enforcement agency may apply to the commissioner for reimbursement of  
 92.23 the cost of educating, training, paying, and insuring an eligible peace officer candidate until  
 92.24 the candidate is licensed by the board as a peace officer.

92.25 (b) The commissioner must reimburse an agency for the actual cost of educating, training,  
 92.26 paying, and insuring an eligible peace officer candidate up to \$50,000.

92.27 (c) The commissioner shall not award a grant under this section until the candidate has  
 92.28 been licensed by the board.

92.29 Subd. 4. **Eligibility for retention bonus reimbursement grant.** (a) The chief law  
 92.30 enforcement officer of a law enforcement agency may apply to the commissioner for a  
 92.31 onetime reimbursement grant for a retention bonus awarded to an eligible peace officer  
 92.32 candidate after the candidate has worked for a minimum of two years as a licensed peace  
 92.33 officer for the applicant's agency.

93.1 (b) The commissioner must reimburse an agency for the actual cost of an eligible retention  
93.2 bonus up to \$10,000.

93.3 Subd. 5. **Eligibility for student loan reimbursement grant.** (a) An eligible peace officer  
93.4 candidate, after serving for ..... consecutive years as a licensed peace officer in good  
93.5 standing for a law enforcement agency, may apply to the commissioner for a grant to cover  
93.6 student loan debt incurred by the applicant in earning the applicant's four-year degree.

93.7 (b) The commissioner shall reimburse the applicant for the amount of the applicant's  
93.8 student loan debt up to \$20,000.

93.9 Subd. 6. **Forms.** The commissioner must prepare the necessary grant application forms  
93.10 and make them available on the agency's public website.

93.11 Subd. 7. **Intensive education and skills training program.** No later than February 1,  
93.12 2024, the commissioner, in consultation with the executive director of the board and the  
93.13 institutions designated as education providers under subdivision 8, shall develop an intensive  
93.14 comprehensive law enforcement education and skills training curriculum that will provide  
93.15 eligible peace officer candidates with the law enforcement education and skills training  
93.16 needed to be licensed as a peace officer. The curriculum must be designed to be completed  
93.17 in eight months or less and shall be offered at the institutions designated under subdivision  
93.18 8. The curriculum may overlap, coincide with, or draw upon existing law enforcement  
93.19 education and training programs at institutions designated as education providers under  
93.20 subdivision 8. The commissioner may designate existing law enforcement education and  
93.21 training programs that are designed to be completed in eight months or less as intensive  
93.22 comprehensive law enforcement education and skills training programs for purposes of this  
93.23 section.

93.24 Subd. 8. **Education providers; sites.** (a) No later than September 1, 2023, the Board  
93.25 of Trustees of the Minnesota State Colleges and Universities shall designate at least two  
93.26 regionally diverse system campuses to provide the required intensive comprehensive law  
93.27 enforcement education and skills training to eligible peace officer candidates.

93.28 (b) In addition to the campuses designated under paragraph (a), the commissioner may  
93.29 designate private, nonprofit postsecondary institutions to provide the required intensive  
93.30 comprehensive law enforcement education and skills training to eligible peace officer  
93.31 candidates.

93.32 Subd. 9. **Definitions.** (a) For purposes of this section, the following terms have the  
93.33 meanings given.

94.1 (b) "Commissioner" means the commissioner of public safety.

94.2 (c) "Eligible peace officer candidate" means a person who:

94.3 (1) holds a four-year degree from an accredited college or university;

94.4 (2) is a citizen of the United States;

94.5 (3) passed a thorough background check, including searches by local, state, and federal  
 94.6 agencies, to disclose the existence of any criminal record or conduct which would adversely  
 94.7 affect the candidate's performance of peace officer duties;

94.8 (4) possesses a valid Minnesota driver's license or, in case of residency therein, a valid  
 94.9 driver's license from another state, or eligibility to obtain either license; and

94.10 (5) is sponsored by a state or local law enforcement agency.

94.11 (d) "Law enforcement agency" has the meaning given in section 626.84, subdivision 1,  
 94.12 paragraph (f), clause (1).

94.13 (e) "Program" means the intensive comprehensive peace officer education and training  
 94.14 program.

94.15 **EFFECTIVE DATE.** This section is effective the day following final enactment.

94.16 Sec. 58. Laws 2021, First Special Session chapter 11, article 1, section 15, subdivision 3,  
 94.17 is amended to read:

94.18 **Subd. 3. Peace Officer Training Assistance**

94.19 **Philando Castile Memorial Training Fund**

94.20 \$6,000,000 each year is to support and  
 94.21 strengthen law enforcement training and  
 94.22 implement best practices, including but not  
 94.23 limited to reimbursing costs related to training  
 94.24 courses that qualify for reimbursement under  
 94.25 Minnesota Statutes, sections 626.8452 (use of  
 94.26 force), 626.8469 (training in crisis response,  
 94.27 conflict management, and cultural diversity),  
 94.28 and 626.8474 (autism training). This funding  
 94.29 shall be named the "Philando Castile Memorial  
 94.30 Training Fund."

95.1 Each sponsor of a training course is required  
95.2 to include the following in the sponsor's  
95.3 application for approval submitted to the  
95.4 board: course goals and objectives; a course  
95.5 outline including at a minimum a timeline and  
95.6 teaching hours for all courses; instructor  
95.7 qualifications, including skills and concepts  
95.8 such as crisis intervention, de-escalation, and  
95.9 cultural competency that are relevant to the  
95.10 course provided; and a plan for learning  
95.11 assessments of the course and documenting  
95.12 the assessments to the board during review.  
95.13 Upon completion of each course, instructors  
95.14 must submit student evaluations of the  
95.15 instructor's teaching to the sponsor.

95.16 The board shall keep records of the  
95.17 applications of all approved and denied  
95.18 courses. All continuing education courses shall  
95.19 be reviewed after the first year. The board  
95.20 must set a timetable for recurring review after  
95.21 the first year. For each review, the sponsor  
95.22 must submit its learning assessments to the  
95.23 board to show that the course is teaching the  
95.24 learning outcomes that were approved by the  
95.25 board.

95.26 A list of licensees who successfully complete  
95.27 the course shall be maintained by the sponsor  
95.28 and transmitted to the board following the  
95.29 presentation of the course and the completed  
95.30 student evaluations of the instructors.  
95.31 Evaluations are available to chief law  
95.32 enforcement officers. The board shall establish  
95.33 a data retention schedule for the information  
95.34 collected in this section.

96.1 Each year, if funds are available after  
96.2 reimbursing all eligible requests for courses  
96.3 approved by the board under this subdivision,  
96.4 the board may use the funds to reimburse law  
96.5 enforcement agencies for other  
96.6 board-approved law enforcement training  
96.7 courses. The base for this activity is \$0 in  
96.8 fiscal year 2026 and thereafter.

96.9 **Sec. 59. EXCEPTION TO TOLLING PERIOD.**

96.10 Notwithstanding Minnesota Statutes, section 299A.47, a claim for benefits may be made  
96.11 from the public safety officer's death benefit account by or on behalf of a survivor of a  
96.12 public safety officer who died by suicide between January 1, 2017, and June 30, 2023,  
96.13 within two years of the effective date of this act if the officer is considered killed in the line  
96.14 of duty under the changes made to Minnesota Statutes, section 299A.41, in this act.

96.15 **Sec. 60. INITIAL APPOINTMENT AND FIRST MEETING FOR THE REWARD**  
96.16 **ADVISORY GROUP FOR THE OFFICE OF MISSING AND MURDERED**  
96.17 **INDIGENOUS RELATIVES.**

96.18 The Director of the Office of Missing and Murdered Indigenous Relatives must appoint  
96.19 the first members to the reward advisory group under Minnesota Statutes, section 299A.86,  
96.20 subdivision 3, by August 15, 2023, and must convene the first meeting of the group by  
96.21 October 1, 2023. The group must elect a chair at its first meeting.

96.22 **Sec. 61. RULES; SOFT BODY ARMOR REIMBURSEMENT.**

96.23 The commissioner of public safety shall amend rules adopted under Minnesota Statutes,  
96.24 section 299A.38, subdivision 4, to reflect the soft body armor reimbursement for public  
96.25 safety officers under that section.

96.26 **Sec. 62. REVISOR INSTRUCTION.**

96.27 The revisor of statutes shall make necessary changes to statutory cross-references to  
96.28 reflect the changes made to Minnesota Statutes, section 299A.38, in this act.

96.29 **Sec. 63. REPEALER.**

96.30 Minnesota Statutes 2022, section 299C.80, subdivision 7, is repealed.



## ARTICLE 4

## CORRECTIONS

97.1

97.2

97.3 Section 1. Minnesota Statutes 2022, section 241.01, subdivision 3a, is amended to read:

97.4 Subd. 3a. **Commissioner, powers and duties.** The commissioner of corrections has the  
97.5 following powers and duties:

97.6 (a) To accept persons committed to the commissioner by the courts of this state for care,  
97.7 custody, and rehabilitation.

97.8 (b) To determine the place of confinement of committed persons in a correctional facility  
97.9 or other facility of the Department of Corrections and to prescribe reasonable conditions  
97.10 and rules for their employment, conduct, instruction, and discipline within or outside the  
97.11 facility. Inmates shall not exercise custodial functions or have authority over other inmates.

97.12 (c) To administer the money and property of the department.

97.13 (d) To administer, maintain, and inspect all state correctional facilities.

97.14 (e) To transfer authorized positions and personnel between state correctional facilities  
97.15 as necessary to properly staff facilities and programs.

97.16 (f) To utilize state correctional facilities in the manner deemed to be most efficient and  
97.17 beneficial to accomplish the purposes of this section, but not to close the Minnesota  
97.18 Correctional Facility-Stillwater or the Minnesota Correctional Facility-St. Cloud without  
97.19 legislative approval. The commissioner may place juveniles and adults at the same state  
97.20 minimum security correctional facilities, if there is total separation of and no regular contact  
97.21 between juveniles and adults, except contact incidental to admission, classification, and  
97.22 mental and physical health care.

97.23 (g) To organize the department and employ personnel the commissioner deems necessary  
97.24 to discharge the functions of the department, including a chief executive officer for each  
97.25 facility under the commissioner's control who shall serve in the unclassified civil service  
97.26 and may, under the provisions of section 43A.33, be removed only for cause.

97.27 (h) To define the duties of these employees and to delegate to them any of the  
97.28 commissioner's powers, duties and responsibilities, subject to the commissioner's control  
97.29 and the conditions the commissioner prescribes.

97.30 (i) To annually develop a comprehensive set of goals and objectives designed to clearly  
97.31 establish the priorities of the Department of Corrections. This report shall be submitted to

98.1 the governor commencing January 1, 1976. The commissioner may establish ad hoc advisory  
98.2 committees.

98.3 (j) To publish, administer, and award grant contracts with state agencies, local units of  
98.4 government, and other entities for correctional programs embodying rehabilitative concepts,  
98.5 for restorative programs for crime victims and the overall community, and for implementing  
98.6 legislative directives.

98.7 Sec. 2. Minnesota Statutes 2022, section 241.021, subdivision 1d, is amended to read:

98.8 Subd. 1d. **Public notice of restriction, revocation, or suspension.** If the license of a  
98.9 facility under this section is revoked or suspended, or use of the facility is restricted for any  
98.10 reason under a conditional license order, or a correction order is issued to a facility, the  
98.11 commissioner shall post the facility, the status of the facility's license, and the reason for  
98.12 the correction order, restriction, revocation, or suspension publicly and on the department's  
98.13 website.

98.14 Sec. 3. **[243.1609] INTERSTATE ADULT OFFENDER TRANSFER**  
98.15 **TRANSPORTATION EXPENSES.**

98.16 Subject to the amount of money appropriated for this purpose, the commissioner of  
98.17 corrections may reimburse sheriffs for transportation expenses related to the return of  
98.18 probationers to the state who are being held in custody under section 243.1605.  
98.19 Reimbursement shall be based on a fee schedule agreed to by the Department of Corrections  
98.20 and the Minnesota Sheriffs' Association. The required return to the state of a probationer  
98.21 in custody as a result of a nationwide warrant issued pursuant to the Interstate Compact for  
98.22 Adult Supervision shall be arranged and supervised by the sheriff of the county in which  
98.23 the court proceedings are to be held and at the expense of the state as provided for in this  
98.24 section. This expense offset is not applicable to the transport of individuals from pickup  
98.25 locations within 250 miles of the office of the sheriff arranging and supervising the offender's  
98.26 return to the state.

98.27 Sec. 4. Minnesota Statutes 2022, section 609.05, is amended by adding a subdivision to  
98.28 read:

98.29 Subd. 2a. **Exception.** (a) A person may not be held criminally liable for a violation of  
98.30 section 609.185, paragraph (a), clause (3), for a death caused by another unless the person  
98.31 intentionally aided, advised, hired, counseled, or conspired with or otherwise procured the  
98.32 other with the intent to cause the death of a human being.

99.1 (b) A person may not be held criminally liable for a violation of section 609.19,  
99.2 subdivision 2, clause (1), for a death caused by another unless the person was a major  
99.3 participant in the underlying felony and acted with extreme indifference to human life.

99.4 (c) A "major participant" under paragraph (b) is one who:

99.5 (1) used a deadly weapon during the commission of the underlying felony or provided  
99.6 a deadly weapon to another participant where it was reasonably foreseeable that the weapon  
99.7 would be used in the underlying felony;

99.8 (2) was not present at the time of the commission of the underlying felony but coerced  
99.9 a participant to undertake actions in furtherance of the underlying felony that proximately  
99.10 caused the death, and where it was reasonably foreseeable that such actions would cause  
99.11 death or great bodily harm; or

99.12 (3) impeded another person from preventing the death either by physical action or by  
99.13 threat of physical action when it was reasonably foreseeable that death or great bodily harm  
99.14 would result.

99.15 **EFFECTIVE DATE.** This section is effective August 1, 2023, and applies to crimes  
99.16 committed on or after that date.

99.17 Sec. 5. Minnesota Statutes 2022, section 641.15, subdivision 2, is amended to read:

99.18 Subd. 2. **Medical aid.** Except as provided in section 466.101, the county board shall  
99.19 pay the costs of medical services provided to prisoners pursuant to this section. The amount  
99.20 paid by the county board for a medical service shall not exceed the maximum allowed  
99.21 medical assistance payment rate for the service, as determined by the commissioner of  
99.22 human services. In the absence of a health or medical insurance or health plan that has a  
99.23 contractual obligation with the provider or the prisoner, medical providers shall charge no  
99.24 higher than the rate negotiated between the county and the provider. In the absence of an  
99.25 agreement between the county and the provider, the provider may not charge an amount  
99.26 that exceeds the maximum allowed medical assistance payment rate for the service, as  
99.27 determined by the commissioner of human services. The county is entitled to reimbursement  
99.28 from the prisoner for payment of medical bills to the extent that the prisoner to whom the  
99.29 medical aid was provided has the ability to pay the bills. The prisoner shall, at a minimum,  
99.30 incur co-payment obligations for health care services provided by a county correctional  
99.31 facility. The county board shall determine the co-payment amount. Notwithstanding any  
99.32 law to the contrary, the co-payment shall be deducted from any of the prisoner's funds held  
99.33 by the county, to the extent possible. If there is a disagreement between the county and a

100.1 prisoner concerning the prisoner's ability to pay, the court with jurisdiction over the defendant  
 100.2 shall determine the extent, if any, of the prisoner's ability to pay for the medical services.  
 100.3 If a prisoner is covered by health or medical insurance or other health plan when medical  
 100.4 services are provided, the medical provider shall bill that health or medical insurance or  
 100.5 other plan. If the county providing the medical services for a prisoner that has coverage  
 100.6 under health or medical insurance or other plan, that county has a right of subrogation to  
 100.7 be reimbursed by the insurance carrier for all sums spent by it for medical services to the  
 100.8 prisoner that are covered by the policy of insurance or health plan, in accordance with the  
 100.9 benefits, limitations, exclusions, provider restrictions, and other provisions of the policy or  
 100.10 health plan. The county may maintain an action to enforce this subrogation right. The county  
 100.11 does not have a right of subrogation against the medical assistance program. The county  
 100.12 shall not charge prisoners for telephone calls to MNsure navigators, the Minnesota Warmline,  
 100.13 a mental health provider, or calls for the purpose of providing case management or mental  
 100.14 health services as defined in section 245.462 to prisoners.

100.15 Sec. 6. Minnesota Statutes 2022, section 641.155, is amended to read:

100.16 **~~641.155 DISCHARGE PLANS; OFFENDERS WITH SERIOUS AND PERSISTENT~~**  
 100.17 **~~MENTAL ILLNESS.~~**

100.18 Subdivision 1. **Discharge plans.** The commissioner of corrections shall develop and  
 100.19 distribute a model discharge planning process for every offender with a serious and persistent  
 100.20 mental illness, as defined in section 245.462, subdivision 20, paragraph (c), who has been  
 100.21 convicted and sentenced to serve three or more months and is being released from a county  
 100.22 jail or county regional jail. The commissioner may specify different model discharge plans  
 100.23 for prisoners who have been detained pretrial and prisoners who have been sentenced to  
 100.24 jail. The commissioner must consult best practices and the most current correctional health  
 100.25 care standards from national accrediting organizations. The commissioner must review and  
 100.26 update the model process as needed.

100.27 Subd. 2. **Discharge plans for people with serious and persistent mental illnesses.** An  
 100.28 offender A person with a serious and persistent mental illness, as defined in section 245.462,  
 100.29 subdivision 20, paragraph (c), who has been convicted and sentenced to serve three or more  
 100.30 months and is being released from a county jail or county regional jail shall be referred to  
 100.31 the appropriate staff in the county human services department at least 60 days before being  
 100.32 released. The county human services department may carry out provisions of the model  
 100.33 discharge planning process such as must complete a discharge plan with the prisoner no  
 100.34 less than 14 days before release that may include:

101.1 (1) providing assistance in filling out an application for medical assistance or  
 101.2 MinnesotaCare;

101.3 (2) making a referral for case management as outlined under section 245.467, subdivision  
 101.4 4;

101.5 (3) providing assistance in obtaining a state photo identification;

101.6 (4) securing a timely appointment with a psychiatrist or other appropriate community  
 101.7 mental health providers; and

101.8 (5) providing prescriptions for a 30-day supply of all necessary medications.

101.9 **Subd. 3. Reentry coordination programs.** A county may establish a program to provide  
 101.10 services and assist prisoners with reentering the community. Reentry services may include  
 101.11 but are not limited to:

101.12 (1) providing assistance in meeting the basic needs of the prisoner immediately after  
 101.13 release, including but not limited to provisions for transportation, clothing, food, and shelter;

101.14 (2) providing assistance in filling out an application for medical assistance or  
 101.15 MinnesotaCare;

101.16 (3) providing assistance in obtaining a state photo identification;

101.17 (4) providing assistance in obtaining prescriptions for all necessary medications;

101.18 (5) coordinating services with the local county services agency or the social services  
 101.19 agency in the county where the prisoner is a resident; and

101.20 (6) coordinating services with a community mental health or substance use disorder  
 101.21 provider.

101.22 **Sec. 7. LIABILITY FOR MURDER COMMITTED BY ANOTHER; RETROACTIVE**  
 101.23 **APPLICATION.**

101.24 **Subdivision 1. Purpose.** Any person is entitled to petition to have the person's conviction  
 101.25 vacated pursuant to this section if the person was:

101.26 (1) charged with aiding and abetting first-degree murder under Minnesota Statutes,  
 101.27 section 609.185, paragraph (a), clause (3), and thereafter convicted of a violation of  
 101.28 Minnesota Statutes, section 609.185, paragraph (a), clause (3); 609.19, subdivision 1, clause  
 101.29 (1); or 609.19, subdivision 2, clause (1); or

101.30 (2) charged with aiding and abetting second-degree unintentional murder under Minnesota  
 101.31 Statutes, section 609.19, subdivision 2, clause (1), and thereafter convicted of a violation

102.1 of Minnesota Statutes, section 609.185, paragraph (a), clause (3); 609.19, subdivision 1,  
102.2 clause (1); or 609.19, subdivision 2, clause (1).

102.3 Subd. 2. **Notification.** (a) By December 1, 2023, the commissioner of corrections shall  
102.4 notify individuals convicted for a violation of Minnesota Statutes, section 609.185, paragraph  
102.5 (a), clause (3); 609.19, subdivision 1, clause (1); or 609.19, subdivision 2, clause (1), of the  
102.6 right to file a preliminary application for relief if:

102.7 (1) the person was convicted for a violation of Minnesota Statutes, section 609.185,  
102.8 paragraph (a), clause (3), and did not actually cause the death of a human being or  
102.9 intentionally aid, advise, hire, counsel, or conspire with or otherwise procure another with  
102.10 the intent to cause the death of a human being;

102.11 (2) the person was convicted for a violation of Minnesota Statutes, section 609.19,  
102.12 subdivision 2, clause (1), and did not actually cause the death of a human being or was not  
102.13 a major participant, as described in Minnesota Statutes, section 609.05, subdivision 2a,  
102.14 paragraph (c), in the underlying felony who acted with extreme indifference to human life;  
102.15 or

102.16 (3) the person was charged with aiding and abetting first-degree murder under Minnesota  
102.17 Statutes, section 609.185, paragraph (a), clause (3), or second-degree unintentional murder  
102.18 under Minnesota Statutes, section 609.19, subdivision 2, clause (1), and thereafter convicted  
102.19 for a violation of Minnesota Statutes, section 609.19, subdivision 1, clause (1), and did not  
102.20 actually cause the death of a human being or was not a major participant, as described in  
102.21 Minnesota Statutes, section 609.05, subdivision 2a, paragraph (c), in the underlying felony  
102.22 who acted with extreme indifference to human life.

102.23 (b) The notice shall include the address of Ramsey County District Court administration.

102.24 (c) The commissioner of corrections may coordinate with the judicial branch to establish  
102.25 a standardized notification form.

102.26 Subd. 3. **Preliminary application.** (a) An applicant shall submit a preliminary application  
102.27 to the Ramsey County District Court. The preliminary application must contain:

102.28 (1) the applicant's name and, if different, the name under which the person was convicted;

102.29 (2) the applicant's date of birth;

102.30 (3) the district court case number of the case for which the person is seeking relief;

102.31 (4) a statement as to whether the applicant was convicted following a trial or pursuant  
102.32 to a plea;

103.1 (5) a statement as to whether the person filed a direct appeal from the conviction, a  
103.2 petition for postconviction relief, or both;

103.3 (6) a brief statement, not to exceed 3,000 words, explaining why the applicant is entitled  
103.4 to relief under this section from a conviction for the death of a human being caused by  
103.5 another; and

103.6 (7) the name and address of any attorney representing the applicant.

103.7 (b) The preliminary application may contain:

103.8 (1) the name, date of birth, and district court case number of any other person charged  
103.9 with, or convicted of, a crime arising from the same set of circumstances for which the  
103.10 applicant was convicted; and

103.11 (2) a copy of a criminal complaint or indictment, or the relevant portions of a presentence  
103.12 investigation or life imprisonment report, describing the facts of the case for which the  
103.13 applicant was convicted.

103.14 (c) The judicial branch may establish a standardized preliminary application form, but  
103.15 shall not reject a preliminary application for failure to use a standardized form.

103.16 (d) Any person seeking relief under this section must submit a preliminary application  
103.17 no later than October 1, 2025. Submission is complete upon mailing.

103.18 (e) Submission of a preliminary application shall be without costs or any fees charged  
103.19 to the applicant.

103.20 Subd. 4. Review of preliminary application. (a) Upon receipt of a preliminary  
103.21 application, the court administrator of the Ramsey County District Court shall immediately  
103.22 direct attention of the filing thereof to the chief judge or judge acting on the chief judge's  
103.23 behalf who shall promptly assign the matter to a judge in said district.

103.24 (b) The judicial branch may appoint a special master to review preliminary applications  
103.25 and may assign additional staff as needed to assist in the review of preliminary applications.

103.26 (c) Within 90 days of the Ramsey County District Court receiving the preliminary  
103.27 application, the reviewing judge shall determine whether, in the discretion of that judge,  
103.28 there is a reasonable probability that the application is entitled to relief under this section.

103.29 (d) In making the determination under paragraph (c), the reviewing judge shall consider  
103.30 the preliminary application and any materials submitted with the preliminary application  
103.31 and may consider relevant records in the possession of the judicial branch.

104.1 (e) The court may summarily deny an application when the applicant was not convicted  
104.2 of a violation of Minnesota Statutes, section 609.185, paragraph (a), clause (3); 609.19,  
104.3 subdivision 1, clause (1); or 609.19, subdivision 2, clause (1), before August 1, 2023, or  
104.4 the only issues raised in the application are not relevant to the relief available under this  
104.5 section.

104.6 (f) If the reviewing judge determines that there is a reasonable probability that the  
104.7 applicant is entitled to relief, the judge shall send notice to the applicant and the applicant's  
104.8 attorney, if any, and the prosecutorial office responsible for prosecuting the applicant. In  
104.9 the event the applicant is without counsel, the reviewing judge shall send notice to the state  
104.10 public defender and shall advise the applicant of such referral.

104.11 (g) If the reviewing judge determines that there is not a reasonable probability that the  
104.12 applicant is entitled to relief, the judge shall send notice to the applicant and the applicant's  
104.13 attorney, if any. The notice must contain a brief statement explaining the reasons the  
104.14 reviewing judge concluded that there is not a reasonable probability that the applicant is  
104.15 entitled to relief.

104.16 Subd. 5. **Petition for relief; hearing.** (a) Unless extended for good cause, within 60  
104.17 days of receipt of the notice sent pursuant to subdivision 4, paragraph (f), the individual  
104.18 seeking relief shall file and serve a petition to vacate the conviction. The petition must be  
104.19 filed in the district court of the judicial district in the county where the conviction took place  
104.20 and must contain the information identified in subdivision 3, paragraph (a), and a statement  
104.21 of why the petitioner is entitled to relief under this section. The petition may contain any  
104.22 other relevant information, including police reports, trial transcripts, and plea transcripts  
104.23 involving the petitioner or any other person investigated for, charged with, or convicted of  
104.24 a crime arising out of the same set of circumstances for which the petitioner was convicted.  
104.25 The filing of the petition and any document subsequent thereto and all proceedings thereon  
104.26 shall be without costs or any fees charged to the petitioner.

104.27 (b) Upon receipt of the petition, the prosecutor shall make a good faith and reasonable  
104.28 effort to notify any person determined to be a victim of the underlying offense that a petition  
104.29 has been filed.

104.30 (c) A county attorney representing the prosecutorial office shall respond to the petition  
104.31 by answer or motion within 45 days after the filing of the petition pursuant to paragraph  
104.32 (a), unless extended for good cause. The response shall be filed with the court administrator  
104.33 of the district court and served on the petitioner if unrepresented or on the petitioner's  
104.34 attorney. The response may serve notice of the intent to support the petition or include a



105.1 statement explaining why the petitioner is not entitled to relief along with any supporting  
105.2 documents. The filing of the response and any document subsequent thereto and all  
105.3 proceedings thereon shall be without costs or any fees charged to the county attorney.

105.4 (d) The petitioner may file a reply to the response filed by the county attorney within  
105.5 15 days after the petitioner receives the response, unless extended for good cause.

105.6 (e) Within 30 days of receipt of the reply from the petitioner or, if no reply is filed,  
105.7 within 30 days of receipt of the response from the county attorney, the court shall:

105.8 (1) issue an order pursuant to subdivision 6 and schedule the matter for sentencing or  
105.9 resentencing pursuant to subdivision 6, paragraph (e), if the county attorney indicates an  
105.10 intent to support the petition;

105.11 (2) issue an order denying the petition without prejudice if additional information or  
105.12 submissions establish that there is not a reasonable probability that the applicant is entitled  
105.13 to relief under this section and a memorandum identifying the additional information or  
105.14 submissions and explaining the reasons why the court concluded that there is not a reasonable  
105.15 probability that the applicant is entitled to relief; or

105.16 (3) schedule the matter for a hearing and issue any appropriate order regarding submission  
105.17 of evidence or identification of witnesses.

105.18 (f) The hearing shall be held in open court and conducted pursuant to Minnesota Statutes,  
105.19 section 590.04, except that the petitioner must be present at the hearing, unless excused  
105.20 under Rules of Criminal Procedure, rule 26.03, subdivision 1, clause (3). The prosecutor  
105.21 shall make a good faith and reasonable effort to notify any person determined to be a victim  
105.22 of the hearing.

105.23 Subd. 6. **Determination; order; resentencing.** (a) A petitioner who was convicted of  
105.24 a violation of Minnesota Statutes, section 609.185, paragraph (a), clause (3), is entitled to  
105.25 relief if the petitioner shows by a preponderance of the evidence that the petitioner:

105.26 (1) did not cause the death of a human being; and

105.27 (2) did not intentionally aid, advise, hire, counsel, or conspire with or otherwise procure  
105.28 another with the intent to cause the death of a human being.

105.29 (b) A petitioner who was convicted of a violation of Minnesota Statutes, section 609.19,  
105.30 subdivision 2, clause (1), is entitled to relief if the petitioner shows by a preponderance of  
105.31 the evidence that the petitioner:

105.32 (1) did not cause the death of a human being; and

106.1 (2) was not a major participant, as described in Minnesota Statutes, section 609.05,  
106.2 subdivision 2a, paragraph (c), in the underlying felony and did not act with extreme  
106.3 indifference to human life.

106.4 (c) A petitioner who was charged with aiding and abetting first-degree murder under  
106.5 Minnesota Statutes, section 609.185, paragraph (a), clause (3), and thereafter convicted of  
106.6 a violation of Minnesota Statutes, section 609.19, subdivision 1, clause (1), is entitled to  
106.7 relief if the petitioner shows by a preponderance of the evidence that the petitioner:

106.8 (1) did not cause the death of a human being; and

106.9 (2) was not a major participant, as described in Minnesota Statutes, section 609.05,  
106.10 subdivision 2a, paragraph (c), in the underlying felony and did not act with extreme  
106.11 indifference to human life.

106.12 (d) A petitioner who was charged with aiding and abetting second-degree unintentional  
106.13 murder under Minnesota Statutes, section 609.19, subdivision 2, clause (1), and thereafter  
106.14 convicted of a violation of Minnesota Statutes, section 609.19, subdivision 1, clause (1), is  
106.15 entitled to relief if the petitioner shows by a preponderance of the evidence that the petitioner:

106.16 (1) did not cause the death of a human being; and

106.17 (2) was not a major participant, as described in Minnesota Statutes, section 609.05,  
106.18 subdivision 2a, paragraph (c), in the underlying felony and did not act with extreme  
106.19 indifference to human life.

106.20 (e) If the court determines that the petitioner does not qualify for relief, the court shall  
106.21 issue an order denying the petition. If the court determines that the petitioner is entitled to  
106.22 relief, the court shall issue an order vacating the conviction for a violation of Minnesota  
106.23 Statutes, section 609.185, paragraph (a), clause (3), or 609.19, subdivision 2, clause (1),  
106.24 and either:

106.25 (1) resentence the petitioner for the most serious remaining offense for which the  
106.26 petitioner was convicted; or

106.27 (2) enter a conviction and impose a sentence for the most serious predicate felony arising  
106.28 out of the course of conduct that served as the factual basis for the conviction vacated by  
106.29 the court.

106.30 (f) The new sentence announced by the court under this section must be for the most  
106.31 serious predicate felony unless the most serious remaining offense for which the petitioner  
106.32 was convicted is that offense or a more serious offense.

107.1 (g) The court shall state in writing or on the record the reasons for its decision on the  
107.2 petition.

107.3 (h) If the court intends to resentence a petitioner or impose a sentence on a petitioner,  
107.4 the court must hold the hearing at a time that allows any victim an opportunity to submit a  
107.5 statement consistent with Minnesota Statutes, section 611A.038. The prosecutor shall make  
107.6 a good faith and reasonable effort to notify any person determined to be a victim of the  
107.7 hearing and the right to submit or make a statement. A sentence imposed under this  
107.8 subdivision shall not increase the petitioner's period of confinement or, if the petitioner was  
107.9 -serving a stayed sentence, increase the period of supervision. A person resentenced under  
107.10 this paragraph is entitled to credit for time served in connection with the vacated offense.

107.11 (i) Relief granted under this section shall not be treated as an exoneration for purposes  
107.12 of the Incarceration and Exoneration Remedies Act.

107.13 (j) Appeals from an order of the court issued under this subdivision may be made pursuant  
107.14 to Minnesota Statutes, section 590.06.

107.15 **EFFECTIVE DATE.** This section is effective August 1, 2023.

107.16 Sec. 8. **TASK FORCE ON AIDING AND ABETTING FELONY MURDER.**

107.17 (a) Laws 2021, First Special Session chapter 11, article 2, section 53, subdivisions 2, 3,  
107.18 4, and 5, are revived and reenacted on the effective date of this section to expand the focus  
107.19 of the task force's duties and work beyond the intersection of felony murder and aiding and  
107.20 abetting liability for felony murder to more generally apply to the broader issues regarding  
107.21 the state's felony murder doctrine and aiding and abetting liability schemes discussed in  
107.22 "Task Force on Aiding and Abetting Felony Murder," Report to the Minnesota Legislature,  
107.23 dated February 1, 2022, "The Task Force's recommendations," number 4.

107.24 (b) On or before January 15, 2024, the task force shall submit a report to the chairs and  
107.25 ranking minority members of the house of representatives and senate committees and  
107.26 divisions with jurisdiction over crime and sentencing on the findings and recommendations  
107.27 of the task force.

107.28 (c) The task force expires January 16, 2024, or the day after submitting its report under  
107.29 paragraph (b), whichever is earlier.

107.30 **EFFECTIVE DATE.** This section is effective the day following final enactment.

108.1

**ARTICLE 5**

108.2

**CLEMENCY PROVISIONS**

108.3 Section 1. Minnesota Statutes 2022, section 13.871, subdivision 8, is amended to read:

108.4 Subd. 8. ~~Board of Pardons~~ Clemency Review Commission records. Access to ~~Board~~  
 108.5 ~~of Pardons~~ records of the Clemency Review Commission is governed by section ~~638.07~~  
 108.6 638.20.

108.7 Sec. 2. Minnesota Statutes 2022, section 299C.11, subdivision 3, is amended to read:

108.8 Subd. 3. **Definitions.** For purposes of this section:

108.9 (1) "determination of all pending criminal actions or proceedings in favor of the arrested  
 108.10 person" does not include:

108.11 (i) the sealing of a criminal record pursuant to section 152.18, subdivision 1, 242.31, or  
 108.12 chapter 609A;

108.13 (ii) the arrested person's successful completion of a diversion program;

108.14 (iii) an order of discharge under section 609.165; or

108.15 (iv) a pardon granted under ~~section 638.02~~ chapter 638; and

108.16 (2) "targeted misdemeanor" has the meaning given in section 299C.10, subdivision 1.

108.17 Sec. 3. Minnesota Statutes 2022, section 638.01, is amended to read:

108.18 **638.01 BOARD OF PARDONS; ~~HOW CONSTITUTED; POWERS.~~**

108.19 The Board of Pardons ~~shall consist~~ consists of the governor, the chief justice of the  
 108.20 supreme court, and the attorney general. ~~The board~~ governor in conjunction with the board  
 108.21 may grant pardons and reprieves and commute the sentence of any person convicted of any  
 108.22 offense against the laws of the state, in the manner and under the conditions and rules  
 108.23 hereinafter prescribed, but not otherwise clemency according to this chapter.

108.24 **EFFECTIVE DATE.** This section is effective the day following final enactment.

108.25 Sec. 4. **[638.011] DEFINITIONS.**

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

108.28 Subd. 2. **Board.** "Board" means the Board of Pardons under section 638.01.

109.1 Subd. 3. **Clemency.** Unless otherwise provided, "clemency" includes a pardon,  
109.2 commutation, and reprieve after conviction for a crime against the state except in cases of  
109.3 impeachment.

109.4 Subd. 4. **Commission.** "Commission" means the Clemency Review Commission under  
109.5 section 638.09.

109.6 Subd. 5. **Department.** "Department" means the Department of Corrections.

109.7 Subd. 6. **Waiver request.** "Waiver request" means a request to waive a time restriction  
109.8 under sections 638.12, subdivisions 2 and 3, and 638.19, subdivision 1.

109.9 **EFFECTIVE DATE.** This section is effective August 1, 2023.

109.10 Sec. 5. **[638.09] CLEMENCY REVIEW COMMISSION.**

109.11 Subdivision 1. **Establishment; duties.** (a) The Clemency Review Commission is  
109.12 established to:

109.13 (1) review each eligible clemency application and waiver request that it receives;

109.14 (2) recommend to the board, in writing, whether to grant or deny the application or  
109.15 waiver request, with each member's vote reported;

109.16 (3) recommend to the board, in writing, whether the board should conduct a hearing on  
109.17 a clemency application, with each member's vote reported; and

109.18 (4) provide victim support services, assistance to applicants, and other assistance as the  
109.19 board requires.

109.20 (b) Unless otherwise provided:

109.21 (1) the commission's recommendations under this chapter are nonbinding on the governor  
109.22 or the board; and

109.23 (2) chapter 15 applies unless otherwise inconsistent with this chapter.

109.24 Subd. 2. **Composition.** (a) The commission consists of nine members, each serving a  
109.25 term coterminous with the governor.

109.26 (b) The governor, the attorney general, and the chief justice of the supreme court must  
109.27 each appoint three members to serve on the commission and replace members when the  
109.28 members' terms expire. Members serve at the pleasure of their appointing authority.

109.29 Subd. 3. **Appointments to commission.** (a) An appointing authority is encouraged to  
109.30 consider the following criteria when appointing a member:

110.1 (1) expertise in law, corrections, victims' services, correctional supervision, mental  
110.2 health, and substance abuse treatment; and

110.3 (2) experience addressing systemic disparities, including but not limited to disparities  
110.4 based on race, gender, and ability.

110.5 (b) An appointing authority must seek out and encourage qualified individuals to apply  
110.6 to serve on the commission, including:

110.7 (1) members of Indigenous communities, Black communities, and other communities  
110.8 of color;

110.9 (2) members diverse as to gender identity; and

110.10 (3) members diverse as to age and ability.

110.11 (c) If there is a vacancy, the appointing authority who selected the vacating member  
110.12 must make an interim appointment to expire at the end of the vacating member's term.

110.13 (d) A member may continue to serve until the member's successor is appointed, but a  
110.14 member may not serve more than eight years in total.

110.15 Subd. 4. **Commission; generally.** (a) The commission must biennially elect one of its  
110.16 members as chair and one as vice-chair. The chair serves as the board's secretary.

110.17 (b) Each commission member must be:

110.18 (1) compensated at a rate of \$150 for each day or part of the day spent on commission  
110.19 activities; and

110.20 (2) reimbursed for all reasonable expenses actually paid or incurred by the member while  
110.21 performing official duties.

110.22 (c) Beginning January 1, 2025, and annually thereafter, the board may set a new per  
110.23 diem rate for commission members, not to exceed an amount ten percent higher than the  
110.24 previous year's rate.

110.25 Subd. 5. **Executive director.** (a) The board must appoint a commission executive director  
110.26 knowledgeable about clemency and criminal justice. The executive director serves at the  
110.27 pleasure of the board in the unclassified service as an executive branch employee.

110.28 (b) The executive director's salary is set in accordance with section 15A.0815, subdivision  
110.29 3.

110.30 (c) The executive director may obtain office space and supplies and hire administrative  
110.31 staff necessary to carry out the commission's official functions, including providing

111.1 administrative support to the board and attending board meetings. Any additional staff serve  
111.2 in the unclassified service at the pleasure of the executive director.

111.3 **EFFECTIVE DATE.** This section is effective August 1, 2023.

111.4 Sec. 6. **[638.10] CLEMENCY APPLICATION.**

111.5 Subdivision 1. **Required contents.** A clemency application must:

111.6 (1) be in writing;

111.7 (2) be signed under oath by the applicant; and

111.8 (3) state the clemency sought, state why the clemency should be granted, and contain  
111.9 the following information and any additional information that the commission or board  
111.10 requires:

111.11 (i) the applicant's name, address, and date and place of birth, and every alias by which  
111.12 the applicant is or has been known;

111.13 (ii) the applicant's demographic information, including race, ethnicity, gender, disability  
111.14 status, and age, only if voluntarily reported;

111.15 (iii) the name of the crime for which clemency is requested, the date and county of  
111.16 conviction, the sentence imposed, and the sentence's expiration or discharge date;

111.17 (iv) the names of the sentencing judge, the prosecuting attorney, and any victims of the  
111.18 crime;

111.19 (v) a brief description of the crime and the applicant's age at the time of the crime;

111.20 (vi) the date and outcome of any prior clemency application, including any application  
111.21 submitted before July 1, 2024;

111.22 (vii) to the best of the applicant's knowledge, a statement of any past criminal conviction  
111.23 and any pending criminal charge or investigation;

111.24 (viii) for an applicant under the department's custody, a statement describing the  
111.25 applicant's reentry plan should clemency be granted; and

111.26 (ix) an applicant statement acknowledging and consenting to the disclosure to the  
111.27 commission, board, and public of any private data on the applicant in the application or in  
111.28 any other record relating to the clemency being sought, including conviction and arrest  
111.29 records.

112.1 Subd. 2. **Required form.** (a) An application must be made on a commission-approved  
112.2 form or forms and filed with the commission by commission-prescribed deadlines. The  
112.3 commission must consult with the board on the forms and deadlines.

112.4 (b) The application must include language informing the applicant that the board and  
112.5 the commission will consider any and all past convictions and that the applicant may provide  
112.6 information about the convictions.

112.7 Subd. 3. **Reviewing application for completeness.** The commission must review an  
112.8 application for completeness. An incomplete application must be returned to the applicant,  
112.9 who may then provide the missing information and resubmit the application within a  
112.10 commission-prescribed period.

112.11 Subd. 4. **Notice to applicant.** After the commission's initial investigation of a clemency  
112.12 application, the commission must notify the applicant of the scheduled date, time, and  
112.13 location that the applicant must appear before the commission for a meeting under section  
112.14 638.14.

112.15 Subd. 5. **Equal access to information.** Each board and commission member must have  
112.16 equal access to information under this chapter that is used when making a clemency decision.

112.17 Sec. 7. **[638.11] THIRD-PARTY NOTIFICATIONS.**

112.18 Subdivision 1. **Notice to victim; victim rights.** (a) After receiving a clemency  
112.19 application, the commission must make all reasonable efforts to locate any victim of the  
112.20 applicant's crime.

112.21 (b) At least 30 calendar days before the commission meeting at which the application  
112.22 will be heard, the commission must notify any located victim of:

112.23 (1) the application;

112.24 (2) the meeting's scheduled date, time, and location; and

112.25 (3) the victim's right to attend the meeting and submit an oral or written statement to the  
112.26 commission.

112.27 (c) The commission must make all reasonable efforts to ensure that a victim can:

112.28 (1) submit an oral or written statement; and

112.29 (2) receive victim support services as necessary to help the victim submit a statement  
112.30 and participate in the clemency process.



113.1 Subd. 2. **Notice to sentencing judge and prosecuting attorney.** (a) At least 30 calendar  
 113.2 days before the commission meeting at which the application will be heard, the commission  
 113.3 must notify the sentencing judge and prosecuting attorney or their successors of the  
 113.4 application and solicit the judge's and attorney's written statements on whether to grant  
 113.5 clemency.

113.6 (b) Unless otherwise provided in this chapter, "law enforcement agency" includes the  
 113.7 sentencing judge and prosecuting attorney or their successors.

113.8 Subd. 3. **Notice to public.** At least 30 calendar days before the commission meeting at  
 113.9 which the application will be heard, the commission must publish notice of an application  
 113.10 in a qualified newspaper of general circulation in the county in which the applicant's crime  
 113.11 occurred.

113.12 **Sec. 8. [638.12] TYPES OF CLEMENCY; ELIGIBILITY AND WAIVER.**

113.13 Subdivision 1. **Types of clemency; requirements.** (a) The board may:

113.14 (1) pardon a criminal conviction imposed under the laws of this state;

113.15 (2) commute a criminal sentence imposed by a court of this state to time served or a  
 113.16 lesser sentence; or

113.17 (3) grant a reprieve of a sentence imposed by a court of this state.

113.18 (b) A grant of clemency must be in writing and has no force or effect if the governor or  
 113.19 a board majority duly convened opposes the clemency. Every conditional grant of clemency  
 113.20 must state the terms and conditions upon which it was granted, and every commutation  
 113.21 must specify the terms of the commuted sentence.

113.22 (c) A granted pardon sets aside the conviction and purges the conviction from an  
 113.23 individual's criminal record. The individual is not required to disclose the conviction at any  
 113.24 time or place other than:

113.25 (1) in a judicial proceeding; or

113.26 (2) during the licensing process for peace officers.

113.27 Subd. 2. **Pardon eligibility; waiver.** (a) An individual convicted of a crime in a court  
 113.28 of this state may apply for a pardon of the individual's conviction on or after five years from  
 113.29 the sentence's expiration or discharge date.

113.30 (b) An individual may request the board to waive the waiting period if there is a showing  
 113.31 of unusual circumstances and special need.

114.1 (c) The commission must review a waiver request and recommend to the board whether  
114.2 to grant the request. When considering a waiver request, the commission is exempt from  
114.3 the meeting requirements under section 638.14 and chapter 13D.

114.4 (d) The board must grant a waiver request unless the governor or a board majority  
114.5 opposes the waiver.

114.6 **Subd. 3. Commutation eligibility.** (a) An individual may apply for a commutation of  
114.7 an unexpired criminal sentence imposed by a court of this state, including an individual  
114.8 confined in a correctional facility or on probation, parole, supervised release, or conditional  
114.9 release. An application for commutation may not be filed until the date that the individual  
114.10 has served at least one-half of the sentence imposed or on or after five years from the  
114.11 conviction date, whichever is earlier.

114.12 (b) An individual may request the board to waive the waiting period if there is a showing  
114.13 of unusual circumstances and special need.

114.14 (c) The commission must review a waiver request and recommend to the board whether  
114.15 to grant the request. When considering a waiver request, the commission is exempt from  
114.16 the meeting requirements under section 638.14 and chapter 13D.

114.17 (d) The board must grant a waiver request unless the governor or a board majority  
114.18 opposes the waiver.

114.19 **Sec. 9. [638.13] ACCESS TO RECORDS; ISSUING SUBPOENA.**

114.20 **Subdivision 1. Access to records.** (a) Notwithstanding chapter 13 or any other law to  
114.21 the contrary, upon receiving a clemency application, the board or commission may request  
114.22 and obtain any relevant reports, data, and other information from state courts, law  
114.23 enforcement agencies, or state agencies. The board and the commission must have access  
114.24 to all relevant sealed or otherwise inaccessible court records, presentence investigation  
114.25 reports, police reports, criminal history reports, prison records, and any other relevant  
114.26 information.

114.27 (b) State courts, law enforcement agencies, and state agencies must promptly respond  
114.28 to record requests from the board or the commission.

114.29 **Subd. 2. Issuing subpoena.** The board or the commission may issue a subpoena requiring  
114.30 the presence of any person before the commission or board and the production of papers,  
114.31 records, and exhibits in any pending matter. When a person is summoned before the  
114.32 commission or the board, the person may be allowed compensation for travel and attendance  
114.33 as the commission or the board considers reasonable.

115.1 Sec. 10. [638.14] COMMISSION MEETINGS.

115.2 Subdivision 1. **Frequency.** The commission must meet at least four times each year for  
115.3 one or more days at each meeting to hear eligible clemency applications and recommend  
115.4 appropriate action to the board on each application. One or more of the meetings may be  
115.5 held at a department-operated correctional facility.

115.6 Subd. 2. **When open to the public.** All commission meetings are open to the public as  
115.7 provided under chapter 13D, but the commission may hold closed meetings:

115.8 (1) as provided under chapter 13D; or

115.9 (2) as necessary to protect sensitive or confidential information, including (i) a victim's  
115.10 identity, and (ii) sensitive or confidential victim testimony.

115.11 Subd. 3. **Recording.** When possible, the commission must record its meetings by audio  
115.12 or audiovisual means.

115.13 Subd. 4. **Board attendance.** The governor, attorney general, and chief justice, or their  
115.14 designees, may attend commission meetings as ex officio nonvoting members, but their  
115.15 attendance does not affect whether the commission has a quorum.

115.16 Subd. 5. **Applicant appearance; third-party statements.** (a) An applicant for clemency  
115.17 must appear before the commission either in person or through available forms of  
115.18 telecommunication.

115.19 (b) The victim of an applicant's crime may appear and speak at the meeting or submit a  
115.20 written statement to the commission. The commission may treat a victim's written statement  
115.21 as confidential and not disclose the statement to the applicant or the public if there is or has  
115.22 been an order for protection, harassment restraining order, or other no-contact order  
115.23 prohibiting the applicant from contacting the victim.

115.24 (c) A law enforcement agency's representative may provide the agency's position on  
115.25 whether the commission should recommend clemency by:

115.26 (1) appearing and speaking at the meeting; or

115.27 (2) submitting a written statement to the commission.

115.28 (d) The sentencing judge and the prosecuting attorney, or their successors, may provide  
115.29 their positions on whether the commission should recommend clemency by:

115.30 (1) appearing and speaking at the meeting; or

115.31 (2) submitting their statements under section 638.11, subdivision 2.

116.1 Sec. 11. **[638.15] COMMISSION RECOMMENDATION.**

116.2 **Subdivision 1. Grounds for recommending clemency.** (a) When recommending whether  
116.3 to grant clemency, the commission must consider any factors that the commission deems  
116.4 appropriate, including but not limited to:

116.5 (1) the nature, seriousness, and circumstances of the applicant's crime; the applicant's  
116.6 age at the time of the crime; and the time that has elapsed between the crime and the  
116.7 application;

116.8 (2) the successful completion or revocation of previous probation, parole, supervised  
116.9 release, or conditional release;

116.10 (3) the number, nature, and circumstances of the applicant's other criminal convictions;

116.11 (4) the extent to which the applicant has demonstrated rehabilitation through  
116.12 postconviction conduct, character, and reputation;

116.13 (5) the extent to which the applicant has accepted responsibility, demonstrated remorse,  
116.14 and made restitution to victims;

116.15 (6) whether the sentence is clearly excessive in light of the applicant's crime and criminal  
116.16 history and any sentence received by an accomplice and with due regard given to:

116.17 (i) any plea agreement;

116.18 (ii) the sentencing judge's views; and

116.19 (iii) the sentencing ranges established by law;

116.20 (7) whether the applicant's age or medical status indicates that it is in the best interest  
116.21 of society that the applicant receive clemency;

116.22 (8) the applicant's asserted need for clemency, including family needs and barriers to  
116.23 housing or employment created by the conviction;

116.24 (9) for an applicant under the department's custody, the adequacy of the applicant's  
116.25 reentry plan;

116.26 (10) the amount of time already served by the applicant and the availability of other  
116.27 forms of judicial or administrative relief;

116.28 (11) the extent to which there is credible evidence indicating that the applicant is or may  
116.29 be innocent of the crime for which they were convicted; and

116.30 (12) if provided by the applicant, the applicant's demographic information, including  
116.31 race, ethnicity, gender, disability status, and age.

117.1 (b) Unless an applicant knowingly omitted past criminal convictions on the application,  
117.2 the commission or the board must not prejudice an applicant for failing to identify past  
117.3 criminal convictions.

117.4 Subd. 2. **Recommending denial of commutation without hearing.** (a) At a meeting  
117.5 under section 638.14, the commission may recommend denying a commutation application  
117.6 without a board hearing if:

117.7 (1) the applicant is challenging the conviction or sentence through court proceedings;

117.8 (2) the applicant has failed to exhaust all available state court remedies for challenging  
117.9 the sentence; or

117.10 (3) the commission determines that the matter should first be considered by the parole  
117.11 authority.

117.12 (b) A commission recommendation to deny an application under paragraph (a) must be  
117.13 sent to the board along with the application.

117.14 Subd. 3. **Considering public statements.** When making its recommendation on an  
117.15 application, the commission must consider any statement provided by a victim or law  
117.16 enforcement agency.

117.17 Subd. 4. **Commission recommendation; notifying applicant.** (a) Before the board's  
117.18 next meeting at which the clemency application may be considered, the commission must  
117.19 send to the board:

117.20 (1) the application;

117.21 (2) the commission's recommendation;

117.22 (3) any recording of the commission's meeting related to the application; and

117.23 (4) all statements from victims and law enforcement agencies.

117.24 (b) No later than 14 calendar days after its dated recommendation, the commission must  
117.25 notify the applicant in writing of its recommendation.

117.26 Sec. 12. **[638.16] BOARD MEETINGS.**

117.27 Subdivision 1. **Frequency.** (a) The board must meet at least two times each year to  
117.28 consider clemency applications that have received favorable recommendations under section  
117.29 638.09, subdivision 1, paragraph (a), clauses (2) and (3), from the commission and any  
117.30 other applications for which at least one board member seeks consideration.

117.31 (b) Any board member may request a hearing on any application.

118.1 Subd. 2. **When open to the public.** All board meetings are open to the public as provided  
118.2 under chapter 13D, but the board may hold closed meetings:

118.3 (1) as provided under chapter 13D; or

118.4 (2) as necessary to protect sensitive or confidential information, including (i) a victim's  
118.5 identity, and (ii) sensitive or confidential victim testimony.

118.6 Subd. 3. **Executive director; attendance required.** Unless excused by the board, the  
118.7 executive director and the commission's chair or vice-chair must attend all board meetings.

118.8 Subd. 4. **Considering statements.** (a) Applicants, victims, and law enforcement agencies  
118.9 may not submit oral or written statements at a board meeting unless:

118.10 (1) a board member requests a hearing on an application; or

118.11 (2) the commission has recommended a hearing on an application.

118.12 (b) The board must consider any statements provided to the commission when  
118.13 determining whether to consider a clemency application.

118.14 Sec. 13. **[638.17] BOARD DECISION; NOTIFYING APPLICANT.**

118.15 Subdivision 1. **Board decision.** (a) At each meeting, the board must render a decision  
118.16 on each clemency application considered at the meeting or continue the matter to a future  
118.17 board meeting. If the board continues consideration of an application, the commission must  
118.18 notify the applicant in writing and explain why the matter was continued.

118.19 (b) If the commission recommends denying an application and no board member seeks  
118.20 consideration of the recommendation, it is presumed that the board concurs with the adverse  
118.21 recommendation and that the application has been considered and denied on the merits.

118.22 Subd. 2. **Notifying applicant.** The commission must notify the applicant in writing of  
118.23 the board's decision to grant or deny clemency no later than 14 calendar days from the date  
118.24 of the board's decision.

118.25 Sec. 14. **[638.18] FILING COPY OF CLEMENCY; COURT ACTION.**

118.26 Subdivision 1. **Filing with district court.** After clemency has been granted, the  
118.27 commission must file a copy of the pardon, commutation, or reprieve with the district court  
118.28 of the county in which the conviction and sentence were imposed.

118.29 Subd. 2. **Court action; pardon.** For a pardon, the court must:

118.30 (1) order the conviction set aside;

119.1 (2) include a copy of the pardon in the court file; and

119.2 (3) send a copy of the order and the pardon to the Bureau of Criminal Apprehension.

119.3 **Subd. 3. Court action; commutation.** For a commutation, the court must:

119.4 (1) amend the sentence to reflect the specific relief granted by the board;

119.5 (2) include a copy of the commutation in the court file; and

119.6 (3) send a copy of the amended sentencing order and commutation to the commissioner

119.7 of corrections and the Bureau of Criminal Apprehension.

119.8 **Sec. 15. [638.19] REAPPLYING FOR CLEMENCY.**

119.9 **Subdivision 1. Time-barred from reapplying; exception.** (a) After the board has

119.10 considered and denied a clemency application on the merits, an applicant may not file a

119.11 subsequent application for five years after the date of the most recent denial.

119.12 (b) An individual may request permission to reapply before the five-year period expires

119.13 based only on new and substantial information that was not and could not have been

119.14 previously considered by the board or commission.

119.15 (c) If a waiver request contains new and substantial information, the commission must

119.16 review the request and recommend to the board whether to waive the time restriction. When

119.17 considering a waiver request, the commission is exempt from the meeting requirements

119.18 under section 638.14 and chapter 13D.

119.19 (d) The board must grant a waiver request unless the governor or a board majority

119.20 opposes the waiver.

119.21 **Subd. 2. Applying for pardon not precluded.** An applicant who is denied or granted

119.22 a commutation is not precluded from later seeking a pardon of the criminal conviction once

119.23 the eligibility requirements of this chapter have been met.

119.24 **Sec. 16. [638.20] COMMISSION RECORD KEEPING.**

119.25 **Subdivision 1. Record keeping.** The commission must keep a record of every application

119.26 received, its recommendation on each application, and the final disposition of each

119.27 application.

119.28 **Subd. 2. When open to public.** The commission's records and files are open to public

119.29 inspection at all reasonable times, except for:

119.30 (1) sealed court records;

120.1 (2) presentence investigation reports;

120.2 (3) Social Security numbers;

120.3 (4) financial account numbers;

120.4 (5) driver's license information;

120.5 (6) medical records;

120.6 (7) confidential Bureau of Criminal Apprehension records;

120.7 (8) the identities of victims who wish to remain anonymous and confidential victim

120.8 statements; and

120.9 (9) any other confidential data on individuals, private data on individuals, not public

120.10 data, or nonpublic data under chapter 13.

120.11 **Sec. 17. [638.21] LANGUAGE ACCESS AND VICTIM SUPPORT.**

120.12 Subdivision 1. **Language access.** The commission and the board must take reasonable

120.13 steps to provide meaningful language access to applicants and victims. Applicants and

120.14 victims must have language access to information, documents, and services under this

120.15 chapter, with each communicated in a language or manner that the applicant or victim can

120.16 understand.

120.17 Subd. 2. **Interpreters.** (a) Applicants and victims are entitled to interpreters as necessary

120.18 to fulfill the purposes of this chapter, including oral or written communication. Sections

120.19 546.42 to 546.44 apply, to the extent consistent with this section.

120.20 (b) The commission or the board may not discriminate against an applicant or victim

120.21 who requests or receives interpretation services.

120.22 Subd. 3. **Victim services.** The commission and the board must provide or contract for

120.23 victim support services as necessary to support victims under this chapter.

120.24 **Sec. 18. [638.22] LEGISLATIVE REPORT.**

120.25 Beginning February 15, 2025, and every February 15 thereafter, the commission must

120.26 submit a written report to the chairs and ranking minority members of the house of

120.27 representatives and senate committees with jurisdiction over public safety, corrections, and

120.28 judiciary that contains at least the following information:

120.29 (1) the number of clemency applications received by the commission during the preceding

120.30 calendar year;



121.1 (2) the number of favorable and adverse recommendations made by the commission for  
121.2 each type of clemency;

121.3 (3) the number of applications granted and denied by the board for each type of clemency;

121.4 (4) the crimes for which the applications were granted by the board, the year of each  
121.5 conviction, and the individual's age at the time of the crime; and

121.6 (5) summary data voluntarily reported by applicants, including but not limited to  
121.7 demographic information on race, ethnicity, gender, disability status, and age, of applicants  
121.8 recommended or not recommended for clemency by the commission.

121.9 Sec. 19. [638.23] RULEMAKING.

121.10 (a) The board and commission may jointly adopt rules, including amending Minnesota  
121.11 Rules, chapter 6600, to:

121.12 (1) enforce their powers and duties under this chapter and ensure the efficient processing  
121.13 of applications; and

121.14 (2) allow for expedited review of applications if there is unanimous support from the  
121.15 sentencing judge or successor, the prosecuting attorney or successor, and any victims of the  
121.16 crime.

121.17 (b) The time limit to adopt rules under section 14.125 does not apply.

121.18 Sec. 20. TRANSITION PERIOD.

121.19 (a) Beginning August 1, 2023, through March 1, 2024, the Department of Corrections  
121.20 must provide the Clemency Review Commission with administrative assistance, technical  
121.21 assistance, office space, and other assistance necessary for the commission to carry out its  
121.22 duties under sections 4 to 21.

121.23 (b) Beginning July 1, 2024, the Clemency Review Commission must begin reviewing  
121.24 applications for pardons, commutations, and reprieves. Applications received after the  
121.25 effective date of this section but before July 1, 2024, must be considered according to  
121.26 Minnesota Statutes 2022, sections 638.02, subdivisions 2 to 5, and 638.03 to 638.08.

121.27 (c) A pardon, commutation, or reprieve that is granted during the transition period has  
121.28 no force or effect if the governor or a board majority duly convened opposes the clemency.

121.29 (d) By July 1, 2024, the Clemency Review Commission must develop application forms  
121.30 in consultation with the Board of Pardons.

122.1 **EFFECTIVE DATE.** This section is effective the day following final enactment.

122.2 Sec. 21. **REPEALER.**

122.3 Minnesota Statutes 2022, sections 638.02; 638.03; 638.04; 638.05; 638.06; 638.07;  
 122.4 638.075; and 638.08, are repealed.

122.5 **EFFECTIVE DATE.** This section is effective the day following final enactment.

122.6 Sec. 22. **EFFECTIVE DATE.**

122.7 Sections 1, 2, and 6 to 19 are effective July 1, 2024.

122.8 **ARTICLE 6**

122.9 **911 EMERGENCY COMMUNICATION SYSTEM**

122.10 Section 1. Minnesota Statutes 2022, section 403.02, subdivision 7, is amended to read:

122.11 Subd. 7. **Automatic location identification.** "Automatic location identification" means  
 122.12 the process of electronically identifying and displaying ~~the name of the subscriber and the~~  
 122.13 ~~location, where available, of the calling telephone number~~ the name of the subscriber, the  
 122.14 communications device's current location, and the callback number to a ~~person~~ public safety  
 122.15 telecommunicator answering a 911 emergency call.

122.16 Sec. 2. Minnesota Statutes 2022, section 403.02, subdivision 9a, is amended to read:

122.17 Subd. 9a. **Callback number.** "Callback number" means a telephone number or  
 122.18 functionally equivalent Internet address or device identification number used by the public  
 122.19 safety answering point to ~~recontact~~ contact the location device from which the 911 call was  
 122.20 placed.

122.21 Sec. 3. Minnesota Statutes 2022, section 403.02, is amended by adding a subdivision to  
 122.22 read:

122.23 Subd. 10a. **Cost recovery.** "Cost recovery" means costs incurred by  
 122.24 commissioner-approved originating service providers specifically for the purpose of providing  
 122.25 access to the 911 network for their subscribers or maintenance of 911 customer databases.  
 122.26 These costs may be reimbursed to the requesting originating service provider. Recoverable  
 122.27 costs include only those costs that the requesting provider would avoid if the provider were  
 122.28 not providing access to the 911 network or maintenance of 911 customer databases.

123.1 Sec. 4. Minnesota Statutes 2022, section 403.02, is amended by adding a subdivision to  
123.2 read:

123.3 Subd. 10b. **Cybersecurity.** "Cybersecurity" means the prevention of damage to,  
123.4 unauthorized use of, exploitation of, and if needed, the restoration of, electronic information  
123.5 and communications systems and services and the information contained therein to ensure  
123.6 confidentiality, integrity, and availability.

123.7 Sec. 5. Minnesota Statutes 2022, section 403.02, is amended by adding a subdivision to  
123.8 read:

123.9 Subd. 10c. **Emergency communications network service provider**  
123.10 (ECNSP). "Emergency communications network service provider" or "ECNSP" means a  
123.11 service provider, determined by the commissioner to be capable of providing effective and  
123.12 efficient components of the 911 network or its management that provides or manages all  
123.13 or portions of the statewide 911 emergency communications network. The ECNSP is the  
123.14 entity or entities that the state contracts with to provide facilities and services associated  
123.15 with operating and maintaining the Minnesota statewide 911 network.

123.16 Sec. 6. Minnesota Statutes 2022, section 403.02, subdivision 11b, is amended to read:

123.17 Subd. 11b. **Emergency response location.** "Emergency response location" means a  
123.18 location to which a 911 ~~emergency response team~~ services may be dispatched. The location  
123.19 must be specific enough to provide a reasonable opportunity for ~~the emergency response~~  
123.20 ~~team to locate~~ a caller to be located anywhere within it.

123.21 Sec. 7. Minnesota Statutes 2022, section 403.02, is amended by adding a subdivision to  
123.22 read:

123.23 Subd. 11c. **Emergency services.** "Emergency services" includes but is not limited to  
123.24 firefighting, police, ambulance, medical, or other mobile services dispatched, monitored,  
123.25 or controlled by a public safety answering point.

123.26 Sec. 8. Minnesota Statutes 2022, section 403.02, is amended by adding a subdivision to  
123.27 read:

123.28 Subd. 11d. **Emergency Services Internet (ESInet).** "Emergency Services Internet" or  
123.29 "ESInet" means an Internet protocol-based and multipurpose network supporting local,  
123.30 regional, and national public safety communications services in addition to 911 services.

124.1 The ESInet is comprised of three network components, including ingress network, next  
124.2 generation core services, and egress network.

124.3 Sec. 9. Minnesota Statutes 2022, section 403.02, is amended by adding a subdivision to  
124.4 read:

124.5 Subd. 12a. **End user equipment.** "End user equipment" means any device held or  
124.6 operated by an employee of a public safety agency, except for public safety  
124.7 telecommunicators, for the purpose of receiving voice or data communications outside of  
124.8 a public safety answering point. This includes but is not limited to mobile radios, portable  
124.9 radios, pagers, mobile computers, tablets, and cellular telephones.

124.10 Sec. 10. Minnesota Statutes 2022, section 403.02, is amended by adding a subdivision to  
124.11 read:

124.12 Subd. 13a. **Geographical Information System (GIS).** "Geographical Information  
124.13 System" or "GIS" means a system for capturing, storing, displaying, analyzing, and managing  
124.14 data and associated attributes that are spatially referenced.

124.15 Sec. 11. Minnesota Statutes 2022, section 403.02, is amended by adding a subdivision to  
124.16 read:

124.17 Subd. 14a. **Internet protocol (IP).** "Internet protocol" or "IP" means the method by  
124.18 which data are sent from one computer to another on the Internet or other networks.

124.19 Sec. 12. Minnesota Statutes 2022, section 403.02, subdivision 16a, is amended to read:

124.20 Subd. 16a. **Multiline telephone system (MLTS).** "Multiline telephone system" or  
124.21 "MLTS" means a ~~private telephone~~ system comprised of common control units, ~~telephones,~~  
124.22 ~~and telephone sets,~~ control hardware ~~and,~~ software ~~that share a common interface to the~~  
124.23 ~~public switched telephone network,~~ and adjunct systems used to support the capabilities  
124.24 outlined in this chapter. This includes network and premises-based systems such as Centrex,  
124.25 VoIP, PBX, Hybrid, and Key Telephone Systems, as classified by the Federal  
124.26 Communications Commission requirements under Code of Federal Regulations, title 47,  
124.27 part 68, and systems owned or leased by governmental agencies ~~and,~~ nonprofit entities, ~~as~~  
124.28 well as and for-profit businesses.

125.1 Sec. 13. Minnesota Statutes 2022, section 403.02, is amended by adding a subdivision to  
125.2 read:

125.3 Subd. 16c. **Next generation core services (NGCS).** "Next generation core services" or  
125.4 "NGCS" means the base set of services needed to process a 911 call on an ESInet. These  
125.5 services include but are not limited to the Emergency Services Routing Proxy, Emergency  
125.6 Call Routing Function, Location Validation Function, Border Control Function, Bridge,  
125.7 Policy Store, Logging Services, and typical IP services such as DNS and DHCP. Next  
125.8 generation core services includes only the services and not the network on which they  
125.9 operate.

125.10 Sec. 14. Minnesota Statutes 2022, section 403.02, is amended by adding a subdivision to  
125.11 read:

125.12 Subd. 16d. **Next generation 911 (NG911).** "Next generation 911" or "NG911" means  
125.13 an Internet protocol-based system comprised of managed Emergency Services IP networks,  
125.14 functional elements and applications, and databases that replicate the traditional E911  
125.15 features and functions and that also provides additional capabilities based on industry  
125.16 standards. NG911 is designed to provide access to emergency services from all connected  
125.17 communications services and provide multimedia data capabilities for public safety answering  
125.18 points and other emergency services organizations.

125.19 Sec. 15. Minnesota Statutes 2022, section 403.02, is amended by adding a subdivision to  
125.20 read:

125.21 Subd. 16e. **911 call.** "911 call" means any form of communication requesting any type  
125.22 of emergency services by contacting a public safety answering point, including voice or  
125.23 nonvoice communications, as well as transmission of any analog or digital data. 911 call  
125.24 includes a voice call, video call, text message, or data-only call.

125.25 Sec. 16. Minnesota Statutes 2022, section 403.02, is amended by adding a subdivision to  
125.26 read:

125.27 Subd. 16f. **911 network.** "911 network" means:

125.28 (1) a legacy telecommunications network that supports basic and enhanced 911 service;  
125.29 or

125.30 (2) the ESInet that is used for 911 calls that can be shared by all public safety answering  
125.31 points and that provides the IP transport infrastructure upon which independent public safety

126.1 application platforms and core functional processes can be deployed, including but not  
 126.2 limited to those necessary for providing next generation 911 service capability.

126.3 A network may be constructed from a mix of dedicated and shared facilities and may be  
 126.4 interconnected at local, regional, state, national, and international levels.

126.5 Sec. 17. Minnesota Statutes 2022, section 403.02, is amended by adding a subdivision to  
 126.6 read:

126.7 Subd. 16g. **911 system.** "911 system" means a coordinated system of technologies,  
 126.8 networks, hardware, and software applications that a public safety answering point must  
 126.9 procure and maintain in order to connect to the state 911 network and provide 911 services.

126.10 Sec. 18. Minnesota Statutes 2022, section 403.02, is amended by adding a subdivision to  
 126.11 read:

126.12 Subd. 16h. **Originating service provider (OSP).** "Originating service provider" or  
 126.13 "OSP" means an entity that provides the capability for customers to originate 911 calls to  
 126.14 public safety answering points, including wire-line communications service providers, Voice  
 126.15 over Internet Protocol service providers, and wireless communications service providers.

126.16 Sec. 19. Minnesota Statutes 2022, section 403.02, subdivision 17, is amended to read:

126.17 Subd. 17. **911 service.** "911 service" means a telecommunications service that  
 126.18 automatically connects a person dialing the digits 911 to an established public safety  
 126.19 answering point. 911 service includes: the emergency response service a public safety  
 126.20 answering point provides as a result of processing 911 calls through its 911 system.

126.21 ~~(1) customer data and network components connecting to the common 911 network and~~  
 126.22 ~~database;~~

126.23 ~~(2) common 911 network and database equipment, as appropriate, for automatically~~  
 126.24 ~~selectively routing 911 calls to the public safety answering point serving the caller's~~  
 126.25 ~~jurisdiction; and~~

126.26 ~~(3) provision of automatic location identification if the public safety answering point~~  
 126.27 ~~has the capability of providing that service.~~

126.28 Sec. 20. Minnesota Statutes 2022, section 403.02, subdivision 17c, is amended to read:

126.29 Subd. 17c. **911 Public safety telecommunicator.** "911 Public safety telecommunicator"  
 126.30 means a person employed by a public safety answering point, an emergency medical dispatch

127.1 service provider, or both, who is qualified to answer incoming emergency telephone calls,  
127.2 text messages, and computer notifications or provide for the appropriate emergency response  
127.3 either directly or through communication with the appropriate public safety answering point.

127.4 Sec. 21. Minnesota Statutes 2022, section 403.02, is amended by adding a subdivision to  
127.5 read:

127.6 Subd. 17e. **Point of interconnection (POI).** "Point of interconnection" or "POI" means  
127.7 the location or locations within the 911 network where OSPs deliver 911 calls on behalf of  
127.8 their users or subscribers for delivery to the appropriate public service answering point.

127.9 Sec. 22. Minnesota Statutes 2022, section 403.02, subdivision 18, is amended to read:

127.10 Subd. 18. **Public safety agency.** "Public safety agency" means ~~a functional division of~~  
127.11 ~~a public agency which provides firefighting, police, medical, or other emergency services,~~  
127.12 ~~or a private entity which provides emergency medical or ambulance services~~ an agency that  
127.13 provides emergency services to the public.

127.14 Sec. 23. Minnesota Statutes 2022, section 403.02, subdivision 19, is amended to read:

127.15 Subd. 19. **Public safety answering point (PSAP).** "Public safety answering point" or  
127.16 "PSAP" means a governmental agency operating a 24-hour communications facility ~~operated~~  
127.17 ~~on a 24-hour basis which~~ that first receives 911 and other emergency calls from persons in  
127.18 ~~a 911 service area and which may, as appropriate,~~ central station notifications, text messages,  
127.19 and computer notifications and directly dispatch public safety dispatches emergency response  
127.20 ~~services or extend, transfer, or relay 911 calls~~ relays communications to appropriate public  
127.21 safety agencies according to a specific operational policy.

127.22 Sec. 24. Minnesota Statutes 2022, section 403.02, subdivision 19a, is amended to read:

127.23 Subd. 19a. **Secondary public safety answering point.** "Secondary public safety  
127.24 answering point" means a communications facility that: ~~(1) is operated on a 24-hour basis,~~  
127.25 ~~in which a minimum of three public safety answering points (PSAPs) route calls for~~  
127.26 ~~postdispatch or prearrival instructions; (2) receives calls directly from medical facilities to~~  
127.27 ~~reduce call volume at the PSAPs; and (3) is able to receive 911 calls routed to it from a~~  
127.28 ~~PSAP when the PSAP is unable to receive or answer 911 calls~~ receives calls transferred  
127.29 from a public safety answering point and is connected to the 911 network.

128.1 Sec. 25. Minnesota Statutes 2022, section 403.02, is amended by adding a subdivision to  
128.2 read:

128.3 Subd. 19c. **Public Utilities Commission (PUC).** "Public Utilities Commission" or  
128.4 "PUC" means the Minnesota state commission defined in section 216A.03.

128.5 Sec. 26. Minnesota Statutes 2022, section 403.02, is amended by adding a subdivision to  
128.6 read:

128.7 Subd. 19d. **Regional board.** "Regional board" means one of the seven emergency  
128.8 services and emergency communications boards in this state.

128.9 Sec. 27. Minnesota Statutes 2022, section 403.02, is amended by adding a subdivision to  
128.10 read:

128.11 Subd. 19e. **Service user.** "Service user" means any person who initiates a 911 call to  
128.12 receive emergency services.

128.13 Sec. 28. Minnesota Statutes 2022, section 403.02, is amended by adding a subdivision to  
128.14 read:

128.15 Subd. 19f. **Voice over Internet Protocol (VoIP) service provider.** "Voice over Internet  
128.16 Protocol service provider" or "VoIP service provider" means an entity that provides distinct  
128.17 packetized voice information in a digital format using the Internet protocol directly or  
128.18 through a third party, marketed or sold as either a telephone service or an information service  
128.19 interconnected with the PSTN, including both facilities-based service providers and resellers  
128.20 of such services.

128.21 Sec. 29. Minnesota Statutes 2022, section 403.02, subdivision 20, is amended to read:

128.22 Subd. 20. ~~Wire-line telecommunications~~ communications **service provider.** "Wire-line  
128.23 ~~telecommunications~~ communications service provider" means a person, firm, association,  
128.24 corporation, or other legal entity, however organized, or combination of them, authorized  
128.25 by state or federal regulatory agencies to furnish ~~telecommunications~~ communications  
128.26 service, including local service, over wire-line facilities.

128.27 Sec. 30. Minnesota Statutes 2022, section 403.02, subdivision 20a, is amended to read:

128.28 Subd. 20a. ~~Wireless telecommunications~~ communications **service.** "Wireless  
128.29 ~~telecommunications~~ communications service" means a commercial mobile radio service,  
128.30 as that term is defined in Code of Federal Regulations, title 47, section 20.3, including all



129.1 broadband personal communication services, wireless radio telephone services, and  
 129.2 geographic area specialized mobile radio licensees, that offer real-time, two-way voice  
 129.3 service interconnected with the public switched telephone network.

129.4 Sec. 31. Minnesota Statutes 2022, section 403.02, subdivision 21, is amended to read:

129.5 Subd. 21. **Wireless ~~telecommunications~~ communications service provider.** "Wireless  
 129.6 ~~telecommunications~~ communications service provider" means a provider of wireless  
 129.7 ~~telecommunications~~ communications service.

129.8 Sec. 32. Minnesota Statutes 2022, section 403.025, is amended to read:

129.9 **403.025 911 EMERGENCY ~~TELECOMMUNICATIONS~~ COMMUNICATIONS**  
 129.10 **SYSTEM AND SERVICES REQUIRED.**

129.11 ~~Subdivision 1. **General requirement.** Each county shall operate and maintain a 911~~  
 129.12 ~~emergency telecommunications system.~~

129.13 Subd. 1a. **Emergency telephone number 911.** The digits 911, so designated by the  
 129.14 Federal Communications Commission, must be the primary emergency telephone number  
 129.15 within the ~~system~~ 911 network. A public safety agency may maintain a separate secondary  
 129.16 backup number for emergency calls and ~~shall~~ must maintain a separate number for  
 129.17 nonemergency telephone calls.

129.18 Subd. 1b. **State requirements.** The commissioner must establish, maintain, and make  
 129.19 available to all counties a statewide interoperable ESInet backbone 911 network that ensures  
 129.20 interoperability between all public safety answering points connected to the network and  
 129.21 meets the requirements of counties operating 911 systems that have an approved update to  
 129.22 their 911 plans.

129.23 Subd. 1c. **Contractual requirements.** (a) The commissioner must contract with one or  
 129.24 more ECNSPs to deliver the 911 network.

129.25 (b) The contract language or subsequent amendments to the contracts between the parties  
 129.26 must contain provisions on how the 911 call routing and location validation data provided  
 129.27 by the counties will be utilized by the ECNSPs, including how data coordination and quality  
 129.28 assurance with the counties will be conducted.

129.29 (c) The contract language or subsequent amendments to contracts between the parties  
 129.30 must contain provisions for resolving disputes.

130.1 (d) All data required under this chapter or Minnesota Rules, chapter 7580, to route 911  
 130.2 calls, provide caller location, or validate possible 911 caller location information that is  
 130.3 utilized or intended to be utilized by the 911 system must be provided by the counties and  
 130.4 the state without cost and may be utilized by ECNSPs and OSPs for purposes of performing  
 130.5 location data quality assurance, ensuring 911 system performance and statutory compliance.  
 130.6 Use of the data is governed by section 403.07 and Minnesota Rules, chapter 7580.

130.7 Subd. 1d. **Intergovernmental agreements.** Intergovernmental agreements may be  
 130.8 implemented between the commissioner and counties or regional boards to support 911  
 130.9 system plan changes, communicate the network design, and specify cybersecurity standards.  
 130.10 The commissioner must develop the master agreement in collaboration with the governmental  
 130.11 entity.

130.12 Subd. 1e. **County requirements.** (a) Each county must operate and maintain a 911  
 130.13 system and provide 911 services.

130.14 (b) Each county is responsible for creating and maintaining a master street address guide  
 130.15 and Geographical Information Systems data necessary to support accurate 911 call routing  
 130.16 and location validation required to support the 911 network.

130.17 Subd. 1f. **911 plans.** Each participating county, federal, Tribal, or other organization  
 130.18 must maintain and update a 911 plan that accurately documents current operations and 911  
 130.19 system configurations within the public safety answering point in accordance with Minnesota  
 130.20 Rules, chapter 7580. The commissioner must review 911 system plans for compliance with  
 130.21 911 network and cybersecurity standards required under Minnesota Rules, chapter 7580.

130.22 Subd. 1g. **Secondary public safety answering point requirements.** Secondary public  
 130.23 safety answering points may be required to engage in agreements with the commissioner  
 130.24 regarding network design standards, cybersecurity standards, and 911 fee audits.

130.25 Subd. 2. **Multijurisdictional system.** The 911 network, 911 services, and 911 systems  
 130.26 may be multijurisdictional and regional in character provided that design and implementation  
 130.27 are preceded by cooperative planning on a county-by-county basis with local public safety  
 130.28 agencies. An intergovernmental agreement must be in place between the participating  
 130.29 government entities in a multijurisdictional or regional system, and the commissioner must  
 130.30 be notified of the 911 plan change in accordance with Minnesota Rules, chapter 7580.

130.31 Subd. 3. **Connected telecommunications originating service provider**  
 130.32 requirements. Every owner and operator of a wire-line or wireless circuit-switched or  
 130.33 packet-based telecommunications system connected to the public-switched telephone network  
 130.34 shall design and maintain the system to dial the 911 number without charge to the caller.

131.1 Every OSP must allow Minnesota customers to access 911 without charge and deliver the  
 131.2 request for emergency assistance to the 911 network at a state-designated POI and provide  
 131.3 caller location information unless there are circumstances beyond the control of the provider  
 131.4 to define a valid caller address, geographic location, and primary place of address.

131.5 Subd. 3a. **Originating service provider contractual requirements.** (a) The state may  
 131.6 contract with the appropriate wire-line telecommunications service providers or other entities  
 131.7 determined by the commissioner to be eligible for cost recovery for providing access to the  
 131.8 911 network for their subscribers.

131.9 (b) The contract language or subsequent amendments to the contract must include a  
 131.10 description of the costs that are being reimbursed. The contract language or subsequent  
 131.11 amendments must include the terms of compensation based on the effective tariff or price  
 131.12 list filed with the Public Utilities Commission or the prices agreed to by the parties.

131.13 (c) The contract language or subsequent amendments to contracts between the parties  
 131.14 must contain a provision for resolving disputes.

131.15 ~~Subd. 4. **Wireless requirements.** Every owner and operator of a wireless~~  
 131.16 ~~telecommunications system shall design and maintain the system to dial the 911 number~~  
 131.17 ~~without charge to the caller.~~

131.18 **Subd. 5. Pay phone requirements.** Every pay phone owner and operator ~~shall~~ must  
 131.19 permit dialing of the 911 number without coin and without charge to the caller.

131.20 **Subd. 6. Multistation or PBX system.** Every owner and operator of a multistation or  
 131.21 private branch exchange (PBX) multiline telephone system ~~shall~~ must design and maintain  
 131.22 the system to dial the 911 number without charge to the caller.

131.23 ~~Subd. 7. **Contractual requirements.** (a) The state shall contract with the county or other~~  
 131.24 ~~governmental agencies operating public safety answering points and with the appropriate~~  
 131.25 ~~wire-line telecommunications service providers or other entities determined by the~~  
 131.26 ~~commissioner to be capable of providing effective and efficient components of the 911~~  
 131.27 ~~system for the operation, maintenance, enhancement, and expansion of the 911 system.~~

131.28 ~~(b) The contract language or subsequent amendments to the contract must include a~~  
 131.29 ~~description of the services to be furnished to the county or other governmental agencies~~  
 131.30 ~~operating public safety answering points. The contract language or subsequent amendments~~  
 131.31 ~~must include the terms of compensation based on the effective tariff or price list filed with~~  
 131.32 ~~the Public Utilities Commission or the prices agreed to by the parties.~~

132.1 ~~(e) The contract language or subsequent amendments to contracts between the parties~~  
132.2 ~~must contain a provision for resolving disputes.~~

132.3 Sec. 33. Minnesota Statutes 2022, section 403.03, subdivision 2, is amended to read:

132.4 Subd. 2. **Telephone cardiopulmonary resuscitation program.** (a) ~~On or before July~~  
132.5 ~~1, 2021,~~ Every public safety answering point must maintain a telephone cardiopulmonary  
132.6 resuscitation program by either:

132.7 (1) providing each 911 telecommunicator with training in cardiopulmonary resuscitation;  
132.8 or

132.9 (2) transferring callers to another public safety answering point with 911  
132.10 telecommunicators that have received training in cardiopulmonary resuscitation.

132.11 (b) Training in cardiopulmonary resuscitation must, at a minimum, include:

132.12 (1) use of an evidence-based protocol or script for providing cardiopulmonary  
132.13 resuscitation instruction that has been recommended by an academic institution or a nationally  
132.14 recognized organization specializing in medical dispatch and, if the public safety answering  
132.15 point has a medical director, approved by that medical director; and

132.16 (2) appropriate continuing education, as determined by the evidence-based protocol for  
132.17 providing cardiopulmonary resuscitation instruction and, if the public safety answering  
132.18 point has a medical director, approved by that medical director.

132.19 (c) A public safety answering point that transfers callers to another public safety  
132.20 answering point must, at a minimum:

132.21 (1) use an evidence-based protocol for the identification of a person in need of  
132.22 cardiopulmonary resuscitation;

132.23 (2) provide each 911 telecommunicator with appropriate training and continuing education  
132.24 to identify a person in need of cardiopulmonary resuscitation through the use of an  
132.25 evidence-based protocol; and

132.26 (3) ensure that any public safety answering point to which calls are transferred uses 911  
132.27 telecommunicators who meet the training requirements under paragraph (b).

132.28 (d) Each public safety answering point shall conduct ongoing quality assurance of its  
132.29 telephone cardiopulmonary resuscitation program.

133.1 Sec. 34. Minnesota Statutes 2022, section 403.05, is amended to read:

133.2 **403.05 911 SYSTEM NETWORK OPERATION AND MAINTENANCE.**

133.3 Subdivision 1. **Operate and maintain.** ~~Each county or any other governmental agency~~  
 133.4 ~~shall~~ The commissioner must operate and maintain its statewide 911 system to meet  
 133.5 network meeting the requirements of governmental agencies whose services are available  
 133.6 through the 911 system and to permit future expansion or enhancement of the system. set  
 133.7 forth by the commissioner through rules established under chapter 14, including but not  
 133.8 limited to network and data performance measures, diversity, redundancy, interoperability,  
 133.9 and cybersecurity. Each county, federal, Tribal, or other organization connected to the  
 133.10 statewide 911 network must operate and maintain a 911 system that meets the requirements  
 133.11 of governmental agencies whose services are available through the 911 network.

133.12 Subd. 1a. **GIS validation and aggregation.** The commissioner must provide geospatial  
 133.13 data validation and aggregation tools that counties need in order to share the GIS data  
 133.14 required for the 911 network.

133.15 Subd. 2. **Rule requirements for 911 system plans.** ~~Each county or any other~~  
 133.16 ~~governmental agency shall maintain and update its 911 system plans as required under~~  
 133.17 ~~Minnesota Rules, chapter 7580.~~

133.18 Subd. 2a. **Responsibilities of PSAPs.** (a) Each PSAP connecting to the statewide 911  
 133.19 network must comply with state and, where applicable, regional 911 plans. Federal, Tribal,  
 133.20 or other governmental organizations operating their own 911 systems must be approved by  
 133.21 the commissioner.

133.22 (b) Any PSAP not connected to the state 911 network that desires to interact with a 911  
 133.23 system or has an agreement for shared 911 services must be interoperable with the state  
 133.24 911 network.

133.25 Subd. 3. **Agreements for service.** ~~Each county or any other governmental agency shall~~  
 133.26 ~~contract with the state for the recurring and nonrecurring costs associated with operating~~  
 133.27 ~~and maintaining 911 emergency communications systems. If requested by the county or~~  
 133.28 ~~other governmental agency, the county or agency is entitled to be a party to any contract~~  
 133.29 ~~between the state and any wire-line telecommunications service provider or 911 emergency~~  
 133.30 ~~telecommunications service provider providing components of the 911 system within the~~  
 133.31 ~~county.~~ The state must contract for facilities and services associated with the operation and  
 133.32 maintenance of the statewide 911 network and ESInet. The contract and any subsequent  
 133.33 amendments must include a description of the services to be provided and the terms of  
 133.34 compensation based on the prices agreed to by the parties.

134.1 Sec. 35. Minnesota Statutes 2022, section 403.06, is amended to read:

134.2 **403.06 COMMISSIONER'S DUTIES.**

134.3 Subdivision 1. **System coordination, improvements, variations, and agreements.** The  
 134.4 commissioner ~~shall~~ may coordinate with counties on the management and maintenance of  
 134.5 their 911 systems. If requested, the commissioner shall must aid counties in the formulation  
 134.6 of ~~concepts, methods,~~ their public safety answering point plans, system design plans,  
 134.7 performance and operational requirements, and procedures which will improve the operation  
 134.8 and maintenance of their 911 systems. ~~The commissioner shall establish procedures for~~  
 134.9 ~~determining and evaluating requests for variations from the established design standards.~~  
 134.10 ~~The commissioner shall respond to requests by wireless or wire-line telecommunications~~  
 134.11 ~~service providers or by counties or other governmental agencies for system agreements,~~  
 134.12 ~~contracts, and tariff language promptly and no later than within 45 days of the request unless~~  
 134.13 ~~otherwise mutually agreed to by the parties.~~

134.14 Subd. 1a. **Biennial budget; annual financial report.** The commissioner ~~shall~~ must  
 134.15 prepare a biennial budget ~~for maintaining the 911 system.~~ by December 15 of each year,  
 134.16 The commissioner ~~shall~~ must submit a report to the legislature detailing the expenditures  
 134.17 for maintaining the 911 ~~system~~ network, the 911 fees collected, the balance of the 911 fund,  
 134.18 ~~the~~ 911-related administrative expenses of the commissioner, and the most recent forecast  
 134.19 of revenues and expenditures for the 911 emergency telecommunications service account,  
 134.20 including a separate projection of ~~E911~~ 911 fees from prepaid wireless customers and  
 134.21 projections of year-end fund balances. The commissioner is authorized to expend money  
 134.22 that has been appropriated to pay for the maintenance, enhancements, and expansion of the  
 134.23 911 ~~system~~ network.

134.24 Subd. 1b. **Connection plan required; commissioner review and enforcement.** (a)  
 134.25 The commissioner must respond to network and database change requests by OSPs promptly  
 134.26 and no later than 45 days after the request unless otherwise mutually agreed to by the parties.  
 134.27 All network and location database variances requested by OSPs connecting to the ESInet  
 134.28 must comply with Minnesota Rules.

134.29 (b) All OSPs must submit and maintain a plan for connection to the 911 network POIs  
 134.30 in accordance with the requirements set forth in Minnesota Rules. The commissioner must  
 134.31 review all connection plans to ensure compliance with all 911 network and database design  
 134.32 and performance requirements.

134.33 Subd. 2. **Waiver.** Any county, ~~other governmental agency, wireless telecommunications~~  
 134.34 ~~service provider, or wire-line telecommunications service provider~~ federal, Tribal, or other

135.1 organization connected to the statewide 911 network or OSP may petition the commissioner  
 135.2 for a waiver of all or portions of the requirements. A waiver may be granted upon a  
 135.3 demonstration by the petitioner that the requirement is economically infeasible.

135.4 Sec. 36. Minnesota Statutes 2022, section 403.07, is amended to read:

135.5 **403.07 NETWORK STANDARDS ESTABLISHED; DATA PRIVACY.**

135.6 Subdivision 1. **Rules.** The commissioner ~~shall~~ must establish and adopt in accordance  
 135.7 with chapter 14, rules for the administration of this chapter and for the development of 911  
 135.8 ~~systems~~ network in the state including:

135.9 (1) design and performance standards for the 911 systems ~~incorporating the standards~~  
 135.10 ~~adopted pursuant to subdivision 2 for the seven-county metropolitan area~~ network, including  
 135.11 but not limited to network, routing, and database standards for counties, OSPs, and ECNSPs;  
 135.12 and

135.13 (2) ~~a procedure for determining and evaluating requests for variations from the established~~  
 135.14 ~~design standards~~ design and performance standards for the ten-county metropolitan area,  
 135.15 incorporating the standards adopted pursuant to subdivision 2.

135.16 Subd. 2. **Design standards for metropolitan area.** The Metropolitan Emergency  
 135.17 Services Board ~~shall~~ must establish and adopt design and performance standards for the  
 135.18 ~~metropolitan area 911 system and transmit them to the commissioner for incorporation into~~  
 135.19 ~~the rules adopted pursuant to this section.~~ 911 network for the ten-county metropolitan area,  
 135.20 including but not limited to network design, routing, and database standards for counties,  
 135.21 OSP, and ECNSPs operating in the ten-county metropolitan area and provide them to the  
 135.22 commissioner in accordance with chapter 14 for incorporation into the rules adopted pursuant  
 135.23 to this section. The standards must be interoperable with the statewide 911 network and  
 135.24 data standards.

135.25 Subd. 3. **Database Location data.** ~~In 911 systems that have been approved by the~~  
 135.26 ~~commissioner for a local location identification database, each wire-line telecommunications~~  
 135.27 ~~service provider shall provide current customer names, service addresses, and telephone~~  
 135.28 ~~numbers to each public safety answering point within the 911 system and shall update the~~  
 135.29 ~~information according to a schedule prescribed by the county 911 plan. Information provided~~  
 135.30 ~~under this subdivision must be provided in accordance with the transactional record disclosure~~  
 135.31 ~~requirements of the federal Communications Act of 1934, United States Code, title 47,~~  
 135.32 ~~section 222, subsection (g).~~ All OSPs must provide to the 911 network, at the time of each  
 135.33 911 call, the location of the device making the 911 call, unless there are circumstances

136.1 beyond the control of the provider that prevents the OSP from sharing the location data.  
 136.2 Any OSP supplying the location of 911 calls in civic address form must prevalidate the  
 136.3 address to location data supplied by the county accessible through the NGCS.

136.4 Subd. 3a. **Access to data for accuracy.** (a) OSPs must, upon request of the state, a  
 136.5 region, the ECNSP, or a PSAP, provide a description or copy of subscriber address location  
 136.6 information or GIS data used by the OSP that is necessary to verify location and routing  
 136.7 accuracy of 911 calls. Any ECNSP routing 911 calls must, upon request of the state, provide  
 136.8 a copy of routing files used in determining PSAP selection for the purpose of verifying  
 136.9 routing accuracy.

136.10 (b) OSPs must, upon request of the state, a region, the ECNSP, or a PSAP, provide a  
 136.11 copy of subscriber address location information for uses specific to 911 systems. This request  
 136.12 may carry a cost to the requester.

136.13 Subd. 3b. **Database standards in metropolitan area.** The Metropolitan Emergency  
 136.14 Services Board must establish and adopt 911 database standards for OSPs operating in the  
 136.15 ten-county metropolitan area 911 system and provide them to the commissioner for  
 136.16 incorporation in accordance with chapter 14 into the rules adopted pursuant to this section.

136.17 Subd. 4. **Use of furnished information.** (a) Names, addresses, and telephone numbers  
 136.18 provided to a 911 system under subdivision 3 are private data and may be used only:

136.19 (1) to identify the location or identity, or both, of a person calling a 911 ~~public safety~~  
 136.20 ~~answering point~~ PSAP; or

136.21 (2) by a ~~public safety answering point~~ PSAP to notify the public of an emergency.

136.22 (b) The information furnished under ~~subdivision 3~~ this chapter and the rules adopted  
 136.23 pursuant to subdivision 1 may not be used or disclosed by 911 system agencies, their agents,  
 136.24 or their employees for any other purpose except under a court order.

136.25 ~~(b)~~ (c) For purposes of this subdivision, "emergency" means a situation in which property  
 136.26 or human life is in jeopardy and the prompt notification of the public by the public safety  
 136.27 answering point is essential.

136.28 Subd. 5. **Liability.** (a) ~~A wire-line telecommunications service provider~~ An OSP, its  
 136.29 employees, or its agents are not liable to any person who uses ~~enhanced 911~~  
 136.30 ~~telecommunications service~~ NG911 services for release of subscriber information required  
 136.31 under this chapter to any ~~public safety answering point~~ PSAP.

136.32 (b) ~~A wire-line telecommunications service provider~~ An OSP is not liable to any person  
 136.33 for the good-faith release to emergency communications personnel of information not in



137.1 the public record, including, but not limited to, nonpublished or nonlisted telephone numbers,  
 137.2 except for willful or wanton misconduct.

137.3 ~~(c) A wire-line telecommunications service provider, its employees, or its agents are not~~  
 137.4 ~~liable to any person for civil damages resulting from or caused by any act or omission in~~  
 137.5 ~~the development, design, installation, operation, maintenance, performance, or provision~~  
 137.6 ~~of enhanced 911 telecommunications service, except for willful or wanton misconduct.~~

137.7 ~~(d) A multiline telephone system manufacturer, provider, or operator is not liable for~~  
 137.8 ~~any civil damages or penalties as a result of any act or omission, except willful or wanton~~  
 137.9 ~~misconduct, in connection with developing, designing, installing, maintaining, performing,~~  
 137.10 ~~provisioning, adopting, operating, or implementing any plan or system required by section~~  
 137.11 ~~403.15.~~

137.12 ~~(e) A telecommunications service provider~~ (c) An OSP that participates in or cooperates  
 137.13 with the public safety answering point in notifying the public of an emergency, as authorized  
 137.14 under subdivision 4, is immune from liability arising out of the notification except for willful  
 137.15 or wanton misconduct.

137.16 Sec. 37. Minnesota Statutes 2022, section 403.08, is amended to read:

137.17 **403.08 WIRELESS TELECOMMUNICATIONS ORIGINATING SERVICE**  
 137.18 **PROVIDER PROVIDERS.**

137.19 Subd. 7. **Duties.** ~~Each wireless telecommunications service provider shall cooperate in~~  
 137.20 ~~planning and implementing integration with enhanced 911 systems operating in their service~~  
 137.21 ~~territories to meet Federal Communications Commission enhanced 911 standards. Each~~  
 137.22 ~~wireless telecommunications service provider shall annually develop and provide to the~~  
 137.23 ~~commissioner good faith estimates of installation and recurring expenses to integrate wireless~~  
 137.24 ~~911 service into the enhanced 911 networks to meet Federal Communications Commission~~  
 137.25 ~~phase one wireless enhanced 911 standards. The commissioner shall coordinate with counties~~  
 137.26 ~~and affected public safety agency representatives in developing a statewide design and plan~~  
 137.27 ~~for implementation.~~ Each originating service provider (OSP) must cooperate in planning  
 137.28 and implementing integration with the statewide 911 network to meet Federal  
 137.29 Communications Commission and Public Utilities Commission 911 requirements, as  
 137.30 applicable.

137.31 Subd. 9. **Scope.** ~~Planning considerations must include cost, degree of integration into~~  
 137.32 ~~existing 911 systems, the retention of existing 911 infrastructure, and the potential~~  
 137.33 ~~implications of phase 2 of the Federal Communications Commission wireless enhanced~~

138.1 ~~911 standards~~ a plan to interconnect to the 911 network POIs, the retention and reuse of  
 138.2 existing 911 infrastructure, and the implications of the Federal Communications  
 138.3 Commission's wireless location accuracy requirements.

138.4 Subd. 10. **Plan integration.** ~~Counties shall incorporate the statewide design when~~  
 138.5 ~~modifying county 911 plans to provide for integrating wireless 911 service into existing~~  
 138.6 ~~county 911 systems.~~ An OSP must annually submit plans to the commissioner detailing  
 138.7 how they will connect, or confirming how they already connect, to the statewide 911 network.

138.8 Subd. 11. **Liability.** (a) ~~No wireless enhanced 911 emergency telecommunications~~  
 138.9 ~~service provider~~ OSP, its employees, or its agents are liable to any person for civil damages  
 138.10 resulting from or caused by any act or omission in the development, design, installation,  
 138.11 operation, maintenance, performance, or provision of ~~enhanced~~ 911 wireless service, except  
 138.12 for willful or wanton misconduct.

138.13 (b) ~~No wireless carrier, its employees, or its agents are liable to any person who uses~~  
 138.14 ~~enhanced 911 wireless service for release of subscriber information required under this~~  
 138.15 ~~chapter to any public safety answering point.~~

138.16 (b) A multiline telephone system manufacturer, provider, or operator is not liable for  
 138.17 any civil damages or penalties as a result of any act or omission, except willful or wanton  
 138.18 misconduct, in connection with developing, designing, installing, maintaining, performing,  
 138.19 provisioning, adopting, operating, or implementing any plan or system required by section  
 138.20 403.15.

138.21 Subd. 12. **Notification of subscriber.** ~~A provider of wireless telecommunications services~~  
 138.22 ~~shall notify its subscribers at the time of initial subscription and four times per year thereafter~~  
 138.23 ~~that a 911 emergency call made from a wireless telephone is not always answered by a local~~  
 138.24 ~~public safety answering point but may be routed to a State Patrol dispatcher and that,~~  
 138.25 ~~accordingly, the caller must provide specific information regarding the caller's location.~~

138.26 Sec. 38. Minnesota Statutes 2022, section 403.09, subdivision 2, is amended to read:

138.27 Subd. 2. **Commission authority.** At the request of the public utilities commission, the  
 138.28 attorney general may commence proceedings before the district court pursuant to section  
 138.29 237.27, against any ~~wire-line telecommunications~~ originating service provider that falls  
 138.30 under the commission's authority and refuses to comply with this chapter.

139.1 Sec. 39. Minnesota Statutes 2022, section 403.10, subdivision 2, is amended to read:

139.2 Subd. 2. **Notice to ~~public safety~~ government agency.** ~~Public safety~~ Government agencies  
139.3 with jurisdictional responsibilities ~~shall~~ must in all cases be notified by the public safety  
139.4 answering point of a request for service in their jurisdiction.

139.5 Sec. 40. Minnesota Statutes 2022, section 403.10, subdivision 3, is amended to read:

139.6 Subd. 3. **Allocating costs.** Counties, public agencies, operating public safety answering  
139.7 points, and other local governmental units may enter into cooperative agreements under  
139.8 section 471.59 for the allocation of operational and capital costs attributable to the 911  
139.9 system and 911 services.

139.10 Sec. 41. Minnesota Statutes 2022, section 403.11, is amended to read:

139.11 **403.11 911 SYSTEM COST ACCOUNTING REQUIREMENTS; FEE.**

139.12 Subdivision 1. **Emergency telecommunications service fee; account.** (a) Each customer  
139.13 ~~of a wireless or wire-line switched or packet-based telecommunications~~ an originating  
139.14 service provider connected to the public switched telephone network that furnishes service  
139.15 capable of originating a 911 emergency telephone call is assessed a fee based upon the  
139.16 number of wired or wireless telephone lines, or their equivalent, to provide access to the  
139.17 911 network and maintenance of the 911 customer database, or when the only option, to  
139.18 cover the costs of ongoing maintenance and related improvements for trunking and central  
139.19 office switching equipment and maintenance of 911 customer databases for 911 emergency  
139.20 telecommunications service, to offset administrative and staffing costs of the commissioner  
139.21 related to managing the 911 emergency telecommunications service program, to make  
139.22 distributions provided for in section 403.113, and to offset the costs, including administrative  
139.23 and staffing costs, incurred by the State Patrol Division of the Department of Public Safety  
139.24 in handling 911 emergency calls made from wireless phones.

139.25 (b) Money remaining in the 911 emergency telecommunications service account after  
139.26 all other obligations are paid and defined reserves are met must not cancel and is carried  
139.27 forward to subsequent years and may be appropriated ~~from time to time~~ to the commissioner  
139.28 to provide financial assistance to ~~counties~~ eligible entities for the improvement of ~~local~~  
139.29 ~~emergency telecommunications services~~ 911 systems in compliance with use as designated  
139.30 in section 403.113, subdivision 3.

139.31 (c) The fee may not be more than 95 cents a month on or after July 1, 2010, for each  
139.32 customer access line or other basic access service, including trunk equivalents as designated

140.1 by the Public Utilities Commission for access charge purposes and including wireless  
 140.2 telecommunications services. With the approval of the commissioner of management and  
 140.3 budget, the commissioner of public safety ~~shall~~ must establish the amount of the fee within  
 140.4 the limits specified and inform the companies and carriers of the amount to be collected.  
 140.5 ~~When the revenue bonds authorized under section 403.27, subdivision 1, have been fully~~  
 140.6 ~~paid or defeased, the commissioner shall reduce the fee to reflect that debt service on the~~  
 140.7 ~~bonds is no longer needed.~~ The commissioner ~~shall~~ must provide companies and carriers a  
 140.8 minimum of 45 days' notice of each fee change. The fee must be the same for all customers,  
 140.9 except that the fee imposed under this subdivision does not apply to prepaid wireless  
 140.10 telecommunications service, which is instead subject to the fee imposed under section  
 140.11 403.161, subdivision 1, paragraph (a).

140.12 (d) The fee must be collected by each ~~wireless or wire-line telecommunications~~  
 140.13 originating service provider subject to the fee. Fees are payable to and must be submitted  
 140.14 to the commissioner monthly before the 25th of each month following the month of  
 140.15 collection, except that fees may be submitted quarterly if less than \$250 a month is due, or  
 140.16 annually if less than \$25 a month is due. Receipts must be deposited in the state treasury  
 140.17 and credited to a 911 emergency telecommunications service account in the special revenue  
 140.18 fund. The money in the account may only be used for 911 telecommunications services.  
 140.19 The money in the account may only be used for costs outlined in section 403.113.

140.20 (e) Competitive local exchanges carriers holding certificates of authority from the Public  
 140.21 Utilities Commission are eligible to receive payment for recurring 911 services.

140.22 Subd. 1a. **Fee collection declaration.** If the commissioner disputes the accuracy of a  
 140.23 fee submission or if no fees are submitted by a ~~wireless, wire-line, or packet-based~~  
 140.24 ~~telecommunications service provider, the wireless, wire-line, or packet-based~~  
 140.25 ~~telecommunications~~ an originating service provider ~~shall~~, the OSP must submit a sworn  
 140.26 declaration signed by an officer of the company certifying, under penalty of perjury, that  
 140.27 the information provided with the fee submission is true and correct. The sworn declaration  
 140.28 must specifically describe and affirm that the 911 fee computation is complete and accurate.  
 140.29 ~~When a wireless, wire-line, or packet-based telecommunications service provider~~ an OSP  
 140.30 fails to provide a sworn declaration within 90 days of notice by the commissioner that the  
 140.31 fee submission is disputed, the commissioner may estimate the amount due from the ~~wireless,~~  
 140.32 ~~wire-line, or packet-based telecommunications service provider~~ OSP and refer that amount  
 140.33 for collection under section 16D.04.

140.34 Subd. 1b. **Examination of fees.** If the commissioner determines that an examination is  
 140.35 necessary to document the fee submission and sworn declaration in subdivision 1a, the

141.1 ~~wireless, wire-line, or packet-based telecommunications service provider~~ OSP must contract  
 141.2 with an independent certified public accountant to conduct an examination of fees. The  
 141.3 examination must be conducted in accordance with attestation audit standards.

141.4 Subd. 3. **Method of payment.** (a) Any wireless or wire-line telecommunications service  
 141.5 provider incurring reimbursable costs under subdivision 1 ~~shall submit an invoice itemizing~~  
 141.6 ~~rate elements by county or service area to the commissioner for 911 services furnished under~~  
 141.7 ~~contract. Any wireless or wire-line telecommunications service provider is eligible to receive~~  
 141.8 ~~payment for 911 services rendered according to the terms and conditions specified in the~~  
 141.9 ~~contract. The commissioner shall pay the invoice within 30 days following receipt of the~~  
 141.10 ~~invoice unless the commissioner notifies the service provider that the commissioner disputes~~  
 141.11 ~~the invoice~~ must be paid in accordance with the amount and terms of their valid cost recovery  
 141.12 contract as described in section 403.025, subdivision 3a.

141.13 (b) The commissioner ~~shall~~ must estimate the amount required to reimburse 911  
 141.14 ~~emergency telecommunications service providers and wireless and wire-line~~  
 141.15 ~~telecommunications service providers~~ the OSP for the state's obligations under subdivision  
 141.16 1 and the governor ~~shall~~ must include the estimated amount in the biennial budget request.

141.17 Subd. 3a. **Timely invoices.** ~~An invoice for services provided for in the contract with a~~  
 141.18 ~~wireless or wire-line telecommunications service provider must be submitted to the~~  
 141.19 ~~commissioner no later than 90 days after commencing a new or additional eligible 911~~  
 141.20 ~~service. Each applicable contract must provide that, if certified expenses under the contract~~  
 141.21 ~~deviate from estimates in the contract by more than ten percent, the commissioner may~~  
 141.22 ~~reduce the level of service without incurring any termination fees.~~

141.23 Subd. 3b. **Declaration.** ~~If the commissioner disputes an invoice, the wireless and~~  
 141.24 ~~wire-line telecommunications service providers shall submit a declaration under section~~  
 141.25 ~~16A.41 signed by an officer of the company with the invoices for payment of service~~  
 141.26 ~~described in the service provider's 911 contract. The sworn declaration must specifically~~  
 141.27 ~~describe and affirm that the 911 service contracted for is being provided and the costs~~  
 141.28 ~~invoiced for the service are true and correct. When a wireless or wire-line telecommunications~~  
 141.29 ~~service provider fails to provide a sworn declaration within 90 days of notice by the~~  
 141.30 ~~commissioner that the invoice is disputed, the disputed amount of the invoice must be~~  
 141.31 ~~disallowed.~~

141.32 Subd. 3c. **Audit.** ~~If the commissioner determines that an audit is necessary to document~~  
 141.33 ~~the invoice and sworn declaration in subdivision 3b~~ costs eligible for recovery as detailed  
 141.34 in subdivision 1, the ~~wireless or wire-line telecommunications service provider~~ OSP must

142.1 contract with an independent certified public accountant to conduct the audit. The audit  
 142.2 must be conducted according to generally accepted accounting principles. The ~~wireless or~~  
 142.3 ~~wire-line telecommunications service provider~~ OSP is responsible for any costs associated  
 142.4 with the audit.

142.5 Subd. 3d. **Eligible telecommunications carrier; requirement.** No ~~wireless~~  
 142.6 ~~communications provider~~ OSP may provide telecommunications services under a designation  
 142.7 of eligible telecommunications carrier, as provided under Minnesota Rules, part 7811.1400,  
 142.8 until and unless the commissioner of public safety certifies to the chair of the public utilities  
 142.9 commission that the wireless telecommunications provider is not in arrears in amounts owed  
 142.10 to the 911 emergency telecommunications service account in the special revenue fund.

142.11 Subd. 4. **Local recurring costs.** Recurring costs ~~of~~ not covered as part of the state 911  
 142.12 network contracts for telecommunications equipment and services at public safety answering  
 142.13 points must be borne by the local governmental agency operating the public safety answering  
 142.14 point or allocated pursuant to section 403.10, subdivision 3. Costs attributable to local  
 142.15 government electives for services not otherwise addressed under section 403.11 or 403.113  
 142.16 must be borne by the governmental agency requesting the elective service.

142.17 Subd. 5. **Tariff notification.** Wire-line telecommunications service providers or wireless  
 142.18 telecommunications service providers holding eligible telecommunications carrier status  
 142.19 ~~shall~~ must give notice to the commissioner and any other affected governmental agency of  
 142.20 tariff or price list changes related to 911 service at the same time that the filing is made with  
 142.21 the public utilities commission.

142.22 Subd. 6. **OSP report.** (a) ~~Beginning Each~~ September 1, 2013, and continuing  
 142.23 ~~semiannually thereafter and March 1, each wireless telecommunications service provider~~  
 142.24 ~~shall~~ OSP must report to the commissioner, based on the ~~mobile~~ subscriber's telephone  
 142.25 number, ~~both.~~ Wireless communication providers must include the total number of prepaid  
 142.26 wireless telecommunications subscribers sourced to Minnesota and the total number of  
 142.27 wireless telecommunications subscribers sourced to Minnesota. The report must be filed  
 142.28 on the same schedule as Federal Communications Commission Form 477.

142.29 (b) The commissioner ~~shall~~ must make a standard form available to all wireless  
 142.30 telecommunications service providers for submitting information required to compile the  
 142.31 report required under this subdivision.

142.32 (c) The information provided to the commissioner under this subdivision is considered  
 142.33 trade secret information under section 13.37 and may only be used for purposes of  
 142.34 administering this chapter.

143.1 Sec. 42. Minnesota Statutes 2022, section 403.113, is amended to read:

143.2 **403.113 ENHANCED 911 SERVICE COSTS; FEE.**

143.3 Subdivision 1. **Fee.** A portion of the fee collected under section 403.11 must be used to  
 143.4 fund implementation, operation, maintenance, enhancement, and expansion of ~~enhanced~~  
 143.5 the 911 service network, including acquisition of necessary equipment and the costs of the  
 143.6 commissioner to administer the program in accordance with Federal Communications  
 143.7 Commission rules.

143.8 Subd. 2. **Distribution of money.** (a) After payment of the costs of the commissioner to  
 143.9 administer the program, the commissioner ~~shall~~ must distribute the money collected under  
 143.10 this section as follows:

143.11 (1) one-half of the amount equally to all qualified counties, and after October 1, 1997,  
 143.12 to all qualified counties, existing ten public safety answering points operated by the  
 143.13 Minnesota State Patrol, and each governmental entity operating the individual public safety  
 143.14 answering points serving the Metropolitan Airports Commission, the Red Lake Indian  
 143.15 Reservation, and the University of Minnesota Police Department; and

143.16 (2) the remaining one-half to qualified counties and cities with existing 911 systems  
 143.17 based on each county's or city's percentage of the total population of qualified counties and  
 143.18 cities. The population of a qualified city with an existing system must be deducted from its  
 143.19 county's population when calculating the county's share under this clause if the city seeks  
 143.20 direct distribution of its share.

143.21 (b) A county's share under subdivision 1 must be shared pro rata between the county  
 143.22 and existing city systems in the county. A county or city or other governmental entity as  
 143.23 described in paragraph (a), clause (1), ~~shall~~ must deposit money received under this  
 143.24 subdivision in an interest-bearing fund or account separate from the governmental entity's  
 143.25 general fund and may use money in the fund or account only for the purposes specified in  
 143.26 subdivision 3.

143.27 (c) A county or city or other governmental entity as described in paragraph (a), clause  
 143.28 (1), is not qualified to share in the distribution of money for ~~enhanced~~ 911 service if it has  
 143.29 not implemented enhanced 911 service before December 31, 1998.

143.30 (d) For the purposes of this subdivision, "existing city system" means a city 911 system  
 143.31 that provides at least basic 911 service and that was implemented on or before April 1, 1993.

143.32 Subd. 3. **Local expenditures.** (a) Money distributed under subdivision 2 for ~~enhanced~~  
 143.33 911 service systems or services may be spent on ~~enhanced~~ 911 system costs for the purposes

144.1 stated in subdivision 1. ~~In addition, money may be spent to lease, purchase, lease-purchase,~~  
 144.2 ~~or maintain enhanced 911 equipment, including telephone equipment; recording equipment;~~  
 144.3 ~~computer hardware; computer software for database provisioning, addressing, mapping,~~  
 144.4 ~~and any other software necessary for automatic location identification or local location~~  
 144.5 ~~identification; trunk lines; selective routing equipment; the master street address guide;~~  
 144.6 ~~dispatcher public safety answering point equipment proficiency and operational skills; pay~~  
 144.7 ~~for long-distance charges incurred due to transferring 911 calls to other jurisdictions; and~~  
 144.8 ~~the equipment necessary within the public safety answering point for community alert~~  
 144.9 ~~systems and to notify and communicate with the emergency services requested by the 911~~  
 144.10 ~~caller. as well as expenses deemed allowable in accordance with Code of Federal Regulations,~~  
 144.11 ~~title 47, section 9.2.~~

144.12 (b) Money distributed for ~~enhanced 911 service systems or services~~ may not be spent  
 144.13 on:

144.14 (1) purchasing or leasing of real estate or cosmetic additions to or remodeling of  
 144.15 ~~communications centers~~ public safety answering points;

144.16 (2) ~~mobile communications vehicles~~, fire engines, ambulances, law enforcement vehicles,  
 144.17 or other emergency vehicles;

144.18 (3) signs, posts, or other markers related to addressing or any costs associated with the  
 144.19 installation or maintenance of signs, posts, or markers;

144.20 (4) any purposes prohibited by the Federal Communications Commission;

144.21 (5) the transfer of 911 fees into a state or other jurisdiction's general fund or other fund  
 144.22 for non-911 purposes;

144.23 (6) public safety telecommunicator salaries unless associated with training functions;

144.24 and

144.25 (7) the leasing or purchase of end user equipment.

144.26 Subd. 4. **Audits.** (a) ~~Each county and city or other governmental entity~~ federal, Tribal,  
 144.27 or other organization connected to the statewide 911 network as described in subdivision  
 144.28 2, paragraph (a), clause (1), ~~shall~~ or secondary public safety answering point must conduct  
 144.29 ~~an annual audit~~ a compliance report in accordance with Minnesota Rules, chapter 7580, and  
 144.30 Code of Federal Regulations, title 47, section 9.25, on the use of funds distributed to it for  
 144.31 ~~enhanced 911 service systems or services~~ to ensure the distribution is spent according to  
 144.32 subdivision 3. A copy of each ~~audit~~ compliance report must be submitted to the  
 144.33 commissioner.



145.1 (b) The commissioner may request a state audit of a county, federal, Tribal, or other  
145.2 organization connected to the statewide 911 network which receives 911 funds from the  
145.3 state to operate its 911 system or service to ensure compliance with subdivision 3.

145.4 (c) Failure to submit a compliance report may result in a disruption of 911 fee distribution  
145.5 until the compliance report is submitted.

145.6 Sec. 43. Minnesota Statutes 2022, section 403.15, subdivision 1, is amended to read:

145.7 Subdivision 1. **Multistation or PBX system.** Except as otherwise provided in this  
145.8 section, every owner and operator of a new multistation or private branch exchange (PBX)  
145.9 multiline telephone system purchased or upgraded after December 31, 2004, ~~shall~~ must  
145.10 design and maintain the system to provide a callback number or ten-digit caller ID and  
145.11 emergency response location.

145.12 Sec. 44. Minnesota Statutes 2022, section 403.15, subdivision 2, is amended to read:

145.13 Subd. 2. **Multiline telephone system user dialing instructions.** (a) Each multiline  
145.14 telephone system (MLTS) operator must demonstrate or otherwise inform each new telephone  
145.15 system user how to call for emergency assistance from that particular multiline telephone  
145.16 system.

145.17 (b) MLTS platforms that are manufactured, imported, offered for first sale or lease, first  
145.18 sold or leased, or installed after February 16, 2020, must enable users to directly initiate a  
145.19 call to 911 from any station equipped with dialing facilities without dialing any additional  
145.20 digit, code, prefix, or postfix, including any trunk-access code such as the digit nine,  
145.21 regardless of whether the user is required to dial such a digit, code, prefix, or postfix for  
145.22 other calls.

145.23 (c) MLTSs that are manufactured, imported, offered for first sale or lease, first sold or  
145.24 leased, or installed after February 16, 2020, must be configured so that upon an occurrence  
145.25 of a 911 call it will provide a notification that a 911 call has been made to a central location  
145.26 at the facility where the system is installed or to another person or organization, regardless  
145.27 of location, if the system is able to be configured to provide the notification without an  
145.28 improvement to the hardware or software of the system.

145.29 Sec. 45. Minnesota Statutes 2022, section 403.15, subdivision 3, is amended to read:

145.30 Subd. 3. **Shared residential multiline telephone system.** On and after January 1, 2005,  
145.31 operators of shared multiline telephone systems, whenever installed, serving residential  
145.32 customers ~~shall~~ must ensure that the shared multiline telephone system is connected to the

146.1 public switched network and that 911 calls from the system result in at least one distinctive  
146.2 automatic number identification and automatic location identification for each residential  
146.3 unit, except those requirements do not apply if the residential facility maintains one of the  
146.4 following:

146.5 (1) automatic location identification for each respective emergency response location;

146.6 (2) the ability to direct emergency responders to the 911 caller's location through an  
146.7 alternative and adequate means, such as the establishment of a 24-hour private answering  
146.8 point operated by the facility; or

146.9 (3) a connection to a switchboard operator, attendant, or other designated on-site  
146.10 individual.

146.11 Sec. 46. Minnesota Statutes 2022, section 403.15, subdivision 4, is amended to read:

146.12 Subd. 4. **Hotel or motel multiline telephone system.** Operators of hotel and motel  
146.13 multiline telephone systems ~~shall~~ must permit the dialing of 911 and ~~shall~~ must ensure that  
146.14 911 calls originating from hotel or motel multiline telephone systems allow the 911 system  
146.15 to clearly identify the address and specific location of the 911 caller.

146.16 Sec. 47. Minnesota Statutes 2022, section 403.15, subdivision 5, is amended to read:

146.17 Subd. 5. **Business multiline telephone system.** (a) An operator of business multiline  
146.18 telephone systems connected to the public switched telephone network and serving business  
146.19 locations of one employer ~~shall~~ must ensure that calls to 911 from any telephone on the  
146.20 system result in one of the following:

146.21 (1) automatic location identification for each respective emergency response location;

146.22 (2) an ability to direct emergency responders to the 911 caller's location through an  
146.23 alternative and adequate means, such as the establishment of a 24-hour private answering  
146.24 point operated by the employer; or

146.25 (3) a connection to a switchboard operator, attendant, or other designated on-site  
146.26 individual.

146.27 (b) Except as provided in paragraph (c), providers of multiline telephone systems serving  
146.28 multiple employers' business locations ~~shall~~ must ensure that calls to 911 from any telephone  
146.29 result in automatic location identification for the respective emergency response location  
146.30 of each business location sharing the system.

146.31 (c) Only one emergency response location is required in the following circumstances:

147.1 (1) an employer's work space is less than 40,000 square feet, located on a single floor  
147.2 and on a single contiguous property;

147.3 (2) an employer's work space is less than 7,000 square feet, located on multiple floors  
147.4 and on a single contiguous property; or

147.5 (3) an employer's work space is a single public entrance, single floor facility on a single  
147.6 contiguous property.

147.7 Sec. 48. Minnesota Statutes 2022, section 403.15, subdivision 6, is amended to read:

147.8 Subd. 6. **Schools.** A multiline telephone system operated by a public or private  
147.9 educational institution, including a system serving dormitories and other residential  
147.10 customers, is subject to this subdivision and is not subject to subdivision 3. The operator  
147.11 of the education institution multiline system connected to the public switched network must  
147.12 ensure that calls to 911 from any telephone on the system result in one of the following:

147.13 (1) automatic location identification for each respective emergency response location;

147.14 (2) an ability to direct emergency responders to the 911 caller's location through an  
147.15 alternative and adequate means, such as the establishment of a 24-hour private answering  
147.16 point operated by the educational institution; or

147.17 (3) a connection to a switchboard operator, attendant, or other designated on-site  
147.18 individual.

147.19 Sec. 49. Minnesota Statutes 2022, section 403.15, is amended by adding a subdivision to  
147.20 read:

147.21 Subd. 9. **MLTS location compliance notification.** Beginning July 1, 2023, all vendors  
147.22 of MLTSs or hosted MLTS services in Minnesota must disclose to their customers the 911  
147.23 location requirements in this chapter and include 911 location compliant capabilities in the  
147.24 systems or services they sell.

147.25 Sec. 50. **RENUMBERING.**

147.26 In Minnesota Statutes, the revisor of statutes shall renumber the subdivisions of Minnesota  
147.27 Statutes, section 403.02.

147.28 Sec. 51. **REPEALER.**

147.29 Minnesota Statutes 2022, sections 403.02, subdivision 13; and 403.09, subdivision 3,  
147.30 are repealed.

148.1

**ARTICLE 7**

148.2

**MINNESOTA REHABILITATION AND REINVESTMENT PROVISIONS**

148.3

Section 1. Minnesota Statutes 2022, section 244.03, is amended to read:

148.4

**244.03 REHABILITATIVE PROGRAMS.**

148.5

Subdivision 1. Commissioner responsibility. (a) For individuals committed to the

148.6

commissioner's authority, the commissioner shall provide appropriate mental health programs

148.7

and vocational and educational programs with employment-related goals for inmates. The

148.8

selection, design and implementation of programs under this section shall be the sole

148.9

responsibility of the commissioner, acting within the limitations imposed by the funds

148.10

appropriated for such programs. must develop, implement, and provide, as appropriate:

148.11

(1) substance use disorder treatment programs;

148.12

(2) sexual offender treatment programming;

148.13

(3) domestic abuse programming;

148.14

(4) medical and mental health services;

148.15

(5) spiritual and faith-based programming;

148.16

(6) culturally responsive programming;

148.17

(7) vocational, employment and career, and educational programming; and

148.18

(8) other rehabilitative programs.

148.19

(b) While evidence-based programs must be prioritized, selecting, designing, and

148.20

implementing programs under this section are the sole responsibility of the commissioner,

148.21

acting within the limitations imposed by the funds appropriated for the programs under this

148.22

section.

148.23

Subd. 2. Challenge prohibited. No action challenging the level of expenditures for

148.24

rehabilitative programs authorized under this section, nor any action challenging the selection,

148.25

design, or implementation of these programs, including employee assignments, may be

148.26

maintained by an inmate in any court in this state.

148.27

Subd. 3. Disciplinary sanctions. The commissioner may impose disciplinary sanctions

148.28

upon on any inmate who refuses to participate in rehabilitative programs.

149.1 Sec. 2. Minnesota Statutes 2022, section 244.05, subdivision 1b, is amended to read:

149.2 Subd. 1b. **Supervised release; offenders inmates who commit crimes on or after**  
149.3 **August 1, 1993.** (a) Except as provided in subdivisions 4 and 5, every inmate sentenced to  
149.4 prison for a felony offense committed on or after August 1, 1993, shall serve a supervised  
149.5 release term upon completion of the inmate's term of imprisonment and any disciplinary  
149.6 confinement period imposed by the commissioner due to the inmate's violation of any  
149.7 disciplinary rule adopted by the commissioner or refusal to participate in a rehabilitative  
149.8 program required under section 244.03. The amount of time the inmate serves on supervised  
149.9 release ~~shall be~~ is equal in length to the amount of time remaining in to one-third of the  
149.10 inmate's fixed executed sentence after the inmate has served the term of imprisonment and  
149.11 any disciplinary confinement period imposed by the commissioner, less any disciplinary  
149.12 confinement period imposed by the commissioner and regardless of any earned incentive  
149.13 release credit applied toward the individual's term of imprisonment under section 244.44.

149.14 (b) No inmate who violates a disciplinary rule or refuses to participate in a rehabilitative  
149.15 program as required under section 244.03 shall be placed on supervised release until the  
149.16 inmate has served the disciplinary confinement period for that disciplinary sanction or until  
149.17 the inmate is discharged or released from punitive ~~segregation~~ restrictive-housing  
149.18 confinement, whichever is later. The imposition of a disciplinary confinement period shall  
149.19 be considered to be a disciplinary sanction imposed upon an inmate, and the procedure for  
149.20 imposing the disciplinary confinement period and the rights of the inmate in the procedure  
149.21 shall be those in effect for the imposition of other disciplinary sanctions at each state  
149.22 correctional institution.

149.23 (c) For purposes of this subdivision, "earned incentive release credit" has the meaning  
149.24 given in section 244.41, subdivision 7.

149.25 Sec. 3. **[244.40] MINNESOTA REHABILITATION AND REINVESTMENT ACT.**

149.26 Sections 244.40 to 244.51 may be cited as the "Minnesota Rehabilitation and  
149.27 Reinvestment Act."

149.28 Sec. 4. **[244.41] DEFINITIONS.**

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

149.31 Subd. 2. **Act.** "Act" means the Minnesota Rehabilitation and Reinvestment Act.

149.32 Subd. 3. **Commissioner.** "Commissioner" means the commissioner of corrections.

150.1 Subd. 4. **Correctional facility.** "Correctional facility" means a state facility under the  
150.2 direct operational authority of the commissioner but does not include a commissioner-licensed  
150.3 local detention facility.

150.4 Subd. 5. **Direct-cost per diem.** "Direct-cost per diem" means the actual nonsalary  
150.5 expenditures, including encumbrances as of July 31 following the end of the fiscal year,  
150.6 from the Department of Corrections expense budgets for food preparation; food provisions;  
150.7 personal support for incarcerated persons, including clothing, linen, and other personal  
150.8 supplies; transportation; and professional technical contracted health care services.

150.9 Subd. 6. **Earned compliance credit.** "Earned compliance credit" means a one-month  
150.10 reduction from the period during active supervision of the supervised release term for every  
150.11 two months that a supervised individual exhibits compliance with the conditions and goals  
150.12 of the individual's supervision plan.

150.13 Subd. 7. **Earned incentive release credit.** "Earned incentive release credit" means credit  
150.14 that is earned and included in calculating an incarcerated person's term of imprisonment for  
150.15 completing objectives established by their individualized rehabilitation plan under section  
150.16 244.42.

150.17 Subd. 8. **Earned incentive release savings.** "Earned incentive release savings" means  
150.18 the calculation of the direct-cost per diem multiplied by the number of incarcerated days  
150.19 saved for the period of one fiscal year.

150.20 Subd. 9. **Executed sentence.** "Executed sentence" means the total period for which an  
150.21 incarcerated person is committed to the custody of the commissioner.

150.22 Subd. 10. **Incarcerated days saved.** "Incarcerated days saved" means the number of  
150.23 days of an incarcerated person's original term of imprisonment minus the number of actual  
150.24 days served, excluding days not served due to death or as a result of time earned in the  
150.25 challenge incarceration program under sections 244.17 to 244.173.

150.26 Subd. 11. **Incarcerated person.** "Incarcerated person" has the meaning given "inmate"  
150.27 in section 244.01, subdivision 2.

150.28 Subd. 12. **Supervised release.** "Supervised release" means the release of an incarcerated  
150.29 person according to section 244.05.

150.30 Subd. 13. **Supervised release term.** "Supervised release term" means the period equal  
150.31 to one-third of the individual's fixed executed sentence, less any disciplinary confinement  
150.32 period or punitive restrictive-housing confinement imposed under section 244.05, subdivision  
150.33 1b.

151.1 Subd. 14. **Supervision abatement status.** "Supervision abatement status" means an end  
151.2 to active correctional supervision of a supervised individual without effect on the legal  
151.3 expiration date of the individual's executed sentence less any earned incentive release credit.

151.4 Subd. 15. **Term of imprisonment.** "Term of imprisonment" has the meaning given in  
151.5 section 244.01, subdivision 8.

151.6 **Sec. 5. [244.42] COMPREHENSIVE ASSESSMENT AND INDIVIDUALIZED**  
151.7 **REHABILITATION PLAN REQUIRED.**

151.8 Subdivision 1. **Comprehensive assessment.** (a) The commissioner must develop a  
151.9 comprehensive assessment process for each person who:

151.10 (1) is committed to the commissioner's custody and confined in a state correctional  
151.11 facility on or after January 1, 2025; and

151.12 (2) has 365 or more days remaining until the person's scheduled supervised release date  
151.13 or parole eligibility date.

151.14 (b) As part of the assessment process, the commissioner must take into account  
151.15 appropriate rehabilitative programs under section 244.03.

151.16 Subd. 2. **Individualized rehabilitation plan.** After completing the assessment process,  
151.17 the commissioner must ensure the development of an individualized rehabilitation plan,  
151.18 along with identified goals, for every person committed to the commissioner's custody. The  
151.19 individualized rehabilitation plan must be holistic in nature by identifying intended outcomes  
151.20 for addressing:

151.21 (1) the incarcerated person's needs and risk factors;

151.22 (2) the person's identified strengths; and

151.23 (3) available and needed community supports, including victim safety considerations  
151.24 as required under section 244.47, if applicable.

151.25 Subd. 3. **Victim input.** (a) If an individual is committed to the commissioner's custody  
151.26 for a crime listed in section 609.02, subdivision 16, the commissioner must make reasonable  
151.27 efforts to notify a victim of the opportunity to provide input during the assessment and  
151.28 rehabilitation plan process. Victim input may include:

151.29 (1) a summary of victim concerns relative to release;

151.30 (2) concerns related to victim safety during the committed individual's term of  
151.31 imprisonment; or

152.1 (3) requests for imposing victim safety protocols as additional conditions of imprisonment  
 152.2 or supervised release.

152.3 (b) The commissioner must consider all victim input statements when developing an  
 152.4 individualized rehabilitation plan and establishing conditions governing confinement or  
 152.5 release.

152.6 Subd. 4. **Transition and release plan.** For an incarcerated person with less than 365  
 152.7 days remaining until the person's supervised release date, the commissioner, in consultation  
 152.8 with the incarcerated person, must develop a transition and release plan.

152.9 Subd. 5. **Scope of act.** This act is separate and distinct from other legislatively authorized  
 152.10 release programs, including the challenge incarceration program, work release, conditional  
 152.11 medical release, or the program for the conditional release of nonviolent controlled substance  
 152.12 offenders.

152.13 Sec. 6. **[244.43] EARNED INCENTIVE RELEASE CREDIT.**

152.14 Subdivision 1. **Policy for earned incentive release credit; stakeholder consultation.** (a)  
 152.15 To encourage and support rehabilitation when consistent with the public interest and public  
 152.16 safety, the commissioner must establish a policy providing for earned incentive release  
 152.17 credit as a part of the term of imprisonment. The policy must be established in consultation  
 152.18 with the following organizations:

152.19 (1) Minnesota County Attorneys Association;

152.20 (2) Minnesota Board of Public Defense;

152.21 (3) Minnesota Association of Community Corrections Act Counties;

152.22 (4) Minnesota Indian Women's Sexual Assault Coalition;

152.23 (5) Violence Free Minnesota;

152.24 (6) Minnesota Coalition Against Sexual Assault;

152.25 (7) Minnesota Alliance on Crime;

152.26 (8) Minnesota Sheriffs' Association;

152.27 (9) Minnesota Chiefs of Police Association;

152.28 (10) Minnesota Police and Peace Officers Association; and

152.29 (11) faith-based organizations that reflect the demographics of the incarcerated population.

152.30 (b) The policy must:



153.1 (1) provide circumstances upon which an incarcerated person may receive earned  
 153.2 incentive release credits, including participation in rehabilitative programming under section  
 153.3 244.03; and

153.4 (2) address circumstances where:

153.5 (i) the capacity to provide rehabilitative programming in the correctional facility is  
 153.6 diminished but the programming is available in the community; and

153.7 (ii) the conditions under which the incarcerated person could be released to the  
 153.8 community-based resource but remain subject to commitment to the commissioner and  
 153.9 could be considered for earned incentive release credit.

153.10 Subd. 2. **Policy on disparities.** The commissioner must develop a policy establishing a  
 153.11 process for assessing and addressing any systemic and programmatic gender and racial  
 153.12 disparities that may be identified when awarding earned incentive release credits.

153.13 **Sec. 7. [244.44] APPLYING EARNED INCENTIVE RELEASE CREDIT.**

153.14 Earned incentive release credits are included in calculating the term of imprisonment  
 153.15 but are not added to the person's supervised release term, the total length of which remains  
 153.16 unchanged. The maximum amount of earned incentive release credit that can be earned and  
 153.17 subtracted from the term of imprisonment is 17 percent of the total executed sentence.  
 153.18 Earned credit cannot reduce the term of imprisonment to less than one-half of the incarcerated  
 153.19 person's executed sentence. Once earned, earned incentive release credits are nonrevocable.

153.20 **Sec. 8. [244.45] INELIGIBILITY FOR EARNED INCENTIVE RELEASE CREDIT.**

153.21 The following individuals are ineligible for earned incentive release credit:

153.22 (1) those serving life sentences;

153.23 (2) those given indeterminate sentences for crimes committed on or before April 30,  
 153.24 1980; or

153.25 (3) those subject to good time under section 244.04 or similar laws.

153.26 **Sec. 9. [244.46] EARNED COMPLIANCE CREDIT AND SUPERVISION**  
 153.27 **ABATEMENT STATUS.**

153.28 Subdivision 1. **Adopting policy for earned compliance credit; supervision abatement**  
 153.29 **status.** (a) The commissioner must adopt a policy providing for earned compliance credit.

154.1 (b) Except as otherwise provided in the act, once the time served on active supervision  
154.2 plus earned compliance credits equals the total length of the supervised release term, the  
154.3 commissioner must place the individual on supervision abatement status for the remainder  
154.4 of the supervised release term.

154.5 Subd. 2. **Violating conditions of release; commissioner action.** If an individual violates  
154.6 the conditions of release while on supervision abatement status, the commissioner may:

154.7 (1) return the individual to active supervision for the remainder of the supervised release  
154.8 term, with or without modifying the conditions of release; or

154.9 (2) revoke the individual's supervised release in accordance with section 244.05,  
154.10 subdivision 3.

154.11 Subd. 3. **Supervision abatement status; requirements.** A person who is placed on  
154.12 supervision abatement status under this section must not be required to regularly report to  
154.13 a supervised release agent or pay a supervision fee but must continue to:

154.14 (1) obey all laws;

154.15 (2) report any new criminal charges; and

154.16 (3) abide by section 243.1605 before seeking written authorization to relocate to another  
154.17 state.

154.18 Subd. 4. **Applicability.** This section does not apply to individuals:

154.19 (1) serving life sentences;

154.20 (2) given indeterminate sentences for crimes committed on or before April 30, 1980; or

154.21 (3) subject to good time under section 244.04 or similar laws.

154.22 Sec. 10. **[244.47] VICTIM INPUT.**

154.23 Subdivision 1. **Notifying victim; victim input.** (a) If an individual is committed to the  
154.24 custody of the commissioner for a crime listed in section 609.02, subdivision 16, and is  
154.25 eligible for earned incentive release credit, the commissioner must make reasonable efforts  
154.26 to notify the victim that the committed individual is eligible for earned incentive release  
154.27 credit.

154.28 (b) Victim input may include:

154.29 (1) a summary of victim concerns relative to eligibility of earned incentive release credit;

155.1 (2) concerns related to victim safety during the committed individual's term of  
155.2 imprisonment; or

155.3 (3) requests for imposing victim safety protocols as additional conditions of imprisonment  
155.4 or supervised release.

155.5 Subd. 2. **Victim input statements.** The commissioner must consider victim input  
155.6 statements when establishing requirements governing conditions of release. The  
155.7 commissioner must provide the name and telephone number of the local victim agency  
155.8 serving the jurisdiction of release to any victim providing input on earned incentive release  
155.9 credit.

155.10 Sec. 11. **[244.48] VICTIM NOTIFICATION.**

155.11 Nothing in this act limits any victim notification obligations of the commissioner required  
155.12 by statute related to a change in custody status, committing offense, end-of-confinement  
155.13 review, or notification registration.

155.14 Sec. 12. **[244.49] INTERSTATE COMPACT.**

155.15 (a) This section applies to a person serving a Minnesota sentence while being supervised  
155.16 in another state according to the Interstate Compact for Adult Supervision.

155.17 (b) As may be allowed under section 243.1605, a person may be eligible for supervision  
155.18 abatement status according to the act only if they meet eligibility criteria for earned  
155.19 compliance credit as established under section 244.46.

155.20 Sec. 13. **[244.50] REALLOCATING EARNED INCENTIVE RELEASE SAVINGS.**

155.21 Subdivision 1. **Establishing reallocation revenue account.** The reallocation of earned  
155.22 incentive release savings account is established in the special revenue fund in the state  
155.23 treasury. Funds in the account are appropriated to the commissioner and must be expended  
155.24 in accordance with the allocation established in subdivision 4 after the requirements of  
155.25 subdivision 2 are met. Funds in the account are available until expended.

155.26 Subd. 2. **Certifying earned incentive release savings.** On or before the final closeout  
155.27 date of each fiscal year, the commissioner must certify to Minnesota Management and  
155.28 Budget the earned incentive release savings from the previous fiscal year. The commissioner  
155.29 must provide the detailed calculation substantiating the savings amount, including  
155.30 accounting-system-generated data where possible, supporting the direct-cost per diem and  
155.31 the incarcerated days saved.

156.1 Subd. 3. Savings to be transferred to reallocation revenue account. After the  
156.2 certification in subdivision 2 is completed, the commissioner must transfer funds from the  
156.3 appropriation from which the savings occurred to the reallocation revenue account according  
156.4 to the allocation in subdivision 4. Transfers must occur by September 1 each year.

156.5 Subd. 4. Distributing reallocation funds. The commissioner must distribute funds as  
156.6 follows:

156.7 (1) 25 percent must be transferred to the Office of Justice Programs in the Department  
156.8 of Public Safety for crime victim services;

156.9 (2) 25 percent must be transferred to the Community Corrections Act subsidy  
156.10 appropriation and to the Department of Corrections for supervised release and intensive  
156.11 supervision services, based upon a three-year average of the release jurisdiction of supervised  
156.12 releasees and intensive supervised releasees across the state;

156.13 (3) 25 percent must be transferred to the Department of Corrections for:

156.14 (i) grants to develop and invest in community-based services that support the identified  
156.15 needs of correctionally involved individuals or individuals at risk of becoming involved in  
156.16 the criminal justice system; and

156.17 (ii) sustaining the operation of evidence-based programming in state and local correctional  
156.18 facilities; and

156.19 (4) 25 percent must be transferred to the general fund.

156.20 **Sec. 14. [244.51] REPORTING REQUIRED.**

156.21 Subdivision 1. Annual report required. (a) Beginning January 15, 2026, and by January  
156.22 15 each year thereafter for ten years, the commissioner must provide a report to the chairs  
156.23 and ranking minority members of the house of representatives and senate committees and  
156.24 divisions with jurisdiction over public safety and judiciary.

156.25 (b) For the 2026 report, the commissioner must report on implementing the requirements  
156.26 in this act. Starting with the 2027 report, the commissioner must report on the status of the  
156.27 requirements in this act for the previous fiscal year.

156.28 (c) Each report must be provided to the sitting president of the Minnesota Association  
156.29 of Community Corrections Act Counties and the executive directors of the Minnesota  
156.30 Sentencing Guidelines Commission, the Minnesota Indian Women's Sexual Assault Coalition,  
156.31 the Minnesota Alliance on Crime, Violence Free Minnesota, the Minnesota Coalition Against  
156.32 Sexual Assault, and the Minnesota County Attorneys Association.

157.1 (d) The report must include but not be limited to:

157.2 (1) a qualitative description of policy development; implementation status; identified  
157.3 implementation or operational challenges; strategies identified to mitigate and ensure that  
157.4 the act does not create or exacerbate gender, racial, and ethnic disparities; and proposed  
157.5 mechanisms for projecting future savings and reallocation of savings;

157.6 (2) the number of persons who were granted earned incentive release credit, the total  
157.7 number of days of incentive release earned, a summary of committing offenses for those  
157.8 persons who earned incentive release credit, a summary of earned incentive release savings,  
157.9 and the demographic data for all persons eligible for earned incentive release credit and the  
157.10 reasons and demographic data of those eligible persons for whom earned incentive release  
157.11 credit was unearned or denied;

157.12 (3) the number of persons who earned supervision abatement status, the total number  
157.13 of days of supervision abatement earned, the committing offenses for those persons granted  
157.14 supervision abatement status, the number of revocations for reoffense while on supervision  
157.15 abatement status, and the demographic data for all persons eligible for, considered for,  
157.16 granted, or denied supervision abatement status and the reasons supervision abatement status  
157.17 was unearned or denied;

157.18 (4) the number of persons deemed ineligible to receive earned incentive release credits  
157.19 and supervise abatement and the demographic data for the persons; and

157.20 (5) the number of victims who submitted input, the number of referrals to local  
157.21 victim-serving agencies, and a summary of the kinds of victim services requested.

157.22 Subd. 2. **Soliciting feedback.** (a) The commissioner must solicit feedback on  
157.23 victim-related operational concerns from the Minnesota Indian Women's Sexual Assault  
157.24 Coalition, Minnesota Alliance on Crime, Minnesota Coalition Against Sexual Assault, and  
157.25 Violence Free Minnesota.

157.26 (b) The feedback should relate to applying earned incentive release credit and supervision  
157.27 abatement status options. A summary of the feedback from the organizations must be  
157.28 included in the annual report.

157.29 Subd. 3. **Evaluating earned incentive release credit and act.** The commissioner must  
157.30 direct the Department of Corrections' research unit to regularly evaluate earned incentive  
157.31 release credits and other provisions of the act. The findings must be published on the  
157.32 Department of Corrections' website and in the annual report.

158.1 Sec. 15. EFFECTIVE DATE.

158.2 Sections 1 to 14 are effective August 1, 2023.

158.3 **ARTICLE 8**

158.4 **SUPERVISED RELEASE BOARD; CHANGES TO RELEASE DETERMINATIONS**  
158.5 **AND ELIGIBILITY FOR CERTAIN OFFENDERS**

158.6 Section 1. [244.049] SUPERVISED RELEASE BOARD.

158.7 Subdivision 1. Establishment; membership. (a) The Supervised Release Board is  
158.8 established to review eligible cases and make release and final discharge decisions for:

158.9 (1) inmates serving life sentences with the possibility of parole or supervised release  
158.10 under sections 243.05, subdivision 1, and 244.05, subdivision 5;

158.11 (2) inmates serving indeterminate sentences for crimes committed on or before April  
158.12 30, 1980; and

158.13 (3) inmates eligible for early supervised release under section 244.05, subdivision 4a.

158.14 (b) The authority to grant discretionary release and final discharge previously vested in  
158.15 the commissioner under sections 243.05, subdivisions 1, paragraph (a), and 3; 244.08; and  
158.16 609.12 is transferred to the board.

158.17 (c) The board consists of seven members as follows:

158.18 (1) four individuals appointed by the governor from which each of the majority leaders  
158.19 and minority leaders of the house of representatives and senate provide two candidate  
158.20 recommendations for consideration;

158.21 (2) two members appointed by the governor who have expertise in the neurological  
158.22 development of juveniles; and

158.23 (3) the commissioner, who serves as chair.

158.24 (d) The members defined in paragraph (c), clause (1), must meet the following  
158.25 qualifications, at a minimum:

158.26 (1) a law degree or a bachelor's degree in criminology, corrections, social work, or a  
158.27 related social science;

158.28 (2) five years of experience in corrections, a criminal justice or community corrections  
158.29 field, rehabilitation programming, behavioral health, or criminal law; and

158.30 (3) demonstrated knowledge of victim issues and correctional processes.

159.1 Subd. 2. **Terms; compensation.** (a) Appointed board members serve four-year staggered  
159.2 terms, but the terms of the initial members are as follows:

159.3 (1) three members must be appointed for terms that expire January 1, 2026; and

159.4 (2) three members must be appointed for terms that expire January 1, 2028.

159.5 (b) An appointed member is eligible for reappointment and a vacancy must be filled  
159.6 according to subdivision 1.

159.7 (c) For appointed members, compensation and removal are as provided in section 15.0575.

159.8 Subd. 3. **Quorum; compensation; administrative duties.** (a) Subject to the requirements  
159.9 in paragraph (b), the majority of members constitutes a quorum.

159.10 (b) When reviewing cases involving people who were 18 or older at the time of the  
159.11 offense, the board must comprise a quorum of the five members identified in subdivision  
159.12 1, paragraph (c), clauses (1) and (3). When reviewing cases involving people who were  
159.13 under 18 at the time of the offense, the board must comprise a quorum of all seven members  
159.14 and include at least one member identified in subdivision 1, paragraph (c), clause (2).

159.15 (c) An appointed board member must visit at least one state correctional facility every  
159.16 12 months.

159.17 (d) The commissioner must provide the board with personnel, supplies, equipment,  
159.18 office space, and other administrative services necessary and incident to fulfilling the board's  
159.19 functions.

159.20 Subd. 4. **Limitation.** Nothing in this section:

159.21 (1) supersedes the commissioner's authority to set conditions of release or revoke an  
159.22 inmate's release for violating any of the conditions; or

159.23 (2) impairs the power of the Board of Pardons to grant a pardon or commutation in any  
159.24 case.

159.25 Subd. 5. **Report.** (a) On or before February 15 each year, the board must submit to the  
159.26 chairs and ranking minority members of the legislative committees with jurisdiction over  
159.27 criminal justice policy a written report that:

159.28 (1) details the number of inmates reviewed;

159.29 (2) identifies inmates granted release or final discharge in the preceding year; and

160.1 (3) provides demographic data of inmates who were granted release or final discharge  
160.2 and inmates who were denied release or final discharge, including whether any of the  
160.3 individuals were under 18 years of age at the time of committing the offense.

160.4 (b) The report must also include the board's recommendations to the commissioner for  
160.5 policy modifications that influence the board's duties.

160.6 Sec. 2. Minnesota Statutes 2022, section 244.05, subdivision 1b, is amended to read:

160.7 Subd. 1b. **Supervised release; offenders who commit crimes on or after August 1,**  
160.8 **1993.** (a) Except as provided in subdivisions 4, 4a, and 5, every inmate sentenced to prison  
160.9 for a felony offense committed on or after August 1, 1993, shall serve a supervised release  
160.10 term upon completion of the inmate's term of imprisonment and any disciplinary confinement  
160.11 period imposed by the commissioner due to the inmate's violation of any disciplinary rule  
160.12 adopted by the commissioner or refusal to participate in a rehabilitative program required  
160.13 under section 244.03. The amount of time the inmate serves on supervised release shall be  
160.14 equal in length to the amount of time remaining in the inmate's executed sentence after the  
160.15 inmate has served the term of imprisonment and any disciplinary confinement period imposed  
160.16 by the commissioner.

160.17 (b) No inmate who violates a disciplinary rule or refuses to participate in a rehabilitative  
160.18 program as required under section 244.03 shall be placed on supervised release until the  
160.19 inmate has served the disciplinary confinement period for that disciplinary sanction or until  
160.20 the inmate is discharged or released from punitive segregation confinement, whichever is  
160.21 later. The imposition of a disciplinary confinement period shall be considered to be a  
160.22 disciplinary sanction imposed upon an inmate, and the procedure for imposing the  
160.23 disciplinary confinement period and the rights of the inmate in the procedure shall be those  
160.24 in effect for the imposition of other disciplinary sanctions at each state correctional institution.

160.25 Sec. 3. Minnesota Statutes 2022, section 244.05, subdivision 2, is amended to read:

160.26 Subd. 2. **Rules.** (a) Notwithstanding section 14.03, subdivision 3, paragraph (b), clause  
160.27 (1), the commissioner of corrections shall adopt by rule standards and procedures for the  
160.28 revocation of supervised or conditional release, and shall specify the period of revocation  
160.29 for each violation of release except in accordance with subdivision 5, paragraph (l).

160.30 (b) Procedures for ~~the revocation of~~ revoking release shall must provide due process of  
160.31 law for the inmate.

160.32 **EFFECTIVE DATE.** This section is effective July 1, 2023.



161.1 Sec. 4. Minnesota Statutes 2022, section 244.05, subdivision 4, is amended to read:

161.2 Subd. 4. **Minimum imprisonment, life sentence.** (a) An inmate serving a mandatory  
161.3 life sentence under section 609.106, subdivision 2, or 609.3455, subdivision 2, paragraph  
161.4 (a), must not be given supervised release under this section.

161.5 (b) Except as provided in paragraph (f), an inmate serving a mandatory life sentence  
161.6 under section 609.185, paragraph (a), clause (3), (5), or (6); or Minnesota Statutes 2004,  
161.7 section 609.109, subdivision 3, must not be given supervised release under this section  
161.8 without having served a minimum term of 30 years.

161.9 (c) Except as provided in paragraph (f), an inmate serving a mandatory life sentence  
161.10 under section 609.385 must not be given supervised release under this section without having  
161.11 served a minimum term of imprisonment of 17 years.

161.12 (d) An inmate serving a mandatory life sentence under section 609.3455, subdivision 3  
161.13 or 4, must not be given supervised release under this section without having served the  
161.14 minimum term of imprisonment specified by the court in its sentence.

161.15 (e) An inmate serving a mandatory life sentence under section 609.106, subdivision 3,  
161.16 or 609.3455, subdivision 2, paragraph (c), must not be given supervised release under this  
161.17 section without having served a minimum term of imprisonment of 15 years.

161.18 (f) An inmate serving a mandatory life sentence for a crime described in paragraph (b)  
161.19 or (c) who was under 18 years of age at the time of the commission of the offense must not  
161.20 be given supervised release under this section without having served a minimum term of  
161.21 imprisonment of 15 years.

161.22 Sec. 5. Minnesota Statutes 2022, section 244.05, is amended by adding a subdivision to  
161.23 read:

161.24 Subd. 4a. **Eligibility for early supervised release; offenders who were under 18 at**  
161.25 **the time of offense.** (a) Notwithstanding any other provision of law, any person who was  
161.26 under the age of 18 at the time of the commission of an offense is eligible for early supervised  
161.27 release if the person is serving an executed sentence that includes a term of imprisonment  
161.28 of more than 15 years or separate, consecutive executed sentences for two or more crimes  
161.29 that include combined terms of imprisonment that total more than 15 years.

161.30 (b) A person eligible for early supervised release under paragraph (a) must be considered  
161.31 for early supervised release pursuant to section 244.049 after serving 15 years of  
161.32 imprisonment.

162.1 (c) Where the person is serving separate, consecutive executed sentences for two or  
 162.2 more crimes, the person may be granted early supervised release on all sentences.

162.3 Sec. 6. Minnesota Statutes 2022, section 244.05, subdivision 5, is amended to read:

162.4 Subd. 5. **Supervised release, life sentence and indeterminate sentences.** (a) The  
 162.5 ~~commissioner of corrections~~ board may, under rules ~~promulgated~~ adopted by the  
 162.6 commissioner, ~~give~~ grant supervised release or parole as follows:

162.7 (1) to an inmate serving a mandatory life sentence under section 609.185, paragraph (a),  
 162.8 clause (3), (5), or (6); 609.3455, subdivision 3 or 4; 609.385; or Minnesota Statutes 2004,  
 162.9 section 609.109, subdivision 3, after the inmate has served the minimum term of  
 162.10 imprisonment specified in subdivision 4 or section 243.05, subdivision 1, paragraph (a);

162.11 (2) at any time for an inmate serving a nonlife indeterminate sentence for a crime  
 162.12 committed on or before April 30, 1980; or

162.13 (3) to an inmate eligible for early supervised release under subdivision 4a after the inmate  
 162.14 has served the minimum term of imprisonment.

162.15 (b) For cases involving multiple sentences, the board must grant or deny supervised  
 162.16 release as follows:

162.17 (1) if an inmate is serving multiple sentences that are concurrent to one another, the  
 162.18 board must grant or deny supervised release on all sentences; and

162.19 (2) notwithstanding any other law to the contrary, if an inmate eligible for early supervised  
 162.20 release under section 244.05, subdivision 4a, is serving multiple sentences that are  
 162.21 consecutive to one another, the board may grant or deny supervised release on one or more  
 162.22 sentences.

162.23 (c) The ~~commissioner shall~~ board must require the preparation of a community  
 162.24 investigation report and ~~shall~~ consider the findings of the report when making a supervised  
 162.25 release or parole decision under this subdivision. The report ~~shall~~ must:

162.26 (1) reflect the sentiment of the various elements of the community toward the inmate,  
 162.27 both at the time of the offense and at the present time. ~~The report shall;~~

162.28 (2) include the views of the sentencing judge, the prosecutor, any law enforcement  
 162.29 personnel who may have been involved in the case, and any successors to these individuals  
 162.30 who may have information relevant to the supervised release decision. ~~The report shall also;~~  
 162.31 and

163.1 (3) include the views of the victim and the victim's family unless the victim or the victim's  
 163.2 family chooses not to participate.

163.3 (d) For an individual who was under 18 years of age when they committed their offense,  
 163.4 the board must require the preparation of a development report and consider the report's  
 163.5 findings when making a supervised release decision under this subdivision. The report must  
 163.6 be prepared by a mental health professional under section 245I.04, subdivision 2, clause  
 163.7 (1) to (4) or (6), and must address the inmate's cognitive, emotional, and social maturity.  
 163.8 The board may use a previous report that was prepared within 12 months immediately  
 163.9 preceding the hearing.

163.10 ~~(e)~~ (e) The ~~commissioner shall~~ board must make reasonable efforts to notify the victim,  
 163.11 in advance, of the time and place of the inmate's ~~supervised~~ release review hearing. The  
 163.12 victim has a right to submit an oral or written statement at the review hearing. The statement  
 163.13 may summarize the harm suffered by the victim as a result of the crime and give the victim's  
 163.14 recommendation on whether the inmate should be given supervised release at this time. The  
 163.15 ~~commissioner~~ board must consider the victim's statement when making the supervised  
 163.16 release or parole decision.

163.17 ~~(d)~~ (f) Supervised release or parole must be granted with a majority vote of the board  
 163.18 members. When considering whether to ~~give grant~~ supervised release or parole to an inmate  
 163.19 serving a life or indeterminate sentence ~~under section 609.3455, subdivision 3 or 4 or early~~  
 163.20 supervised release to an inmate under subdivision 4a, the ~~commissioner shall~~ board must  
 163.21 consider, at a minimum, the following:

163.22 (1) the risk the inmate poses to the community if released;

163.23 (2) the inmate's progress in treatment;

163.24 (3) the inmate's behavior while incarcerated;

163.25 (4) psychological or other diagnostic evaluations of the inmate;

163.26 (5) the inmate's criminal history;

163.27 (6) a victim statement under paragraph (e), if submitted;

163.28 (7) for an inmate who was under 18 years of age when they committed their offense:

163.29 (i) the development report under paragraph (d); and

163.30 (ii) relevant science on the neurological development of juveniles and information on  
 163.31 the inmate's maturity and rehabilitation while incarcerated; and

163.32 (8) any other relevant conduct of the inmate while incarcerated or before incarceration.

164.1 (g) The ~~commissioner~~ board may not give grant supervised release or parole to the an  
164.2 inmate unless:

164.3 (1) while in prison:

164.4 (i) the inmate has successfully completed appropriate sex offender treatment, if applicable;

164.5 (ii) the inmate has been assessed for substance use disorder needs and, if appropriate,  
164.6 has successfully completed substance use disorder treatment; and

164.7 (iii) the inmate has been assessed for mental health needs and, if appropriate, has  
164.8 successfully completed mental health treatment; and

164.9 (2) a comprehensive individual release plan is in place for the inmate that:

164.10 (i) ensures that, after release, the inmate will have suitable housing and receive appropriate  
164.11 aftercare and community-based treatment. ~~The comprehensive plan also must include;~~ and

164.12 (ii) includes a postprison employment or education plan for the inmate.

164.13 (h) No earlier than three years before an inmate reaches their minimum term of  
164.14 imprisonment, the commissioner must conduct a formal review and make programming  
164.15 recommendations relevant to the inmate's release review. The board must conduct a  
164.16 supervised release review hearing as soon as practicable before an inmate reaches their  
164.17 minimum term of imprisonment. If an inmate is not released after a hearing, the board must  
164.18 conduct a subsequent review hearing no more than once every three years.

164.19 (i) Within 30 days after a supervised release review hearing, the board must issue a  
164.20 decision on granting release, including an explanation for the decision. If the board does  
164.21 not grant supervised release, the explanation must identify specific steps that the inmate  
164.22 can take to increase the likelihood that release will be granted at a future hearing.

164.23 (j) When granting supervised release under this subdivision, the board must set prerelease  
164.24 conditions to be followed by the inmate, if time permits, before their actual release or before  
164.25 constructive parole becomes effective. If the inmate violates any of the prerelease conditions,  
164.26 the commissioner may rescind the grant of supervised release without a hearing at any time  
164.27 before the inmate's release or before constructive parole becomes effective. A grant of  
164.28 constructive parole becomes effective once the inmate begins serving the consecutive  
164.29 sentence.

164.30 (k) If the commissioner rescinds a grant of supervised release or parole, the board:

164.31 (1) must set a release review date that occurs within 90 days of the commissioner's  
164.32 rescission; and

165.1 (2) by majority vote, may set a new supervised release date or set another review date.

165.2 (l) If the commissioner revokes supervised release or parole for an inmate serving a life  
 165.3 sentence, the revocation is not subject to the limitations under section 244.30 and the board:

165.4 (1) must set a release review date that occurs within one year of the commissioner's final  
 165.5 revocation decision; and

165.6 (2) by majority vote, may set a new supervised release date or set another review date.

165.7 (m) The board may, by a majority vote, grant a person on supervised release or parole  
 165.8 for a life or indeterminate sentence a final discharge from their sentence in accordance with  
 165.9 section 243.05, subdivision 3. In no case, however, may a person subject to a mandatory  
 165.10 lifetime conditional release term under section 609.3455, subdivision 7, be discharged from  
 165.11 that term.

165.12 (n) For purposes of this subdivision:

165.13 (1) "board" means the Supervised Release Board under section 244.049;

165.14 (2) "constructive parole" means the status of an inmate who has been paroled from an  
 165.15 indeterminate sentence to begin serving a consecutive sentence in prison; and

165.16 ~~(e) As used in this subdivision,~~ (3) "victim" means the an individual who has directly  
 165.17 suffered loss or harm as a result of the from an inmate's crime or, if the individual is deceased,  
 165.18 the deceased's a murder victim's surviving spouse or, next of kin, or family kin.

165.19 **EFFECTIVE DATE.** This section is effective July 1, 2023.

165.20 Sec. 7. Minnesota Statutes 2022, section 244.101, subdivision 1, is amended to read:

165.21 Subdivision 1. **Executed sentences.** Except as provided in section 244.05, subdivision  
 165.22 4a, when a felony offender is sentenced to a fixed executed sentence for an offense committed  
 165.23 on or after August 1, 1993, the executed sentence consists of two parts: (1) a specified  
 165.24 minimum term of imprisonment that is equal to two-thirds of the executed sentence; and  
 165.25 (2) a specified maximum supervised release term that is equal to one-third of the executed  
 165.26 sentence. The amount of time the inmate actually serves in prison and on supervised release  
 165.27 is subject to the provisions of section 244.05, subdivision 1b.

165.28 Sec. 8. Minnesota Statutes 2022, section 609.106, subdivision 2, is amended to read:

165.29 Subd. 2. **Life without release.** Except as provided in subdivision 3, the court shall  
 165.30 sentence a person to life imprisonment without possibility of release under the following  
 165.31 circumstances:

166.1 (1) the person is convicted of first-degree murder under section 609.185, paragraph (a),  
166.2 clause (1), (2), (4), or (7);

166.3 (2) the person is convicted of committing first-degree murder in the course of a  
166.4 kidnapping under section 609.185, paragraph (a), clause (3); or

166.5 (3) the person is convicted of first-degree murder under section 609.185, paragraph (a),  
166.6 clause (3), (5), or (6), and the court determines on the record at the time of sentencing that  
166.7 the person has one or more previous convictions for a heinous crime.

166.8 Sec. 9. Minnesota Statutes 2022, section 609.106, is amended by adding a subdivision to  
166.9 read:

166.10 Subd. 3. **Offender under age 18; life imprisonment.** The court shall sentence a person  
166.11 who was under 18 years of age at the time of the commission of an offense under the  
166.12 circumstances described in subdivision 2 to imprisonment for life.

166.13 Sec. 10. Minnesota Statutes 2022, section 609.3455, subdivision 2, is amended to read:

166.14 Subd. 2. **Mandatory life sentence without release; egregious first-time and repeat**  
166.15 **offenders.** (a) Except as provided in paragraph (c), notwithstanding the statutory maximum  
166.16 penalty otherwise applicable to the offense, the court shall sentence a person convicted  
166.17 under section 609.342, subdivision 1, paragraph (a), (b), (c), (d), or (e), or subdivision 1a,  
166.18 clause (a), (b), (c), (d), (h), or (i); or 609.343, subdivision 1, paragraph (a), (b), (c), (d), or  
166.19 (e), or subdivision 1a, clause (a), (b), (c), (d), (h), or (i), to life without the possibility of  
166.20 release if:

166.21 (1) the fact finder determines that two or more heinous elements exist; or

166.22 (2) the person has a previous sex offense conviction for a violation of section 609.342,  
166.23 609.343, 609.344, or 609.3458, subdivision 1, paragraph (b), and the fact finder determines  
166.24 that a heinous element exists for the present offense.

166.25 (b) A fact finder may not consider a heinous element if it is an element of the underlying  
166.26 specified violation of section 609.342 or 609.343. In addition, when determining whether  
166.27 two or more heinous elements exist, the fact finder may not use the same underlying facts  
166.28 to support a determination that more than one element exists.

166.29 (c) The court shall sentence a person who was under 18 years of age at the time of the  
166.30 commission of an offense described in paragraph (a) to imprisonment for life.

167.1 Sec. 11. Minnesota Statutes 2022, section 609.3455, subdivision 5, is amended to read:

167.2 Subd. 5. **Life sentences; minimum term of imprisonment.** At the time of sentencing  
167.3 under subdivision 3 or 4, the court shall specify a minimum term of imprisonment, based  
167.4 on the sentencing guidelines or any applicable mandatory minimum sentence, that must be  
167.5 served before the offender may be considered for supervised release. If the offender was  
167.6 under 18 years of age at the time of the commission of the offense, the minimum term of  
167.7 imprisonment specified by the court shall not exceed 15 years.

167.8 Sec. 12. **REVISOR INSTRUCTION.**

167.9 When necessary to reflect the transfer under Minnesota Statutes, section 244.049,  
167.10 subdivision 1, the revisor of statutes must change the term "commissioner" or "commissioner  
167.11 of corrections" to "Supervised Release Board" or "board" in Minnesota Statutes, sections  
167.12 243.05, subdivisions 1, paragraph (a), and 3; 244.08; and 609.12 and make any other  
167.13 necessary grammatical changes.

167.14 Sec. 13. **EFFECTIVE DATE.**

167.15 Sections 2, 4, 5, 7, and 8 to 11 are effective July 1, 2023, and apply to offenders sentenced  
167.16 on or after that date and retroactively to offenders:

167.17 (1) sentenced to life imprisonment without possibility of release following a conviction  
167.18 under Minnesota Statutes, section 609.185, paragraph (a), for an offense committed when  
167.19 the offender was under 18 years of age and when a sentence was imposed pursuant to  
167.20 Minnesota Statutes, section 609.106, subdivision 2;

167.21 (2) sentenced to life imprisonment without possibility of release following a conviction  
167.22 under Minnesota Statutes, section 609.3455, subdivision 2, for an offense committed when  
167.23 the offender was under 18 years of age;

167.24 (3) sentenced to life imprisonment under Minnesota Statutes, section 609.185, paragraph  
167.25 (a), clause (3), (5), or (6); or Minnesota Statutes 2004, section 609.109, subdivision 3, for  
167.26 an offense committed when the offender was under 18 years of age;

167.27 (4) sentenced to life imprisonment under Minnesota Statutes, section 609.385, for an  
167.28 offense committed when the offender was under 18 years of age;

167.29 (5) sentenced to life imprisonment under Minnesota Statutes, section 609.3455,  
167.30 subdivision 3 or 4, if the minimum term of imprisonment specified by the court in its sentence  
167.31 exceeds 15 years for an offense committed when the offender was under 18 years of age;  
167.32 or

168.1 (6) sentenced to an executed sentence that includes a term of imprisonment of more than  
168.2 15 years or separate, consecutive executed sentences for two or more crimes that include  
168.3 combined terms of imprisonment that total more than 15 years for an offense committed  
168.4 when the offender was under 18 years of age.

## 168.5 ARTICLE 9

### 168.6 EXPUNGEMENT WITHOUT PETITION

168.7 Section 1. [609A.015] AUTOMATIC EXPUNGEMENT OF RECORDS.

168.8 Subdivision 1. Eligibility; dismissal; exoneration. (a) A person who is the subject of  
168.9 a criminal record or delinquency record is eligible for a grant of expungement relief without  
168.10 the filing of a petition:

168.11 (1) if the person was arrested and all charges were dismissed after a case was filed unless  
168.12 dismissal was based on a finding that the defendant was incompetent to proceed;

168.13 (2) upon the dismissal and discharge of proceedings against a person under section  
168.14 152.18, subdivision 1, for violation of section 152.024, 152.025, or 152.027 for possession  
168.15 of a controlled substance; or

168.16 (3) if all pending actions or proceedings were resolved in favor of the person.

168.17 (b) For purposes of this chapter, a verdict of not guilty by reason of mental illness is not  
168.18 a resolution in favor of the person. For purposes of this chapter, an action or proceeding is  
168.19 resolved in favor of the person if the petitioner received an order under section 590.11  
168.20 determining that the person is eligible for compensation based on exoneration.

168.21 Subd. 2. Eligibility; diversion and stay of adjudication. A person is eligible for a grant  
168.22 of expungement relief if the person has successfully completed the terms of a diversion  
168.23 program or stay of adjudication for a qualifying offense that is not a felony and has not been  
168.24 petitioned or charged with a new offense, other than an offense that would be a petty  
168.25 misdemeanor, in Minnesota:

168.26 (1) for one year immediately following completion of the diversion program or stay of  
168.27 adjudication; or

168.28 (2) for one year immediately preceding a subsequent review performed pursuant to  
168.29 subdivision 6, paragraph (a).

168.30 Subd. 3. Eligibility; pardon. A person is eligible for a grant of expungement relief if  
168.31 the person receives a pardon extraordinary under chapter 638.



- 169.1 Subd. 4. Eligibility; certain criminal proceedings. (a) A person is eligible for a grant  
169.2 of expungement relief if the person:
- 169.3 (1) was convicted of a qualifying offense;
- 169.4 (2) has not been convicted of a new offense, other than an offense that would be a petty  
169.5 misdemeanor, in Minnesota:
- 169.6 (i) during the applicable waiting period immediately following discharge of the disposition  
169.7 or sentence for the crime; or
- 169.8 (ii) during the applicable waiting period immediately preceding a subsequent review  
169.9 performed pursuant to subdivision 6, paragraph (a); and
- 169.10 (3) is not charged with an offense, other than an offense that would be a petty  
169.11 misdemeanor, in Minnesota at the time the person reaches the end of the applicable waiting  
169.12 period or at the time of a subsequent review.
- 169.13 (b) As used in this subdivision, "qualifying offense" means a conviction for:
- 169.14 (1) any petty misdemeanor offense other than a violation of a traffic regulation relating  
169.15 to the operation or parking of motor vehicles;
- 169.16 (2) any misdemeanor offense other than:
- 169.17 (i) section 169A.20 under the terms described in section 169A.27 (fourth-degree driving  
169.18 while impaired);
- 169.19 (ii) section 518B.01, subdivision 14 (violation of an order for protection);
- 169.20 (iii) section 609.224 (assault in the fifth degree);
- 169.21 (iv) section 609.2242 (domestic assault);
- 169.22 (v) section 609.748 (violation of a harassment restraining order);
- 169.23 (vi) section 609.78 (interference with emergency call);
- 169.24 (vii) section 609.79 (obscene or harassing phone calls);
- 169.25 (viii) section 617.23 (indecent exposure);
- 169.26 (ix) section 609.746 (interference with privacy); or
- 169.27 (x) section 629.75 (violation of domestic abuse no contact order);
- 169.28 (3) any gross misdemeanor offense other than:
- 169.29 (i) section 169A.25 (second-degree driving while impaired);

- 170.1 (ii) section 169A.26 (third-degree driving while impaired);
- 170.2 (iii) section 518B.01, subdivision 14 (violation of an order for protection);
- 170.3 (iv) section 609.2113, subdivision 3 (criminal vehicular operation);
- 170.4 (v) section 609.2231 (assault in the fourth degree);
- 170.5 (vi) section 609.224 (assault in the fifth degree);
- 170.6 (vii) section 609.2242 (domestic assault);
- 170.7 (viii) section 609.233 (criminal neglect);
- 170.8 (ix) section 609.3451 (criminal sexual conduct in the fifth degree);
- 170.9 (x) section 609.377 (malicious punishment of child);
- 170.10 (xi) section 609.485 (escape from custody);
- 170.11 (xii) section 609.498 (tampering with witness);
- 170.12 (xiii) section 609.582, subdivision 4 (burglary in the fourth degree);
- 170.13 (xiv) section 609.746 (interference with privacy);
- 170.14 (xv) section 609.748 (violation of a harassment restraining order);
- 170.15 (xvi) section 609.749 (harassment; stalking);
- 170.16 (xvii) section 609.78 (interference with emergency call);
- 170.17 (xviii) section 617.23 (indecent exposure);
- 170.18 (xix) section 617.261 (nonconsensual dissemination of private sexual images); or
- 170.19 (xx) section 629.75 (violation of domestic abuse no contact order); or
- 170.20 (4) any felony offense listed in section 609A.02, subdivision 3, paragraph (b), other
- 170.21 than:
- 170.22 (i) section 609.485, subdivision 4, paragraph (a), clause (2) or (4) (escape from civil
- 170.23 commitment for mental illness);
- 170.24 (ii) section 609.746, subdivision 1, paragraph (e) (interference with privacy; subsequent
- 170.25 violation or minor victim);
- 170.26 (iii) section 152.023, subdivision 2 (possession of a controlled substance in the third
- 170.27 degree); and

171.1 (iv) section 152.024, subdivision 2 (possession of a controlled substance in the fourth  
171.2 degree).

171.3 (c) As used in this subdivision, "applicable waiting period" means:

171.4 (1) if the offense was a petty misdemeanor, two years since discharge of the sentence;

171.5 (2) if the offense was a misdemeanor, two years since discharge of the sentence for the  
171.6 crime;

171.7 (3) if the offense was a gross misdemeanor, three years since discharge of the sentence  
171.8 for the crime;

171.9 (4) if the offense was a felony violation of section 152.025, four years since the discharge  
171.10 of the sentence for the crime; and

171.11 (5) if the offense was any other felony, five years since discharge of the sentence for the  
171.12 crime.

171.13 (d) Felony offenses deemed to be a gross misdemeanor or misdemeanor pursuant to  
171.14 section 609.13, subdivision 1, remain ineligible for expungement under this section. Gross  
171.15 misdemeanor offenses ineligible for a grant of expungement under this section remain  
171.16 ineligible if deemed to be for a misdemeanor pursuant to section 609.13, subdivision 2.

171.17 Subd. 5. **Notice.** (a) The court shall notify a person who may become eligible for an  
171.18 automatic expungement under this section of that eligibility at any hearing where the court  
171.19 dismisses and discharges proceedings against a person under section 152.18, subdivision  
171.20 1, for violation of section 152.024, 152.025, or 152.027 for possession of a controlled  
171.21 substance; concludes that all pending actions or proceedings were resolved in favor of the  
171.22 person; grants a person's placement into a diversion program; or sentences a person or  
171.23 otherwise imposes a consequence for a qualifying offense.

171.24 (b) To the extent possible, prosecutors, defense counsel, supervising agents, and  
171.25 coordinators or supervisors of a diversion program shall notify a person who may become  
171.26 eligible for an automatic expungement under this section of that eligibility.

171.27 (c) If any party gives notification under this subdivision, the notification shall inform  
171.28 the person that:

171.29 (1) a record expunged under this section may be opened for purposes of a background  
171.30 study by the Department of Human Services under section 245C.08 and for purposes of a  
171.31 background check by the Professional Educator Licensing and Standards Board as required  
171.32 under section 122A.18, subdivision 8; and

172.1 (2) the person can file a petition to expunge the record and request that the petition be  
172.2 directed to the commissioner of human services and the Professional Educator Licensing  
172.3 and Standards Board.

172.4 Subd. 6. Bureau of Criminal Apprehension to identify eligible persons and grant  
172.5 expungement relief. (a) The Bureau of Criminal Apprehension shall identify any records  
172.6 that qualify for a grant of expungement relief pursuant to this subdivision or subdivision 1,  
172.7 2, 3, or 4. The Bureau of Criminal Apprehension shall make an initial determination of  
172.8 eligibility within 30 days of the end of the applicable waiting period. If a record is not  
172.9 eligible for a grant of expungement at the time of the initial determination, the Bureau of  
172.10 Criminal Apprehension shall make subsequent eligibility determinations annually until the  
172.11 record is eligible for a grant of expungement.

172.12 (b) In making the determination under paragraph (a), the Bureau of Criminal  
172.13 Apprehension shall identify individuals who are the subject of relevant records through the  
172.14 use of finger and thumb prints where finger and thumb prints are available. Where finger  
172.15 and thumb prints are not available, the Bureau of Criminal Apprehension shall identify  
172.16 individuals through the use of the person's name and date of birth. Records containing the  
172.17 same name and date of birth shall be presumed to refer to the same individual unless other  
172.18 evidence establishes, by a preponderance of the evidence, that they do not refer to the same  
172.19 individual. The Bureau of Criminal Apprehension is not required to review any other  
172.20 evidence in making a determination.

172.21 (c) The Bureau of Criminal Apprehension shall grant expungement relief to qualifying  
172.22 persons and seal its own records without requiring an application, petition, or motion.  
172.23 Records shall be sealed 60 days after notice is sent to the judicial branch pursuant to  
172.24 paragraph (e) unless an order of the judicial branch prohibits sealing the records or additional  
172.25 information establishes that the records are not eligible for expungement.

172.26 (d) Nonpublic criminal records maintained by the Bureau of Criminal Apprehension  
172.27 and subject to a grant of expungement relief shall display a notation stating "expungement  
172.28 relief granted pursuant to section 609A.015."

172.29 (e) The Bureau of Criminal Apprehension shall inform the judicial branch of all cases  
172.30 for which expungement relief was granted pursuant to this section. Notification may be  
172.31 through electronic means and may be made in real time or in the form of a monthly report.  
172.32 Upon receipt of notice, the judicial branch shall seal all records relating to an arrest,  
172.33 indictment or information, trial, verdict, or dismissal and discharge for any case in which

173.1 expungement relief was granted and shall issue any order deemed necessary to achieve this  
173.2 purpose.

173.3 (f) The Bureau of Criminal Apprehension shall inform each law enforcement agency  
173.4 that its records may be affected by a grant of expungement relief. Notification may be  
173.5 through electronic means. Each notified law enforcement agency that receives a request to  
173.6 produce records shall first contact the Bureau of Criminal Apprehension to determine if the  
173.7 records were subject to a grant of expungement under this section. The law enforcement  
173.8 agency must not disclose records relating to an arrest, indictment or information, trial,  
173.9 verdict, or dismissal and discharge for any case in which expungement relief was granted  
173.10 and must maintain the data consistent with the classification in paragraph (g). This paragraph  
173.11 does not apply to requests from a criminal justice agency as defined in section 609A.03,  
173.12 subdivision 7a, paragraph (f), for the purposes of:

173.13 (1) initiating, furthering, or completing a criminal investigation or prosecution or for  
173.14 sentencing purposes or providing probation or other correctional services; or

173.15 (2) evaluating a prospective employee in a criminal justice agency without a court order.

173.16 (g) Data on the person whose offense has been expunged under this subdivision, including  
173.17 any notice sent pursuant to paragraph (f), are private data on individuals as defined in section  
173.18 13.02, subdivision 12.

173.19 (h) The prosecuting attorney shall notify the victim that an offense qualifies for automatic  
173.20 expungement under this section in the manner provided in section 611A.03, subdivisions  
173.21 1 and 2.

173.22 (i) In any subsequent prosecution of a person granted expungement relief, the expunged  
173.23 criminal record may be pleaded and has the same effect as if the relief had not been granted.

173.24 (j) The Bureau of Criminal Apprehension is directed to develop, modify, or update a  
173.25 system to provide criminal justice agencies with uniform statewide access to criminal records  
173.26 sealed by expungement.

173.27 Subd. 7. **Immunity from civil liability.** Employees of the Bureau of Criminal  
173.28 Apprehension shall not be held civilly liable for the exercise or the failure to exercise, or  
173.29 the decision to exercise or the decision to decline to exercise, the powers granted by this  
173.30 section or for any act or omission occurring within the scope of the performance of their  
173.31 duties under this section.

173.32 **EFFECTIVE DATE.** This section is effective January 1, 2025, and applies to offenses  
173.33 that meet the eligibility criteria on or after that date and retroactively to offenses that met

174.1 those qualifications before January 1, 2025, and are stored in the Bureau of Criminal  
174.2 Apprehension's criminal history system as of January 1, 2025.

## 174.3 ARTICLE 10

### 174.4 EXPUNGEMENT BY PETITION

174.5 Section 1. Minnesota Statutes 2022, section 609A.02, subdivision 3, is amended to read:

174.6 Subd. 3. **Certain criminal proceedings.** (a) A petition may be filed under section  
174.7 609A.03 to seal all records relating to an arrest, indictment or information, trial, or verdict  
174.8 if the records are not subject to section 299C.11, subdivision 1, paragraph (b), and if:

174.9 (1) all pending actions or proceedings were resolved in favor of the petitioner. For  
174.10 purposes of this chapter, a verdict of not guilty by reason of mental illness is not a resolution  
174.11 in favor of the petitioner. For the purposes of this chapter, an action or proceeding is resolved  
174.12 in favor of the petitioner, if the petitioner received an order under section 590.11 determining  
174.13 that the petitioner is eligible for compensation based on exoneration;

174.14 (2) the petitioner has successfully completed the terms of a diversion program or stay  
174.15 of adjudication and has not been charged with a new crime for at least one year since  
174.16 completion of the diversion program or stay of adjudication;

174.17 (3) the petitioner was convicted of ~~or received a stayed sentence for~~ a petty misdemeanor  
174.18 or misdemeanor or the sentence imposed was within the limits provided by law for a  
174.19 misdemeanor and the petitioner has not been convicted of a new crime for at least two years  
174.20 since discharge of the sentence for the crime;

174.21 (4) the petitioner was convicted of ~~or received a stayed sentence for~~ a gross misdemeanor  
174.22 or the sentence imposed was within the limits provided by law for a gross misdemeanor  
174.23 and the petitioner has not been convicted of a new crime for at least ~~four~~ three years since  
174.24 discharge of the sentence for the crime; ~~or~~

174.25 (5) the petitioner was convicted of a gross misdemeanor that is deemed to be for a  
174.26 misdemeanor pursuant to section 609.13, subdivision 2, clause (2), and has not been convicted  
174.27 of a new crime for at least three years since discharge of the sentence for the crime;

174.28 (6) the petitioner was convicted of a felony violation of section 152.025 and has not  
174.29 been convicted of a new crime for at least four years since discharge of the sentence for the  
174.30 crime;

174.31 (7) the petitioner was convicted of a felony that is deemed to be for a gross misdemeanor  
174.32 or misdemeanor pursuant to section 609.13, subdivision 1, clause (2), and has not been

- 175.1 convicted of a new crime for at least five years since discharge of the sentence for the crime;  
175.2 or
- 175.3 ~~(5)~~ (8) the petitioner was convicted of ~~or received a stayed sentence for~~ a felony violation  
175.4 of an offense listed in paragraph (b), and has not been convicted of a new crime for at least  
175.5 ~~five~~ four years since discharge of the sentence for the crime.
- 175.6 (b) Paragraph (a), clause ~~(5)~~ (7), applies to the following offenses:
- 175.7 (1) section 35.824 (altering livestock certificate);
- 175.8 (2) section 62A.41 (insurance regulations);
- 175.9 (3) section 86B.865, subdivision 1 (certification for title on watercraft);
- 175.10 (4) section 152.023, subdivision 2 (possession of a controlled substance in the third  
175.11 degree); 152.024, subdivision 2 (possession of a controlled substance in the fourth degree);  
175.12 152.025 (controlled substance in the fifth degree); or 152.097 (sale of simulated controlled  
175.13 substance);
- 175.14 (5) section 168A.30, subdivision 1 (certificate of title false information); or 169.09,  
175.15 subdivision 14, paragraph (a), clause (2) (accident resulting in great bodily harm);
- 175.16 (6) chapter 201; 203B; or 204C (voting violations);
- 175.17 (7) section 228.45; 228.47; 228.49; 228.50; or 228.51 (false bill of lading);
- 175.18 (8) section 256.984 (false declaration in assistance application);
- 175.19 (9) section 296A.23, subdivision 2 (willful evasion of fuel tax);
- 175.20 (10) section 297D.09, subdivision 1 (failure to affix stamp on scheduled substances);
- 175.21 (11) section 297G.19 (liquor taxation); or 340A.701 (unlawful acts involving liquor);
- 175.22 (12) section 325F.743 (precious metal dealers); or 325F.755, subdivision 7 (prize notices  
175.23 and solicitations);
- 175.24 (13) section 346.155, subdivision 10 (failure to control regulated animal);
- 175.25 (14) section 349.2127; or 349.22 (gambling regulations);
- 175.26 (15) section 588.20 (contempt);
- 175.27 (16) section 609.27, subdivision 1, clauses (2) to (5) (coercion);
- 175.28 (17) section 609.31 (leaving state to evade establishment of paternity);

- 176.1 (18) section 609.485, subdivision 4, paragraph (a), clause (2) or (4) (escape from civil  
176.2 commitment for mental illness);
- 176.3 (19) section 609.49 (failure to appear in court);
- 176.4 (20) section 609.52, subdivision 2, when sentenced pursuant to section 609.52,  
176.5 subdivision 3, clause (3)(a) (theft of \$5,000 or less), or other theft offense that is sentenced  
176.6 under this provision; or 609.52, subdivision 3a, clause (1) (theft of \$1,000 or less with risk  
176.7 of bodily harm); or any other offense sentenced pursuant to section 609.52, subdivision 3,  
176.8 clause (3)(a);
- 176.9 (21) section 609.521 (possession of shoplifting gear);
- 176.10 ~~(21)~~ (22) section 609.525 (bringing stolen goods into state);
- 176.11 ~~(22)~~ (23) section 609.526, subdivision 2, clause (2) (metal dealer receiving stolen goods);
- 176.12 ~~(23)~~ (24) section 609.527, subdivision 5b (possession or use of scanning device or  
176.13 reencoder); 609.528, subdivision 3, clause (3) (possession or sale of stolen or counterfeit  
176.14 check); or 609.529 (mail theft);
- 176.15 ~~(24)~~ (25) section 609.53 (receiving stolen goods);
- 176.16 ~~(25)~~ (26) section 609.535, subdivision 2a, paragraph (a), clause (1) (dishonored check  
176.17 over \$500);
- 176.18 ~~(26)~~ (27) section 609.54, clause (1) (embezzlement of public funds \$2,500 or less);
- 176.19 ~~(27)~~ (28) section 609.551 (rustling and livestock theft);
- 176.20 ~~(28)~~ (29) section 609.5641, subdivision 1a, paragraph (a) (wildfire arson);
- 176.21 ~~(29)~~ (30) section 609.576, subdivision 1, clause (3), item (iii) (negligent fires);
- 176.22 (31) section 609.582, subdivision 3 (burglary in the third degree);
- 176.23 (32) section 609.59 (possession of burglary or theft tools);
- 176.24 ~~(30)~~ (33) section 609.595, subdivision 1, clauses (3) to (5), and subdivision 1a, paragraph  
176.25 (a) (criminal damage to property);
- 176.26 ~~(31)~~ (34) section 609.597, subdivision 3, clause (3) (assaulting or harming police horse);
- 176.27 ~~(32)~~ (35) section 609.625 (aggravated forgery); 609.63 (forgery); 609.631, subdivision  
176.28 4, clause (3)(a) (check forgery \$2,500 or less); 609.635 (obtaining signature by false  
176.29 pretense); 609.64 (recording, filing forged instrument); or 609.645 (fraudulent statements);



- 177.1 ~~(33)~~(36) section 609.65, clause (1) (false certification by notary); or 609.651, subdivision  
177.2 4, paragraph (a) (lottery fraud);
- 177.3 ~~(34)~~(37) section 609.652 (fraudulent driver's license and identification card);
- 177.4 ~~(35)~~(38) section 609.66, subdivision 1a, paragraph (a) (discharge of firearm; silencer);  
177.5 or 609.66, subdivision 1b (furnishing firearm to minor);
- 177.6 ~~(36)~~(39) section 609.662, subdivision 2, paragraph (b) (duty to render aid);
- 177.7 ~~(37)~~(40) section 609.686, subdivision 2 (tampering with fire alarm);
- 177.8 ~~(38)~~(41) section 609.746, subdivision 1, paragraph (e) (interference with privacy;  
177.9 subsequent violation or minor victim);
- 177.10 ~~(39)~~(42) section 609.80, subdivision 2 (interference with cable communications system);
- 177.11 ~~(40)~~(43) section 609.821, subdivision 2 (financial transaction card fraud);
- 177.12 ~~(41)~~(44) section 609.822 (residential mortgage fraud);
- 177.13 ~~(42)~~(45) section 609.825, subdivision 2 (bribery of participant or official in contest);
- 177.14 ~~(43)~~(46) section 609.855, subdivision 2, paragraph (c), clause (1) (interference with  
177.15 transit operator);
- 177.16 ~~(44)~~(47) section 609.88 (computer damage); or 609.89 (computer theft);
- 177.17 ~~(45)~~(48) section 609.893, subdivision 2 (telecommunications and information services  
177.18 fraud);
- 177.19 ~~(46)~~(49) section 609.894, subdivision 3 or 4 (cellular counterfeiting);
- 177.20 ~~(47)~~(50) section 609.895, subdivision 3, paragraph (a) or (b) (counterfeited intellectual  
177.21 property);
- 177.22 ~~(48)~~(51) section 609.896 (movie pirating);
- 177.23 ~~(49)~~(52) section 624.7132, subdivision 15, paragraph (b) (transfer pistol to minor);  
177.24 624.714, subdivision 1a (pistol without permit; subsequent violation); or 624.7141,  
177.25 subdivision 2 (transfer of pistol to ineligible person); or
- 177.26 ~~(50)~~(53) section 624.7181 (rifle or shotgun in public by minor).
- 177.27 **EFFECTIVE DATE.** This section is effective July 1, 2023, and applies to all offenses  
177.28 that meet the eligibility criteria on or after that date.

178.1

**ARTICLE 11**

178.2

**EXPUNGEMENT CHANGES; CONFORMING CHANGES**

178.3 Section 1. Minnesota Statutes 2022, section 13.871, subdivision 14, is amended to read:

178.4 Subd. 14. **Expungement petitions.** (a) Provisions regarding the classification and sharing  
178.5 of data contained in a petition for expungement of a criminal record are included in section  
178.6 609A.03.

178.7 (b) Provisions regarding the classification and sharing of data related to automatic  
178.8 expungements are included in sections 299C.097 and 609A.015.

178.9 Sec. 2. Minnesota Statutes 2022, section 152.18, subdivision 1, is amended to read:

178.10 Subdivision 1. **Deferring prosecution for certain first time drug offenders.** (a) A  
178.11 court may defer prosecution as provided in paragraph (c) for any person found guilty, after  
178.12 trial or upon a plea of guilty, of a violation of section 152.023, subdivision 2, 152.024,  
178.13 subdivision 2, 152.025, subdivision 2, or 152.027, subdivision 2, 3, 4, or 6, paragraph (d),  
178.14 for possession of a controlled substance, who:

178.15 (1) has not previously participated in or completed a diversion program authorized under  
178.16 section 401.065;

178.17 (2) has not previously been placed on probation without a judgment of guilty and  
178.18 thereafter been discharged from probation under this section; and

178.19 (3) has not been convicted of a felony violation of this chapter, including a felony-level  
178.20 attempt or conspiracy, or been convicted by the United States or another state of a similar  
178.21 offense that would have been a felony under this chapter if committed in Minnesota, unless  
178.22 ten years have elapsed since discharge from sentence.

178.23 (b) The court must defer prosecution as provided in paragraph (c) for any person found  
178.24 guilty of a violation of section 152.025, subdivision 2, who:

178.25 (1) meets the criteria listed in paragraph (a), clauses (1) to (3); and

178.26 (2) has not previously been convicted of a felony offense under any state or federal law  
178.27 or of a gross misdemeanor under section 152.025.

178.28 (c) In granting relief under this section, the court shall, without entering a judgment of  
178.29 guilty and with the consent of the person, defer further proceedings and place the person  
178.30 on probation upon such reasonable conditions as it may require and for a period, not to  
178.31 exceed the maximum sentence provided for the violation. The court may give the person

179.1 the opportunity to attend and participate in an appropriate program of education regarding  
179.2 the nature and effects of alcohol and drug abuse as a stipulation of probation. Upon violation  
179.3 of a condition of the probation, the court may enter an adjudication of guilt and proceed as  
179.4 otherwise provided. The court may, in its discretion, dismiss the proceedings against the  
179.5 person and discharge the person from probation before the expiration of the maximum  
179.6 period prescribed for the person's probation. If during the period of probation the person  
179.7 does not violate any of the conditions of the probation, then upon expiration of the period  
179.8 the court shall discharge the person and dismiss the proceedings against that person.  
179.9 Discharge and dismissal under this subdivision shall be without court adjudication of guilt,  
179.10 but a not public record of it shall be retained by the Bureau of Criminal Apprehension for  
179.11 the purpose of use by the courts in determining the merits of subsequent proceedings against  
179.12 the person. The not public record may also be opened only upon court order for purposes  
179.13 of a criminal investigation, prosecution, or sentencing. Upon receipt of notice that the  
179.14 proceedings were dismissed, the Bureau of Criminal Apprehension shall notify the arresting  
179.15 or citing law enforcement agency and direct that agency to seal its records related to the  
179.16 charge. Upon request by law enforcement, prosecution, or corrections authorities, the bureau  
179.17 shall notify the requesting party of the existence of the not public record and the right to  
179.18 seek a court order to open it pursuant to this section. The court shall forward a record of  
179.19 any discharge and dismissal under this subdivision to the bureau which shall make and  
179.20 maintain the not public record of it as provided under this subdivision. The discharge or  
179.21 dismissal shall not be deemed a conviction for purposes of disqualifications or disabilities  
179.22 imposed by law upon conviction of a crime or for any other purpose.

179.23 For purposes of this subdivision, "not public" has the meaning given in section 13.02,  
179.24 subdivision 8a.

179.25 Sec. 3. Minnesota Statutes 2022, section 181.981, subdivision 1, is amended to read:

179.26 Subdivision 1. **Limitation on admissibility of criminal history.** Information regarding  
179.27 a criminal history record of an employee or former employee may not be introduced as  
179.28 evidence in a civil action against a private employer or its employees or agents that is based  
179.29 on the conduct of the employee or former employee, if:

179.30 (1) the duties of the position of employment did not expose others to a greater degree  
179.31 of risk than that created by the employee or former employee interacting with the public  
179.32 outside of the duties of the position or that might be created by being employed in general;

179.33 (2) before the occurrence of the act giving rise to the civil action;

179.34 (i) a court order sealed any record of the criminal case;

180.1 (ii) any record of the criminal case was sealed as the result of an automatic expungement,  
 180.2 including but not limited to a grant of expungement made pursuant to section 609A.015;  
 180.3 or

180.4 (iii) the employee or former employee received a pardon;

180.5 (3) the record is of an arrest or charge that did not result in a criminal conviction; or

180.6 (4) the action is based solely upon the employer's compliance with section 364.021.

180.7 **Sec. 4. [299C.097] DATABASE FOR IDENTIFYING INDIVIDUALS ELIGIBLE**  
 180.8 **FOR EXPUNGEMENT.**

180.9 (a) The superintendent of the Bureau of Criminal Apprehension shall maintain a  
 180.10 computerized data system relating to petty misdemeanor and misdemeanor offenses that  
 180.11 may become eligible for expungement pursuant to section 609A.015 and which do not  
 180.12 require fingerprinting pursuant to section 299C.10 and are not linked to an arrest record in  
 180.13 the criminal history system.

180.14 (b) This data is private data on individuals under section 13.02, subdivision 12.

180.15 **EFFECTIVE DATE.** This section is effective January 1, 2024.

180.16 Sec. 5. Minnesota Statutes 2022, section 299C.10, subdivision 1, is amended to read:

180.17 Subdivision 1. **Required fingerprinting.** (a) Sheriffs, peace officers, and community  
 180.18 corrections agencies operating secure juvenile detention facilities shall take or cause to be  
 180.19 taken immediately finger and thumb prints, photographs, distinctive physical mark  
 180.20 identification data, information on any known aliases or street names, and other identification  
 180.21 data requested or required by the superintendent of the bureau, of the following:

180.22 (1) persons arrested for, appearing in court on a charge of, or convicted of a felony, gross  
 180.23 misdemeanor, or targeted misdemeanor;

180.24 (2) juveniles arrested for, appearing in court on a charge of, adjudicated delinquent for,  
 180.25 or alleged to have committed felonies or gross misdemeanors as distinguished from those  
 180.26 committed by adult offenders;

180.27 (3) adults and juveniles admitted to jails or detention facilities;

180.28 (4) persons reasonably believed by the arresting officer to be fugitives from justice;

180.29 (5) persons in whose possession, when arrested, are found concealed firearms or other  
 180.30 dangerous weapons, burglar tools or outfits, high-power explosives, or articles, machines,

181.1 or appliances usable for an unlawful purpose and reasonably believed by the arresting officer  
181.2 to be intended for such purposes;

181.3 (6) juveniles referred by a law enforcement agency to a diversion program for a felony  
181.4 or gross misdemeanor offense; and

181.5 (7) persons currently involved in the criminal justice process, on probation, on parole,  
181.6 or in custody for any offense whom the superintendent of the bureau identifies as being the  
181.7 subject of a court disposition record which cannot be linked to an arrest record, and whose  
181.8 fingerprints are necessary to reduce the number of suspense files, or to comply with the  
181.9 mandates of section 299C.111, relating to the reduction of the number of suspense files.  
181.10 This duty to obtain fingerprints for the offenses in suspense at the request of the bureau  
181.11 shall include the requirement that fingerprints be taken in post-arrest interviews, while  
181.12 making court appearances, while in custody, or while on any form of probation, diversion,  
181.13 or supervised release.

181.14 (b) Unless the superintendent of the bureau requires a shorter period, within 24 hours  
181.15 of taking the fingerprints and data, the fingerprint records and other identification data  
181.16 specified under paragraph (a) must be electronically entered into a bureau-managed  
181.17 searchable database in a manner as may be prescribed by the superintendent.

181.18 (c) Prosecutors, courts, and probation officers and their agents, employees, and  
181.19 subordinates shall attempt to ensure that the required identification data is taken on a person  
181.20 described in paragraph (a). Law enforcement may take fingerprints of an individual who is  
181.21 presently on probation.

181.22 (d) Finger and thumb prints must be obtained no later than:

181.23 (1) release from booking; or

181.24 (2) if not booked prior to acceptance of a plea of guilty or not guilty.

181.25 Prior to acceptance of a plea of guilty or not guilty, an individual's finger and thumb  
181.26 prints must be submitted to the Bureau of Criminal Apprehension for the offense. If finger  
181.27 and thumb prints have not been successfully received by the bureau, an individual may,  
181.28 upon order of the court, be taken into custody for no more than eight hours so that the taking  
181.29 of prints can be completed. Upon notice and motion of the prosecuting attorney, this time  
181.30 period may be extended upon a showing that additional time in custody is essential for the  
181.31 successful taking of prints.

181.32 (e) For purposes of this section, a targeted misdemeanor is a misdemeanor violation of  
181.33 section 169A.20 (driving while impaired), 518B.01 (order for protection violation), 609.224

182.1 (fifth-degree assault), 609.2242 (domestic assault), 609.746 (interference with privacy),  
182.2 609.748 (harassment or restraining order violation), 609.749 (obscene or harassing telephone  
182.3 calls), 617.23 (indecent exposure), or 629.75 (domestic abuse no contact order).

182.4 Sec. 6. Minnesota Statutes 2022, section 299C.111, is amended to read:

182.5 **299C.111 SUSPENSE FILE REPORTING.**

182.6 The superintendent shall immediately notify the appropriate entity or individual when  
182.7 a disposition record for a felony, gross misdemeanor, or targeted misdemeanor is received  
182.8 that cannot be linked to an arrest record.

182.9 **EFFECTIVE DATE.** This section is effective January 1, 2025.

182.10 Sec. 7. Minnesota Statutes 2022, section 299C.17, is amended to read:

182.11 **299C.17 REPORT BY COURT ADMINISTRATOR.**

182.12 The superintendent shall require the court administrator of every court which sentences  
182.13 a defendant for a felony, gross misdemeanor, ~~or targeted misdemeanor,~~ or petty misdemeanor  
182.14 to electronically transmit within 24 hours of the disposition of the case a report, in a form  
182.15 prescribed by the superintendent providing information required by the superintendent with  
182.16 regard to the prosecution and disposition of criminal cases. A copy of the report shall be  
182.17 kept on file in the office of the court administrator.

182.18 **EFFECTIVE DATE.** This section is effective January 1, 2025.

182.19 Sec. 8. Minnesota Statutes 2022, section 609A.01, is amended to read:

182.20 **609A.01 EXPUNGEMENT OF CRIMINAL RECORDS.**

182.21 This chapter provides the grounds and procedures for expungement of criminal records  
182.22 under section 13.82; 152.18, subdivision 1; 299C.11, where expungement is automatic under  
182.23 section 609A.015, or a petition is authorized under section 609A.02, subdivision 3; or other  
182.24 applicable law. The remedy available is limited to a court order or grant of expungement  
182.25 under section 609A.015 sealing the records and prohibiting the disclosure of their existence  
182.26 or their opening except under court order or statutory authority. Nothing in this chapter  
182.27 authorizes the destruction of records or their return to the subject of the records.

182.28 **EFFECTIVE DATE.** This section is effective January 1, 2025.

183.1 Sec. 9. Minnesota Statutes 2022, section 609A.03, subdivision 5, is amended to read:

183.2 Subd. 5. **Nature of remedy; standard.** (a) Except as otherwise provided by paragraph  
183.3 (b), expungement of a criminal record under this section is an extraordinary remedy to be  
183.4 granted only upon clear and convincing evidence that it would yield a benefit to the petitioner  
183.5 commensurate with the disadvantages to the public and public safety of:

183.6 (1) sealing the record; and

183.7 (2) burdening the court and public authorities to issue, enforce, and monitor an  
183.8 expungement order.

183.9 (b) Except as otherwise provided by this paragraph, if the petitioner is petitioning for  
183.10 the sealing of a criminal record under section 609A.02, subdivision 3, paragraph (a), clause  
183.11 (1) or (2), the court shall grant the petition to seal the record unless the agency or jurisdiction  
183.12 whose records would be affected establishes by clear and convincing evidence that the  
183.13 interests of the public and public safety outweigh the disadvantages to the petitioner of not  
183.14 sealing the record.

183.15 (c) In making a determination under this subdivision, the court shall consider:

183.16 (1) the nature and severity of the underlying crime, the record of which would be sealed;

183.17 (2) the risk, if any, the petitioner poses to individuals or society;

183.18 (3) the length of time since the crime occurred;

183.19 (4) the steps taken by the petitioner toward rehabilitation following the crime;

183.20 (5) aggravating or mitigating factors relating to the underlying crime, including the  
183.21 petitioner's level of participation and context and circumstances of the underlying crime;

183.22 (6) the reasons for the expungement, including the petitioner's attempts to obtain  
183.23 employment, housing, or other necessities;

183.24 (7) the petitioner's criminal record;

183.25 (8) the petitioner's record of employment and community involvement;

183.26 (9) the recommendations of interested law enforcement, prosecutorial, and corrections  
183.27 officials;

183.28 (10) the recommendations of victims or whether victims of the underlying crime were  
183.29 minors;

184.1 (11) the amount, if any, of restitution outstanding, past efforts made by the petitioner  
184.2 toward payment, and the measures in place to help ensure completion of restitution payment  
184.3 after expungement of the record if granted; and

184.4 (12) other factors deemed relevant by the court.

184.5 (d) Notwithstanding section 13.82, 13.87, or any other law to the contrary, if the court  
184.6 issues an expungement order it may require that the criminal record be sealed, the existence  
184.7 of the record not be revealed, and the record not be opened except as required under  
184.8 subdivision 7. Records must not be destroyed or returned to the subject of the record.

184.9 (e) Information relating to a criminal history record of an employee, former employee,  
184.10 or tenant that has been expunged before the occurrence of the act giving rise to the civil  
184.11 action may not be introduced as evidence in a civil action against a private employer or  
184.12 landlord or its employees or agents that is based on the conduct of the employee, former  
184.13 employee, or tenant.

184.14 **EFFECTIVE DATE.** This section is effective January 1, 2025.

184.15 Sec. 10. Minnesota Statutes 2022, section 609A.03, subdivision 7a, is amended to read:

184.16 Subd. 7a. **Limitations of order effective January 1, 2015, and later.** (a) Upon issuance  
184.17 of an expungement order related to a charge supported by probable cause, the DNA samples  
184.18 and DNA records held by the Bureau of Criminal Apprehension and collected under authority  
184.19 other than section 299C.105 shall not be sealed, returned to the subject of the record, or  
184.20 destroyed.

184.21 (b) Notwithstanding the issuance of an expungement order:

184.22 (1) except as provided in clause (2), an expunged record may be opened, used, or  
184.23 exchanged between criminal justice agencies without a court order for the purposes of  
184.24 initiating, furthering, or completing a criminal investigation or prosecution or for sentencing  
184.25 purposes or providing probation or other correctional services;

184.26 (2) when a criminal justice agency seeks access to a record that was sealed under section  
184.27 609A.02, subdivision 3, paragraph (a), clause (1), after an acquittal or a court order dismissing  
184.28 for lack of probable cause, for purposes of a criminal investigation, prosecution, or  
184.29 sentencing, the requesting agency must obtain an ex parte court order after stating a  
184.30 good-faith basis to believe that opening the record may lead to relevant information;

184.31 (3) an expunged record of a conviction may be opened for purposes of evaluating a  
184.32 prospective employee in a criminal justice agency without a court order;



185.1 (4) an expunged record of a conviction may be opened for purposes of a background  
185.2 study under section 245C.08 unless the commissioner had been properly served with notice  
185.3 of the petition for expungement and the court order for expungement is directed specifically  
185.4 to the commissioner of human services;

185.5 (5) an expunged record of a conviction may be opened for purposes of a background  
185.6 check required under section 122A.18, subdivision 8, unless the court order for expungement  
185.7 is directed specifically to the Professional Educator Licensing and Standards Board; ~~and~~

185.8 (6) the court may order an expunged record opened upon request by the victim of the  
185.9 underlying offense if the court determines that the record is substantially related to a matter  
185.10 for which the victim is before the court;

185.11 (7) a prosecutor may request, and the district court shall provide, certified records of  
185.12 conviction for a record expunged pursuant to sections 609A.015, 609A.02, and 609A.025,  
185.13 and the certified records of conviction may be disclosed and introduced in criminal court  
185.14 proceedings as provided by the rules of court and applicable law; and

185.15 (8) the subject of an expunged record may request, and the court shall provide, certified  
185.16 or uncertified records of conviction for a record expunged pursuant to sections 609A.015,  
185.17 609A.02, and 609A.025.

185.18 (c) An agency or jurisdiction subject to an expungement order shall maintain the record  
185.19 in a manner that provides access to the record by a criminal justice agency under paragraph  
185.20 (b), clause (1) or (2), but notifies the recipient that the record has been sealed. The Bureau  
185.21 of Criminal Apprehension shall notify the commissioner of human services or the  
185.22 Professional Educator Licensing and Standards Board of the existence of a sealed record  
185.23 and of the right to obtain access under paragraph (b), clause (4) or (5). Upon request, the  
185.24 agency or jurisdiction subject to the expungement order shall provide access to the record  
185.25 to the commissioner of human services or the Professional Educator Licensing and Standards  
185.26 Board under paragraph (b), clause (4) or (5).

185.27 (d) An expunged record that is opened or exchanged under this subdivision remains  
185.28 subject to the expungement order in the hands of the person receiving the record.

185.29 (e) A criminal justice agency that receives an expunged record under paragraph (b),  
185.30 clause (1) or (2), must maintain and store the record in a manner that restricts the use of the  
185.31 record to the investigation, prosecution, or sentencing for which it was obtained.

185.32 (f) For purposes of this section, a "criminal justice agency" means a court or government  
185.33 agency that performs the administration of criminal justice under statutory authority.

186.1 (g) This subdivision applies to expungement orders subject to its limitations and effective  
186.2 on or after January 1, 2015, and grants of expungement relief issued on or after January 1,  
186.3 2025.

186.4 **EFFECTIVE DATE.** This section is effective January 1, 2025.

186.5 Sec. 11. Minnesota Statutes 2022, section 609A.03, subdivision 9, is amended to read:

186.6 Subd. 9. **Stay of order; appeal.** An expungement order issued under this section shall  
186.7 be stayed automatically for 60 days after the order is filed and, if the order is appealed,  
186.8 during the appeal period. A person or an agency or jurisdiction whose records would be  
186.9 affected by the order may appeal the order within 60 days of service of notice of filing of  
186.10 the order. An agency or jurisdiction or its officials or employees need not file a cost bond  
186.11 or supersedeas bond in order to further stay the proceedings or file an appeal.

186.12 **EFFECTIVE DATE.** This section is effective January 1, 2025.

186.13 Sec. 12. Minnesota Statutes 2022, section 611A.03, subdivision 1, is amended to read:

186.14 Subdivision 1. **Plea agreements; notification of victim.** Prior to the entry of the factual  
186.15 basis for a plea pursuant to a plea agreement recommendation, a prosecuting attorney shall  
186.16 make a reasonable and good faith effort to inform the victim of:

186.17 (1) the contents of the plea agreement recommendation, including the amount of time  
186.18 recommended for the defendant to serve in jail or prison if the court accepts the agreement;  
186.19 ~~and~~

186.20 (2) the right to be present at the sentencing hearing and at the hearing during which the  
186.21 plea is presented to the court and to express orally or in writing, at the victim's option, any  
186.22 objection to the agreement or to the proposed disposition. If the victim is not present when  
186.23 the court considers the recommendation, but has communicated objections to the prosecuting  
186.24 attorney, the prosecuting attorney shall make these objections known to the court.; and

186.25 (3) the eligibility of the offense for automatic expungement pursuant to section 609A.015.

186.26 **EFFECTIVE DATE.** This section is effective January 1, 2025, and applies to plea  
186.27 agreements entered into on or after that date.

187.1

**ARTICLE 12**

187.2

**COMMUNITY SUPERVISION**

187.3 Section 1. Minnesota Statutes 2022, section 243.05, subdivision 1, is amended to read:

187.4 Subdivision 1. **Conditional release.** (a) The commissioner of corrections may parole  
187.5 any person sentenced to confinement in any state correctional facility for adults under the  
187.6 control of the commissioner of corrections, provided that:

187.7 (1) no inmate serving a life sentence for committing murder before May 1, 1980, other  
187.8 than murder committed in violation of clause (1) of section 609.185 who has not been  
187.9 previously convicted of a felony shall be paroled without having served 20 years, less the  
187.10 diminution that would have been allowed for good conduct had the sentence been for 20  
187.11 years;

187.12 (2) no inmate serving a life sentence for committing murder before May 1, 1980, who  
187.13 has been previously convicted of a felony or though not previously convicted of a felony  
187.14 is serving a life sentence for murder in the first degree committed in violation of clause (1)  
187.15 of section 609.185 shall be paroled without having served 25 years, less the diminution  
187.16 which would have been allowed for good conduct had the sentence been for 25 years;

187.17 (3) any inmate sentenced prior to September 1, 1963, who would be eligible for parole  
187.18 had the inmate been sentenced after September 1, 1963, shall be eligible for parole; and

187.19 (4) any new rule or policy or change of rule or policy adopted by the commissioner of  
187.20 corrections which has the effect of postponing eligibility for parole has prospective effect  
187.21 only and applies only with respect to persons committing offenses after the effective date  
187.22 of the new rule or policy or change.

187.23 (b) Upon being paroled and released, an inmate is and remains in the legal custody and  
187.24 under the control of the commissioner, subject at any time to be returned to a facility of the  
187.25 Department of Corrections established by law for the confinement or treatment of convicted  
187.26 persons and the parole rescinded by the commissioner.

187.27 (c) The written order of the commissioner of corrections, is sufficient authority for any  
187.28 peace officer, state correctional investigator, or state parole and probation agent to retake  
187.29 and place in actual custody any person on parole or supervised release. In addition, when  
187.30 it appears necessary in order to prevent escape or enforce discipline, any state parole and  
187.31 probation agent or state correctional investigator may, without order of warrant, take and  
187.32 detain a parolee or person on supervised release or work release and bring the person to the  
187.33 commissioner for action.

188.1 (d) The written order of the commissioner of corrections is sufficient authority for any  
188.2 peace officer, state correctional investigator, or state parole and probation agent to retake  
188.3 and place in actual custody any person on probation under the supervision of the  
188.4 commissioner pursuant to section 609.135. Additionally, when it appears necessary in order  
188.5 to prevent escape or enforce discipline, any state parole and probation agent or state  
188.6 correctional investigator may, without an order, retake and detain a probationer and bring  
188.7 the probationer before the court for further proceedings under section 609.14.

188.8 (e) The written order of the commissioner of corrections is sufficient authority for any  
188.9 peace officer, state correctional investigator, or state parole and probation agent to detain  
188.10 any person on pretrial release who absconds from pretrial release or fails to abide by the  
188.11 conditions of pretrial release.

188.12 (f) Persons conditionally released, and those on probation under the supervision of the  
188.13 commissioner of corrections pursuant to section 609.135 may be placed within or outside  
188.14 the boundaries of the state at the discretion of the commissioner of corrections or the court,  
188.15 and the limits fixed for these persons may be enlarged or reduced according to their conduct.

188.16 (g) Except as otherwise provided in subdivision 1b, in considering applications for  
188.17 conditional release or discharge, the commissioner is not required to hear oral argument  
188.18 from any attorney or other person not connected with an adult correctional facility of the  
188.19 Department of Corrections in favor of or against the parole or release of any inmates. The  
188.20 commissioner may institute inquiries by correspondence, taking testimony, or otherwise,  
188.21 as to the previous history, physical or mental condition, and character of the inmate and, to  
188.22 that end, has the authority to require the attendance of the chief executive officer of any  
188.23 state adult correctional facility and the production of the records of these facilities, and to  
188.24 compel the attendance of witnesses. The commissioner is authorized to administer oaths to  
188.25 witnesses for these purposes.

188.26 ~~(h) Unless the district court directs otherwise, state parole and probation agents may~~  
188.27 ~~require a person who is under the supervision of the commissioner of corrections to perform~~  
188.28 ~~community work service for violating a condition of probation imposed by the court.~~  
188.29 ~~Community work service may be imposed for the purpose of protecting the public, to aid~~  
188.30 ~~the offender's rehabilitation, or both. Agents may impose up to eight hours of community~~  
188.31 ~~work service for each violation and up to a total of 24 hours per offender per 12-month~~  
188.32 ~~period, beginning with the date on which community work service is first imposed. The~~  
188.33 ~~commissioner may authorize an additional 40 hours of community work services, for a total~~  
188.34 ~~of 64 hours per offender per 12-month period, beginning with the date on which community~~

189.1 ~~work service is first imposed. At the time community work service is imposed, parole and~~  
189.2 ~~probation agents are required to provide written notice to the offender that states:~~

189.3 ~~(1) the condition of probation that has been violated;~~

189.4 ~~(2) the number of hours of community work service imposed for the violation; and~~

189.5 ~~(3) the total number of hours of community work service imposed to date in the 12-month~~  
189.6 ~~period.~~

189.7 ~~An offender may challenge the imposition of community work service by filing a petition~~  
189.8 ~~in district court. An offender must file the petition within five days of receiving written~~  
189.9 ~~notice that community work service is being imposed. If the offender challenges the~~  
189.10 ~~imposition of community work service, the state bears the burden of showing, by a~~  
189.11 ~~preponderance of the evidence, that the imposition of community work service is reasonable~~  
189.12 ~~under the circumstances.~~

189.13 ~~Community work service includes sentencing to service.~~

189.14 ~~(i) Prior to revoking a nonviolent controlled substance offender's parole or probation~~  
189.15 ~~based on a technical violation, when the offender does not present a risk to the public and~~  
189.16 ~~the offender is amenable to continued supervision in the community, a parole or probation~~  
189.17 ~~agent must identify community options to address and correct the violation including, but~~  
189.18 ~~not limited to, inpatient substance use disorder treatment. If a probation or parole agent~~  
189.19 ~~determines that community options are appropriate, the agent shall seek to restructure the~~  
189.20 ~~offender's terms of release to incorporate those options. If an offender on probation stipulates~~  
189.21 ~~in writing to restructure the terms of release, a probation agent must forward a report to the~~  
189.22 ~~district court containing:~~

189.23 ~~(1) the specific nature of the technical violation of probation;~~

189.24 ~~(2) the recommended restructure to the terms of probation; and~~

189.25 ~~(3) a copy of the offender's signed stipulation indicating that the offender consents to~~  
189.26 ~~the restructuring of probation.~~

189.27 ~~The recommended restructuring of probation becomes effective when confirmed by a~~  
189.28 ~~judge. The order of the court shall be proof of such confirmation and amend the terms of~~  
189.29 ~~the sentence imposed by the court under section 609.135. If a nonviolent controlled substance~~  
189.30 ~~offender's parole or probation is revoked, the offender's agent must first attempt to place~~  
189.31 ~~the offender in a local jail. For purposes of this paragraph, "nonviolent controlled substance~~  
189.32 ~~offender" is a person who meets the criteria described under section 244.0513, subdivision~~  
189.33 ~~2, clauses (1), (2), and (5), and "technical violation" means any violation of a court order~~

190.1 ~~of probation or a condition of parole, except an allegation of a subsequent criminal act that~~  
 190.2 ~~is alleged in a formal complaint, citation, or petition.~~

190.3 Sec. 2. Minnesota Statutes 2022, section 244.05, subdivision 3, is amended to read:

190.4 Subd. 3. **Sanctions for violation.** (a) If an inmate violates the conditions of the inmate's  
 190.5 supervised release imposed by the commissioner, the commissioner may:

190.6 (1) continue the inmate's supervised release term, with or without:

190.7 (i) modifying or enlarging the conditions imposed on the inmate; or

190.8 (ii) transferring the inmate's case to a specialized caseload; or

190.9 (2) revoke the inmate's supervised release and reimprison the inmate for the appropriate  
 190.10 period of time.

190.11 (b) Before revoking an inmate's supervised release because of a technical violation that  
 190.12 would result in reimprisonment, the commissioner must identify alternative interventions  
 190.13 to address and correct the violation only if:

190.14 (1) the inmate does not present a risk to the public; and

190.15 (2) the inmate is amenable to continued supervision.

190.16 (c) If alternative interventions are appropriate and available, the commissioner must  
 190.17 restructure the inmate's terms of release to incorporate the alternative interventions.

190.18 (d) Prior to revoking a nonviolent controlled substance offender's supervised release  
 190.19 based on a technical violation, when the offender does not present a risk to the public and  
 190.20 the offender is amenable to continued supervision in the community, the commissioner  
 190.21 must identify community options to address and correct the violation including, but not  
 190.22 limited to, inpatient substance use disorder treatment. If the commissioner determines that  
 190.23 community options are appropriate, the commissioner shall restructure the inmate's terms  
 190.24 of release to incorporate those options. If a nonviolent controlled substance offender's  
 190.25 supervised release is revoked, the offender's agent must first attempt to place the offender  
 190.26 in a local jail. For purposes of this subdivision, "nonviolent controlled substance offender"  
 190.27 is a person who meets the criteria described under section 244.0513, subdivision 2, clauses  
 190.28 (1), (2), and (5), and "technical violation" means a violation of a condition of supervised  
 190.29 release, except an allegation of a subsequent criminal act that is alleged in a formal complaint,  
 190.30 citation, or petition.

190.31 (e) The period of time for which a supervised release may be revoked may not exceed  
 190.32 the period of time remaining in the inmate's sentence, except that if a sex offender is

191.1 sentenced and conditionally released under Minnesota Statutes 2004, section 609.108,  
191.2 subdivision 5, the period of time for which conditional release may be revoked may not  
191.3 exceed the balance of the conditional release term.

191.4 Sec. 3. Minnesota Statutes 2022, section 244.19, subdivision 1, is amended to read:

191.5 Subdivision 1. **Appointment; joint services; state services.** (a) If a county or group of  
191.6 counties has established a human services board pursuant to chapter 402, the district court  
191.7 may appoint one or more county probation officers as necessary to perform court services,  
191.8 and the human services board shall appoint persons as necessary to provide correctional  
191.9 services within the authority granted in chapter 402. In all counties of more than 200,000  
191.10 population, which have not organized pursuant to chapter 402, the district court shall appoint  
191.11 one or more persons of good character to serve as county probation officers during the  
191.12 pleasure of the court. All other counties shall provide adult misdemeanor and juvenile  
191.13 probation services to district courts in one of the following ways:

191.14 (1) the court, with the approval of the county boards, may appoint one or more salaried  
191.15 county probation officers to serve during the pleasure of the court;

191.16 (2) when two or more counties offer probation services the district court through the  
191.17 county boards may appoint common salaried county probation officers to serve in the several  
191.18 counties;

191.19 (3) a county or a district court may request the commissioner of corrections to furnish  
191.20 probation services in accordance with the provisions of this section, and the commissioner  
191.21 of corrections shall furnish such services to any county or court that fails to provide its own  
191.22 probation officer by one of the two procedures listed above;

191.23 (4) if a county or district court providing probation services under clause (1) or (2) asks  
191.24 the commissioner of corrections or the legislative body for the state of Minnesota mandates  
191.25 the commissioner of corrections to furnish probation services to the district court, the  
191.26 probation officers and other employees displaced by the changeover shall be employed by  
191.27 the commissioner of corrections. Years of service in the county probation department are  
191.28 to be given full credit for future sick leave and vacation accrual purposes;

191.29 (5) ~~all probation officers serving the juvenile courts on July 1, 1972, shall continue to~~  
191.30 ~~serve~~ if a county receiving probation services under clause (3) decides to provide the services  
191.31 under clause (1) or (2), the probation officers and other employees displaced by the  
191.32 changeover shall be employed by the county at no loss of salary. Years of service in the

192.1 state are to be given full credit for future sick leave and vacation accrual purposes in the  
192.2 county or counties they are now serving.

192.3 (b) A county or counties providing probation services under paragraph (a), clause (1)  
192.4 or (2), is designated a "CPO county" for purposes of receiving a subsidy under chapter 401.  
192.5 A county or counties receiving probation services under paragraph (a), clause (3), is not  
192.6 eligible for a subsidy under chapter 401 and the commissioner of corrections is appropriated  
192.7 the county's share of funding for the purpose of providing probation services and authority  
192.8 to seek reimbursement from the county under subdivision 5.

192.9 (c) A county that requests the commissioner of corrections to provide probation services  
192.10 under paragraph (a), clause (3), shall collaborate with the commissioner to develop a  
192.11 comprehensive plan as described in section 401.06.

192.12 ~~(b)~~ (d) The commissioner of management and budget shall place employees transferred  
192.13 to state service under paragraph (a), clause (4), in the proper classifications in the classified  
192.14 service. Each employee is appointed without examination at no loss in salary or accrued  
192.15 vacation or sick leave benefits, but no additional accrual of vacation or sick leave benefits  
192.16 may occur until the employee's total accrued vacation or sick leave benefits fall below the  
192.17 maximum permitted by the state for the employee's position. An employee appointed under  
192.18 paragraph (a), clause (4), shall serve a probationary period of six months. After exhausting  
192.19 labor contract remedies, a noncertified employee may appeal for a hearing within ten days  
192.20 to the commissioner of management and budget, who may uphold the decision, extend the  
192.21 probation period, or certify the employee. The decision of the commissioner of management  
192.22 and budget is final. The state shall negotiate with the exclusive representative for the  
192.23 bargaining unit to which the employees are transferred regarding their seniority. For purposes  
192.24 of computing seniority among those employees transferring from one county unit only, a  
192.25 transferred employee retains the same seniority position as the employee had within that  
192.26 county's probation office.

192.27 Sec. 4. Minnesota Statutes 2022, section 244.19, subdivision 5, is amended to read:

192.28 Subd. 5. **Compensation.** ~~In counties of more than 200,000 population, a majority of the~~  
192.29 ~~judges of the district court may direct the payment of such salary to probation officers as~~  
192.30 ~~may be approved by the county board, and in addition thereto shall be reimbursed for all~~  
192.31 ~~necessary expenses incurred in the performance of their official duties.~~ In all counties which  
192.32 obtain probation services from the commissioner of corrections the commissioner shall, out  
192.33 of appropriations provided therefor, pay probation officers the salary and all benefits fixed  
192.34 by the state law or applicable bargaining unit and all necessary expenses, including secretarial



193.1 service, office equipment and supplies, postage, telephone and telegraph services, and travel  
193.2 and subsistence. Each county receiving probation services from the commissioner of  
193.3 corrections shall reimburse the department of corrections for the total cost and expenses of  
193.4 such services as incurred by the commissioner of corrections, excluding the cost and expense  
193.5 of services provided under the state's obligation in section 244.20. Total annual costs for  
193.6 each county shall be that portion of the total costs and expenses for the services of one  
193.7 probation officer represented by the ratio which the county's population bears to the total  
193.8 population served by one officer. For the purposes of this section, the population of any  
193.9 county shall be the most recent estimate made by the Department of Health. At least every  
193.10 six months the commissioner of corrections shall bill for the total cost and expenses incurred  
193.11 by the commissioner on behalf of each county which has received probation services. The  
193.12 commissioner of corrections shall notify each county of the cost and expenses and the county  
193.13 shall pay to the commissioner the amount due for reimbursement. All such reimbursements  
193.14 shall be ~~deposited in the general fund~~ used to provide services for each county according  
193.15 to their reimbursement amount. Objections by a county to all allocation of such cost and  
193.16 expenses shall be presented to and determined by the commissioner of corrections. Each  
193.17 county providing probation services under this section is hereby authorized to use unexpended  
193.18 funds and to levy additional taxes for this purpose.

193.19 The county commissioners of any county of not more than 200,000 population shall,  
193.20 when requested to do so by the juvenile judge, provide probation officers with suitable  
193.21 offices, and may provide equipment, and secretarial help needed to render the required  
193.22 services.

193.23 Sec. 5. Minnesota Statutes 2022, section 244.195, subdivision 1, is amended to read:

193.24 Subdivision 1. **Definitions.** (a) As used in this subdivision and sections 244.196 to  
193.25 244.1995, the following terms have the meanings given them.

193.26 (b) "Commissioner" means the commissioner of corrections.

193.27 (c) "Conditional release" means parole, supervised release, conditional release as  
193.28 authorized by section 609.3455, subdivision 6, 7, or 8; Minnesota Statutes 2004, section  
193.29 609.108, subdivision 6; or Minnesota Statutes 2004, section 609.109, subdivision 7, work  
193.30 release as authorized by sections 241.26, 244.065, and 631.425, probation, furlough, and  
193.31 any other authorized temporary release from a correctional facility.

193.32 (d) "Court services director" means the director or designee of a county probation agency  
193.33 that is not organized under section 244.19 or an agency organized under chapter 401.

194.1 (e) "Detain" means to take into actual custody, including custody within a local  
194.2 correctional facility.

194.3 (f) "Local correctional facility" has the meaning given in section 241.021, subdivision  
194.4 1.

194.5 (g) "Probation agency" means the Department of Corrections field office or a probation  
194.6 agency organized under section 244.19 or chapter 401.

194.7 (h) "Probation officer" means a court services director, county probation officer, or any  
194.8 other community supervision officer employed by the commissioner or by a probation  
194.9 agency organized under section 244.19 or chapter 401.

194.10 (i) "Release" means to release from actual custody.

194.11 Sec. 6. Minnesota Statutes 2022, section 244.195, subdivision 2, is amended to read:

194.12 Subd. 2. **Detention pending hearing.** When it appears necessary to enforce discipline  
194.13 or to prevent a person on conditional release from escaping or absconding from supervision,  
194.14 a court services director has the authority to issue a written order directing any peace officer  
194.15 or any probation officer in the state serving the district and juvenile courts to detain and  
194.16 bring the person before the court or the commissioner, whichever is appropriate, for  
194.17 disposition. If the person on conditional release commits a violation described in section  
194.18 609.14, subdivision 1a, paragraph (a), the court services director must have a reasonable  
194.19 belief that the order is necessary to prevent the person from escaping or absconding from  
194.20 supervision or that the continued presence of the person in the community presents a risk  
194.21 to public safety before issuing a written order. This written order is sufficient authority for  
194.22 the peace officer or probation officer to detain the person for not more than 72 hours,  
194.23 excluding Saturdays, Sundays, and holidays, pending a hearing before the court or the  
194.24 commissioner.

194.25 Sec. 7. Minnesota Statutes 2022, section 244.195, is amended by adding a subdivision to  
194.26 read:

194.27 Subd. 6. **Intermediate sanctions.** (a) Unless the district court directs otherwise, a  
194.28 probation officer may require a person committed to the officer's care by the court to perform  
194.29 community work service for violating a condition of probation imposed by the court.  
194.30 Community work service may be imposed for the purpose of protecting the public, aiding  
194.31 the person's rehabilitation, or both. A probation officer may impose up to eight hours of  
194.32 community work service for each violation and up to a total of 24 hours per person per

195.1 12-month period, beginning on the date on which community work service is first imposed.  
195.2 The court services director or probation agency may authorize an additional 40 hours of  
195.3 community work service, for a total of 64 hours per person per 12-month period, beginning  
195.4 with the date on which community work service is first imposed. At the time community  
195.5 work service is imposed, probation officers are required to provide written notice to the  
195.6 person that states:

195.7 (1) the condition of probation that has been violated;  
195.8 (2) the number of hours of community work service imposed for the violation; and  
195.9 (3) the total number of hours of community work service imposed to date in the 12-month  
195.10 period.

195.11 (b) A person on supervision may challenge the imposition of community work service  
195.12 by filing a petition in district court within five days of receiving written notice that  
195.13 community work service is being imposed. If the person challenges the imposition of  
195.14 community work service, the state bears the burden of showing, by a preponderance of the  
195.15 evidence, that the imposition of community work service is reasonable under the  
195.16 circumstances.

195.17 (c) Community work service includes sentencing to service.

195.18 Sec. 8. Minnesota Statutes 2022, section 244.195, is amended by adding a subdivision to  
195.19 read:

195.20 Subd. 7. **Contacts.** Supervision contacts may be conducted over videoconference  
195.21 technology in accordance with the probation agency's established policy.

195.22 Sec. 9. Minnesota Statutes 2022, section 244.20, is amended to read:

195.23 **244.20 PROBATION SUPERVISION.**

195.24 Notwithstanding sections 244.19, subdivision 1, and 609.135, subdivision 1, the  
195.25 Department of Corrections shall have exclusive responsibility for providing probation  
195.26 services for adult felons in counties that do not take part in the Community Corrections Act.  
195.27 ~~In counties that do not take part in the Community Corrections Act, the responsibility for~~  
195.28 ~~providing probation services for individuals convicted of gross misdemeanor offenses shall~~  
195.29 ~~be discharged according to local judicial policy.~~

196.1 Sec. 10. Minnesota Statutes 2022, section 244.21, is amended to read:

196.2 **244.21 INFORMATION ON OFFENDERS UNDER SUPERVISION; REPORTS.**

196.3 Subdivision 1. **Collection of information by probation service providers; report**  
196.4 **required.** By January 1, 1998, probation service providers shall begin collecting and  
196.5 maintaining information on offenders under supervision. The commissioner of corrections  
196.6 shall specify the nature and extent of the information to be collected. By April 1 of every  
196.7 year, each probation service provider shall report a summary of the information collected  
196.8 to the commissioner as a condition of state subsidy funding under chapter 401.

196.9 Subd. 2. **Commissioner of corrections report.** By January 15, ~~1998~~ 2024, the  
196.10 commissioner of corrections shall report to the chairs of the ~~senate crime prevention and~~  
196.11 ~~house of representatives judiciary~~ legislative committees with jurisdiction over public safety  
196.12 and finance on recommended methods of coordinating the exchange of information collected  
196.13 on offenders under subdivision 1: (1) between probation service providers; and (2) between  
196.14 probation service providers and the Department of Corrections, ~~without requiring service~~  
196.15 ~~providers to acquire uniform computer software.~~

196.16 Sec. 11. Minnesota Statutes 2022, section 401.01, is amended to read:

196.17 **401.01 PURPOSE AND DEFINITION; ASSISTANCE GRANTS SUBSIDIES.**

196.18 Subdivision 1. **Grants Subsidies.** For the purpose of more effectively protecting society  
196.19 and to promote efficiency and economy in the delivery of correctional services, the  
196.20 commissioner is authorized to ~~make grants to assist~~ subsidize counties in the development,  
196.21 implementation, and operation of community-based corrections programs including  
196.22 preventive or diversionary correctional programs, conditional release programs, community  
196.23 corrections centers, and facilities for the detention or confinement, care and treatment of  
196.24 persons convicted of crime or adjudicated delinquent. ~~The commissioner may authorize the~~  
196.25 ~~use of a percentage of a grant for the operation of an emergency shelter or make a separate~~  
196.26 ~~grant for the rehabilitation of a facility owned by the grantee and used as a shelter to bring~~  
196.27 ~~the facility into compliance with state and local laws pertaining to health, fire, and safety,~~  
196.28 ~~and to provide security.~~

196.29 Subd. 2. **Definitions.** (a) For the purposes of sections 401.01 to 401.16, the following  
196.30 terms have the meanings given them.

196.31 (b) "CCA county" means a county that participates in the Community Corrections Act.

196.32 (c) "Commissioner" means the commissioner of corrections or a designee.

197.1 (d) "Conditional release" means parole, supervised release, conditional release as  
 197.2 authorized by section 609.3455, subdivision 6, 7, or 8; Minnesota Statutes 2004, section  
 197.3 609.108, subdivision 6; or Minnesota Statutes 2004, section 609.109, subdivision 7, work  
 197.4 release as authorized by sections 241.26, 244.065, and 631.425, probation, furlough, and  
 197.5 any other authorized temporary release from a correctional facility.

197.6 (e) "County probation officer" means a probation officer appointed under section 244.19.

197.7 (f) "CPO county" means a county that participates in funding under this act by providing  
 197.8 local corrections service for all juveniles and individuals on probation for misdemeanors,  
 197.9 pursuant to section 244.19, subdivision 1, paragraph (a), clause (1) or (2).

197.10 (g) "Detain" means to take into actual custody, including custody within a local  
 197.11 correctional facility.

197.12 ~~(g)~~ (h) "Joint board" means the board provided in section 471.59.

197.13 ~~(h)~~ (i) "Local correctional facility" has the meaning given in section 241.021, subdivision  
 197.14 1.

197.15 ~~(i)~~ (j) "Local correctional service" means those services authorized by and employees,  
 197.16 officers, and agents appointed under section 244.19, subdivision 1.

197.17 ~~(j)~~ (k) "Release" means to release from actual custody.

197.18 (l) "Tribal government" means one of the federally recognized Tribes described in section  
 197.19 3.922.

197.20 Sec. 12. Minnesota Statutes 2022, section 401.02, is amended to read:

197.21 **401.02 COUNTIES OR REGIONS; SERVICES INCLUDABLE.**

197.22 Subdivision 1. **Qualification of counties or Tribal governments.** (a) One or more  
 197.23 counties, ~~having an aggregate population of 30,000 or more persons,~~ Tribal governments  
 197.24 may qualify for a ~~grant as provided in~~ subsidy under section 401.01 by ~~the enactment of~~  
 197.25 ~~appropriate resolutions creating and establishing a corrections advisory board,~~ designating  
 197.26 the officer or agency to be responsible for administering ~~grant funds~~ subsidies, and providing  
 197.27 for the preparation of a comprehensive plan for the development, implementation and  
 197.28 operation of the correctional services described in ~~section~~ sections 401.01 and 401.11,  
 197.29 including the assumption of those correctional services, other than the operation of state  
 197.30 facilities, presently provided in such counties by the Department of Corrections, and  
 197.31 providing for centralized administration and control of those correctional services described

198.1 in section 401.01. Counties participating as a CCA county must also enact the appropriate  
198.2 resolutions creating and establishing a corrections advisory board.

198.3 Where counties or Tribal governments combine as authorized in this section, they shall  
198.4 comply with the provisions of section 471.59.

198.5 (b) A county that has participated in the Community Corrections Act for five or more  
198.6 years is eligible to continue to participate in the Community Corrections Act.

198.7 (c) If a county or Tribal government withdraws from the subsidy program as outlined  
198.8 in subdivision 1 and asks the commissioner of corrections or the legislature mandates the  
198.9 commissioner of corrections to furnish probation services to the county, the probation  
198.10 officers and other employees displaced by the changeover shall be employed by the  
198.11 commissioner of corrections at no loss of salary. Years of service in the county probation  
198.12 department are to be given full credit for future sick leave and vacation accrual purposes.

198.13 Subd. 2. **Planning counties; advisory board members expenses.** To assist counties  
198.14 which have complied with the provisions of subdivision 1 and require financial aid to defray  
198.15 all or a part of the expenses incurred by corrections advisory board members in discharging  
198.16 their official duties pursuant to section 401.08, the commissioner may designate counties  
198.17 as "planning counties", and, upon receipt of resolutions by the governing boards of the  
198.18 counties certifying the need for and inability to pay the expenses described in this subdivision,  
198.19 advance to the counties an amount not to exceed five percent of the maximum quarterly  
198.20 subsidy for which the counties are eligible. The expenses described in this subdivision shall  
198.21 be paid in the same manner and amount as for state employees.

198.22 Subd. 3. **Establishment and reorganization of administrative structure.** Any county  
198.23 or group of counties which have qualified for participation in the ~~community corrections~~  
198.24 subsidy program provided by this chapter may establish, organize, and reorganize an  
198.25 administrative structure and provide for the budgeting, staffing, and operation of court  
198.26 services and probation, construction or improvement to juvenile detention and juvenile  
198.27 correctional facilities and adult detention and correctional facilities, and other activities  
198.28 required to conform to the purposes of this chapter. No contrary general or special statute  
198.29 divests any county or group of counties of the authority granted by this subdivision.

198.30 ~~Subd. 5. **Intermediate sanctions.** Unless the district court directs otherwise, county~~  
198.31 ~~probation officers may require a person committed to the officer's care by the court to~~  
198.32 ~~perform community work service for violating a condition of probation imposed by the~~  
198.33 ~~court. Community work service may be imposed for the purpose of protecting the public,~~  
198.34 ~~to aid the offender's rehabilitation, or both. Probation officers may impose up to eight hours~~

199.1 ~~of community work service for each violation and up to a total of 24 hours per offender per~~  
199.2 ~~12-month period, beginning on the date on which community work service is first imposed.~~  
199.3 ~~The chief executive officer of a community corrections agency may authorize an additional~~  
199.4 ~~40 hours of community work service, for a total of 64 hours per offender per 12-month~~  
199.5 ~~period, beginning with the date on which community work service is first imposed. At the~~  
199.6 ~~time community work service is imposed, probation officers are required to provide written~~  
199.7 ~~notice to the offender that states:~~

199.8 ~~(1) the condition of probation that has been violated;~~

199.9 ~~(2) the number of hours of community work service imposed for the violation; and~~

199.10 ~~(3) the total number of hours of community work service imposed to date in the 12-month~~  
199.11 ~~period.~~

199.12 ~~An offender may challenge the imposition of community work service by filing a petition~~  
199.13 ~~in district court. An offender must file the petition within five days of receiving written~~  
199.14 ~~notice that community work service is being imposed. If the offender challenges the~~  
199.15 ~~imposition of community work service, the state bears the burden of showing, by a~~  
199.16 ~~preponderance of the evidence, that the imposition of community work service is reasonable~~  
199.17 ~~under the circumstances.~~

199.18 ~~Community work service includes sentencing to service.~~

199.19 Sec. 13. Minnesota Statutes 2022, section 401.025, subdivision 1, is amended to read:

199.20 Subdivision 1. **Peace officers and probation officers serving CCA counties.** (a) When  
199.21 it appears necessary to enforce discipline or to prevent a person on conditional release from  
199.22 escaping or absconding from supervision, the chief executive officer or designee of a  
199.23 community corrections agency in a CCA county has the authority to issue a written order  
199.24 directing any peace officer or any probation officer in the state serving the district and  
199.25 juvenile courts to detain and bring the person before the court or the commissioner, whichever  
199.26 is appropriate, for disposition. If the person on conditional release commits a violation  
199.27 described in section 609.14, subdivision 1a, paragraph (a), the chief executive officer or  
199.28 designee must have a reasonable belief that the order is necessary to prevent the person  
199.29 from escaping or absconding from supervision or that the continued presence of the person  
199.30 in the community presents a risk to public safety before issuing a written order. This written  
199.31 order is sufficient authority for the peace officer or probation officer to detain the person  
199.32 for not more than 72 hours, excluding Saturdays, Sundays, and holidays, pending a hearing  
199.33 before the court or the commissioner.

200.1 (b) The chief executive officer or designee of a community corrections agency in a CCA  
200.2 county has the authority to issue a written order directing a peace officer or probation officer  
200.3 serving the district and juvenile courts to release a person detained under paragraph (a)  
200.4 within 72 hours, excluding Saturdays, Sundays, and holidays, without an appearance before  
200.5 the court or the commissioner. This written order is sufficient authority for the peace officer  
200.6 or probation officer to release the detained person.

200.7 (c) The chief executive officer or designee of a community corrections agency in a CCA  
200.8 county has the authority to issue a written order directing any peace officer or any probation  
200.9 officer serving the district and juvenile courts to detain any person on court-ordered pretrial  
200.10 release who absconds from pretrial release or fails to abide by the conditions of pretrial  
200.11 release. A written order issued under this paragraph is sufficient authority for the peace  
200.12 officer or probation officer to detain the person.

200.13 **EFFECTIVE DATE.** This section is effective August 1, 2023, and applies to violations  
200.14 that occur on or after that date.

200.15 Sec. 14. Minnesota Statutes 2022, section 401.06, is amended to read:

200.16 **401.06 COMPREHENSIVE PLAN; STANDARDS OF ELIGIBILITY;**  
200.17 **COMPLIANCE.**

200.18 Subdivision 1. **Commissioner approval required.** (a) No county or group of counties  
200.19 or Tribal government or group of Tribal governments electing to provide correctional  
200.20 services pursuant to sections 401.01 to 401.16 shall be under this chapter is eligible for the  
200.21 subsidy herein provided unless and until its comprehensive plan shall have has been approved  
200.22 by the commissioner. A comprehensive plan must comply with commissioner-developed  
200.23 standards and reporting requirements and must sufficiently address community needs and  
200.24 supervision standards.

200.25 (b) If the commissioner provides supervision to a county that elects not to provide the  
200.26 supervision, the commissioner must prepare a comprehensive plan for the county and present  
200.27 it to the local county board of commissioners. The Department of Corrections is subject to  
200.28 all the standards and requirements under this chapter and supervision standards and policies.

200.29 (c) A comprehensive plan is valid for four years and a corrections advisory board must  
200.30 review and update the plan two years after the plan has been approved or two years after  
200.31 submitted to the commissioner, whichever is earlier.

200.32 (d) All approved comprehensive plans, including updated plans, must be made publicly  
200.33 available on the Department of Corrections website.



201.1 Subd. 2. Rulemaking. The commissioner ~~shall~~ must, ~~pursuant to~~ in accordance with  
 201.2 the Administrative Procedure Act, ~~promulgate~~ adopt rules establishing standards of eligibility  
 201.3 for CCA and CPO counties and Tribal governments to receive funds under ~~sections 401.01~~  
 201.4 ~~to 401.16~~ this chapter.

201.5 Subd. 3. Substantial compliance required. (a) To remain eligible for the subsidy,  
 201.6 counties ~~shall~~ and Tribal governments must maintain substantial compliance with the  
 201.7 minimum standards established ~~pursuant~~ according to sections 401.01 to 401.16 this chapter  
 201.8 and the policies and procedures governing the services ~~described in~~ under section 401.025  
 201.9 as prescribed by the commissioner.

201.10 (b) Counties ~~shall also~~ must:

201.11 (1) be in substantial compliance with other correctional operating standards permitted  
 201.12 by law and established by the commissioner; and

201.13 ~~shall~~ (2) report statistics required by the commissioner, including but not limited to  
 201.14 information on individuals convicted as an extended jurisdiction juvenile ~~identified in~~ under  
 201.15 section 241.016, subdivision 1, paragraph (c).

201.16 Subd. 4. Commissioner review. (a) The commissioner ~~shall~~ must review annually the  
 201.17 comprehensive plans submitted by participating counties and Tribal governments, including  
 201.18 the facilities and programs operated under the plans. The commissioner is ~~hereby authorized~~  
 201.19 ~~to~~ may enter upon any facility operated under the plan, and inspect books and records, for  
 201.20 purposes of recommending needed changes or improvements.

201.21 ~~When~~ (b) If the commissioner ~~shall determine~~ determines that there are reasonable  
 201.22 grounds to believe that a county or group of counties or Tribal government or group of  
 201.23 Tribal governments is not in substantial compliance with minimum standards, the  
 201.24 commissioner must provide at least 30 days' notice ~~shall be given~~ to the county or counties  
 201.25 ~~and~~ or Tribal government or Tribal governments of a commissioner-conducted hearing  
 201.26 ~~conducted by the commissioner~~ to ascertain whether there is substantial compliance or  
 201.27 satisfactory progress being made toward compliance.

201.28 Subd. 5. Noncompliance with comprehensive plan. (a) After a hearing, the  
 201.29 commissioner may sanction a county or group of counties or Tribal government or group  
 201.30 of Tribal governments under this subdivision if the commissioner determined that the agency  
 201.31 is not maintaining substantial compliance with minimum standards or that satisfactory  
 201.32 progress toward compliance has not been made.

202.1 (b) The commissioner may suspend all or a portion of any subsidy until the required  
 202.2 standard of operation has been met without issuing a corrective action plan.

202.3 (c) The commissioner may issue a corrective action plan, which must:

202.4 (1) be in writing;

202.5 (2) identify all deficiencies;

202.6 (3) detail the corrective action required to remedy the deficiencies; and

202.7 (4) provide a deadline to:

202.8 (i) correct each deficiency; and

202.9 (ii) report to the commissioner progress toward correcting the deficiency.

202.10 (d) After the deficiency has been corrected, documentation must be submitted to the

202.11 commissioner detailing compliance with the corrective action plan. If the commissioner

202.12 determines that the county or group of counties or Tribal government or group of Tribal

202.13 governments has not complied with the plan, the commissioner may suspend all or a portion

202.14 of the subsidy.

202.15 Sec. 15. Minnesota Statutes 2022, section 401.09, is amended to read:

202.16 **401.09 OTHER SUBSIDY PROGRAMS; PURCHASE OF STATE SERVICES.**

202.17 Failure of a county or group of counties to elect to come within the provisions of sections

202.18 401.01 to 401.16 shall not affect their eligibility for any other state grant or subsidy for

202.19 correctional purposes otherwise provided by law. Any comprehensive plan submitted

202.20 pursuant to sections 401.01 to 401.16 may include the purchase of selected correctional

202.21 services from the state by contract, including the temporary detention and confinement of

202.22 persons convicted of crime or adjudicated delinquent; confinement to be in an appropriate

202.23 state facility as otherwise provided by law. The commissioner shall annually determine the

202.24 costs of the purchase of services under this section and deduct them from the subsidy due

202.25 and payable to the county or counties concerned; provided that no contract shall exceed in

202.26 cost the amount of subsidy to which the participating county or counties are eligible.

202.27 Sec. 16. Minnesota Statutes 2022, section 401.10, is amended to read:

202.28 **401.10 COMMUNITY CORRECTIONS AID.**

202.29 Subdivision 1. ~~Aid calculations~~ Funding formula. ~~To determine the community~~

202.30 ~~corrections aid amount to be paid to each participating county, the commissioner of~~

202.31 ~~corrections must apply the following formula:~~

203.1 ~~(1) For each of the 87 counties in the state, a percent score must be calculated for each~~  
203.2 ~~of the following five factors:~~

203.3 ~~(i) percent of the total state population aged ten to 24 residing within the county according~~  
203.4 ~~to the most recent federal census, and, in the intervening years between the taking of the~~  
203.5 ~~federal census, according to the most recent estimate of the state demographer;~~

203.6 ~~(ii) percent of the statewide total number of felony case filings occurring within the~~  
203.7 ~~county, as determined by the state court administrator;~~

203.8 ~~(iii) percent of the statewide total number of juvenile case filings occurring within the~~  
203.9 ~~county, as determined by the state court administrator;~~

203.10 ~~(iv) percent of the statewide total number of gross misdemeanor case filings occurring~~  
203.11 ~~within the county, as determined by the state court administrator; and~~

203.12 ~~(v) percent of the total statewide number of convicted felony offenders who did not~~  
203.13 ~~receive an executed prison sentence, as monitored and reported by the Sentencing Guidelines~~  
203.14 ~~Commission.~~

203.15 ~~The percents in items (ii) to (v) must be calculated by combining the most recent~~  
203.16 ~~three-year period of available data. The percents in items (i) to (v) each must sum to 100~~  
203.17 ~~percent across the 87 counties.~~

203.18 ~~(2) For each of the 87 counties, the county's percents in clause (1), items (i) to (v), must~~  
203.19 ~~be weighted, summed, and divided by the sum of the weights to yield an average percent~~  
203.20 ~~for each county, referred to as the county's "composite need percent." When performing~~  
203.21 ~~this calculation, the weight for each of the percents in clause (1), items (i) to (v), is 1.0. The~~  
203.22 ~~composite need percent must sum to 100 percent across the 87 counties.~~

203.23 ~~(3) For each of the 87 counties, the county's "adjusted net tax capacity percent" is the~~  
203.24 ~~county's adjusted net tax capacity amount, defined in the same manner as it is defined for~~  
203.25 ~~cities in section 477A.011, subdivision 20, divided by the statewide total adjusted net tax~~  
203.26 ~~capacity amount. The adjusted net tax capacity percent must sum to 100 percent across the~~  
203.27 ~~87 counties.~~

203.28 ~~(4) For each of the 87 counties, the county's composite need percent must be divided by~~  
203.29 ~~the county's adjusted net tax capacity percent to produce a ratio that, when multiplied by~~  
203.30 ~~the county's composite need percent, results in the county's "tax base adjusted need percent."~~

203.31 ~~(5) For each of the 87 counties, the county's tax base adjusted need percent must be~~  
203.32 ~~added to twice the composite need percent, and the sum must be divided by 3, to yield the~~  
203.33 ~~county's "weighted need percent."~~

204.1 ~~(6) Each participating county's weighted need percent must be added to the weighted~~  
204.2 ~~need percent of each other participating county to yield the "total weighted need percent~~  
204.3 ~~for participating counties."~~

204.4 ~~(7) Each participating county's weighted need percent must be divided by the total~~  
204.5 ~~weighted need percent for participating counties to yield the county's "share percent." The~~  
204.6 ~~share percents for participating counties must sum to 100 percent.~~

204.7 ~~(8) Each participating county's "base funding amount" is the aid amount that the county~~  
204.8 ~~received under this section for fiscal year 1995 plus the amount received in caseload or~~  
204.9 ~~workload reduction, felony caseload reduction, and sex offender supervision grants in fiscal~~  
204.10 ~~year 2015, as reported by the commissioner of corrections. In fiscal year 1997 and thereafter,~~  
204.11 ~~no county's aid amount under this section may be less than its base funding amount, provided~~  
204.12 ~~that the total amount appropriated for this purpose is at least as much as the aggregate base~~  
204.13 ~~funding amount defined in clause (9).~~

204.14 ~~(9) The "aggregate base funding amount" is equal to the sum of the base funding amounts~~  
204.15 ~~for all participating counties. If a county that participated under this section chooses not to~~  
204.16 ~~participate in any given year, then the aggregate base funding amount must be reduced by~~  
204.17 ~~that county's base funding amount. If a county that did not participate under this section in~~  
204.18 ~~fiscal year 1995 chooses to participate on or after July 1, 2015, then the aggregate base~~  
204.19 ~~funding amount must be increased by the amount of aid that the county would have received~~  
204.20 ~~had it participated in fiscal year 1995 plus the estimated amount it would have received in~~  
204.21 ~~caseload or workload reduction, felony caseload reduction, and sex offender supervision~~  
204.22 ~~grants in fiscal year 2015, as reported by the commissioner of corrections, and the amount~~  
204.23 ~~of increase shall be that county's base funding amount.~~

204.24 ~~(10) In any given year, the total amount appropriated for this purpose first must be~~  
204.25 ~~allocated to participating counties in accordance with each county's base funding amount.~~  
204.26 ~~Then, any remaining amount in excess of the aggregate base funding amount must be~~  
204.27 ~~allocated to participating counties in proportion to each county's share percent, and is referred~~  
204.28 ~~to as the county's "formula amount."~~

204.29 ~~Each participating county's "community corrections aid amount" equals the sum of (i)~~  
204.30 ~~the county's base funding amount, and (ii) the county's formula amount.~~

204.31 ~~(11) However, if in any year the total amount appropriated for the purpose of this section~~  
204.32 ~~is less than the aggregate base funding amount, then each participating county's community~~  
204.33 ~~corrections aid amount is the product of (i) the county's base funding amount multiplied by~~  
204.34 ~~(ii) the ratio of the total amount appropriated to the aggregate base funding amount.~~

205.1 ~~For each participating county, the county's community corrections aid amount calculated~~  
205.2 ~~in this subdivision is the total amount of subsidy to which the county is entitled under~~  
205.3 ~~sections 401.01 to 401.16.~~

205.4 (a) Beginning in fiscal year 2024, the subsidy paid to each county and Tribal government  
205.5 and the commissioner of corrections for supervision in counties or Tribal jurisdictions served  
205.6 by the department shall equal the sum of:

205.7 (1) a base funding amount equal to \$200,000, plus:

205.8 (i) ten percent of the total for all appropriations to the commissioner for community  
205.9 supervision and postrelease services during the fiscal year prior to the fiscal year for which  
205.10 the subsidy will be paid multiplied by the county's or Tribe's percent share of the state's  
205.11 total population as determined by the most recent census; and

205.12 (ii) ten percent of the total for all appropriations to the commissioner for community  
205.13 supervision and postrelease services during the fiscal year prior to the fiscal year for which  
205.14 the subsidy will be paid multiplied by the county's or Tribe's percent share of the state's  
205.15 total geographic area; and

205.16 (2) a community supervision formula equal to the sum of:

205.17 (i) for felony cases, a felony per diem rate of \$5.33 multiplied by the sum of the county's  
205.18 adult felony population, adult supervised release and parole populations, and juvenile  
205.19 supervised release and parole populations as reported in the most recent probation survey  
205.20 published by the commissioner and then, multiplied by 365; and

205.21 (ii) for gross misdemeanor, misdemeanor, and juvenile probation cases, the felony per  
205.22 diem rate used in item (i) multiplied by 0.5 and then multiplied by the sum of the county's  
205.23 gross misdemeanor, misdemeanor, and juvenile populations as reported in the most recent  
205.24 probation survey published by the commissioner, multiplied by 365.

205.25 (b) Each participating county's "community corrections aid amount" equals the sum of  
205.26 (1) the county's base funding amount, and (2) the county's formula amount.

205.27 (c) If in any year the total amount appropriated for the purpose of this section is more  
205.28 than or less than the total of base funding plus community supervision formula funding for  
205.29 all counties, then the sum of each county's base funding plus community supervision formula  
205.30 funding shall be adjusted by the ratio of amounts appropriated for this purpose divided by  
205.31 the total of base funding plus community supervision formula funding for all counties.

205.32 Subd. 2. **Transfer of funds.** Notwithstanding any law to the contrary, the commissioner  
205.33 of corrections, after notifying the committees on finance of the senate and ways and means

206.1 of the house of representatives, may, at the end of any fiscal year, transfer any unobligated  
 206.2 funds, including funds available due the withdrawal of a county under section 401.16, in  
 206.3 any appropriation to the Department of Corrections to the appropriation under sections  
 206.4 401.01 to 401.16, which appropriation shall not cancel but is reappropriated for the purposes  
 206.5 of sections 401.01 to 401.16.

206.6 Subd. 3. **Formula review.** ~~Prior to January 16, 2002, the committees with jurisdiction~~  
 206.7 ~~over community corrections funding decisions in the house of representatives and the senate,~~  
 206.8 ~~in consultation with the Department of Corrections and any interested county organizations,~~  
 206.9 ~~must review the formula in subdivision 1 and make recommendations to the legislature for~~  
 206.10 ~~its continuation, modification, replacement, or discontinuation.~~ For fiscal year 2025 and  
 206.11 subsequent fiscal years, the commissioner shall make a funding recommendation based  
 206.12 upon the commissioner's workload study and the caseload data collected by the commissioner.

206.13 Subd. 4. **Report; supervision fees.** (a) The commissioner must collect annual summary  
 206.14 expenditure data and funding from each community supervision provider in the state.

206.15 (b) On January 15, 2025, and every year thereafter, the commissioner must submit a  
 206.16 report to the chairs and ranking minority members of the legislative committees and divisions  
 206.17 with jurisdiction over public safety finance and policy on the data collected under paragraph  
 206.18 (a). The report may be made in conjunction with reporting under section 244.21.

206.19 Sec. 17. Minnesota Statutes 2022, section 401.11, is amended to read:

206.20 **401.11 COMPREHENSIVE PLAN ITEMS; GRANT REVIEW.**

206.21 Subdivision 1. **Items.** The comprehensive plan submitted to the commissioner for  
 206.22 approval shall ~~must~~ include those items prescribed by rule ~~policy~~ of the commissioner,  
 206.23 which may require the inclusion of the following including but not limited to:

206.24 ~~(a)~~ (1) the manner in which presentence and postsentence investigations and reports for  
 206.25 the district courts and social history reports for the juvenile courts will be made;

206.26 ~~(b)~~ (2) the manner in which conditional release services to the courts and persons under  
 206.27 jurisdiction of the commissioner ~~of corrections~~ will be provided;

206.28 ~~(c)~~ (3) a program for ~~the detention, supervision, and treatment of~~ detaining, supervising,  
 206.29 and treating persons under pretrial detention or under commitment;

206.30 ~~(d)~~ (4) delivery of other local correctional services ~~defined in section 401.01~~;

206.31 ~~(e)~~ (5) proposals for new programs, which proposals must demonstrate a need for the  
 206.32 program, its and the program's purpose, objective, administrative structure, staffing pattern,

207.1 staff training, financing, evaluation process, degree of community involvement, client  
 207.2 participation, and duration of program; and

207.3 (6) outcome and output data, expenditures, and costs.

207.4 Subd. 2. Review. ~~In addition to the foregoing requirements made by this section,~~ Each  
 207.5 participating CCA county or group of counties ~~shall~~ must develop and implement a procedure  
 207.6 for ~~the review of grant~~ reviewing subsidy applications made to the corrections advisory  
 207.7 board and for the manner in which corrections advisory board action will be taken on ~~them~~  
 207.8 the applications. A description of ~~this~~ the procedure must be made available to members of  
 207.9 the public upon request.

207.10 Sec. 18. Minnesota Statutes 2022, section 401.14, subdivision 3, is amended to read:

207.11 Subd. 3. Installment payments. The commissioner of corrections shall make payments  
 207.12 for community corrections services to each county in 12 installments per year. The  
 207.13 commissioner shall ensure that the pertinent payment of the allotment for each month is  
 207.14 made to each county on the first working day after the end of each month of the calendar  
 207.15 year, except for the last month of the calendar year. The commissioner shall ensure that  
 207.16 each county receives its payment of the allotment for that month no later than the last  
 207.17 working day of that month. ~~The payment described in this subdivision for services rendered~~  
 207.18 ~~during June 1985 shall be made on the first working day of July 1985.~~

207.19 Sec. 19. Minnesota Statutes 2022, section 401.16, is amended to read:

207.20 **401.16 WITHDRAWAL FROM PROGRAM.**

207.21 Any participating county or Tribal government may, at the beginning of any calendar  
 207.22 quarter, by resolution of its board of commissioners or Tribal government leaders, notify  
 207.23 the commissioner of its intention to withdraw from the subsidy program established by  
 207.24 sections 401.01 to 401.16, and the withdrawal shall be effective the last day of the ~~last month~~  
 207.25 ~~of the quarter~~ in third quarter after which the notice was given. ~~Upon withdrawal, the~~  
 207.26 ~~unexpended balance of moneys allocated to the county, or that amount necessary to reinstate~~  
 207.27 ~~state correctional services displaced by that county's participation, including complement~~  
 207.28 ~~positions, may, upon approval of the legislative advisory commission, be transferred to the~~  
 207.29 ~~commissioner for the reinstatement of the displaced services and the payment of any other~~  
 207.30 ~~correctional subsidies for which the withdrawing county had previously been eligible.~~

208.1 Sec. 20. **[401.17] COMMUNITY SUPERVISION ADVISORY COMMITTEE.**

208.2 **Subdivision 1. Establishment; members.** (a) The commissioner must establish a  
208.3 Community Supervision Advisory Committee to develop and make recommendations to  
208.4 the commissioner on standards for probation, supervised release, and community supervision.

208.5 The committee consists of 16 members as follows:

208.6 (1) two directors appointed by the Minnesota Association of Community Corrections  
208.7 Act Counties;

208.8 (2) two probation directors appointed by the Minnesota Association of County Probation  
208.9 Officers;

208.10 (3) three county commissioner representatives appointed by the Association of Minnesota  
208.11 Counties;

208.12 (4) two behavioral health, treatment, or programming providers who work directly with  
208.13 individuals on correctional supervision, one appointed by the Department of Human Services  
208.14 and one appointed by the Minnesota Association of County Social Service Administrators;

208.15 (5) two representatives appointed by the Minnesota Indian Affairs Council;

208.16 (6) one commissioner-appointed representative from the Department of Corrections;

208.17 (7) the chair of the statewide Evidence-Based Practice Advisory Committee;

208.18 (8) three individuals who have been supervised, either individually or collectively, under  
208.19 each of the state's three community supervision delivery systems appointed by the  
208.20 commissioner in consultation with the Minnesota Association of County Probation Officers  
208.21 and the Minnesota Association of Community Corrections Act Counties; and

208.22 (9) an advocate for victims of crime appointed by the commissioner.

208.23 (b) When an appointing authority selects an individual for membership on the committee,  
208.24 the authority must make reasonable efforts to reflect geographic diversity and to appoint  
208.25 qualified members of protected groups, as defined under section 43A.02, subdivision 33.

208.26 (c) The commissioner must convene the first meeting of the committee on or before July  
208.27 15, 2024.

208.28 **Subd. 2. Terms; removal; reimbursement.** (a) If there is a vacancy, the appointing  
208.29 authority must appoint an individual to fill the vacancy. Committee members must elect  
208.30 any officers and create any subcommittees necessary for the efficient discharge of committee  
208.31 duties.



209.1 (b) A member may be removed by the appointing authority at any time at the pleasure  
209.2 of the appointing authority.

209.3 (c) Each committee member must be reimbursed for all reasonable expenses actually  
209.4 paid or incurred by that member in the performance of official duties in the same manner  
209.5 as other employees of the state. The public members of the committee must be compensated  
209.6 at the rate of \$55 for each day or part of the day spent on committee activities.

209.7 Subd. 3. **Duties; committee.** (a) The committee must comply with section 401.10.

209.8 (b) By June 30, 2024, the committee must provide written advice and recommendations  
209.9 to the commissioner on developing policy on:

209.10 (1) developing statewide supervision standards and definitions to be applied to community  
209.11 supervision provided by CPO counties, CCA counties, the Department of Corrections, and  
209.12 Tribal governments;

209.13 (2) requiring community supervision agencies to use the same agreed-upon risk screener  
209.14 and risk and needs assessment tools as the main supervision assessment methods or a  
209.15 universal five-level matrix allowing for consistent supervision levels and that all tools in  
209.16 use be validated on Minnesota's community supervision population and revalidated every  
209.17 five years;

209.18 (3) requiring the use of assessment-driven, formalized collaborative case planning to  
209.19 focus case planning goals on identified criminogenic and behavioral health need areas for  
209.20 moderate- and high-risk individuals;

209.21 (4) limiting standard conditions required for all people on supervision across all  
209.22 supervision systems and judicial districts, ensuring that conditions of supervision are directly  
209.23 related to the offense of the person on supervision, and tailoring special conditions to people  
209.24 on supervision identified as high-risk and high-need;

209.25 (5) providing gender-responsive, culturally appropriate services and trauma-informed  
209.26 approaches;

209.27 (6) developing a statewide incentives and sanctions grid to guide responses to client  
209.28 behavior while under supervision to be reviewed and updated every five years to maintain  
209.29 alignment with national best practices;

209.30 (7) developing performance indicators for supervision success as well as recidivism;

209.31 (8) developing a statewide training, coaching, and quality assurance system overseen  
209.32 by an evidence-based practices coordinator; and

210.1 (9) devising a plan, by December 1, 2024, to eliminate the financial penalty incurred by  
210.2 a jurisdiction that successfully discharges an offender from supervision before the offender's  
210.3 term of supervision concludes.

210.4 (c) By December 1, 2024, and every six years thereafter, the committee must review  
210.5 and reassess the existing workload study published by the commissioner under subdivision  
210.6 4 and make recommendations to the commissioner based on the committee's review.

210.7 (d) By June 30, 2024, the committee must submit a report on supervision fees to the  
210.8 commissioner and the chairs and ranking minority members of the legislative committees  
210.9 with jurisdiction over corrections policy and funding. The committee must collect data on  
210.10 supervision fees and include the data in the report.

210.11 Subd. 4. **Duties; commissioner.** The commissioner, in consultation with the committee,  
210.12 must complete a workload study by December 1, 2024, to develop a capitated rate for  
210.13 equitably funding community supervision throughout the state. The study must be updated  
210.14 every six years after the initial study is completed.

210.15 Subd. 5. **Data collection; report.** (a) By June 1, 2024, the advisory committee, in  
210.16 consultation with the Minnesota Counties Computer Cooperative, must create a method to  
210.17 (1) standardize data classifications across the three delivery systems, and (2) collect data  
210.18 for the commissioner to publish in an annual report to the chairs and ranking minority  
210.19 members of the legislative committees and divisions with jurisdiction over public safety  
210.20 finance and policy.

210.21 (b) The advisory committee's method, at a minimum, must provide for collecting the  
210.22 following data:

210.23 (1) the number of offenders placed on probation each year;

210.24 (2) the offense levels and offense types for which offenders are placed on probation;

210.25 (3) violation and revocation rates and the identified grounds for the violations and  
210.26 revocations, including final disposition of the violation action such as execution of the  
210.27 sentence, imposition of new conditions, or a custodial sanction;

210.28 (4) the number of offenders granted early discharge from probation;

210.29 (5) the number of offenders restructured on supervision, including imposition of new  
210.30 conditions of release; and

210.31 (6) the number of offenders revoked from supervision and the identified grounds for  
210.32 revocation.

211.1 (c) On February 1, 2025, and every year thereafter, the commissioner must prepare a  
211.2 report that contains the data collected under the method established by the committee under  
211.3 this subdivision. The report must provide an analysis of the collected data by race, gender,  
211.4 and county.

211.5 (d) Nothing in this section overrides the commissioner's authority to require additional  
211.6 data be provided under sections 241.065, 401.06, 401.10, and 401.11.

211.7 Subd. 6. **Response.** (a) Within 45 days of receiving the committee's recommendations,  
211.8 the commissioner must respond in writing to the committee's advice and recommendations  
211.9 under subdivision 3. The commissioner's response must explain:

211.10 (1) whether the agency will adopt policy changes based on the recommendations;

211.11 (2) the timeline for adopting policy changes; and

211.12 (3) why the commissioner will not or cannot include any individual recommendations  
211.13 of the committee in the agency's policy.

211.14 (b) The commissioner must submit the advice and recommendations of the committee  
211.15 to the chairs and ranking minority members of the legislative committees with jurisdiction  
211.16 over public safety and finance.

211.17 Subd. 7. **Staff; meeting room; office equipment.** The commissioner must provide the  
211.18 committee with a committee administrator, staff support, a meeting room, and access to  
211.19 office equipment and services.

211.20 Sec. 21. Minnesota Statutes 2022, section 609.14, subdivision 1, is amended to read:

211.21 Subdivision 1. **Grounds.** (a) When it appears that the defendant has violated any of the  
211.22 conditions of probation or intermediate sanction, or has otherwise been guilty of misconduct  
211.23 which warrants the imposing or execution of sentence, the court may without notice revoke  
211.24 the stay and direct that the defendant be taken into immediate custody. Revocation should  
211.25 only be used as a last resort when rehabilitation has failed.

211.26 (b) When it appears that the defendant violated any of the conditions of probation during  
211.27 the term of the stay, but the term of the stay has since expired, the defendant's probation  
211.28 officer or the prosecutor may ask the court to initiate probation revocation proceedings  
211.29 under the Rules of Criminal Procedure at any time within six months after the expiration  
211.30 of the stay. The court also may initiate proceedings under these circumstances on its own  
211.31 motion. If proceedings are initiated within this six-month period, the court may conduct a

212.1 revocation hearing and take any action authorized under rule 27.04 at any time during or  
212.2 after the six-month period.

212.3 (c) Notwithstanding the provisions of section 609.135 or any law to the contrary, after  
212.4 proceedings to revoke the stay have been initiated by a court order revoking the stay and  
212.5 directing either that the defendant be taken into custody or that a summons be issued in  
212.6 accordance with paragraph (a), the proceedings to revoke the stay may be concluded and  
212.7 the summary hearing provided by subdivision 2 may be conducted after the expiration of  
212.8 the stay or after the six-month period set forth in paragraph (b). The proceedings to revoke  
212.9 the stay shall not be dismissed on the basis that the summary hearing is conducted after the  
212.10 term of the stay or after the six-month period. The ability or inability to locate or apprehend  
212.11 the defendant prior to the expiration of the stay or during or after the six-month period shall  
212.12 not preclude the court from conducting the summary hearing unless the defendant  
212.13 demonstrates that the delay was purposefully caused by the state in order to gain an unfair  
212.14 advantage.

212.15 **EFFECTIVE DATE.** This section is effective August 1, 2023, and applies to violations  
212.16 that occur on or after that date.

212.17 Sec. 22. Minnesota Statutes 2022, section 609.14, is amended by adding a subdivision to  
212.18 read:

212.19 Subd. 1a. **Violations where policies favor continued rehabilitation.** (a) Correctional  
212.20 treatment is better provided through a community resource than through confinement, it  
212.21 would not unduly depreciate the seriousness of the violation if probation was not revoked,  
212.22 and the policies favoring probation outweigh the need for confinement if a person has not  
212.23 previously violated a condition of probation or intermediate sanction and does any of the  
212.24 following in violation of a condition imposed by the court:

212.25 (1) fails to abstain from the use of controlled substances without a valid prescription,  
212.26 unless the person is under supervision for a violation of section:

212.27 (i) 169A.20;

212.28 (ii) 609.2112, subdivision 1, paragraph (a), clauses (2) to (6); or

212.29 (iii) 609.2113, subdivision 1, clauses (2) to (6), 2, clauses (2) to (6), or 3, clauses (2) to  
212.30 (6);

212.31 (2) fails to abstain from the use of alcohol, unless the person is under supervision for a  
212.32 violation of section:

- 213.1 (i) 169A.20;
- 213.2 (ii) 609.2112, subdivision 1, paragraph (a), clauses (2) to (6); or
- 213.3 (iii) 609.2113, subdivision 1, clauses (2) to (6), 2, clauses (2) to (6), or 3, clauses (2) to
- 213.4 (6);
- 213.5 (3) possesses drug paraphernalia in violation of section 152.092;
- 213.6 (4) fails to obtain or maintain employment;
- 213.7 (5) fails to pursue a course of study or vocational training;
- 213.8 (6) fails to report a change in employment, unless the person is prohibited from having
- 213.9 contact with minors and the employment would involve such contact;
- 213.10 (7) violates a curfew;
- 213.11 (8) fails to report contact with a law enforcement agency, unless the person was charged
- 213.12 with a misdemeanor, gross misdemeanor, or felony; or
- 213.13 (9) commits any offense for which the penalty is a petty misdemeanor.
- 213.14 (b) A violation by a person described in paragraph (a) does not warrant the imposition
- 213.15 or execution of sentence and the court may not direct that the person be taken into immediate
- 213.16 custody unless the court receives a written report, signed under penalty of perjury pursuant
- 213.17 to section 358.116, showing probable cause to believe the person violated probation and
- 213.18 establishing by a preponderance of the evidence that the continued presence of the person
- 213.19 in the community would present a risk to public safety. If the court does not direct that the
- 213.20 person be taken into custody, the court may request a supplemental report from the
- 213.21 supervising agent containing:
- 213.22 (1) the specific nature of the violation;
- 213.23 (2) the response of the person under supervision to the violation, if any; and
- 213.24 (3) the actions the supervising agent has taken or will take to address the violation.
- 213.25 **EFFECTIVE DATE.** This section is effective August 1, 2023, and applies to violations
- 213.26 that occur on or after that date.

213.27 **Sec. 23. LOCAL CORRECTIONAL FEES; IMPOSITION ON OFFENDERS.**

213.28 By August 1, 2025, each local correctional agency under Minnesota Statutes, section

213.29 244.18, must provide a plan for phasing out local correctional fees. A copy of the plan must

214.1 be provided to all individuals under supervision by the agency. Local correctional fees must  
214.2 not increase from the effective date of this section through August 1, 2025.

214.3 Sec. 24. **COMMUNITY SUPERVISION ADVISORY COMMITTEE; REPORT.**

214.4 (a) By January 15, 2025, the committee must submit a report to the chairs and ranking  
214.5 minority members of the legislative committees with jurisdiction over public safety policy  
214.6 and finance on progress toward developing standards and recommendations under Minnesota  
214.7 Statutes, section 401.17, subdivision 3.

214.8 (b) By January 15, 2026, the committee must submit a final report to the chairs and  
214.9 ranking minority members of the legislative committees with jurisdiction over public safety  
214.10 policy and finance on the standards and recommendations developed according to Minnesota  
214.11 Statutes, section 401.17, subdivision 3. At a minimum, the recommendations must include  
214.12 a proposed state-level Community Supervision Advisory Board with a governance structure  
214.13 and duties for the board.

214.14 Sec. 25. **REPEALER.**

214.15 (a) Minnesota Statutes 2022, sections 244.19, subdivisions 6, 7, and 8; 244.22; 244.24;  
214.16 and 244.30, are repealed.

214.17 (b) Minnesota Statutes 2022, section 244.18, is repealed.

214.18 **EFFECTIVE DATE.** Paragraph (a) is effective August 1, 2023, and paragraph (b) is  
214.19 effective August 1, 2025.

#### **244.18 LOCAL CORRECTIONAL FEES; IMPOSITION ON OFFENDERS.**

Subdivision 1. **Definition.** As used in this section, "local correctional fees" include fees for the following correctional services:

- (1) community service work placement and supervision;
- (2) restitution collection;
- (3) supervision;
- (4) court ordered investigations;
- (5) any other court ordered service;
- (6) postprison supervision or other form of release; or

(7) supervision or other services provided to probationers or parolees under section 243.1605 to be provided by a local probation and parole agency established under section 244.19 or community corrections agency established under chapter 401.

Subd. 2. **Local correctional fees.** A local correctional agency may establish a schedule of local correctional fees to charge persons under the supervision and control of the local correctional agency to defray costs associated with correctional services. The local correctional fees on the schedule must be reasonably related to defendants' abilities to pay and the actual cost of correctional services.

Subd. 3. **Fee collection.** The chief executive officer of a local correctional agency may impose and collect local correctional fees. The local correctional agency may collect the fee at any time while the offender is under sentence or after the sentence has been discharged. A local probation and parole agency established under section 244.19 or community corrections agency established under section 401.02 may not impose a fee under this section if the offender is supervised by the commissioner of corrections and the commissioner of corrections imposes and collects a fee under section 241.272. The agency may use any available civil means of debt collection in collecting a local correctional fee.

Subd. 4. **Exemption from fee.** The chief executive officer of the local correctional agency may waive payment of the fee if the officer determines that the offender does not have the ability to pay the fee, the prospects for payment are poor, or there are extenuating circumstances justifying waiver of the fee. Instead of waiving the fee, the local correctional agency may require the offender to perform community work service as a means of paying the fee.

Subd. 5. **Restitution payment priority.** If a defendant has been ordered by a court to pay restitution, the defendant shall be obligated to pay the restitution ordered before paying the local correctional fee. However, if the defendant is making reasonable payments to satisfy the restitution obligation, the local correctional agency may also collect a local correctional fee.

Subd. 6. **Use of fees.** The local correctional fees shall be used by the local correctional agency to pay the costs of local correctional services. Local correctional fees may not be used to supplant existing local funding for local correctional services.

#### **244.19 PROBATION OFFICERS.**

Subd. 6. **Reimbursement of counties.** In order to reimburse the counties for the cost which they assume under this section of providing probation and parole services to wards of the commissioner of corrections and to aid the counties in achieving the purposes of this section, the commissioner of corrections shall annually, from funds appropriated for that purpose, pay 50 percent of the costs of probation officers' salaries to all counties of not more than 200,000 population. Nothing in this section will invalidate any payments to counties made pursuant to this section before May 15, 1963. Salary costs include fringe benefits, but only to the extent that fringe benefits do not exceed those provided for state civil service employees. On or before July 1 of each even-numbered year each county or group of counties which provide their own probation services to the district court under subdivision 1, clause (1) or (2), shall submit to the commissioner of corrections an estimate of its costs under this section. Reimbursement to those counties shall be made on the basis of the estimate or actual expenditures incurred, whichever is less. Reimbursement for those counties which obtain probation services from the commissioner of corrections pursuant to subdivision 1, clause (3), must be made on the basis of actual expenditures. Salary costs shall not be reimbursed unless county probation officers are paid salaries commensurate with the salaries paid to comparable positions in the classified service of the state civil service. The salary range to which each county probation officer is assigned shall be determined by the authority having power to appoint probation

officers, and shall be based on the officer's length of service and performance. The appointing authority shall annually assign each county probation officer to a position on the salary scale commensurate with the officer's experience, tenure, and responsibilities. The judge shall file with the county auditor an order setting each county probation officer's salary. Time spent by a county probation officer as a court referee shall not qualify for reimbursement. Reimbursement shall be prorated if the appropriation is insufficient. A new position eligible for reimbursement under this section may not be added by a county without the written approval of the commissioner of corrections. When a new position is approved, the commissioner shall include the cost of the position in calculating each county's share.

Subd. 7. **Certificate of counties entitled to state aid.** On or before January 1 of each year, until 1970 and on or before April 1 thereafter, the commissioner of corrections shall deliver to the commissioner of management and budget a certificate in duplicate for each county of the state entitled to receive state aid under the provisions of this section. Upon the receipt of such certificate, the commissioner of management and budget shall issue a payment to the county treasurer for the amount shown by each certificate to be due to the county specified. The commissioner of management and budget shall transmit such payment to the county treasurer together with a copy of the certificate prepared by the commissioner of corrections.

Subd. 8. **Exception.** This section shall not apply to Ramsey County.

#### **244.22 PROBATION SERVICE PROVIDERS; CASELOAD REDUCTION GRANT MONEY.**

(a) The commissioner of corrections shall review the planned expenditures of probation service providers before allocating probation caseload reduction grants appropriated by the legislature. The review must determine whether the planned expenditures comply with applicable law.

(b) In counties where probation services are provided by both county and Department of Corrections employees, a collaborative plan addressing the local needs shall be developed. The commissioner of corrections shall specify the manner in which probation caseload reduction grant money shall be distributed between the providers according to the approved plan.

#### **244.24 CLASSIFICATION SYSTEM FOR ADULT OFFENDERS.**

By February 1, 1998, all probation agencies shall adopt written policies for classifying adult offenders. The commissioner of corrections shall assist probation agencies in locating organizations that may provide training and technical assistance to the agencies concerning methods to develop and implement effective, valid classification systems.

#### **244.30 CAP ON INCARCERATION FOR FIRST-TIME SUPERVISED RELEASE VIOLATIONS; EXCEPTION FOR SEX OFFENDERS.**

(a) If the commissioner revokes the supervised release of a person whose release on the current offense has not previously been revoked, the commissioner may order the person to be incarcerated for no more than 90 days or until the expiration of the person's sentence, whichever is less.

(b) This section does not apply to offenders on supervised release for a violation of section 609.342, 609.343, 609.344, 609.345, 609.3451, or 609.3453.

(c) The commissioner may order a person described in this section to be incarcerated for more than 90 days if the commissioner determines that substantial and compelling reasons exist to believe that the longer incarceration period is necessary to protect the public.

#### **299C.80 INDEPENDENT USE OF FORCE INVESTIGATIONS UNIT.**

Subd. 7. **Expiration.** The independent Use of Force Investigations Unit expires August 1, 2024.

#### **403.02 DEFINITIONS.**

Subd. 13. **Enhanced 911 service.** "Enhanced 911 service" means the use of automatic location identification or local location identification as part of local 911 service provided by an enhanced 911 system consisting of a common 911 network and database and customer data and network components connecting to the common 911 network and database.

#### **403.09 ENFORCEMENT.**

Subd. 3. **Dispute resolution.** Disputes between parties must be resolved pursuant to section 403.025, subdivision 7, paragraph (c).



### **638.02 PARDONS.**

Subdivision 1. **Absolute or conditional pardons; commutation of sentences.** The Board of Pardons may grant an absolute or a conditional pardon, but every conditional pardon shall state the terms and conditions on which it was granted. Every pardon or commutation of sentence shall be in writing and shall have no force or effect unless granted by a unanimous vote of the board duly convened.

Subd. 2. **Petition; pardon extraordinary.** Any person, convicted of a crime in any court of this state, who has served the sentence imposed by the court and has been discharged of the sentence either by order of court or by operation of law, may petition the Board of Pardons for the granting of a pardon extraordinary. Unless the Board of Pardons expressly provides otherwise in writing by unanimous vote, the application for a pardon extraordinary may not be filed until the applicable time period in clause (1) or (2) has elapsed:

(1) if the person was convicted of a crime of violence as defined in section 624.712, subdivision 5, ten years must have elapsed since the sentence was discharged and during that time the person must not have been convicted of any other crime; and

(2) if the person was convicted of any crime not included within the definition of crime of violence under section 624.712, subdivision 5, five years must have elapsed since the sentence was discharged and during that time the person must not have been convicted of any other crime.

If the Board of Pardons determines that the person is of good character and reputation, the board may, in its discretion, grant the person a pardon extraordinary. The pardon extraordinary, when granted, has the effect of setting aside and nullifying the conviction and of purging the person of it, and the person shall never after that be required to disclose the conviction at any time or place other than in a judicial proceeding or as part of the licensing process for peace officers.

The application for a pardon extraordinary, the proceedings to review an application, and the notice requirements are governed by the statutes and the rules of the board in respect to other proceedings before the board. The application shall contain any further information that the board may require.

Subd. 3. **Pardon extraordinary; filing; copies sent.** Upon granting a pardon extraordinary the Board of Pardons shall file a copy of it with the district court of the county in which the conviction occurred, and the court shall order the conviction set aside and include a copy of the pardon in the court file. The court shall send a copy of its order and the pardon to the Bureau of Criminal Apprehension.

Subd. 4. **Grandfather provision.** Any person granted a pardon extraordinary by the Board of Pardons prior to April 12, 1974 may apply to the district court of the county in which the conviction occurred for an order setting aside the conviction as set forth in subdivision 3.

Subd. 5. **Records.** The term "records" shall include but is not limited to all matters, files, documents and papers incident to the arrest, indictment, information, trial, appeal, dismissal and discharge, which relate to the conviction for which the pardon extraordinary has been granted.

### **638.03 WARRANT; RETURN.**

The Board of Pardons may issue its warrant, under its seal, to any proper officers to carry into effect any pardon, commutation, or reprieve. As soon as may be after the execution of the warrant, the officer to whom it is directed shall make return thereof, under hand, with the doings thereon, to the governor. Such officer shall also file with the court administrator in which the offender was convicted an attested copy of the warrant and return, a brief abstract of which such court administrator shall subjoin to the record of the conviction.

### **638.04 MEETINGS.**

The Board of Pardons shall hold meetings at least twice each year and shall hold a meeting whenever it takes formal action on an application for a pardon or commutation of sentence. All board meetings shall be open to the public as provided in chapter 13D.

The victim of an applicant's crime has a right to submit an oral or written statement at the meeting. The statement may summarize the harm suffered by the victim as a result of the crime and give the victim's recommendation on whether the application for a pardon or commutation should be granted or denied. In addition, any law enforcement agency may submit an oral or written statement at the meeting, giving its recommendation on whether the application should be granted

or denied. The board must consider the victim's and the law enforcement agency's statement when making its decision on the application.

**638.05 APPLICATION FOR PARDON.**

Every application for relief by the Pardon Board shall be in writing, addressed to the Board of Pardons, signed under oath by the convict or someone in the convict's behalf, shall state concisely the grounds upon which the relief is sought, and in addition shall contain the following facts:

- (1) the name under which the convict was indicted, and every alias by which the convict is or was known;
- (2) the date and terms of sentence, and the names of the offense for which it was imposed;
- (3) the name of the trial judge and the county attorney who participated in the trial of the convict, together with that of the county of trial;
- (4) a succinct statement of the evidence adduced at the trial, with the endorsement of the judge or county attorney who tried the case that the statement is substantially correct. If this statement and endorsement are not furnished, the reason for failing to furnish them shall be stated;
- (5) the age, birthplace, and occupation and residence of the convict during five years immediately preceding conviction;
- (6) a statement of other arrests, indictments, and convictions, if any, of the convict.

Every application for relief by the pardon board shall contain a statement by the applicant consenting to the disclosure to the board of any private data concerning the applicant contained in the application or in any other record relating to the grounds on which the relief is sought. In addition, if the applicant resided in another state after the sentence was discharged, the application for relief by the pardon board shall contain a statement by the applicant consenting to the disclosure to the board of any data concerning the applicant that was collected or maintained by the foreign state relating to the grounds on which the relief is sought, including disclosure of criminal arrest and conviction records.

**638.06 ACTION ON APPLICATION.**

Every application for relief by the Pardon Board shall be filed with the secretary of the Board of Pardons not less than 60 days before the meeting of the board at which consideration of the application is desired. If an application for a pardon or commutation has been once heard and denied on the merits, no subsequent application shall be filed without the consent of two members of the board endorsed on the application. Immediately on receipt of any application, the secretary to the board shall mail notice of the application, and of the time and place of hearing on it, to the judge of the court where the applicant was tried and sentenced, and to the prosecuting attorney who prosecuted the applicant, or a successor in office. Additionally, the secretary shall publish notice of an application for a pardon extraordinary in the local newspaper of the county where the crime occurred. The secretary shall also make all reasonable efforts to locate any victim of the applicant's crime. The secretary shall mail notice of the application and the time and place of the hearing to any victim who is located. This notice shall specifically inform the victim of the victim's right to be present at the hearing and to submit an oral or written statement to the board as provided in section 638.04.

**638.07 RECORDS; SECRETARY.**

The Board of Pardons shall keep a record of every petition received, and of every pardon, reprieve, or commutation of sentence granted or refused, and the reasons assigned therefor, and shall have a seal, with which every pardon, reprieve, or commutation of sentence shall be attested. It may adopt such additional necessary and proper rules as are not inconsistent herewith. The commissioner of corrections or a designee shall be the secretary of the board. The commissioner shall have charge of and keep its records and perform such other duties as the board may from time to time direct. The commissioner is hereby authorized and empowered to serve subpoenas and other writs or processes necessary to return parole violators to prison, and to bring before the board witnesses to be heard in matters pending before it. The records and all the files shall be kept and preserved by the secretary, and shall be open to public inspection at all reasonable times.

**638.075 ANNUAL REPORTS TO LEGISLATURE.**

By February 15 of each year, the Board of Pardons shall file a written report with the legislature containing the following information:

APPENDIX  
Repealed Minnesota Statutes: S2909-2

(1) the number of applications received by the board during the preceding calendar year for pardons, pardons extraordinary, and commutations of sentence;

(2) the number of applications granted by the board for each category; and

(3) the crimes for which the applications were granted by the board, the year of each conviction, and the age of the offender at the time of the offense.

**638.08 ISSUANCE OF PROCESS; WITNESSES; STANDING APPROPRIATION.**

The Board of Pardons may issue process requiring the presence of any person or officer before it, with or without books and papers, in any matter pending, and may take such reasonable steps in the matter as it may deem necessary to a proper determination thereof. When any person is summoned before the board by its authority, the person may be allowed such compensation for travel and attendance as it may deem reasonable.