

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

**S.F. No. 4760**

(SENATE AUTHORS: LATZ)

| DATE       | D-PG | OFFICIAL STATUS   |
|------------|------|---|
| 03/23/2026 | 6917 | Introduction and first reading<br>Referred to Judiciary and Public Safety |
| 04/07/2026 |      | Comm report: To pass as amended<br>Second reading                         |

1.1 A bill for an act

1.2 relating to public safety; providing research data protection for data on individuals;

1.3 providing for certain terminology and reference updates for domestic abuse

1.4 programs and battered women; requiring judge to inquire whether victim has been

1.5 notified of plea and sentencing hearings; protecting victim from identification in

1.6 prosecutor's petition for sentence adjustment; expanding victim notification of

1.7 defendant eligibility for automatic expungement; protecting identity of minor

1.8 victim in a crime involving sexual performance; expanding protection from

1.9 employer retaliation to victims of stalking; modifying ignition interlock program

1.10 license revocation requirements; classifying driver's license indicators as private

1.11 data; clarifying responsibilities of Department of Corrections licensed juvenile

1.12 and adult community-based residential correctional facilities; modifying eligibility

1.13 of certain applicants for licenses to serve as private detectives or protective agents;

1.14 clarifying certain grants from the Bureau of Criminal Apprehension to local law

1.15 enforcement as reimbursements; updating law related to recording of crimes;

1.16 establishing process for determining how certain criminal records are ineligible

1.17 for sealing; requiring court to provide orders for protection for access by law

1.18 enforcement; designating unemployment insurance judges and paid leave appeals

1.19 judges as judicial officials; excluding unemployment insurance judges and paid

1.20 leave appeals judges from protections related to personal information in real

1.21 property records; changing provisions for employment or occupation due to

1.22 conviction of a crime; clarifying in law the multiple levels of substance abuse care

1.23 provided by the commissioner of corrections; expanding access to mental health

1.24 unit beds for incarcerated persons; making technical corrections; amending

1.25 Minnesota Statutes 2024, sections 13.69, subdivision 1; 13.6905, by adding

1.26 subdivisions; 13.871, subdivision 5; 116L.362, subdivision 1; 119A.37, subdivision

1.27 4; 142G.12, subdivision 2; 142G.53; 171.09, subdivision 3; 171.12, subdivision

1.28 7c, by adding a subdivision; 171.177, subdivision 8; 203B.06, subdivision 3;

1.29 203B.11, subdivision 1; 241.021, subdivisions 1f, 1i, 4a; 241.69, subdivisions 1,

1.30 3, 4, 5, 6; 256D.02, subdivision 12a; 256G.02, subdivision 6; 257.75, subdivision

1.31 6; 260E.02, subdivision 1; 299A.85, subdivision 4; 299A.90, subdivision 3;

1.32 299C.05; 299C.065; 299C.46, subdivision 6; 326.32, subdivisions 8, 10, 10a, 10c,

1.33 12; 326.33, subdivision 1; 326.3381, subdivisions 2, 4; 326.3382, subdivisions 1,

1.34 4; 326.3385, subdivision 2; 326.3386, subdivision 3; 364.03, subdivision 3; 364.05;

1.35 518B.02, subdivision 2; 609.133, subdivision 4; 609.3471; 609.605, subdivision

1.36 2; 609.7495, subdivision 1; 609A.015, subdivision 5; 611A.03, subdivision 1, by

1.37 adding a subdivision; 611A.036, subdivision 7; 611A.038; 611A.039, subdivision

1.38 1; 611A.31, subdivision 5; 629.72, subdivision 2a; Minnesota Statutes 2025

2.1 Supplement, sections 120B.22, subdivision 1; 171.12, subdivision 7; 171.178,  
 2.2 subdivision 5; 171.306, subdivision 1; 201.061, subdivision 3; 241.021, subdivision  
 2.3 1; 256G.03, subdivision 2; 480.40, subdivision 1; 480.50, subdivision 1; 609.101,  
 2.4 subdivision 2; 609.2334, subdivision 11; proposing coding for new law in  
 2.5 Minnesota Statutes, chapter 241; repealing Minnesota Statutes 2024, sections  
 2.6 169A.54, subdivision 6; 241.021, subdivisions 1g, 1h, 2a, 2b, 3, 6; 299C.12;  
 2.7 Minnesota Statutes 2025 Supplement, section 241.021, subdivision 2.

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

2.9 **ARTICLE 1**

2.10 **DEPARTMENT OF PUBLIC SAFETY**

2.11 Section 1. Minnesota Statutes 2024, section 13.69, subdivision 1, is amended to read:

2.12 Subdivision 1. **Classifications.** (a) The following government data of the Department  
 2.13 of Public Safety are private data:

2.14 (1) medical data on driving instructors, licensed drivers, and applicants for parking  
 2.15 certificates and special license plates issued to physically disabled persons;

2.16 (2) other data on holders of a disability certificate under section 169.345, except that (i)  
 2.17 data that are not medical data may be released to law enforcement agencies, and (ii) data  
 2.18 necessary for enforcement of sections 169.345 and 169.346 may be released to parking  
 2.19 enforcement employees or parking enforcement agents of statutory or home rule charter  
 2.20 cities and towns;

2.21 (3) Social Security numbers in driver's license and motor vehicle registration records,  
 2.22 except that Social Security numbers must be provided to the Department of Revenue for  
 2.23 purposes of tax administration, the Department of Labor and Industry for purposes of  
 2.24 workers' compensation administration and enforcement, the judicial branch for purposes of  
 2.25 debt collection, and the Department of Natural Resources for purposes of license application  
 2.26 administration, and except that the last four digits of the Social Security number must be  
 2.27 provided to the Department of Human Services for purposes of recovery of Minnesota health  
 2.28 care program benefits paid;

2.29 (4) data on persons listed as standby or temporary custodians under section 171.07,  
 2.30 subdivision 11, except that the data must be released to:

2.31 (i) law enforcement agencies for the purpose of verifying that an individual is a designated  
 2.32 caregiver; or

2.33 (ii) law enforcement agencies who state that the license holder is unable to communicate  
 2.34 at that time and that the information is necessary for notifying the designated caregiver of  
 2.35 the need to care for a child of the license holder; ~~and~~

3.1 (5) race and ethnicity data on driver's license holders and identification card holders  
3.2 under section 171.06, subdivision 3. The Department of Public Safety Office of Traffic  
3.3 Safety is authorized to receive race and ethnicity data from Driver and Vehicle Services for  
3.4 only the purposes of research, evaluation, and public reports; and

3.5 (6) the following data on individuals created, collected, received, stored, used, or  
3.6 maintained by the Office of Justice Programs: the name, address, email address, telephone  
3.7 number, date of birth, or employer of a research participant; a unique identification number  
3.8 assigned to a research participant; and any other data that could reasonably identify a research  
3.9 participant.

3.10 The department may release the Social Security number only as provided in clause (3) and  
3.11 must not sell or otherwise provide individual Social Security numbers or lists of Social  
3.12 Security numbers for any other purpose.

3.13 (b) The following government data of the Department of Public Safety are confidential  
3.14 data: data concerning an individual's driving ability when that data is received from a member  
3.15 of the individual's family.

3.16 Sec. 2. Minnesota Statutes 2024, section 13.6905, is amended by adding a subdivision to  
3.17 read:

3.18 Subd. 39. **Office for Missing and Murdered Indigenous Relatives.** Data related to  
3.19 victim and family support are governed by section 299A.85, subdivision 4, paragraph (c).

3.20 Sec. 3. Minnesota Statutes 2024, section 13.6905, is amended by adding a subdivision to  
3.21 read:

3.22 Subd. 40. **Office for Missing and Murdered Black Women and Girls.** Data related  
3.23 to victim and family support are governed by section 299A.90, subdivision 3, paragraph  
3.24 (c).

3.25 Sec. 4. Minnesota Statutes 2024, section 13.871, subdivision 5, is amended to read:

3.26 Subd. 5. **Crime victims.** (a) **Crime victim notice of release.** Data on crime victims who  
3.27 request notice of an offender's release are classified under section 611A.06.

3.28 (b) **Sex offender HIV tests.** Results of HIV tests of sex offenders under section 611A.19,  
3.29 subdivision 2, are classified under that section.

4.1 ~~(e) **Battered women.** Data on battered women maintained by grantees for emergency~~  
 4.2 ~~shelter and support services for battered women are governed by section 611A.32, subdivision~~  
 4.3 ~~5.~~

4.4 ~~(d) **(c) Victims of domestic abuse.** Data on battered women and victims of domestic~~  
 4.5 ~~abuse maintained by grantees and recipients of per diem payments for emergency shelter~~  
 4.6 ~~for battered women and support services for battered women and victims of domestic abuse~~  
 4.7 ~~are governed by sections 611A.32, subdivision 5, and 611A.371, subdivision 3.~~

4.8 ~~(e) **(d) Personal history; internal auditing.** Certain personal history and internal auditing~~  
 4.9 ~~data is classified by section 611A.46.~~

4.10 ~~(f) **(e) Crime victim claims for reimbursement.** Claims and supporting documents~~  
 4.11 ~~filed by crime victims seeking reimbursement are classified under section 611A.57,~~  
 4.12 ~~subdivision 6.~~

4.13 ~~(g) **(f) Crime Victim Oversight Act.** Data maintained by the commissioner of public~~  
 4.14 ~~safety under the Crime Victim Oversight Act are classified under section 611A.74,~~  
 4.15 ~~subdivision 2.~~

4.16 ~~(h) **(g) Victim identity data.** Data relating to the identity of the victims of certain criminal~~  
 4.17 ~~sexual conduct is governed by section 609.3471.~~

4.18 ~~(i) **(h) Victim notification.** Data on victims requesting a notice of release of an arrested~~  
 4.19 ~~or detained person are classified under sections 629.72 and 629.73.~~

4.20 ~~(j) **(i) Immigration status certification.** Disclosure of the immigration status of a crime~~  
 4.21 ~~victim and the classification of that data is governed by section 611A.95, subdivision 4.~~

4.22 Sec. 5. Minnesota Statutes 2024, section 116L.362, subdivision 1, is amended to read:

4.23 Subdivision 1. **Generally.** (a) The commissioner shall make grants to eligible  
 4.24 organizations for programs to provide education and training services to targeted youth.  
 4.25 The purpose of these programs is to provide specialized training and work experience for  
 4.26 targeted youth who have not been served effectively by the current educational system. The  
 4.27 programs are to include a work experience component with work projects that result in the  
 4.28 rehabilitation, improvement, or construction of (1) residential units for the homeless; (2)  
 4.29 improvements to the energy efficiency and environmental health of residential units and  
 4.30 other green jobs purposes; (3) facilities to support community garden projects; or (4)  
 4.31 education, social service, or health facilities which are owned by a public agency or a private  
 4.32 nonprofit organization.

5.1 (b) Eligible facilities must principally provide services to homeless or low income  
5.2 individuals and families, and include the following:

5.3 (1) Head Start or day care centers, including playhouses or similar incidental structures;

5.4 (2) homeless, ~~battered women~~ domestic abuse, or other shelters;

5.5 (3) transitional housing and tiny houses;

5.6 (4) youth or senior citizen centers;

5.7 (5) community health centers; and

5.8 (6) community garden facilities.

5.9 Two or more eligible organizations may jointly apply for a grant. The commissioner  
5.10 shall administer the grant program.

5.11 Sec. 6. Minnesota Statutes 2024, section 119A.37, subdivision 4, is amended to read:

5.12 Subd. 4. **Additional services.** Each parenting time center may provide parenting and  
5.13 child development classes, and offer support groups to participating custodial parents and  
5.14 hold regular classes designed to assist children who have experienced domestic violence  
5.15 and abuse. Each parenting time center must have available an individual knowledgeable  
5.16 about or experienced in the provision of services to ~~battered women~~ and domestic abuse  
5.17 victims on its staff, its board of directors, or otherwise available to it for consultation.

5.18 Sec. 7. Minnesota Statutes 2025 Supplement, section 120B.22, subdivision 1, is amended  
5.19 to read:

5.20 Subdivision 1. **Violence prevention curriculum.** (a) The commissioner of education,  
5.21 in consultation with the commissioners of health and human services, state minority councils,  
5.22 ~~battered women's and domestic abuse programs, battered women's and~~ shelters, sexual  
5.23 assault centers, and representatives of religious communities, ~~and the assistant commissioner~~  
5.24 ~~of the Office of Drug Policy and Violence Prevention~~, shall assist districts on request in  
5.25 developing or implementing a violence prevention program for students in kindergarten to  
5.26 grade 12 that can be integrated into existing curriculum. The purpose of the program is to  
5.27 help students learn how to resolve conflicts within their families and communities in  
5.28 nonviolent, effective ways.

5.29 (b) Each district is encouraged to integrate into its existing curriculum a program for  
5.30 violence prevention that includes at least:

6.1 (1) a comprehensive, accurate, and age appropriate curriculum on violence prevention,  
6.2 nonviolent conflict resolution, sexual, racial, and cultural harassment, self-protection, and  
6.3 student hazing that promotes equality, respect, understanding, effective communication,  
6.4 individual responsibility, thoughtful decision making, positive conflict resolution, useful  
6.5 coping skills, critical thinking, listening and watching skills, and personal safety;

6.6 (2) planning materials, guidelines, and other accurate information on preventing physical  
6.7 and emotional violence, identifying and reducing the incidence of sexual, racial, and cultural  
6.8 harassment, and reducing child abuse, including physical abuse, and neglect;

6.9 (3) a special parent education component of early childhood family education programs  
6.10 to prevent child abuse and neglect and to promote positive parenting skills, giving priority  
6.11 to services and outreach programs for at-risk families;

6.12 (4) involvement of parents and other community members, including the clergy, business  
6.13 representatives, civic leaders, local elected officials, law enforcement officials, and the  
6.14 county attorney;

6.15 (5) collaboration with local community services, agencies, and organizations that assist  
6.16 in violence intervention or prevention, including family-based services, crisis services, life  
6.17 management skills services, case coordination services, mental health services, and early  
6.18 intervention services;

6.19 (6) collaboration among districts and service cooperatives;

6.20 (7) targeting early adolescents for prevention efforts, especially early adolescents whose  
6.21 personal circumstances may lead to violent or harassing behavior;

6.22 (8) opportunities for teachers to receive in-service training or attend other programs on  
6.23 strategies or curriculum designed to assist students in intervening in or preventing violence  
6.24 in school and at home; and

6.25 (9) administrative policies that reflect, and a staff that models, nonviolent behaviors that  
6.26 do not display or condone sexual, racial, or cultural harassment or student hazing.

6.27 (c) The department may provide assistance at a neutral site to a nonpublic school  
6.28 participating in a district's program.

6.29 Sec. 8. Minnesota Statutes 2024, section 142G.12, subdivision 2, is amended to read:

6.30 Subd. 2. **30-day residency requirement.** An assistance unit is considered to have  
6.31 established residency in this state only when a child or caregiver has resided in this state  
6.32 for at least 30 consecutive days with the intention of making the person's home here and

7.1 not for any temporary purpose. The birth of a child in Minnesota to a member of the  
7.2 assistance unit does not automatically establish the residency in this state under this  
7.3 subdivision of the other members of the assistance unit. Time spent in a shelter for ~~battered~~  
7.4 ~~women~~ domestic abuse victims shall count toward satisfying the 30-day residency  
7.5 requirement.

7.6 Sec. 9. Minnesota Statutes 2024, section 142G.53, is amended to read:

7.7 **142G.53 FAMILY VIOLENCE WAIVER CRITERIA.**

7.8 (a) In order to qualify for a family violence waiver, an individual must provide  
7.9 documentation of past or current family violence which may prevent the individual from  
7.10 participating in certain employment activities.

7.11 (b) The following items may be considered acceptable documentation or verification of  
7.12 family violence:

7.13 (1) police, government agency, or court records;

7.14 (2) a statement from a ~~battered women's~~ domestic abuse shelter staff with knowledge  
7.15 of the circumstances;

7.16 (3) a statement from a sexual assault or domestic violence advocate with knowledge of  
7.17 the circumstances; or

7.18 (4) a statement from professionals from whom the applicant or recipient has sought  
7.19 assistance for the abuse.

7.20 (c) A claim of family violence may also be documented by a sworn statement from the  
7.21 applicant or participant and a sworn statement from any other person with knowledge of  
7.22 the circumstances or credible evidence that supports the client's statement.

7.23 Sec. 10. Minnesota Statutes 2025 Supplement, section 201.061, subdivision 3, is amended  
7.24 to read:

7.25 Subd. 3. **Election day registration.** (a) An individual who is eligible to vote may register  
7.26 or update a registration on election day by appearing in person at the polling place for the  
7.27 precinct in which the individual maintains residence, by completing a registration application,  
7.28 making an oath in the form prescribed by the secretary of state and providing proof of  
7.29 residence. An individual may prove residence for purposes of registering or updating a  
7.30 registration by:

8.1 (1) presenting a driver's license or Minnesota identification card issued pursuant to  
8.2 section 171.07;

8.3 (2) presenting any document approved by the secretary of state as proper identification;

8.4 (3) presenting a current student fee statement that contains the student's valid address  
8.5 in the precinct together with a picture identification card; or

8.6 (4) having a voter who is registered to vote in the precinct, or an employee who provides  
8.7 proof that they are employed by and working in a residential facility in the precinct and  
8.8 vouching for a resident in the facility, sign an oath in the presence of the election judge  
8.9 vouching that the voter or employee personally knows that the individual is a resident of  
8.10 the precinct. A voter who has been vouched for on election day may not sign a proof of  
8.11 residence oath vouching for any other individual on that election day. An election judge  
8.12 may not sign a proof of residence oath vouching for any individual who appears in the  
8.13 precinct where the election judge is working unless the election judge personally knows the  
8.14 individual is a resident of the precinct. A voter who is registered to vote in the precinct may  
8.15 sign up to eight proof-of-residence oaths on any election day. This limitation does not apply  
8.16 to an employee of a residential facility described in this clause. The secretary of state shall  
8.17 provide a form for election judges to use in recording the number of individuals for whom  
8.18 a voter signs proof-of-residence oaths on election day. The form must include space for the  
8.19 maximum number of individuals for whom a voter may sign proof-of-residence oaths. For  
8.20 each proof-of-residence oath, the form must include a statement that the individual: (i) is  
8.21 registered to vote in the precinct or is an employee of a residential facility in the precinct,  
8.22 (ii) personally knows that the voter is a resident of the precinct, and (iii) is making the  
8.23 statement on oath. The form must include a space for the voter's printed name, signature,  
8.24 telephone number, and address.

8.25 The oath required by this subdivision and Minnesota Rules, part 8200.9939, must be  
8.26 attached to the voter registration application.

8.27 (b) The secretary of state must publish guidance for residential facilities and residential  
8.28 facility employees on the vouching process and the requirements of this subdivision.

8.29 (c) "Residential facility" means transitional housing as defined in section 256K.48,  
8.30 subdivision 1; a supervised living facility licensed by the commissioner of health under  
8.31 section 144.50, subdivision 6; a nursing home as defined in section 144A.01, subdivision  
8.32 5; an assisted living facility licensed by the commissioner of health under chapter 144G; a  
8.33 veterans home operated by the board of directors of the Minnesota Veterans Homes under  
8.34 chapter 198; a residence licensed by the commissioner of human services to provide a

9.1 residential program as defined in section 245A.02, subdivision 14; a residential facility for  
 9.2 persons with a developmental disability licensed by the commissioner of human services  
 9.3 under section 252.28; setting authorized to provide housing support as defined in section  
 9.4 256I.03, subdivision 10a; ~~a shelter for battered women~~ emergency shelter services for  
 9.5 domestic abuse victims as defined in section ~~611A.37, subdivision 4~~ 611A.31, subdivision  
 9.6 3; a supervised publicly or privately operated shelter or dwelling designed to provide  
 9.7 temporary living accommodations for the homeless; a facility where a provider operates a  
 9.8 residential treatment program as defined in section 245.462, subdivision 23; or a facility  
 9.9 where a provider operates an adult foster care program as defined in section 245A.02,  
 9.10 subdivision 6c.

9.11 (d) For tribal band members, an individual may prove residence for purposes of  
 9.12 registering or updating a registration by:

9.13 (1) presenting an identification card issued by the tribal government of a tribe recognized  
 9.14 by the Bureau of Indian Affairs, United States Department of the Interior, that contains the  
 9.15 name, address, signature, and picture of the individual; or

9.16 (2) presenting an identification card issued by the tribal government of a tribe recognized  
 9.17 by the Bureau of Indian Affairs, United States Department of the Interior, that contains the  
 9.18 name, signature, and picture of the individual and also presenting one of the documents  
 9.19 listed in Minnesota Rules, part 8200.5100, subpart 2, item B.

9.20 (e) A county, school district, or municipality may require that an election judge  
 9.21 responsible for election day registration initial each completed registration application.

9.22 Sec. 11. Minnesota Statutes 2024, section 203B.06, subdivision 3, is amended to read:

9.23 Subd. 3. **Delivery of ballots.** (a) The county auditor, municipal clerk, school district  
 9.24 clerk, or full-time clerk of any city or town administering an election pursuant to section  
 9.25 203B.05, shall mail absentee ballots to voters on the permanent absentee ballot list pursuant  
 9.26 to section 203B.04, subdivision 5, on the following timelines:

9.27 (1) except as otherwise provided by this section, at least 46 days before each regularly  
 9.28 scheduled primary and general election and each special primary and special election;

9.29 (2) as soon as practicable for a special election held pursuant to section 204D.19,  
 9.30 subdivisions 2 and 3; and

9.31 (3) at least 30 days before a town general election held in March.

10.1 (b) The commissioner of corrections must provide the secretary of state with a list of  
10.2 the names and mailing addresses of state adult correctional facilities. An application for an  
10.3 absentee ballot that provides an address included on the list provided by the commissioner  
10.4 of corrections must not be accepted and an absentee ballot must not be provided to the  
10.5 applicant. The county auditor or municipal clerk must promptly transmit a copy of the  
10.6 application to the county attorney. The Department of Corrections must implement procedures  
10.7 to ensure that absentee ballots issued under this chapter are not received or mailed by  
10.8 offenders incarcerated at state adult correctional facilities.

10.9 (c) If an application for absentee ballots is accepted at a time when absentee ballots are  
10.10 not yet available for distribution, the county auditor, or municipal clerk accepting the  
10.11 application shall file it and as soon as absentee ballots are available for distribution shall  
10.12 mail them to the address specified in the application. If an application for absentee ballots  
10.13 is accepted when absentee ballots are available for distribution, the county auditor or  
10.14 municipal clerk accepting the application shall promptly:

10.15 (1) mail the ballots to the voter whose signature appears on the application if the  
10.16 application is submitted by mail and does not request commercial shipping under clause  
10.17 (2);

10.18 (2) ship the ballots to the voter using a commercial shipper requested by the voter at the  
10.19 voter's expense;

10.20 (3) deliver the absentee ballots directly to the voter if the application is submitted in  
10.21 person; or

10.22 (4) deliver the absentee ballots in a sealed transmittal envelope to an agent who has been  
10.23 designated to bring the ballots, as provided in section 203B.11, subdivision 4, to a voter  
10.24 who would have difficulty getting to the polls because of incapacitating health reasons, or  
10.25 who is disabled, or who is a patient in a health care facility, a resident of an assisted living  
10.26 facility licensed under chapter 144G, a participant in a residential program for adults licensed  
10.27 under section 245A.02, subdivision 14, or a resident of a shelter for ~~battered women~~ domestic  
10.28 abuse victims as defined in section ~~611A.37, subdivision 4~~ 611A.31, subdivision 2.

10.29 (d) If an application does not indicate the election for which absentee ballots are sought,  
10.30 the county auditor or municipal clerk shall mail or deliver only the ballots for the next  
10.31 election occurring after receipt of the application. Only one set of ballots may be mailed,  
10.32 shipped, or delivered to an applicant for any election, except as provided in section 203B.121,  
10.33 subdivision 2, or when a replacement ballot has been requested by the voter for a ballot that  
10.34 has been spoiled or lost in transit.

11.1 Sec. 12. Minnesota Statutes 2024, section 203B.11, subdivision 1, is amended to read:

11.2 Subdivision 1. **Generally.** (a) Each full-time municipal clerk or school district clerk  
11.3 who has authority under section 203B.05 to administer absentee voting laws must designate  
11.4 election judges to deliver absentee ballots in accordance with this section. The county auditor  
11.5 must also designate election judges to perform the duties in this section. A ballot may be  
11.6 delivered only to an eligible voter who is a temporary or permanent resident or patient in  
11.7 one of the following facilities located in the municipality in which the voter maintains  
11.8 residence: a health care facility, hospital, or veterans home operated by the board of directors  
11.9 of the Minnesota veterans homes under chapter 198. The ballots must be delivered by two  
11.10 election judges, each of whom is affiliated with a different major political party. When the  
11.11 election judges deliver or return ballots as provided in this section, they must travel together  
11.12 in the same vehicle. Both election judges must be present when an applicant completes the  
11.13 certificate of eligibility and marks the absentee ballots, and may assist an applicant as  
11.14 provided in section 204C.15. The election judges must deposit the return envelopes containing  
11.15 the marked absentee ballots in a sealed container and return them to the clerk on the same  
11.16 day that they are delivered and marked.

11.17 (b) At the discretion of a full-time municipal clerk, school district clerk, or county auditor,  
11.18 absentee ballots may be delivered in the same manner as prescribed in paragraph (a) to a  
11.19 shelter for ~~battered women~~ domestic abuse victims as defined in section ~~611A.37, subdivision~~  
11.20 4 611A.31, subdivision 2, or to an assisted living facility licensed under chapter 144G.

11.21 Sec. 13. Minnesota Statutes 2024, section 256D.02, subdivision 12a, is amended to read:

11.22 Subd. 12a. **Resident.** (a) For purposes of eligibility for general assistance, a person must  
11.23 be a resident of this state.

11.24 (b) A "resident" is a person living in the state for at least 30 days with the intention of  
11.25 making the person's home here and not for any temporary purpose. Time spent in a shelter  
11.26 for ~~battered women~~ domestic abuse victims shall count toward satisfying the 30-day residency  
11.27 requirement. All applicants for these programs are required to demonstrate the requisite  
11.28 intent and can do so in any of the following ways:

11.29 (1) by showing that the applicant maintains a residence at a verified address, other than  
11.30 a place of public accommodation. An applicant may verify a residence address by presenting  
11.31 a valid state driver's license, a state identification card, a voter registration card, a rent  
11.32 receipt, a statement by the landlord, apartment manager, or homeowner verifying that the  
11.33 individual is residing at the address, or other form of verification approved by the  
11.34 commissioner; or

12.1 (2) by verifying residence according to Minnesota Rules, part 9500.1219, subpart 3,  
12.2 item C.

12.3 (c) For general assistance, a county shall waive the 30-day residency requirement where  
12.4 unusual hardship would result from denial of general assistance. For purposes of this  
12.5 subdivision, "unusual hardship" means the applicant is without shelter or is without available  
12.6 resources for food.

12.7 The county agency must report to the commissioner within 30 days on any waiver granted  
12.8 under this section. The county shall not deny an application solely because the applicant  
12.9 does not meet at least one of the criteria in this subdivision, but shall continue to process  
12.10 the application and leave the application pending until the residency requirement is met or  
12.11 until eligibility or ineligibility is established.

12.12 (d) For purposes of paragraph (c), the following definitions apply (1) "metropolitan  
12.13 statistical area" is as defined by the United States Census Bureau; (2) "shelter" includes any  
12.14 shelter that is located within the metropolitan statistical area containing the county and for  
12.15 which the applicant is eligible, provided the applicant does not have to travel more than 20  
12.16 miles to reach the shelter and has access to transportation to the shelter. Clause (2) does not  
12.17 apply to counties in the Minneapolis-St. Paul metropolitan statistical area.

12.18 (e) Migrant workers as defined in section 142G.02 are exempt from the residency  
12.19 requirements of this section, provided the migrant worker provides verification that the  
12.20 migrant family worked in this state within the last 12 months and earned at least \$1,000 in  
12.21 gross wages during the time the migrant worker worked in this state.

12.22 (f) For purposes of eligibility for emergency general assistance, the 30-day residency  
12.23 requirement under this section shall not be waived.

12.24 (g) If any provision of this subdivision is enjoined from implementation or found  
12.25 unconstitutional by any court of competent jurisdiction, the remaining provisions shall  
12.26 remain valid and shall be given full effect.

12.27 Sec. 14. Minnesota Statutes 2024, section 256G.02, subdivision 6, is amended to read:

12.28 Subd. 6. **Excluded time.** "Excluded time" means:

12.29 (1) any period an applicant spends in a hospital, sanitarium, nursing home, shelter other  
12.30 than an emergency shelter, halfway house, foster home, community residential setting  
12.31 licensed under chapter 245D, semi-independent living domicile or services program,  
12.32 residential facility offering care, board and lodging facility or other institution for the  
12.33 hospitalization or care of human beings, as defined in section 144.50, 144A.01, or 245A.02,

13.1 subdivision 14; maternity home, ~~battered women's shelter~~ for domestic abuse victims, or  
 13.2 correctional facility; or any facility based on an emergency hold under section 253B.05,  
 13.3 subdivisions 1 and 2;

13.4 (2) any period an applicant spends on a placement basis in a training and habilitation  
 13.5 program, including: a rehabilitation facility or work or employment program as defined in  
 13.6 section 268A.01; semi-independent living services provided under section 252.275, and  
 13.7 chapter 245D; or day training and habilitation programs;

13.8 (3) any period an applicant is receiving assisted living services, integrated community  
 13.9 supports, or day support services; and

13.10 (4) any placement for a person with an indeterminate commitment, including independent  
 13.11 living.

13.12 Sec. 15. Minnesota Statutes 2025 Supplement, section 256G.03, subdivision 2, is amended  
 13.13 to read:

13.14 Subd. 2. **No durational test.** Except as otherwise provided in sections 142G.12; 142G.78;  
 13.15 256B.056, subdivision 1; and 256D.02, subdivision 12a, for purposes of this chapter, no  
 13.16 waiting period is required before securing county or state residence. A person cannot,  
 13.17 however, gain residence while physically present in an excluded time facility unless otherwise  
 13.18 specified in this chapter or in a federal regulation controlling a federally funded human  
 13.19 service; children, youth, and families; or direct care and treatment program. Interstate  
 13.20 migrants who enter a shelter for ~~battered women~~ domestic abuse victims directly from  
 13.21 another state can gain residency while in the facility provided the person can provide  
 13.22 documentation that the person is a victim of domestic abuse and the county determines that  
 13.23 the placement is appropriate.

13.24 Sec. 16. Minnesota Statutes 2024, section 257.75, subdivision 6, is amended to read:

13.25 Subd. 6. **Paternity educational materials.** The commissioner of children, youth, and  
 13.26 families shall prepare educational materials for new and prospective parents that describe  
 13.27 the benefits and effects of establishing paternity. The materials must include a description  
 13.28 and comparison of the procedures for establishment of paternity through a recognition of  
 13.29 parentage under this section and an adjudication of paternity under sections 257.51 to 257.74.  
 13.30 The commissioner shall consider the use of innovative audio or visual approaches to the  
 13.31 presentation of the materials to facilitate understanding and presentation. In preparing the  
 13.32 materials, the commissioner shall consult with child advocates and support workers, ~~battered~~  
 13.33 ~~women's advocates and~~ advocates for domestic abuse victims, social service providers,

14.1 educators, attorneys, hospital representatives, and people who work with parents in making  
14.2 decisions related to paternity. The commissioner shall consult with representatives of  
14.3 communities of color. On and after January 1, 1994, the commissioner shall make the  
14.4 materials available without cost to hospitals, requesting agencies, and other persons for  
14.5 distribution to new parents.

14.6 Sec. 17. Minnesota Statutes 2024, section 260E.02, subdivision 1, is amended to read:

14.7 Subdivision 1. **Establishment of team.** A county shall establish a multidisciplinary  
14.8 child protection team that may include but is not limited to the director of the local welfare  
14.9 agency or designees, the county attorney or designees, the county sheriff or designees,  
14.10 representatives of health and education, representatives of mental health, representatives of  
14.11 agencies providing specialized services or responding to youth who experience or are at  
14.12 risk of experiencing sex or labor trafficking or sexual exploitation, or other appropriate  
14.13 human services, children's services, or community-based agencies, and parent groups. As  
14.14 used in this section, a "community-based agency" may include, but is not limited to, schools,  
14.15 social services agencies, family service and mental health collaboratives, children's advocacy  
14.16 centers, early childhood and family education programs, Head Start, or other agencies  
14.17 serving children and families. A member of the team must be designated as the lead person  
14.18 of the team responsible for the planning process to develop standards for the team's activities  
14.19 with ~~battered women's and~~ domestic abuse programs and services.

14.20 Sec. 18. Minnesota Statutes 2024, section 299A.85, subdivision 4, is amended to read:

14.21 Subd. 4. **Duties.** (a) The office has the following duties:

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

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

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

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

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

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

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

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

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

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

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

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

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

15.28 (14) provide case support to victims and families of missing or murdered Indigenous  
15.29 relatives or their designated family representative or the reporting person. Case support  
15.30 includes but is not limited to providing support and guidance during the law enforcement  
15.31 investigation; facilitating communication with criminal justice agencies and other government  
15.32 entities; compiling relevant information about ongoing cases; and providing information,  
15.33 referrals, and other types of support.

16.1 (b) As used in this subdivision:

16.2 (1) "reporting person" means the relative or nonrelative person who completed a case  
16.3 intake form with the office; and

16.4 (2) "victim" has the meaning given in section 611A.01.

16.5 (c) Data created, collected, received, stored, used, or maintained by the office related to  
16.6 paragraph (a), clause (14), are private data on individuals as defined in section 13.02,  
16.7 subdivision 12.

16.8 Sec. 19. Minnesota Statutes 2024, section 299A.90, subdivision 3, is amended to read:

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

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

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

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

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

16.22 (5) collect data on missing person and homicide cases involving Black women and girls,  
16.23 including the total number of cases, the rate at which the cases are solved, the length of time  
16.24 the cases remain open, and a comparison to similar cases involving different demographic  
16.25 groups;

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

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

- 17.1 (8) analyze and assess the intersection between cases involving missing and murdered  
17.2 Black women and girls and labor trafficking and sex trafficking;
- 17.3 (9) develop recommendations for legislative, agency, and community actions to address  
17.4 the intersection between cases involving missing and murdered Black women and girls and  
17.5 labor trafficking and sex trafficking;
- 17.6 (10) analyze and assess the intersection between cases involving murdered Black women  
17.7 and girls and domestic violence, including prior instances of domestic violence within the  
17.8 family or relationship, whether an offender had prior convictions for domestic assault or  
17.9 related offenses, and whether the offender used a firearm in the murder or any prior instances  
17.10 of domestic assault;
- 17.11 (11) develop recommendations for legislative, agency, and community actions to address  
17.12 the intersection between cases involving murdered Black women and girls and domestic  
17.13 violence;
- 17.14 (12) develop tools and processes to evaluate the implementation and impact of the efforts  
17.15 of the office;
- 17.16 (13) track and collect Minnesota data on missing and murdered Black women and girls,  
17.17 and provide statistics upon public or legislative inquiry;
- 17.18 (14) facilitate technical assistance for local and Tribal law enforcement agencies during  
17.19 active cases involving missing and murdered Black women and girls;
- 17.20 (15) conduct case reviews and report on the results of case reviews for the following  
17.21 types of cases involving missing and murdered Black women and girls: cold cases for  
17.22 missing Black women and girls and death investigation review for cases of Black women  
17.23 and girls ruled as suicide or overdose under suspicious circumstances;
- 17.24 (16) conduct case reviews of the prosecution and sentencing for cases where a perpetrator  
17.25 committed a violent or exploitative crime against a Black woman or girl. These case reviews  
17.26 must identify those cases where the perpetrator is a repeat offender;
- 17.27 (17) prepare draft legislation as necessary to allow the office access to the data necessary  
17.28 for the office to conduct the reviews required in this section and advocate for passage of  
17.29 that legislation;
- 17.30 (18) review sentencing guidelines for crimes related to missing and murdered Black  
17.31 women and girls, recommend changes if needed, and advocate for consistent implementation  
17.32 of the guidelines across Minnesota courts;

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

18.5 (20) consult with the Council for Minnesotans of African Heritage established in section  
 18.6 15.0145; ~~and~~

18.7 (21) coordinate, as relevant, with federal efforts, and efforts in neighboring states and  
 18.8 Canada; and

18.9 (22) provide case support to victims and families of missing or murdered Black women  
 18.10 and girls or their designated family representative or the reporting person. Case support  
 18.11 includes but is not limited to providing support and guidance during the law enforcement  
 18.12 investigation; facilitating communication with criminal justice agencies and other government  
 18.13 entities; compiling relevant information about ongoing cases; and providing information,  
 18.14 referrals, and other types of support.

18.15 (b) As used in this subdivision:

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

18.17 (2) "reporting person" means the relative or nonrelative person who completed a case  
 18.18 intake form with the office;

18.19 ~~(2)~~ (3) "sex trafficking" has the meaning given in section 609.321, subdivision 7a; and

18.20 (4) "victim" has the meaning given in section 611A.01.

18.21 (c) Data created, collected, received, stored, used, or maintained by the office related to  
 18.22 paragraph (a), clause (22), are private data on individuals as defined in section 13.02,  
 18.23 subdivision 12.

18.24 Sec. 20. Minnesota Statutes 2024, section 518B.02, subdivision 2, is amended to read:

18.25 Subd. 2. **Standards for domestic abuse counseling programs and domestic abuse**  
 18.26 **educational programs.** (a) Domestic abuse counseling or educational programs that provide  
 18.27 group or class sessions for court-ordered domestic abuse offenders must provide  
 18.28 documentation to the probation department or the court on program policies and how the  
 18.29 program meets the criteria contained in paragraphs (b) to (l).

18.30 (b) Programs shall require offenders and abusing parties to attend a minimum of 24  
 18.31 sessions or 36 hours of programming, unless a probation agent has recommended fewer

19.1 sessions. The documentation provided to the probation department or the court must specify  
19.2 the length of the program that offenders are required to complete.

19.3 (c) Programs must have a written policy requiring that counselors and facilitators report  
19.4 to the court and to the offender's probation or corrections officer any threats of violence  
19.5 made by the offender or abusing party, acts of violence by the offender or abusing party,  
19.6 violation of court orders by the offender or abusing party, and violation of program rules  
19.7 that resulted in the offender's or abusing party's termination from the program. Programs  
19.8 shall have written policies requiring that counselors and facilitators hold offenders and  
19.9 abusing parties solely responsible for their behavior.

19.10 Programs shall have written policies requiring that counselors and facilitators be violence  
19.11 free in their own lives.

19.12 (d) Each program shall conduct an intake process with each offender or abusing party.  
19.13 This intake process shall look for chemical dependency problems and possible risks the  
19.14 offender or abusing party might pose to self or others. The program must have policies  
19.15 regarding referral of a chemically dependent offender or abusing party to a chemical  
19.16 dependency treatment center. If the offender or abusing party poses a risk to self or others,  
19.17 the program shall report this information to the court, the probation or corrections officer,  
19.18 and the victim.

19.19 (e) If the offender or abusing party is reported back to the court or is terminated from  
19.20 the program, the program shall notify the victim of the circumstances unless the victim  
19.21 requests otherwise.

19.22 (f) Programs shall require court-ordered offenders and abusing parties to sign a release  
19.23 of information authorizing communication regarding the offender's or abusing party's  
19.24 progress in the program to the court, the offender's probation or corrections officer, other  
19.25 providers, and the victim. The offender or abusing party may not enter the program if the  
19.26 offender does not sign a release.

19.27 (g) If a counselor or facilitator contacts the victim, the counselor or facilitator must not  
19.28 elicit any information that the victim does not want to provide. A counselor or facilitator  
19.29 who contacts a victim shall (1) notify the victim of the right not to provide any information,  
19.30 (2) notify the victim of how any information provided will be used and with whom it will  
19.31 be shared, and (3) obtain the victim's permission before eliciting information from the victim  
19.32 or sharing information with anyone other than staff of the counseling program.

19.33 Programs shall have written policies requiring that counselors and facilitators inform  
19.34 victims of the confidentiality of information as provided by this subdivision. Programs must

20.1 maintain separate files for information pertaining to the offender or abusing party and to  
20.2 the victim.

20.3 If a counselor or facilitator contacts a victim, the counselor or facilitator shall provide  
20.4 the victim with referral information for support services.

20.5 (h) Programs shall have written policies forbidding program staff from disclosing any  
20.6 confidential communication made by the offender or abusing party without the consent of  
20.7 the offender or abusing party, except that programs must warn a potential victim of imminent  
20.8 danger based upon information provided by an offender or abusing party.

20.9 (i) The counseling program or educational program must provide services in a group  
20.10 setting, unless the offender or abusing party would be inappropriate in a group setting.

20.11 Programs must provide separate sessions for male and female offenders and abusing  
20.12 parties.

20.13 (j) Programs shall have written policies forbidding program staff from offering or  
20.14 referring marriage or couples counseling until the offender or abusing party has completed  
20.15 a domestic abuse counseling program or educational program for the minimum number of  
20.16 court-ordered sessions and the counselor or facilitator reasonably believes that the violence,  
20.17 intimidation, and coercion has ceased and the victim feels safe to participate.

20.18 (k) Programs must have written policies requiring that the counselor or facilitator report  
20.19 when the court-ordered offender or abusing party has completed the program to the court  
20.20 and the offender's probation or corrections officer.

20.21 (l) Programs must have written policies to coordinate with the court, probation and  
20.22 corrections officers, ~~battered women's and~~ domestic abuse programs, child protection  
20.23 services, and other providers on promotion of victim safety and offender accountability.

20.24 Sec. 21. Minnesota Statutes 2025 Supplement, section 609.101, subdivision 2, is amended  
20.25 to read:

20.26 Subd. 2. **Minimum fines.** Notwithstanding any other law, when a court sentences a  
20.27 person convicted of violating section 609.221, 609.222, 609.223, 609.2231, 609.224,  
20.28 609.2242, 609.267, 609.2671, 609.2672, 609.342, 609.343, 609.344, or 609.345, it must  
20.29 impose a fine of not less than 30 percent of the maximum fine authorized by law nor more  
20.30 than the maximum fine authorized by law.

20.31 The court shall collect the portion of the fine mandated by this subdivision and forward  
20.32 70 percent of it to a local victim assistance program that provides services locally in the

21.1 county in which the crime was committed. The court shall forward the remaining 30 percent  
 21.2 to the commissioner of management and budget to be credited to the general fund. If more  
 21.3 than one victim assistance program serves the county in which the crime was committed,  
 21.4 the court may designate on a case-by-case basis which program will receive the fine proceeds,  
 21.5 giving consideration to the nature of the crime committed, the types of victims served by  
 21.6 the program, and the funding needs of the program. If no victim assistance program serves  
 21.7 that county, the court shall forward 100 percent of the fine proceeds to the commissioner  
 21.8 of management and budget to be credited to the general fund. Fine proceeds received by a  
 21.9 local victim assistance program must be used to provide direct services to crime victims.

21.10 The minimum fine required by this subdivision is in addition to the surcharge or  
 21.11 assessment required by section 357.021, subdivision 6, and is in addition to any sentence  
 21.12 of imprisonment or restitution imposed or ordered by the court.

21.13 As used in this subdivision, "victim assistance program" means victim witness programs  
 21.14 within county attorney offices or any of the following programs: crime victim crisis centers,  
 21.15 victim-witness programs, domestic abuse ~~victim~~ shelters and nonshelter programs, sexual  
 21.16 assault programs, and children's advocacy centers as defined in section 260E.02, subdivision  
 21.17 5.

21.18 Sec. 22. Minnesota Statutes 2024, section 609.605, subdivision 2, is amended to read:

21.19 Subd. 2. **Gross misdemeanor.** Whoever trespasses upon the grounds of a facility  
 21.20 providing emergency shelter services for ~~battered women~~ domestic abuse victims, as defined  
 21.21 under section 611A.31, subdivision 3, or providing comparable services for sex trafficking  
 21.22 victims, as defined under section 609.321, subdivision 7b, or of a facility providing  
 21.23 transitional housing for ~~battered women~~ domestic abuse victims and their children or sex  
 21.24 trafficking victims and their children, without claim of right or consent of one who has right  
 21.25 to give consent, and refuses to depart from the grounds of the facility on demand of one  
 21.26 who has right to give consent, is guilty of a gross misdemeanor.

21.27 Sec. 23. Minnesota Statutes 2024, section 609.7495, subdivision 1, is amended to read:

21.28 Subdivision 1. **Definitions.** For the purposes of this section, the following terms have  
 21.29 the meanings given ~~them~~.

21.30 (a) "Facility" means any of the following:

21.31 (1) a hospital or other health institution licensed under sections 144.50 to 144.56;

21.32 (2) a medical facility as defined in section 144.561;

22.1 (3) an agency, clinic, or office operated under the direction of or under contract with the  
22.2 commissioner of health or a community health board, as defined in section 145A.02;

22.3 (4) a facility providing counseling regarding options for medical services or recovery  
22.4 from an addiction;

22.5 (5) a facility providing emergency shelter services for ~~battered women~~ domestic abuse  
22.6 victims, as defined in section 611A.31, subdivision 3, or a facility providing transitional  
22.7 housing for ~~battered women~~ domestic abuse victims and their children;

22.8 (6) a facility as defined in section 260E.03, subdivision 6;

22.9 (7) a facility as defined in section 626.5572, subdivision 6, where the services described  
22.10 in that paragraph are provided;

22.11 (8) a place to or from which ambulance service, as defined in section 144E.001, is  
22.12 provided or sought to be provided; and

22.13 (9) a hospice provider licensed under section 144A.753.

22.14 (b) "Aggrieved party" means a person whose access to or egress from a facility is  
22.15 obstructed in violation of subdivision 2, or the facility.

22.16 Sec. 24. Minnesota Statutes 2024, section 611A.31, subdivision 5, is amended to read:

22.17 Subd. 5. **Commissioner.** "Commissioner" means the commissioner of the Department  
22.18 of ~~Corrections~~ Public Safety or a designee.

22.19 Sec. 25. Minnesota Statutes 2024, section 629.72, subdivision 2a, is amended to read:

22.20 Subd. 2a. **Electronic monitoring; condition of pretrial release.** (a) Until the  
22.21 commissioner of corrections has adopted standards governing electronic monitoring devices  
22.22 used to protect victims of domestic abuse, the court, as a condition of release, may not order  
22.23 a person arrested for a crime described in section 609.135, subdivision 5a, paragraph (b),  
22.24 to use an electronic monitoring device to protect a victim's safety.

22.25 (b) Notwithstanding paragraph (a), the chief judge of a judicial district may appoint and  
22.26 convene an advisory group comprised of representatives from law enforcement, prosecutors,  
22.27 defense attorneys, corrections, court administrators, judges, and ~~battered women's~~ domestic  
22.28 abuse organizations to develop standards for the use of electronic monitoring and global  
22.29 positioning system devices to protect victims of domestic abuse and for evaluating the  
22.30 effectiveness of electronic monitoring. After the advisory group does this, the chief judge,  
22.31 in consultation with the advisory group, may conduct a pilot project for implementation of

23.1 the electronic monitoring standards. A judicial district that conducts a pilot project shall  
 23.2 report on the standards and the pilot project to the chairs and ranking minority members of  
 23.3 the senate and house of representatives committees having jurisdiction over criminal justice  
 23.4 policy and the state court administrator's office.

23.5 Sec. 26. REVISOR INSTRUCTION.

23.6 The revisor of statutes must change the term "battered women" to "domestic abuse  
 23.7 victims" or a similar term wherever the term or similar terms appear in Minnesota Statutes.  
 23.8 The revisor must make any necessary grammatical changes or changes to sentence structure  
 23.9 necessary to preserve the meaning of the text as a result of the changes.

## 23.10 ARTICLE 2

### 23.11 CRIME VICTIMS

23.12 Section 1. Minnesota Statutes 2024, section 609.133, subdivision 4, is amended to read:

23.13 Subd. 4. **Petition; contents; fee.** (a) A prosecutor's petition for sentence adjustment  
 23.14 shall be filed in the district court where the individual was convicted and include the  
 23.15 following:

23.16 (1) the full name of the individual on whose behalf the petition is being brought and, to  
 23.17 the extent possible, all other legal names or aliases by which the individual has been known  
 23.18 at any time;

23.19 (2) the individual's date of birth;

23.20 (3) the individual's address;

23.21 (4) a brief statement of the reason the prosecutor is seeking a sentence adjustment for  
 23.22 the individual;

23.23 (5) the details of the offense for which an adjustment is sought, including:

23.24 (i) the date and jurisdiction of the occurrence;

23.25 (ii) ~~either the names of any victims or that there were no~~ the number of identifiable  
 23.26 victims;

23.27 (iii) whether there is a current order for protection, restraining order, or other no contact  
 23.28 order prohibiting the individual from contacting the victims or whether there has ever been  
 23.29 a prior order for protection or restraining order prohibiting the individual from contacting  
 23.30 the victims;

24.1 (iv) the court file number; and

24.2 (v) the date of conviction;

24.3 (6) what steps the individual has taken since the time of the offense toward personal  
24.4 rehabilitation, including treatment, work, good conduct within correctional facilities, or  
24.5 other personal history that demonstrates rehabilitation;

24.6 (7) the individual's criminal conviction record indicating all convictions for  
24.7 misdemeanors, gross misdemeanors, or felonies in this state, and for all comparable  
24.8 convictions in any other state, federal court, or foreign country, whether the convictions  
24.9 occurred before or after the conviction for which an adjustment is sought;

24.10 (8) the individual's criminal charges record indicating all prior and pending criminal  
24.11 charges against the individual in this state or another jurisdiction, including all criminal  
24.12 charges that have been continued for dismissal, stayed for adjudication, or were the subject  
24.13 of pretrial diversion; and

24.14 (9) to the extent known, all prior requests by the individual, whether for the present  
24.15 offense or for any other offenses in this state or any other state or federal court, for pardon,  
24.16 return of arrest records, or expungement or sealing of a criminal record, whether granted  
24.17 or not, and all stays of adjudication or imposition of sentence involving the petitioner.

24.18 (b) The filing fee for a petition brought under this section shall be waived.

24.19 (c) Notwithstanding chapter 13 or any other statute related to the classification of  
24.20 government data, a supervising agent or the commissioner of corrections may provide private  
24.21 or confidential data to a prosecutor for purposes of a petition for sentence adjustment.

24.22 Sec. 2. Minnesota Statutes 2024, section 609.3471, is amended to read:

24.23 **609.3471 RECORDS PERTAINING TO VICTIM IDENTITY CONFIDENTIAL.**

24.24 Notwithstanding any provision of law to the contrary, no data contained in records or  
24.25 reports relating to petitions, complaints, or indictments issued pursuant to section 609.322,  
24.26 609.342, 609.343, 609.344, 609.345, 609.3453, ~~or~~ 609.3458, or 617.246, which specifically  
24.27 identifies a victim who is a minor shall be accessible to the public, except by order of the  
24.28 court. Nothing in this section authorizes denial of access to any other data contained in the  
24.29 records or reports, including the identity of the defendant.

25.1 Sec. 3. Minnesota Statutes 2024, section 611A.03, subdivision 1, is amended to read:

25.2 Subdivision 1. **Plea agreements; notification of victim.** Prior to the entry of the factual  
25.3 basis for a plea pursuant to a plea agreement recommendation, a prosecuting attorney shall  
25.4 make a reasonable and good faith effort to inform the victim of:

25.5 (1) the contents of the plea agreement recommendation, including the amount of time  
25.6 recommended for the defendant to serve in jail or prison if the court accepts the agreement;

25.7 (2) the right to be present at the sentencing hearing ~~and, to be present~~ at the hearing  
25.8 during which the plea is presented to the court, and to express at the plea hearing orally or  
25.9 in writing, at the victim's option, any objection to the agreement or to the proposed  
25.10 disposition. If the victim is not present when the court considers the recommendation, but  
25.11 has communicated objections to the prosecuting attorney, the prosecuting attorney shall  
25.12 make these objections known to the court; and

25.13 (3) the eligibility ~~of the offense~~ for automatic expungement pursuant to section 609A.015  
25.14 of any offense pleaded to or dismissed as part of the plea agreement.

25.15 Sec. 4. Minnesota Statutes 2024, section 611A.03, is amended by adding a subdivision to  
25.16 read:

25.17 Subd. 4. **Plea hearing.** At the hearing during which the plea is presented to the court,  
25.18 the court shall ask the prosecutor if the victim has been notified of the plea agreement  
25.19 recommendation pursuant to this section; has been notified of the plea hearing; and if the  
25.20 victim wishes to express their objections to the plea agreement orally, in writing, or through  
25.21 the prosecutor.

25.22 Sec. 5. Minnesota Statutes 2024, section 611A.036, subdivision 7, is amended to read:

25.23 Subd. 7. **Definition.** As used in this section, "violent crime" means a violation or attempt  
25.24 to violate any of the following: section 609.185 (murder in the first degree); 609.19 (murder  
25.25 in the second degree); 609.195 (murder in the third degree); 609.20 (manslaughter in the  
25.26 first degree); 609.205 (manslaughter in the second degree); 609.2112, 609.2113, or 609.2114  
25.27 (criminal vehicular homicide or injury); 609.221 (assault in the first degree); 609.222 (assault  
25.28 in the second degree); 609.223 (assault in the third degree); 609.2231 (assault in the fourth  
25.29 degree); 609.2241 (knowing transfer of communicable disease); 609.2242 (domestic assault);  
25.30 609.2245 (female genital mutilation); 609.2247 (domestic assault by strangulation); 609.228  
25.31 (great bodily harm caused by distribution of drugs); 609.23 (mistreatment of persons  
25.32 confined); 609.231 (mistreatment of residents or patients); 609.2325 (criminal abuse);

26.1 609.233 (criminal neglect); 609.235 (use of drugs to injure or facilitate crime); 609.24  
 26.2 (simple robbery); 609.245 (aggravated robbery); 609.247 (carjacking); 609.25 (kidnapping);  
 26.3 609.255 (false imprisonment); 609.265 (abduction); 609.2661 (murder of an unborn child  
 26.4 in the first degree); 609.2662 (murder of an unborn child in the second degree); 609.2663  
 26.5 (murder of an unborn child in the third degree); 609.2664 (manslaughter of an unborn child  
 26.6 in the first degree); 609.2665 (manslaughter of an unborn child in the second degree);  
 26.7 609.267 (assault of an unborn child in the first degree); 609.2671 (assault of an unborn child  
 26.8 in the second degree); 609.2672 (assault of an unborn child in the third degree); 609.268  
 26.9 (injury or death of an unborn child in commission of a crime); 609.282 (labor trafficking);  
 26.10 609.322 (solicitation, inducement, and promotion of prostitution; sex trafficking); 609.342  
 26.11 (criminal sexual conduct in the first degree); 609.343 (criminal sexual conduct in the second  
 26.12 degree); 609.344 (criminal sexual conduct in the third degree); 609.345 (criminal sexual  
 26.13 conduct in the fourth degree); 609.3451 (criminal sexual conduct in the fifth degree);  
 26.14 609.3453 (criminal sexual predatory conduct); 609.3458 (sexual extortion); 609.352  
 26.15 (solicitation of children to engage in sexual conduct); 609.377 (malicious punishment of a  
 26.16 child); 609.378 (neglect or endangerment of a child); 609.561, subdivision 1 (arson in the  
 26.17 first degree; dwelling); 609.582, subdivision 1, paragraph (a) or (c) (burglary in the first  
 26.18 degree; occupied dwelling or involving an assault); 609.66, subdivision 1e, paragraph (b)  
 26.19 (drive-by shooting; firing at or toward a person, or an occupied building or motor vehicle);  
 26.20 ~~or~~ 609.749, subdivision 2 (harassment); or 609.749, subdivision 5 (stalking); or Minnesota  
 26.21 Statutes 2012, section 609.21.

26.22 Sec. 6. Minnesota Statutes 2024, section 611A.038, is amended to read:

26.23 **611A.038 RIGHT TO SUBMIT STATEMENT AT SENTENCING.**

26.24 (a) A victim has the right to submit an impact statement to the court at the time of  
 26.25 sentencing or disposition hearing. The impact statement may be presented to the court orally  
 26.26 or in writing, at the victim's option. If the victim requests, the prosecutor or the prosecutor's  
 26.27 designee must orally present the statement to the court. Statements may include the following,  
 26.28 subject to reasonable limitations as to time and length:

26.29 (1) a summary of the harm or trauma suffered by the victim as a result of the crime;

26.30 (2) a summary of the economic loss or damage suffered by the victim as a result of the  
 26.31 crime; and

26.32 (3) a victim's reaction to the proposed sentence or disposition.

27.1 (b) At the sentencing or disposition hearing, the court shall ask the prosecutor if the  
 27.2 victim has been notified of the hearing, if the victim is in court, and if the victim wishes to  
 27.3 submit a victim impact statement orally, in writing, or through the prosecutor or the  
 27.4 prosecutor's designee.

27.5 ~~(b)~~ (c) A representative of the community affected by the crime may submit an impact  
 27.6 statement in the same manner that a victim may as provided in paragraph (a). This impact  
 27.7 statement shall describe the adverse social or economic effects the offense has had on persons  
 27.8 residing and businesses operating in the community where the offense occurred.

27.9 ~~(e)~~ (d) If the court permits the defendant or anyone speaking on the defendant's behalf  
 27.10 to present a statement to the court, the court shall limit the response to factual issues which  
 27.11 are relevant to sentencing.

27.12 ~~(d)~~ (e) Nothing in this section shall be construed to extend the defendant's right to address  
 27.13 the court under section 631.20.

27.14 Sec. 7. Minnesota Statutes 2024, section 611A.039, subdivision 1, is amended to read:

27.15 Subdivision 1. **Notice required.** (a) Except as otherwise provided in subdivision 2,  
 27.16 within 15 working days after a conviction, acquittal, or dismissal in a criminal case in which  
 27.17 there is an identifiable crime victim, the prosecutor shall make reasonable good faith efforts  
 27.18 to provide to each affected crime victim oral or written notice of the final disposition of the  
 27.19 case ~~and~~, of the victim rights under section 611A.06, and of the eligibility of the offense  
 27.20 for automatic expungement under section 609A.015 of any offense that was dismissed or  
 27.21 for which the defendant was convicted or acquitted. When the court is considering modifying  
 27.22 the sentence for a felony or a crime of violence or an attempted crime of violence, the  
 27.23 prosecutor shall make a reasonable and good faith effort to notify the victim of the crime.  
 27.24 The notice must include:

27.25 (1) the date and approximate time of the review;

27.26 (2) the location where the review will occur;

27.27 (3) the name and telephone number of a person to contact for additional information;

27.28 and

27.29 (4) a statement that the victim may provide input to the court concerning the sentence  
 27.30 modification.

27.31 (b) The Office of Justice Programs in the Department of Public Safety shall develop and  
 27.32 update a model notice of postconviction rights under this subdivision and section 611A.06.

28.1 (c) As used in this section:

28.2 (1) "crime of violence" has the meaning given in section 624.712, subdivision 5, and  
 28.3 also includes violations of section 609.3458, gross misdemeanor violations of section  
 28.4 609.224, and nonfelony violations of sections 518B.01, 609.2231, 609.3451, 609.748, and  
 28.5 609.749; and

28.6 (2) "victim" has the meaning given in section 611A.01, paragraph (b).

### 28.7 ARTICLE 3

### 28.8 IMPAIRED DRIVING; DRIVERS' LICENSES

28.9 Section 1. Minnesota Statutes 2024, section 13.6905, is amended by adding a subdivision  
 28.10 to read:

28.11 Subd. 41. **Credential identifier and designation data.** Data related to identifiers and  
 28.12 designations on driver's licenses and Minnesota identification cards are governed by section  
 28.13 171.12, subdivision 7d.

28.14 Sec. 2. Minnesota Statutes 2024, section 171.09, subdivision 3, is amended to read:

28.15 Subd. 3. **No-alcohol restriction.** (a) As used in this subdivision, "impaired driving  
 28.16 incident" has the meaning given in section 169A.03, subdivision 22.

28.17 (b) Upon proper application by a person having a valid driver's license containing the  
 28.18 restriction that the person must not consume alcohol or controlled substances, who has not  
 28.19 been documented as having consumed alcohol or having possessed or used a controlled  
 28.20 substance within the past ~~ten~~ 20 years, and whose driving record contains no impaired  
 28.21 driving incident within the past ~~ten~~ 20 years, the commissioner must remove the  
 28.22 no-alcohol/controlled substance restriction on the person's driving record and issue to the  
 28.23 person a duplicate driver's license that does not show that restriction.

28.24 Sec. 3. Minnesota Statutes 2025 Supplement, section 171.12, subdivision 7, is amended  
 28.25 to read:

28.26 Subd. 7. **Privacy of data.** (a) Data on individuals provided to obtain a driver's license  
 28.27 or Minnesota identification card ~~shall~~ must be treated as provided by United States Code,  
 28.28 title 18, section 2721, as in effect on May 23, 2005, ~~and shall~~ must be disclosed as required  
 28.29 ~~or~~ by that section, and may be disclosed as permitted by that section. The commissioner  
 28.30 ~~shall~~ may disclose the data in bulk form upon request to an authorized recipient under United  
 28.31 States Code, title 18, section 2721. For any disclosure of data on individuals related to a

29.1 noncompliant driver's license or identification card, the commissioner must require a  
29.2 certification pursuant to subdivision 7b, paragraph (e).

29.3 (b) An applicant for a driver's license or a Minnesota identification card may consent,  
29.4 in writing, to the commissioner to disclose the applicant's personal information exempted  
29.5 by United States Code, title 18, section 2721, to any person who makes a request for the  
29.6 personal information. If the applicant so authorizes disclosures, the commissioner ~~shall~~  
29.7 must implement the request and the information may be used.

29.8 (c) If authorized by an applicant for a driver's license or a Minnesota identification card,  
29.9 as indicated in paragraph (b), the applicant's personal information may be used, rented, or  
29.10 sold solely for bulk distribution by organizations for business purposes, including surveys,  
29.11 marketing, or solicitation.

29.12 (d) An applicant for a driver's license, instruction permit, or Minnesota identification  
29.13 card may request that the applicant's residence address be classified as "private data on  
29.14 individuals," as defined in section 13.02, subdivision 12. The commissioner ~~shall~~ must grant  
29.15 the classification on receipt of a signed statement by the individual that the classification  
29.16 is required for the safety of the applicant or the applicant's family, if the statement also  
29.17 provides a valid, existing address where the applicant consents to receive service of process.  
29.18 The commissioner ~~shall~~ must use the service for process mailing address in place of the  
29.19 residence address in all documents and notices pertaining to the driver's license, instruction  
29.20 permit, or Minnesota identification card. The residence address and any information provided  
29.21 in the classification request, other than the mailing address, are private data on individuals  
29.22 and may be provided to requesting law enforcement agencies, probation and parole agencies,  
29.23 and public authorities, as defined in section 518A.26, subdivision 18.

29.24 Sec. 4. Minnesota Statutes 2024, section 171.12, subdivision 7c, is amended to read:

29.25 Subd. 7c. **Other data provisions.** (a) The commissioner must not share any data the  
29.26 department maintains under section 171.07, ~~subdivision~~ subdivisions 6a, 6b, or 13, with  
29.27 any federal agency, federal department, or federal entity for a use that would otherwise be  
29.28 permissible under United States Code, title 18, section 2721, or other law.

29.29 (b) Data collected by government entities under sections 624.712 to 624.719 are classified  
29.30 under section 13.87, subdivision 2.

30.1 Sec. 5. Minnesota Statutes 2024, section 171.12, is amended by adding a subdivision to  
30.2 read:

30.3 Subd. 7d. **Certain data on indicators and designations.** Data maintained by the  
30.4 commissioner under section 171.07, subdivisions 5 to 7, 11 to 13, 15, and 17 to 20 are  
30.5 private data on individuals, as defined in section 13.02, subdivision 12.

30.6 Sec. 6. Minnesota Statutes 2024, section 171.177, subdivision 8, is amended to read:

30.7 Subd. 8. **Test refusal; driving privilege lost.** (a) On behalf of the commissioner, a peace  
30.8 officer requiring a test or directing the administration of a chemical test pursuant to a search  
30.9 warrant shall serve immediate notice of intention to revoke and of revocation on a person  
30.10 who refuses to permit a test or on a person who submits to a test, the results of which indicate  
30.11 an alcohol concentration of 0.08 or more.

30.12 (b) On behalf of the commissioner, a peace officer requiring a test or directing the  
30.13 administration of a chemical test of a person driving, operating, or in physical control of a  
30.14 commercial motor vehicle pursuant to a search warrant shall serve immediate notice of  
30.15 intention to disqualify and of disqualification on a person who refuses to permit a test or  
30.16 on a person who submits to a test, the results of which indicate an alcohol concentration of  
30.17 0.04 or more.

30.18 (c) The officer shall:

30.19 (1) invalidate the person's driver's license or permit card by clipping the upper corner  
30.20 of the card in such a way that no identifying information including the photo is destroyed,  
30.21 and immediately return the card to the person;

30.22 (2) issue the person a temporary license effective for only ~~seven~~ 14 days; and

30.23 (3) send the notification of this action to the commissioner along with the certificate  
30.24 required by subdivision 4 or 5.

30.25 Sec. 7. Minnesota Statutes 2025 Supplement, section 171.178, subdivision 5, is amended  
30.26 to read:

30.27 Subd. 5. **Driving while impaired conviction or adjudication; period of license**  
30.28 **revocation.** (a) Notwithstanding the periods specified in subdivisions 3 and 4 and except  
30.29 as provided in section 169A.54, subdivision 7, a revocation by the commissioner as required  
30.30 under section 169A.54, subdivision 1, or 171.17, subdivision 1, paragraph (a), clause (3)  
30.31 or (10), for conviction of an offense in another state that would be grounds for revocation  
30.32 in this state under section 169A.54, subdivision 1, must be for the following periods:

31.1 (1) if the person has no qualified prior impaired driving incidents within the past 20  
31.2 years:

31.3 (i) not less than 30 days if the person is convicted of an offense under section 169A.20,  
31.4 subdivision 1 (driving while impaired);

31.5 (ii) not less than 90 days if the person is convicted of an offense under section 169A.20,  
31.6 subdivision 2 (refusal to submit to chemical test);

31.7 (iii) not less than 180 days if the person is under 21 years of age and the test results  
31.8 indicate an alcohol concentration of less than twice the legal limit; or

31.9 (iv) not less than one year if the test results indicate an alcohol concentration of twice  
31.10 the legal limit or more; or

31.11 (2) if the person has one qualified prior impaired driving incident within the past 20  
31.12 years, or two or more qualified prior impaired driving incidents, until the commissioner  
31.13 determines that the person used an ignition interlock device in compliance with section  
31.14 171.306 for the period of time described in subdivision 8.

31.15 (b) Whenever department records show that the violation involved personal injury or  
31.16 death to any person, at least 90 additional days must be added to the base periods provided  
31.17 in paragraph (a), clause (1), items (i) to (iv).

31.18 (c) A person whose license has been revoked as described in subdivision 3, clause (1),  
31.19 or subdivision 4, clause (1), as the result of the same incident for which the person was  
31.20 convicted is subject to the revocation periods specified in this subdivision, unless the violation  
31.21 under section 169A.20 (driving while impaired) was with an aggravating factor described  
31.22 in section 169A.03, subdivision 3, clause (3).

31.23 Sec. 8. Minnesota Statutes 2025 Supplement, section 171.306, subdivision 1, is amended  
31.24 to read:

31.25 Subdivision 1. **Definitions.** (a) For purposes of this section, the terms in this subdivision  
31.26 have the meanings given.

31.27 (b) "Ignition interlock device" or "device" means equipment that is designed to measure  
31.28 breath alcohol concentration and to prevent a motor vehicle's ignition from being started  
31.29 by a person whose breath alcohol concentration measures 0.02 or higher on the equipment.

31.30 (c) "Location tracking capabilities" means the ability of an electronic or wireless device  
31.31 to identify and transmit its geographic location through the operation of the device.

32.1 (d) "Program participant" means a person who has qualified to take part in the ignition  
32.2 interlock program under this section, and whose driver's license has been:

32.3 (1) revoked, canceled, or denied under section 169A.52; 169A.54; 171.04, subdivision  
32.4 1, clause (10); ~~171.17, subdivision 1, paragraph (a), clause (10), for conviction of an offense~~  
32.5 ~~in another state that would be grounds for revocation in this state under section 169A.54,~~  
32.6 ~~subdivision 1; or 171.177; or for a violation of the law of another state in conformity with~~  
32.7 any of these sections; or

32.8 (2) revoked under section 171.17, subdivision 1, paragraph (a), clause (2), or suspended  
32.9 under section 171.187, for a violation of section 609.2112, subdivision 1, paragraph (a),  
32.10 clause (2), ~~item (i) or (iv), (3), or (4), (5), or (6); 609.2113, subdivision 1, clause (2), item~~  
32.11 ~~(i) or (iv), (3), or (4), (5), or (6); subdivision 2, clause (2), item (i) or (iv), (3), or (4), (5),~~  
32.12 ~~or (6); or subdivision 3, clause (2), item (i) or (iv), (3), or (4), (5), or (6); or 609.2114,~~  
32.13 subdivision 1, paragraph (a), clause (2), ~~item (i) or (iv), (3), or (4), (5), or (6); or subdivision~~  
32.14 ~~2, clause (2), item (i) or (iv), (3), or (4), resulting in bodily harm, substantial bodily harm,~~  
32.15 ~~great bodily harm, or death (5), or (6).~~

32.16 (e) "Qualified prior impaired driving incident" has the meaning given in section 169A.03,  
32.17 subdivision 22.

32.18 Sec. 9. **REPEALER.**

32.19 Minnesota Statutes 2024, section 169A.54, subdivision 6, is repealed.

32.20 **ARTICLE 4**

32.21 **BUREAU OF CRIMINAL APPREHENSION**

32.22 Section 1. Minnesota Statutes 2024, section 299C.05, is amended to read:

32.23 **299C.05 CRIME DATA COLLECTION.**

32.24 It shall be the duty of this division to collect, and preserve as a record of the bureau,  
32.25 information concerning the number and nature of offenses known to have been committed  
32.26 in the state, of the legal steps taken in connection therewith from the inception of the  
32.27 complaint to the final discharge of the defendant, and such other information as may be  
32.28 useful in the study of crime and the administration of justice. The information shall be  
32.29 provided in a form prescribed by the superintendent. The information so collected and  
32.30 preserved shall include such data as may be requested by the United States Department of  
32.31 Justice, at Washington, under its national system of crime reporting. To the extent possible,

33.1 the superintendent must utilize a nationally recognized system or standard approved by the  
33.2 Federal Bureau of Investigation to collect and preserve crime data.

33.3 Sec. 2. Minnesota Statutes 2024, section 299C.065, is amended to read:

33.4 **299C.065 UNDERCOVER BUY FUND; WITNESS AND VICTIM PROTECTION.**

33.5 Subdivision 1. ~~Grants~~ Reimbursements. The commissioner of public safety shall make  
33.6 ~~grants~~ reimbursements to local officials for the following purposes:

33.7 (1) the cooperative investigation of cross jurisdictional criminal activity relating to the  
33.8 possession and sale of controlled substances;

33.9 (2) receiving or selling stolen goods;

33.10 (3) participating in gambling activities in violation of section 609.76;

33.11 (4) violations of section 609.322 or any other state or federal law prohibiting the  
33.12 recruitment, transportation, or use of juveniles for purposes of prostitution;

33.13 (5) for partial reimbursement of local costs associated with unanticipated, intensive,  
33.14 long-term, multijurisdictional criminal investigations that exhaust available local resources,  
33.15 except that the commissioner may not reimburse the costs of a local investigation involving  
33.16 a child who is reported to be missing and endangered unless the law enforcement agency  
33.17 complies with section 299C.53 and the agency's own investigative policy; and

33.18 (6) for partial reimbursement of local costs associated with criminal investigations into  
33.19 the activities of violent criminal gangs and gang members.

33.20 Subd. 1a. **Witness and victim protection fund.** (a) A witness and victim protection  
33.21 fund is created under the administration of the commissioner of public safety. The  
33.22 commissioner may make ~~grants~~ reimbursements to local officials to provide for the relocation  
33.23 or other protection of a victim, witness, or potential witness who is involved in a criminal  
33.24 prosecution and who the commissioner has reason to believe is or is likely to be the target  
33.25 of a violent crime or a violation of section 609.498 or 609.713, in connection with that  
33.26 prosecution. The awarding of ~~grants~~ reimbursements under this subdivision is not limited  
33.27 to the crimes and investigations described in subdivision 1.

33.28 (b) The commissioner may award ~~grants~~ reimbursements for any of the following actions  
33.29 in connection with the protection of a witness or victim under this subdivision:

33.30 (1) to provide suitable documents to enable the person to establish a new identity or  
33.31 otherwise protect the person;

34.1 (2) to provide housing for the person;

34.2 (3) to provide for the transportation of household furniture and other personal property  
34.3 to the person's new residence;

34.4 (4) to provide the person with a payment to meet basic living expenses for a time period  
34.5 the commissioner deems necessary;

34.6 (5) to assist the person in obtaining employment; and

34.7 (6) to provide other services necessary to assist the person in becoming self-sustaining.

34.8 Subd. 2. **Application for ~~grant~~ grant reimbursement.** A county sheriff or the chief  
34.9 administrative officer of a municipal police department may apply to the commissioner of  
34.10 public safety for a ~~grant~~ grant reimbursement for any of the purposes described in subdivision 1  
34.11 or 1a, on forms and pursuant to procedures developed by the superintendent. For ~~grants~~  
34.12 reimbursements under subdivision 1, the application shall describe the type of intended  
34.13 criminal investigation, an estimate of the amount of money required, and any other  
34.14 information the superintendent deems necessary.

34.15 Subd. 3. **Investigation report.** A report shall be made to the commissioner at the  
34.16 conclusion of an investigation for which a ~~grant~~ grant reimbursement was made under subdivision  
34.17 1 stating (1) the number of persons arrested, (2) the nature of charges filed against them,  
34.18 (3) the nature and value of controlled substances or contraband purchased or seized, (4) the  
34.19 amount of money paid to informants during the investigation, and (5) a separate accounting  
34.20 of the amount of money spent for expenses, other than "buy money," of bureau and local  
34.21 law enforcement personnel during the investigation. The commissioner shall prepare and  
34.22 submit to the chairs of the committees in the senate and house of representatives with  
34.23 jurisdiction over criminal justice policy by January 1 of each even-numbered year a report  
34.24 of investigations receiving ~~grants~~ reimbursements under subdivision 1.

34.25 Subd. 3a. **Accounting report.** The head of a law enforcement agency that receives a  
34.26 ~~grant~~ grant reimbursement under subdivision 1a shall file a report with the commissioner at the  
34.27 conclusion of the case detailing the specific purposes for which the money was spent. The  
34.28 commissioner shall prepare and submit to the chairs of the committees in the senate and  
34.29 house of representatives with jurisdiction over criminal justice policy by January 1 of each  
34.30 even-numbered year a summary report of witness assistance services provided under this  
34.31 section.

34.32 Subd. 4. **Data classification.** An application to the commissioner for money is a  
34.33 confidential record. Information within investigative files that identifies or could reasonably

35.1 be used to ascertain the identity of assisted witnesses, sources, or undercover investigators  
35.2 is a confidential record. A report at the conclusion of an investigation is a public record,  
35.3 except that information in a report pertaining to the identity or location of an assisted witness  
35.4 is private data.

35.5 Sec. 3. Minnesota Statutes 2024, section 299C.46, subdivision 6, is amended to read:

35.6 Subd. 6. **Orders for protection; no contact orders; harassment restraining orders.** (a)

35.7 As used in this subdivision, "no contact orders" include orders issued as pretrial orders  
35.8 under section 629.72, subdivision 2, orders under section 629.75, and orders issued as  
35.9 probationary or sentencing orders at the time of disposition in a criminal domestic abuse  
35.10 case.

35.11 (b) The data communications network must include orders for protection issued under  
35.12 section 518B.01 or 609.2334, harassment restraining orders, and no contact orders issued  
35.13 against adults and juveniles. A no contact order must be accompanied by a photograph of  
35.14 the offender for the purpose of enforcement of the order, if a photograph is available and  
35.15 verified by the court to be an image of the defendant.

35.16 (c) Data from orders for protection, harassment restraining orders, or no contact orders  
35.17 and data entered by law enforcement to assist in the enforcement of those orders are classified  
35.18 as private data on individuals as defined in section 13.02, subdivision 12. Data about the  
35.19 offender can be shared with the victim for purposes of enforcement of the order.

35.20 Sec. 4. Minnesota Statutes 2025 Supplement, section 609.2334, subdivision 11, is amended  
35.21 to read:

35.22 Subd. 11. **Copy to law enforcement agency; lead investigative agency.** Within 24  
35.23 hours of issuance of an order or continuance of an order under this section, the court  
35.24 administrator must forward the order for protection and any continuance of the order for  
35.25 protection to the local law enforcement agency with jurisdiction over the residence of the  
35.26 vulnerable adult and the lead investigative agency that received the report pursuant to  
35.27 subdivision 6. The court administrator shall make available to law enforcement officers in  
35.28 Minnesota, through a system of verification, information as to the existence and status of  
35.29 an order for protection issued under this section. Section 518B.01, subdivision 13, ~~applies~~  
35.30 paragraphs (b) and (c), apply to orders granted under this section.

35.31 **EFFECTIVE DATE.** This section is effective January 1, 2027.

36.1 Sec. 5. Minnesota Statutes 2024, section 609A.015, subdivision 5, is amended to read:

36.2 Subd. 5. **Bureau of Criminal Apprehension to identify eligible persons and grant**  
36.3 **expungement relief.** (a) The Bureau of Criminal Apprehension shall identify any records  
36.4 that qualify for a grant of expungement relief pursuant to this subdivision or subdivision 1,  
36.5 2, or 3. The Bureau of Criminal Apprehension shall make an initial determination of  
36.6 eligibility within 30 days of the end of the applicable waiting period. If a record is not  
36.7 eligible for a grant of expungement at the time of the initial determination, the Bureau of  
36.8 Criminal Apprehension shall make subsequent eligibility determinations annually until the  
36.9 record is eligible for a grant of expungement.

36.10 (b) In making the determination under paragraph (a), the Bureau of Criminal  
36.11 Apprehension shall identify individuals who are the subject of relevant records through the  
36.12 use of fingerprints and thumbprints where fingerprints and thumbprints are available. Where  
36.13 fingerprints and thumbprints are not available, the Bureau of Criminal Apprehension shall  
36.14 identify individuals through the use of the person's name and date of birth. Records containing  
36.15 the same name and date of birth shall be presumed to refer to the same individual unless  
36.16 other evidence establishes, by a preponderance of the evidence, that they do not refer to the  
36.17 same individual. The Bureau of Criminal Apprehension is not required to review any other  
36.18 evidence in making a determination.

36.19 (c) The Bureau of Criminal Apprehension shall grant expungement relief to qualifying  
36.20 persons and seal its own records without requiring an application, petition, or motion.  
36.21 Records shall be sealed 60 days after notice is sent to the judicial branch pursuant to  
36.22 paragraph (e) unless an order of the judicial branch prohibits sealing the records or additional  
36.23 information establishes that the records are not eligible for expungement.

36.24 (d) Nonpublic criminal records maintained by the Bureau of Criminal Apprehension  
36.25 and subject to a grant of expungement relief shall display a notation stating "expungement  
36.26 relief granted pursuant to section 609A.015."

36.27 (e) The Bureau of Criminal Apprehension shall inform the judicial branch of all cases  
36.28 for which expungement relief was granted pursuant to this section. Notification may be  
36.29 through electronic means and may be made in real time or in the form of a monthly report.  
36.30 Upon receipt of notice, the judicial branch shall seal all records relating to an arrest,  
36.31 indictment or information, trial, verdict, or dismissal and discharge for any case in which  
36.32 expungement relief was granted and shall issue any order deemed necessary to achieve this  
36.33 purpose.

37.1 (f) If the Bureau of Criminal Apprehension subsequently determines that a sealed record  
37.2 did not qualify for expungement relief under this section, the Bureau of Criminal  
37.3 Apprehension shall unseal the record and notify the judicial branch. Upon notification, the  
37.4 judicial branch shall unseal all records relating to an arrest, indictment or information, trial,  
37.5 verdict, or dismissal and discharge. The Bureau of Criminal Apprehension shall make this  
37.6 determination based only on a record stored in its criminal history system.

37.7 ~~(f)~~ (g) The Bureau of Criminal Apprehension shall inform each law enforcement agency  
37.8 that its records may be affected by a grant of expungement relief. Notification may be  
37.9 through electronic means. Each notified law enforcement agency that receives a request to  
37.10 produce records shall first determine if the records were subject to a grant of expungement  
37.11 under this section. The law enforcement agency must not disclose records relating to an  
37.12 arrest, indictment or information, trial, verdict, or dismissal and discharge for any case in  
37.13 which expungement relief was granted and must maintain the data consistent with the  
37.14 classification in paragraph ~~(g)~~ (h). This paragraph does not apply to requests from a criminal  
37.15 justice agency as defined in section 609A.03, subdivision 7a, paragraph (f).

37.16 ~~(g)~~ (h) Data on the person whose offense has been expunged under this subdivision,  
37.17 including any notice sent pursuant to paragraph ~~(f)~~ (g), are private data on individuals as  
37.18 defined in section 13.02, subdivision 12.

37.19 ~~(h)~~ (i) The prosecuting attorney shall notify the victim that an offense qualifies for  
37.20 automatic expungement under this section in the manner provided in section 611A.03,  
37.21 subdivisions 1 and 2.

37.22 ~~(i)~~ (j) In any subsequent prosecution of a person granted expungement relief, the expunged  
37.23 criminal record may be pleaded and has the same effect as if the relief had not been granted.

37.24 ~~(j)~~ (k) The Bureau of Criminal Apprehension is directed to develop, modify, or update  
37.25 a system to provide criminal justice agencies with uniform statewide access to criminal  
37.26 records sealed by expungement.

37.27 Sec. 6. **REPEALER.**

37.28 Minnesota Statutes 2024, section 299C.12, is repealed.

## ARTICLE 5

## DEPARTMENT OF CORRECTIONS LICENSING

Section 1. [241.011] LICENSING AND INSPECTING JUVENILE AND ADULT  
COMMUNITY-BASED RESIDENTIAL CORRECTIONAL FACILITIES.

Subdivision 1. Scope. Except as provided under section 241.021, sections 241.011 to 241.013 apply to juvenile and adult community-based residential correctional facilities licensed by the commissioner of corrections. For the purposes of sections 241.011 to 241.013, juvenile and adult community-based residential correctional facilities are defined as local correctional facilities.

Subd. 2. Definitions. (a) For purposes of sections 241.011 to 241.021, the following terms have the meanings given.

(b) "Commissioner" means the commissioner of corrections.

(c) "Critical incident" has the meaning given in Minnesota Rules, part 2960.0020, subpart 24.

(d) "Department" means the Department of Corrections.

(e) "Emergency or unusual occurrence" means an incident that must be reported to the commissioner through the department's detention information system.

(f) "Facility administrator" means the officer in charge of a local correctional facility.

(g) "Local correctional facility" includes:

(1) a facility licensed to house or serve primarily adults under section 241.31; and

(2) a facility licensed to detain or serve juveniles, including a group home having a residential component or foster care facility placements under chapter 260C, for the primary purpose of:

(i) residential care and treatment;

(ii) detention; or

(iii) foster care services for children in need of out-of-home placement.

(h) "State correctional facility" means a correctional facility under the commissioner's control.

Subd. 3. Local correctional facilities; inspection and licensing. The commissioner must inspect and license all local correctional facilities throughout the state established and operated:

39.1 (1) for serving or housing individuals in the facilities; or

39.2 (2) consistent with section 241.013, subdivision 4, paragraph (a), for detaining or serving  
39.3 juveniles placed in the facilities by a correctional or noncorrectional agency.

39.4 **Subd. 4. Inspecting facilities for compliance; publishing inspection reports. (a)**

39.5 Unless the commissioner determines otherwise, the commissioner must inspect all local  
39.6 correctional facilities at least once every two years to determine compliance with the  
39.7 minimum standards established according to sections 241.011 to 241.013 or any other law  
39.8 related to minimum standards and conditions of confinement, not including section 241.021,  
39.9 subdivisions 1 to 1e.

39.10 (b) The commissioner must have access to a facility's buildings, grounds, books, records,  
39.11 and staff and to individuals detained or housed in or served by the facility. The commissioner  
39.12 may require facility administrators to furnish all information and statistics that the  
39.13 commissioner deems necessary at a time and place designated by the commissioner.

39.14 (c) The commissioner must post each facility inspection report publicly on the  
39.15 department's website within 30 days after completing an inspection.

39.16 **Subd. 5. Granting license; expiration. (a) The commissioner must grant a license for**  
39.17 **up to two years to:**

39.18 (1) any facility found to conform to minimum standards; or

39.19 (2) any facility that the commissioner determines is making satisfactory progress toward  
39.20 substantial conformity and any minimum standards not being met do not impact the interests  
39.21 and well-being of the individuals detained or housed in or served by the facility.

39.22 (b) A limited license may be issued to effectuate a facility closure.

39.23 (c) Unless otherwise provided by law, all licenses issued under sections 241.011 to  
39.24 241.013 expire 12:01 a.m. on the day after the expiration date stated on the license.

39.25 **Subd. 6. Providing and accessing facility data. (a) The commissioner may require that**  
39.26 **any information under sections 241.011 to 241.013 be provided through the department's**  
39.27 **detention information system.**

39.28 (b) Notwithstanding chapter 13 or any other state law classifying or restricting access  
39.29 to data, a facility administrator must furnish to the commissioner all data available to a  
39.30 facility that the commissioner deems necessary for reviewing any critical incident or  
39.31 emergency or unusual occurrence at the facility.

40.1 (c) The commissioner may take action against a facility's license according to section  
40.2 241.012 if a facility administrator fails to provide or grant access to relevant information  
40.3 or statistics requested by the commissioner that are necessary to conduct or complete:

40.4 (1) inspections;

40.5 (2) reviews of emergency or unusual occurrences; or

40.6 (3) reviews of critical incidents.

40.7 **Subd. 7. Reporting; deaths, emergencies or unusual occurrences, and critical**  
40.8 **incidents.** (a) A facility administrator must report a death to the commissioner when:

40.9 (1) an individual detained or housed in the facility dies at the facility; or

40.10 (2) an individual dies while receiving medical care stemming from an incident or need  
40.11 for medical care at the facility that occurred while the individual was detained or housed in  
40.12 the facility.

40.13 (b) Paragraph (a), clause (2), applies regardless of whether the individual was subject  
40.14 to the facility's authority while requiring or receiving the medical care.

40.15 (c) A facility administrator must:

40.16 (1) report a death under this subdivision as soon as practicable, but no later than 24 hours  
40.17 of receiving knowledge of the death; and

40.18 (2) include any demographic information required by the commissioner.

40.19 (d) Except for deaths under paragraphs (a) to (c), all facility administrators must report  
40.20 all critical incidents or emergency or unusual occurrences to the commissioner within ten  
40.21 days of the incident or occurrence, including any demographic information required by the  
40.22 commissioner.

40.23 **Subd. 8. Death review teams.** (a) If a local correctional facility under subdivision 2,  
40.24 paragraph (g), clause (2), receives notice of the death of an individual who died under  
40.25 circumstances described in subdivision 7, paragraph (a), within 90 days of the death, the  
40.26 following individuals must review the circumstances of the death and assess for preventable  
40.27 mortality and morbidity, including but not limited to recommending policy or procedure  
40.28 change:

40.29 (1) the facility administrator;

41.1 (2) a medical expert of the facility's choosing who did not provide medical services to  
 41.2 the individual and who is licensed as a physician or physician assistant by the Board of  
 41.3 Medical Practice under chapter 147 or 147A; and

41.4 (3) if appropriate, a mental health expert.

41.5 (b) The investigating law enforcement agency may provide documentation for, participate  
 41.6 in, or provide documentation for and participate in the review if criminal charges are not  
 41.7 brought. A preliminary autopsy report must be provided as part of the review and any  
 41.8 subsequent autopsy findings as available.

41.9 (c) The facility administrator must notify the commissioner via the department's detention  
 41.10 information system that the facility has conducted a review and identify any recommendations  
 41.11 for changes in policy, procedure, or training that will be implemented.

41.12 (d) Any report or other documentation created for purposes of a facility death review is  
 41.13 confidential data on individuals under section 13.02, subdivision 3. Nothing in this section  
 41.14 relieves the facility administrator from complying with the notice of death to the  
 41.15 commissioner required under subdivision 7.

41.16 Subd. 9. **Rulemaking.** (a) The commissioner must adopt rules establishing minimum  
 41.17 standards for local correctional facilities for the management, operation, and physical  
 41.18 condition of the facilities and the security, safety, health, treatment, and discipline of  
 41.19 individuals detained or housed in or served by the facilities.

41.20 (b) The time limit to adopt rules under section 14.125 does not apply to amendments to  
 41.21 rule chapters in effect on the effective date of this section.

41.22 Sec. 2. **[241.012] LICENSING ACTIONS AGAINST JUVENILE AND ADULT**  
 41.23 **COMMUNITY-BASED RESIDENTIAL CORRECTIONAL FACILITIES.**

41.24 Subdivision 1. **Correction order; conditional license.** (a) For any local correctional  
 41.25 facility under section 241.011, subdivision 2, paragraph (g), the commissioner must:

41.26 (1) promptly notify the facility administrator and the facility's governing board of a  
 41.27 deficiency if the commissioner finds that:

41.28 (i) the facility does not substantially conform to the minimum standards established by  
 41.29 the commissioner and is not making satisfactory progress toward substantial conformance;  
 41.30 and

42.1 (ii) the nonconformance does not present an imminent risk of life-threatening harm or  
 42.2 serious physical injury to the individuals detained or housed in or served by the facility;  
 42.3 and

42.4 (2) issue a correction order or a conditional license order requiring that the deficiency  
 42.5 be remedied within a reasonable and specified period.

42.6 (b) A conditional license order may restrict the use of any facility that does not  
 42.7 substantially conform to minimum standards, including by:

42.8 (1) imposing conditions limiting operation of the facility or parts of the facility;

42.9 (2) reducing facility capacity;

42.10 (3) limiting intake;

42.11 (4) limiting length of detention or placement for individuals; or

42.12 (5) imposing detention or placement limitations based on the needs of the detained or  
 42.13 housed individuals or individuals served by the facility.

42.14 (c) A correction order or conditional license order must clearly state:

42.15 (1) the specific minimum standards violated, noting the implicated rule or statute;

42.16 (2) the findings that constitute a violation of minimum standards;

42.17 (3) the corrective action needed;

42.18 (4) the time allowed to correct each violation; and

42.19 (5) if a license is made conditional:

42.20 (i) the length and terms of the conditional license;

42.21 (ii) any conditions limiting operation of the facility or parts of the facility; and

42.22 (iii) the reasons for making the license conditional.

42.23 (d) Nothing in this section prohibits the commissioner from ordering a revocation under  
 42.24 subdivision 3 before issuing a correction order or conditional license order.

42.25 **Subd. 2. Requesting review of conditional license order.** (a) A facility administrator  
 42.26 may request that the commissioner review the findings in a conditional license order under  
 42.27 subdivision 1 on the grounds that satisfactory progress toward substantial compliance with  
 42.28 minimum standards has been made, supported by evidence of correction. If appropriate, the  
 42.29 request may include a written schedule for compliance.

43.1 (b) Within ten business days of receiving a request, the commissioner must review the  
43.2 evidence of correction and the progress made toward substantial compliance with minimum  
43.3 standards.

43.4 (c) When the commissioner has assurance that satisfactory progress toward substantial  
43.5 compliance with minimum standards is being made, the commissioner must:

43.6 (1) modify or lift any conditions limiting operation of the facility or parts of the facility;

43.7 or

43.8 (2) remove the conditional license order.

43.9 Subd. 3. License revocation order. (a) After due notice to a facility administrator of  
43.10 the commissioner's intent to issue a revocation order, the commissioner may issue an order  
43.11 revoking a facility's license if the commissioner finds that:

43.12 (1) the facility does not conform to minimum standards or is not making satisfactory  
43.13 progress toward substantial compliance with minimum standards; and

43.14 (2) the nonconformance does not present an imminent risk of life-threatening harm or  
43.15 serious physical injury to the individuals detained or housed in or served by the facility.

43.16 (b) The notice of intent to issue a revocation order must include:

43.17 (1) the citation to minimum standards that have been violated;

43.18 (2) the nature and severity of each violation;

43.19 (3) whether the violation is recurring or nonrecurring;

43.20 (4) the effect of the violation on individuals detained or housed in or served by the  
43.21 facility;

43.22 (5) an evaluation of the risk of harm to individuals detained or housed in or served by  
43.23 the facility; and

43.24 (6) relevant facts, conditions, and circumstances related to the facility's operation,  
43.25 including, at a minimum:

43.26 (i) specific facility deficiencies that endanger the health or safety of individuals detained  
43.27 or housed in or served by the facility;

43.28 (ii) substantiated complaints relating to the facility; or

43.29 (iii) any other evidence that the facility is not in compliance with minimum standards.

44.1 (c) Within 30 days of receiving a notice under paragraph (b), the facility administrator  
44.2 must submit a written response with:

44.3 (1) any information related to errors in the notice and the facility's ability to conform to  
44.4 minimum standards within a set period, including but not limited to a written schedule for  
44.5 compliance and any other information that the facility administrator deems relevant for the  
44.6 commissioner's consideration; and

44.7 (2) a written plan:

44.8 (i) indicating how the facility will ensure the transfer of individuals detained or housed  
44.9 in or served by the facility and records if the facility closes; and

44.10 (ii) specifying arrangements that the facility will make to transfer individuals detained  
44.11 or housed in or served by the facility to another licensed local correctional facility for  
44.12 continuation of detention.

44.13 (d) When revoking a license, the commissioner must consider:

44.14 (1) the nature, chronicity, or severity of the statute or rule violation; and

44.15 (2) the effect of the violation on the health, safety, or rights of individuals detained or  
44.16 housed in or served by the facility.

44.17 (e) The commissioner must issue a revocation order if the facility administrator does  
44.18 not respond within 30 days to the notice or if the commissioner does not have assurance  
44.19 that satisfactory progress toward substantial compliance with minimum standards will be  
44.20 made. The revocation order must be sent to the facility administrator and the facility's  
44.21 governing board, clearly stating:

44.22 (1) the specific minimum standards violated, noting the implicated rule or statute;

44.23 (2) the findings that constitute a violation of minimum standards and the nature,  
44.24 chronicity, or severity of the violations;

44.25 (3) the corrective action needed;

44.26 (4) any prior correction order or conditional license order issued to correct a violation;  
44.27 and

44.28 (5) the date on which the license revocation will occur.

44.29 (f) A revocation order may authorize facility use until a certain date, not to exceed the  
44.30 duration of the active license:

45.1 (1) unless a limited license is issued by the commissioner to effectuate a facility closure;  
45.2 and

45.3 (2) if continued operation does not present an imminent risk of life-threatening harm or  
45.4 is not likely to result in serious physical injury to the individuals detained or housed in or  
45.5 served by the facility.

45.6 (g) After a facility's license is revoked, the facility must not be used until the license is  
45.7 reinstated. When the commissioner is assured that satisfactory progress toward substantial  
45.8 compliance with minimum standards is being made, the commissioner may, at the request  
45.9 of the facility administrator supported by a written schedule for compliance, reinstate the  
45.10 license.

45.11 Subd. 4. **Reconsideration orders.** (a) If a facility administrator believes that a correction  
45.12 order, conditional license order, or revocation order is in error, the facility administrator  
45.13 may ask the commissioner to reconsider the parts of the order or action that are alleged to  
45.14 be in error. The request for reconsideration must:

45.15 (1) be made in writing;

45.16 (2) be postmarked and sent to the commissioner within 30 calendar days after receiving  
45.17 the order;

45.18 (3) specify the parts of the order or the action that is alleged to be in error;

45.19 (4) explain why the order or action is in error; and

45.20 (5) include documentation to support the allegation of error.

45.21 (b) The commissioner must issue a disposition within 60 days of receiving the facility  
45.22 administrator's response under paragraph (a). A request for reconsideration does not stay  
45.23 any provisions or requirements of the order.

45.24 Subd. 5. **Temporary immediate license suspension.** (a) The commissioner must act  
45.25 immediately to temporarily suspend a license issued under sections 241.011 to 241.013 if:

45.26 (1) the facility's failure to comply with applicable minimum standards or the conditions  
45.27 in the facility pose an imminent risk of life-threatening harm or serious physical injury to  
45.28 individuals detained or housed in or served by the facility, staff, law enforcement, visitors,  
45.29 or the public and:

45.30 (i) if the imminent risk of life-threatening harm or serious physical injury cannot be  
45.31 promptly corrected through a different type of order under this section; and

46.1 (ii) the facility cannot or has not corrected the violation giving rise to the imminent risk  
46.2 of life-threatening harm or serious physical injury; or

46.3 (2) while the facility continues to operate pending due notice and opportunity for written  
46.4 response to the commissioner's notice of intent to issue a revocation order under subdivision  
46.5 3, the commissioner identifies one or more subsequent violations of minimum standards  
46.6 that may adversely affect the health or safety of individuals detained or housed in or served  
46.7 by the facility, staff, law enforcement, visitors, or the public.

46.8 (b) A notice stating the reasons for the temporary immediate suspension must be delivered  
46.9 by personal service to the facility administrator and the facility's governing board.

46.10 (c) A facility administrator and the facility's governing board must discontinue operating  
46.11 the facility upon receiving the commissioner's order to immediately suspend the license.

46.12 **Subd. 6. Requesting reconsideration of temporary immediate suspension.** (a) A  
46.13 facility administrator may request reconsideration of an order immediately suspending a  
46.14 license. The request for reconsideration must be made in writing and sent by certified mail  
46.15 or personal service as follows:

46.16 (1) if mailed, the request for reconsideration must be postmarked and sent to the  
46.17 commissioner within five business days after the facility administrator receives notice that  
46.18 the license has been immediately suspended; and

46.19 (2) if a request is made by personal service, the request must be received by the  
46.20 commissioner within five business days after the facility administrator received the order.

46.21 (b) The request for reconsideration must:

46.22 (1) specify the parts of the order that are alleged to be in error;

46.23 (2) explain why they are in error; and

46.24 (3) include documentation to support the allegation of error.

46.25 (c) Within five business days of receiving the facility administrator's timely request for  
46.26 reconsideration, the commissioner must review the request. For a review under subdivision  
46.27 5, paragraph (a), clause (2), the review must be limited solely to whether the temporary  
46.28 immediate suspension order should remain in effect pending the written response to the  
46.29 commissioner's notice of intent to issue a revocation order.

46.30 **Subd. 7. Appealing commissioner's reconsideration request.** (a) The commissioner's  
46.31 disposition of a request for reconsideration of a correction, conditional license, temporary  
46.32 immediate suspension, or revocation order is final and subject to appeal. Before a facility

47.1 administrator may request an appeal under paragraph (b), the facility administrator must  
 47.2 request reconsideration according to this section of any correction, conditional license,  
 47.3 temporary immediate suspension, or revocation order.

47.4 (b) Within 60 days after the postmark date of the mailed notice of the commissioner's  
 47.5 decision on a request for reconsideration, the facility administrator may appeal the decision  
 47.6 by filing for a writ of certiorari with the court of appeals under section 606.01 and Minnesota  
 47.7 Rules of Civil Appellate Procedure, Rule 115.

47.8 Subd. 8. **Public notice of restriction, revocation, or suspension.** If a facility's license  
 47.9 is revoked or suspended under this section, a facility's use is restricted for any reason under  
 47.10 a conditional license order, or a correction order is issued to a facility, the commissioner  
 47.11 must publicly post the following information on the department's website:

47.12 (1) the facility name;

47.13 (2) the status of the facility's license;

47.14 (3) the reason for the correction order, restriction, revocation, or suspension; and

47.15 (4) any subsequent findings by the commissioner identifying satisfactory progress toward  
 47.16 substantial compliance with minimum standards.

47.17 Sec. 3. **[241.013] LICENSING AND INSPECTING LOCAL JUVENILE**  
 47.18 **CORRECTIONAL FACILITIES.**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

48.30 Subd. 8. **Rulemaking.** (a) The commissioner must adopt rules for local juvenile  
48.31 correctional facilities according to Laws 1995, chapter 226, article 3, sections 50, 51, and  
48.32 60, as amended.

49.1 (b) The time limit to adopt rules under section 14.125 does not apply to amendments to  
49.2 Minnesota Rules, chapter 2960, in effect on the effective date of this section.

49.3 **Sec. 4. [241.014] SECURITY AUDITS FOR STATE CORRECTIONAL FACILITIES.**

49.4 Subdivision 1. **Purpose.** This section applies to state correctional facilities.

49.5 Subd. 2. **Definitions.** (a) For purposes of this section, the following terms have the  
49.6 meanings given.

49.7 (b) "Audit group" means the state correctional facilities security audit group under  
49.8 subdivision 5.

49.9 (c) "Corrections and detention confidential data" has the meaning given in section 13.85,  
49.10 subdivision 3.

49.11 (d) "Security information" has the meaning given in section 13.37, subdivision 1.

49.12 Subd. 3. **Biennial report and audit of security practices.** The department's inspection  
49.13 unit must conduct biennial security audits of each state correctional facility using the  
49.14 standards established by the audit group. The inspection unit must:

49.15 (1) prepare a report for each audit; and

49.16 (2) submit the report to the audit group within 30 days of completing the audit.

49.17 Subd. 4. **Data.** (a) Corrections and detention confidential data and security information  
49.18 contained in reports and records of the audit group:

49.19 (1) must maintain that classification, regardless of the data's classification in the hands  
49.20 of the person who provided the data; and

49.21 (2) are not subject to discovery or introduction into evidence in a civil or criminal action  
49.22 against the state arising out of any matter that the audit group is reviewing.

49.23 (b) Information, documents, and records otherwise available from other sources are not  
49.24 immune from discovery or use in a civil or criminal action solely because the information,  
49.25 documents, and records were acquired during an audit.

49.26 (c) Nothing in this subdivision limits a person who presented information to the audit  
49.27 group or who is an audit group member from testifying about matters within the person's  
49.28 knowledge. In a civil or criminal proceeding, a person must not be questioned about the  
49.29 person's good faith presentation of information to the audit group or opinions formed by  
49.30 the person as a result of an audit.

50.1 Subd. 5. State correctional facilities security audit group. (a) The commissioner must  
50.2 form a state correctional facilities security audit group. The audit group must consist of the  
50.3 following members:

50.4 (1) a department employee who is not assigned to the correctional institutions division,  
50.5 appointed by the commissioner;

50.6 (2) the ombudsperson for corrections or a designee;

50.7 (3) an elected sheriff or designee nominated by the Minnesota Sheriffs' Association,  
50.8 appointed by the commissioner;

50.9 (4) an individual with expertise in security related to infrastructure and operational  
50.10 logistics of correctional facilities who is not required to reside in Minnesota, appointed by  
50.11 the governor;

50.12 (5) the commissioner of health or a designee;

50.13 (6) the commissioner of administration or a designee;

50.14 (7) two senators, one appointed by the senate majority leader and one appointed by the  
50.15 senate minority leader; and

50.16 (8) two representatives, one appointed by the speaker of the house and one appointed  
50.17 by the minority leader of the house of representatives.

50.18 (b) The ombudsperson chairs the audit group. The audit group must establish security  
50.19 audit standards for state correctional facilities. In developing the standards, the audit group,  
50.20 or individual members of the audit group, may gather information from state correctional  
50.21 facilities and state correctional staff and inmates. The audit group must:

50.22 (1) periodically review and modify the standards as needed; and

50.23 (2) report the standards to the chairs and ranking minority members of the house of  
50.24 representatives and senate committees with jurisdiction over public safety policy and finance  
50.25 when the standards are modified.

50.26 (c) The audit group must meet twice annually to review facility audit reports submitted  
50.27 to the audit group by the department's inspection unit. Notwithstanding any law to the  
50.28 contrary, the audit group may review the full audit reports, including but not limited to  
50.29 corrections and detention confidential data and security information.

50.30 (d) Within 60 days of meeting to review an audit report from the department's inspection  
50.31 unit, the audit group must make recommendations to the commissioner. Within 45 days of

51.1 receiving the audit group's recommendations, the commissioner must respond in writing to  
 51.2 the audit group's findings and recommendations. The commissioner's response must explain:

51.3 (1) whether the commissioner will implement the audit group's recommendations;

51.4 (2) the timeline for implementing the recommendations; and

51.5 (3) if the commissioner will not implement the recommendations, why the commissioner  
 51.6 will not or cannot implement the recommendations.

51.7 (e) The commissioner must include a written aggregate of the audit group's  
 51.8 recommendations based on each security audit and assessment of a state correctional facility  
 51.9 and the commissioner's responses to the recommendations in the biennial report under  
 51.10 section 241.016, subdivision 1. The commissioner must not include corrections and detention  
 51.11 confidential data and security information in the commissioner's report.

51.12 (f) The commissioner must provide staffing and administrative support to the audit  
 51.13 group.

51.14 Subd. 6. **Compensation.** Except as otherwise provided in this subdivision, the terms,  
 51.15 compensation, and removal of audit group members are governed by section 15.059. Audit  
 51.16 group members serve without compensation but may receive expense reimbursement.

51.17 Subd. 7. **Expiration.** Notwithstanding section 15.059, subdivision 6, the audit group  
 51.18 does not expire.

51.19 Subd. 8. **Open meeting law.** The audit group is not subject to chapter 13D.

51.20 Sec. 5. Minnesota Statutes 2025 Supplement, section 241.021, subdivision 1, is amended  
 51.21 to read:

51.22 Subdivision 1. **Correctional facilities; inspection; licensing.** (a) ~~Except as provided~~  
 51.23 ~~in paragraph (b);~~ The commissioner of corrections shall inspect and license all ~~correctional~~  
 51.24 ~~facilities throughout the state~~ jails and lockups under chapters 641 and 642, whether public  
 51.25 or private, established and operated for the detention and confinement of persons confined  
 51.26 or incarcerated therein according to law except to the extent that they are inspected or  
 51.27 licensed by other state regulating agencies. The commissioner shall promulgate pursuant  
 51.28 to chapter 14, rules establishing minimum standards for these facilities with respect to their  
 51.29 management, operation, physical condition, and the security, safety, health, treatment, and  
 51.30 discipline of persons confined or incarcerated therein. These minimum standards shall  
 51.31 include but are not limited to specific guidance pertaining to:

- 52.1 (1) screening, appraisal, assessment, and treatment for persons confined or incarcerated  
52.2 in correctional facilities with mental illness or substance use disorders;
- 52.3 (2) a policy on the involuntary administration of medications, including a process for  
52.4 determining on intake whether a Jarvis Order is in place and ensuring it will be followed  
52.5 during the confinement or incarceration;
- 52.6 (3) suicide prevention plans and training;
- 52.7 (4) verification of medications in a timely manner;
- 52.8 (5) well-being checks;
- 52.9 (6) discharge planning, including providing prescribed medications to persons confined  
52.10 or incarcerated in correctional facilities upon release;
- 52.11 (7) a policy on referrals or transfers to medical or mental health care in a noncorrectional  
52.12 institution;
- 52.13 (8) use of segregation and mental health checks;
- 52.14 (9) critical incident debriefings;
- 52.15 (10) clinical management of substance use disorders and opioid overdose emergency  
52.16 procedures;
- 52.17 (11) a policy regarding identification of persons with special needs confined or  
52.18 incarcerated in correctional facilities;
- 52.19 (12) a policy regarding the use of telehealth;
- 52.20 (13) self-auditing of compliance with minimum standards;
- 52.21 (14) information sharing with medical personnel and when medical assessment must be  
52.22 facilitated;
- 52.23 (15) a code of conduct policy for facility staff and annual training;
- 52.24 (16) a policy on death review of all circumstances surrounding the death of an individual  
52.25 committed to the custody of the facility; and
- 52.26 (17) dissemination of a rights statement made available to persons confined or  
52.27 incarcerated in licensed correctional facilities.
- 52.28 No individual, corporation, partnership, voluntary association, or other private  
52.29 organization legally responsible for the operation of a correctional facility may operate the  
52.30 facility unless it possesses a current license from the commissioner of corrections. Private

53.1 adult correctional facilities shall have the authority of section 624.714, subdivision 13, if  
53.2 the Department of Corrections licenses the facility with the authority and the facility meets  
53.3 requirements of section 243.52.

53.4 The commissioner shall review the correctional facilities described in this subdivision  
53.5 at least once every two years, except as otherwise provided, to determine compliance with  
53.6 the minimum standards established according to this subdivision or other Minnesota statute  
53.7 related to minimum standards and conditions of confinement.

53.8 The commissioner shall grant a license to any facility found to conform to minimum  
53.9 standards or to any facility which, in the commissioner's judgment, is making satisfactory  
53.10 progress toward substantial conformity and the standards not being met do not impact the  
53.11 interests and well-being of the persons confined or incarcerated in the facility. A limited  
53.12 license under subdivision 1a may be issued for purposes of effectuating a facility closure.  
53.13 The commissioner may grant licensure up to two years. Unless otherwise specified by  
53.14 statute, all licenses issued under this chapter expire at 12:01 a.m. on the day after the  
53.15 expiration date stated on the license.

53.16 The commissioner shall have access to the buildings, grounds, books, records, staff, and  
53.17 to persons confined or incarcerated in these facilities. The commissioner may require the  
53.18 officers in charge of these facilities to furnish all information and statistics the commissioner  
53.19 deems necessary, at a time and place designated by the commissioner. Notwithstanding  
53.20 chapter 13 or any other state law classifying or restricting access to data, the officers in  
53.21 charge of these facilities must furnish all data available to the facility that the commissioner  
53.22 deems necessary to conduct a review of any emergency or unusual occurrence at the facility.  
53.23 Failure to provide or grant access to relevant information or statistics necessary to fulfill  
53.24 inspection or emergency or unusual occurrence reviews, as requested by the commissioner,  
53.25 may be grounds for the commissioner to take action against a correctional facility's license  
53.26 under subdivision 1a, 1b, or 1c.

53.27 All facility administrators of correctional facilities are required to report all deaths of  
53.28 individuals who died while committed to the custody of the facility, regardless of whether  
53.29 the death occurred at the facility or after removal from the facility for medical care stemming  
53.30 from an incident or need for medical care at the correctional facility, as soon as practicable,  
53.31 but no later than 24 hours of receiving knowledge of the death, including any demographic  
53.32 information as required by the commissioner.

53.33 All facility administrators of correctional facilities are required to report all other  
53.34 emergency or unusual occurrences as defined by rule, including uses of force by facility

54.1 staff that result in substantial bodily harm or suicide attempts, to the commissioner of  
 54.2 corrections within ten days from the occurrence, including any demographic information  
 54.3 as required by the commissioner. The commissioner of corrections shall consult with the  
 54.4 Minnesota Sheriffs' Association and a representative from the Minnesota Association of  
 54.5 Community Corrections Act Counties who is responsible for the operations of an adult  
 54.6 correctional facility to define "use of force" that results in substantial bodily harm for  
 54.7 reporting purposes.

54.8 The commissioner may require that any or all such information be provided through the  
 54.9 Department of Corrections detention information system. The commissioner shall post each  
 54.10 inspection report publicly and on the department's website within 30 days of completing  
 54.11 the inspection. The education program offered in a correctional facility for the confinement  
 54.12 or incarceration of juvenile offenders must be approved by the commissioner of education  
 54.13 before the commissioner of corrections may grant a license to the facility.

54.14 ~~(b) For juvenile facilities licensed by the commissioner of human services, the~~  
 54.15 ~~commissioner may inspect and certify programs based on certification standards set forth~~  
 54.16 ~~in Minnesota Rules. For the purpose of this paragraph, "certification" has the meaning given~~  
 54.17 ~~it in section 245A.02.~~

54.18 ~~(e)~~ (b) Any state agency which regulates, inspects, or licenses certain aspects of  
 54.19 correctional facilities shall, insofar as is possible, ensure that the minimum standards it  
 54.20 requires are substantially the same as those required by other state agencies which regulate,  
 54.21 inspect, or license the same aspects of similar types of correctional facilities, although at  
 54.22 different correctional facilities.

54.23 ~~(d)~~ (c) Nothing in this section shall be construed to limit the commissioner of corrections'  
 54.24 authority to promulgate rules establishing standards of eligibility for counties to receive  
 54.25 funds under chapter 401, or to require counties to comply with operating standards the  
 54.26 commissioner establishes as a condition precedent for counties to receive that funding.

54.27 ~~(e)~~ (d) The department's inspection unit must report directly to a division head outside  
 54.28 of the correctional institutions division.

54.29 Sec. 6. Minnesota Statutes 2024, section 241.021, subdivision 1f, is amended to read:

54.30 Subd. 1f. **Report.** By February 15, 2022, and by February 15 each year thereafter, the  
 54.31 commissioner of corrections shall report to the chairs and ranking minority members of the  
 54.32 house of representatives and senate committees and divisions with jurisdiction over public  
 54.33 safety and judiciary on the status of the implementation of the provisions in ~~this section~~.

55.1 sections 241.011 to 241.021 over the prior year, particularly the health and safety of  
55.2 individuals confined or incarcerated in a local adult correctional facilities under this section,  
55.3 local correctional facilities under section 241.011, and state correctional facility and a facility  
55.4 licensed by the commissioner facilities. This report shall include but not be limited to data  
55.5 regarding:

55.6 (1) the number of confined or incarcerated persons who died while committed to the  
55.7 custody of the facility, regardless of whether the death occurred at the facility or after  
55.8 removal from the facility for medical care stemming from an incident or need for medical  
55.9 care at the correctional facility, including aggregated demographic information and the  
55.10 correctional facilities' most recent inspection reports and any corrective orders or conditional  
55.11 licenses issued, revocations, or temporary immediate suspensions;

55.12 (2) the aggregated results of the death reviews by facility as required by subdivision 8  
55.13 or section 241.011, subdivision 8, including any implemented policy changes;

55.14 (3) the number of uses of force by facility staff on persons confined or incarcerated in  
55.15 the correctional facility, including but not limited to whether those uses of force were  
55.16 determined to be justified by the facility, for which the commissioner of corrections shall  
55.17 consult with the Minnesota Sheriffs' Association and a representative from the Minnesota  
55.18 Association of Community Corrections Act Counties who is responsible for the operations  
55.19 of an adult correctional facility to develop criteria for reporting and define reportable uses  
55.20 of force;

55.21 (4) the number of suicide attempts, number of people transported to a medical facility,  
55.22 and number of people placed in segregation;

55.23 (5) the number of persons committed to the commissioner of corrections' custody that  
55.24 the commissioner is housing in facilities licensed under subdivision 1 and section 241.011,  
55.25 including but not limited to:

55.26 (i) aggregated demographic data of those individuals;

55.27 (ii) length of time spent housed in a licensed correctional facility; and

55.28 (iii) any contracts the Department of Corrections has with correctional facilities to provide  
55.29 housing; and

55.30 (6) summary data from state correctional facilities regarding complaints involving alleged  
55.31 on-duty staff misconduct, including but not limited to the:

55.32 (i) total number of misconduct complaints and investigations;

56.1 (ii) total number of complaints by each category of misconduct, as defined by the  
56.2 commissioner of corrections;

56.3 (iii) number of allegations dismissed as unfounded;

56.4 (iv) number of allegations dismissed on grounds that the allegation was unsubstantiated;  
56.5 and

56.6 (v) number of allegations substantiated, any resulting disciplinary action, and the nature  
56.7 of the discipline.

56.8 Sec. 7. Minnesota Statutes 2024, section 241.021, subdivision 1i, is amended to read:

56.9 Subd. 1i. **Definition.** As used in this section, "correctional facility" means any facility,  
56.10 ~~including a group home, having a residential component, the primary purpose of which is~~  
56.11 ~~to serve persons placed in facilities by a court, court services department, parole authority,~~  
56.12 ~~or other correctional agency having dispositional power over persons charged with, convicted,~~  
56.13 ~~or adjudicated guilty or delinquent~~ jail or lockup under chapter 641 or 642.

56.14 Sec. 8. **RULEMAKING; DEPARTMENT OF CORRECTIONS; LICENSED**  
56.15 **JUVENILE FACILITIES.**

56.16 Subdivision 1. **Administrative and medical separation.** (a) The notification  
56.17 requirements in this subdivision apply to juvenile facilities licensed by the commissioner  
56.18 of corrections under Minnesota Statutes, sections 241.011 to 241.013.

56.19 (b) A facility's chief administrator must notify the commissioner according to Minnesota  
56.20 Rules, part 2960.0270, subpart 12, if a resident is expected to be, or has been, in  
56.21 administrative or medical separation for more than seven days.

56.22 (c) The notification under paragraph (b) must be within ten days of the resident's  
56.23 placement, or expected placement, in administrative separation or medical separation for  
56.24 more than seven days.

56.25 (d) This subdivision expires when the rules adopted under subdivision 2 are effective.

56.26 Subd. 2. **Rulemaking.** (a) The commissioner of corrections must amend Minnesota  
56.27 Rules, parts 2960.0740, subpart 3, and 2960.0750, subpart 3, to require notification according  
56.28 to subdivision 1, paragraphs (b) and (c).

56.29 (b) The commissioner may use the good cause exemption under Minnesota Statutes,  
56.30 section 14.388, subdivision 1, clause (3), to adopt rules under this subdivision.

57.1 (c) Notwithstanding Minnesota Laws 1995, chapter 226, article 3, sections 50, 51, and  
 57.2 60, or any other law to the contrary, the joint rulemaking authority with the commissioners  
 57.3 of the Department of Human Services and other state agencies does not apply to rules  
 57.4 adopted under this subdivision.

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

57.6 Sec. 9. **REVISOR INSTRUCTION.**

57.7 (a) The revisor of statutes must renumber each section of Minnesota Statutes listed in  
 57.8 column A with the number listed in column B.

| 57.9  | <u>Column A</u>                | <u>Column B</u>                             |
|-------|--------------------------------|---|
| 57.10 | <u>241.021, subdivision 4</u>  | <u>241.74, subdivision 1</u>                |
| 57.11 | <u>241.021, subdivision 4a</u> | <u>241.39</u>                               |
| 57.12 | <u>241.021, subdivision 4b</u> | <u>241.74, subdivision 2, paragraph (a)</u> |
| 57.13 | <u>241.021, subdivision 4c</u> | <u>241.74, subdivision 2, paragraph (b)</u> |
| 57.14 | <u>241.021, subdivision 4d</u> | <u>241.74, subdivision 3</u>                |
| 57.15 | <u>241.021, subdivision 4e</u> | <u>241.254</u>                              |

57.16 (b) As a result of amendments to Minnesota Statutes, sections 241.011 to 241.021, the  
 57.17 revisor of statutes must work with the Department of Corrections to correct cross-references  
 57.18 in Minnesota Statutes and Minnesota Rules and make other necessary grammatical and  
 57.19 technical changes.

57.20 Sec. 10. **REPEALER.**

57.21 (a) Minnesota Statutes 2024, section 241.021, subdivisions 1g, 1h, 2a, 2b, 3, and 6, are  
 57.22 repealed.

57.23 (b) Minnesota Statutes 2025 Supplement, section 241.021, subdivision 2, is repealed.

## 57.24 **ARTICLE 6**

### 57.25 **DEPARTMENT OF CORRECTIONS SUBSTANCE ABUSE AND MENTAL** 57.26 **HEALTH**

57.27 Section 1. Minnesota Statutes 2024, section 241.021, subdivision 4a, is amended to read:

57.28 Subd. 4a. **Substance use disorder treatment programs.** All ~~residential~~ substance use  
 57.29 disorder treatment programs operated by the commissioner of corrections to treat ~~adults~~  
 57.30 individuals committed to the commissioner's custody ~~shall~~ or to treat juveniles in  
 57.31 state-operated juvenile correctional facilities that have a correctional program services

58.1 certification per Minnesota Rules, chapter 2960, must comply with the standards mandated  
58.2 in chapter 245G for treatment programs operated by community-based treatment facilities.  
58.3 When the commissioners of corrections and human services agree that these established  
58.4 standards for community-based programs cannot reasonably apply to correctional facilities,  
58.5 alternative equivalent standards shall be developed by the commissioners and established  
58.6 through an interagency agreement.

58.7 Sec. 2. Minnesota Statutes 2024, section 241.69, subdivision 1, is amended to read:

58.8 Subdivision 1. **Authority; rules.** The commissioner of corrections shall, in accordance  
58.9 with applicable rules and standards prescribed by the Department of Human Services,  
58.10 establish, staff, equip, maintain, and operate in at least one of the adult correctional  
58.11 institutions under the commissioner's control a mental health unit for the care and treatment  
58.12 of those inmates of state correctional institutions who become mentally ill.

58.13 Sec. 3. Minnesota Statutes 2024, section 241.69, subdivision 3, is amended to read:

58.14 Subd. 3. **Transfer.** If the licensed mental health professional finds the person to be a  
58.15 person who is mentally ill and in need of short-term care, assessment, evaluation, or  
58.16 stabilization, the licensed mental health professional may recommend transfer by the  
58.17 commissioner of corrections to ~~the~~ a mental health unit established pursuant to subdivision  
58.18 1.

58.19 Sec. 4. Minnesota Statutes 2024, section 241.69, subdivision 4, is amended to read:

58.20 Subd. 4. **Commitment.** If the licensed mental health professional finds the person to be  
58.21 a person who is mentally ill and in need of long-term care in a hospital, ~~or if an inmate~~  
58.22 ~~transferred pursuant to subdivision 3 refuses to voluntarily participate in the treatment~~  
58.23 ~~program at the mental health unit,~~ the director of psychological services of the institution  
58.24 or the mental health professional shall initiate proceedings for judicial commitment as  
58.25 provided in section 253B.07. Upon the recommendation of the licensed mental health  
58.26 professional and upon completion of the hearing and consideration of the record, the court  
58.27 may commit the person to ~~the~~ a mental health unit established in subdivision 1 or to another  
58.28 hospital. A person confined in a state correctional institution for adults who has been  
58.29 adjudicated to be a person who is mentally ill and in need of treatment may be committed  
58.30 to the commissioner of corrections and placed in ~~the~~ a mental health unit established in  
58.31 subdivision 1.

59.1 Sec. 5. Minnesota Statutes 2024, section 241.69, subdivision 5, is amended to read:

59.2 Subd. 5. **Discharge.** The director of psychological services of ~~the~~ a mental health unit  
59.3 established under this section may, subject to the provisions of chapter 253B, provisionally  
59.4 discharge any inmate patient admitted as a person who is mentally ill without discharging  
59.5 the commitment and order the inmate patient's release into the general population of the  
59.6 institution from which admitted, subject to return to the facility for further treatment.

59.7 When the director of psychological services of the facility certifies that a patient is no  
59.8 longer in need of institutional care for mental illness the director of psychological services  
59.9 shall discharge the patient to the institution from which committed, and the discharge shall  
59.10 also discharge the mental illness commitment.

59.11 A copy of the certification that the inmate is no longer in need of care for mental illness  
59.12 shall be transmitted to the commissioner of corrections. The commissioner of corrections  
59.13 shall give serious consideration to the aforementioned certification for purposes of their  
59.14 supervision over the inmate upon the inmate's release.

59.15 Sec. 6. Minnesota Statutes 2024, section 241.69, subdivision 6, is amended to read:

59.16 Subd. 6. **Transfer upon expiration of sentence.** If the sentence of a person who has  
59.17 been adjudicated to be mentally ill and committed to ~~the~~ a mental health unit established  
59.18 under this section should expire before the person recovers and is discharged therefrom,  
59.19 and, in the judgment of the director of psychological services of the unit, the person requires  
59.20 further hospitalization for mental illness, the person shall be transferred by the commissioner  
59.21 of corrections to a state hospital designated by the Direct Care and Treatment executive  
59.22 board, there to be detained as in the case of other mentally ill persons under judicial  
59.23 commitment.

## 59.24 ARTICLE 7

### 59.25 PRIVATE DETECTIVE AND PROTECTIVE AGENT LICENSING

59.26 Section 1. Minnesota Statutes 2024, section 326.32, subdivision 8, is amended to read:

59.27 Subd. 8. **Applicant.** "Applicant" means any individual, ~~partnership~~ or corporation who  
59.28 has made application for a private detective or protective agent license.

60.1 Sec. 2. Minnesota Statutes 2024, section 326.32, subdivision 10, is amended to read:

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

60.5 Sec. 3. Minnesota Statutes 2024, section 326.32, subdivision 10a, is amended to read:

60.6 Subd. 10a. **Minnesota manager.** "Minnesota manager" means the member of a  
60.7 ~~partnership or~~ corporation, who meets the qualifications for licensing as provided in sections  
60.8 326.32 to 326.339. The Minnesota manager must be actively involved in the day to day  
60.9 management and supervision of the licensed activity in the Minnesota office.

60.10 Sec. 4. Minnesota Statutes 2024, section 326.32, subdivision 10c, is amended to read:

60.11 Subd. 10c. **Proprietary employer.** A "proprietary employer" means an individual,  
60.12 ~~partnership,~~ or a corporation that is not engaged in the business of providing protective  
60.13 agents but employs individuals to serve as security guards solely on the employer's property  
60.14 and its curtilage.

60.15 Sec. 5. Minnesota Statutes 2024, section 326.32, subdivision 12, is amended to read:

60.16 Subd. 12. **Qualified representative.** "Qualified representative" means the member of  
60.17 a ~~partnership or~~ corporation, who meets the qualifications for licensing as provided in  
60.18 sections 326.32 to 326.339. The qualified representative must be actively involved in the  
60.19 day to day management and supervision of the licensed activity.

60.20 Sec. 6. Minnesota Statutes 2024, section 326.33, subdivision 1, is amended to read:

60.21 Subdivision 1. **Members.** There is hereby created a Board of Private Detective and  
60.22 Protective Agent Services, consisting of the superintendent of the Bureau of Criminal  
60.23 Apprehension or an assistant superintendent designated by the superintendent, and the  
60.24 following members appointed by the commissioner of public safety: a licensed protective  
60.25 agent, or qualified representative for a licensed protective agent ~~partnership or~~ corporation;  
60.26 a licensed private detective, or qualified representative for a licensed private detective  
60.27 ~~partnership or~~ corporation;  
60.28 and two public members. Filling of member vacancies shall be  
60.29 the responsibility of the commissioner of public safety. Membership terms, compensation  
60.30 of members, removal of members, the filling of membership vacancies, and fiscal year and  
60.31 reporting requirements shall be as provided in sections 214.07 to 214.09. The provision of  
staff, unless otherwise provided in sections 326.32 to 326.339; administrative services and

61.1 office space; the review and processing of complaints; the setting of board fees, unless  
61.2 otherwise provided in sections 326.32 to 326.339; and other provisions relating to board  
61.3 operations shall be as provided in chapter 214.

61.4 Sec. 7. Minnesota Statutes 2024, section 326.3381, subdivision 2, is amended to read:

61.5 Subd. 2. **Application procedure.** The board shall issue a license upon application to  
61.6 any person qualified under sections 326.32 to 326.339 and under the rules of the board to  
61.7 engage in the business of private detective or protective agent. The license shall remain  
61.8 effective for two years as long as the license holder complies with sections 326.32 to 326.339,  
61.9 the laws of Minnesota, and the rules of the board. Upon receipt of an application for private  
61.10 detective or protective agent license, the board shall:

61.11 (1) post notice of the application in its office for a period of 20 days, and notify all  
61.12 persons who have requested notification of applications;

61.13 (2) conduct an investigation as it considers necessary to determine the qualifications of  
61.14 the applicant, qualified representative, Minnesota manager, and, if appropriate, a ~~partner or~~  
61.15 corporate officer; and

61.16 (3) notify the applicant of the date on which the board will conduct a review of the  
61.17 license application.

61.18 Sec. 8. Minnesota Statutes 2024, section 326.3381, subdivision 4, is amended to read:

61.19 Subd. 4. **Business entity applicant.** If the applicant for a license is a corporation ~~or~~  
61.20 ~~partnership, one member,~~ the chief executive officer, the chief financial officer, the qualified  
61.21 representative, and the Minnesota manager, if one exists, of that corporation ~~or partnership~~  
61.22 must meet the licensing requirements in sections 326.32 to 326.339, including the  
61.23 requirements of subdivision 3, paragraph (b).

61.24 Sec. 9. Minnesota Statutes 2024, section 326.3382, subdivision 1, is amended to read:

61.25 Subdivision 1. **Application form.** (a) Application for a private detective or protective  
61.26 agent license shall be made on a form prescribed by the board. Each applicant shall provide  
61.27 the following information:

61.28 (1) the full name, date of birth, and sex of each person signing the application, and the  
61.29 residences of those persons for the past five years;

61.30 (2) all past and present occupations and employers, length of employment, and the name,  
61.31 address, and telephone numbers of supervisors for all persons signing the application;

62.1 (3) the address or a description indicating the location of the place of business of the  
62.2 applicant;

62.3 (4) a statement indicating that each person signing the application has attained the age  
62.4 of 18;

62.5 (5) if the applicant is a corporation, the name of the corporation, the date and place of  
62.6 incorporation, and the location of its principal place of business or registered office in its  
62.7 state of incorporation; and

62.8 (6) further facts as may be required by the board to show the good character, competency,  
62.9 and integrity of each person signing the application; ~~and.~~

62.10 (b) Each application shall be signed and acknowledged as follows:

62.11 (1) if the applicant is an individual, by the individual; or

62.12 ~~(2) if the applicant is a partnership, by each partner, one of whom must be a qualified~~  
62.13 ~~representative; or~~

62.14 ~~(3)~~ (2) if the applicant is a corporation, by the chief executive officer, chief financial  
62.15 officer, and the qualified representative of the corporation. If the principal place of the  
62.16 applicant's business is outside Minnesota, the application shall also include the signature  
62.17 of the Minnesota manager.

62.18 Sec. 10. Minnesota Statutes 2024, section 326.3382, subdivision 4, is amended to read:

62.19 Subd. 4. **License disqualification.** Unlicensed activity will not be considered as legitimate  
62.20 experience for qualification in being licensed. An individual, ~~partnership,~~ a corporation, a  
62.21 qualified representative, or a Minnesota manager engaged in the business of a private  
62.22 detective or protective agent without a license issued by the board is prohibited from applying  
62.23 for licensing for a period of one year from the date of a finding of the violation.

62.24 Sec. 11. Minnesota Statutes 2024, section 326.3385, subdivision 2, is amended to read:

62.25 Subd. 2. **Notice of successor.** (a) ~~A corporate or partnership~~ license holder shall, within  
62.26 seven days of the death, resignation, or removal of a person signing the license application,  
62.27 give written notice to the board of the change and the name and address of the successor in  
62.28 the vacated position.

62.29 (b) Within seven days of the death, resignation, or removal of a person signing the license  
62.30 application for a ~~partnership or~~ corporate license holder, the successor qualified  
62.31 representative, ~~partner,~~ Minnesota manager, chief executive officer, or chief financial officer

63.1 who shall qualify under the same procedure and criteria, ~~and~~ must submit the documents  
63.2 required, as for an original application.

63.3 Sec. 12. Minnesota Statutes 2024, section 326.3386, subdivision 3, is amended to read:

63.4 Subd. 3. **Designation fee.** When a licensed private detective or protective agent who is  
63.5 a ~~partnership or~~ corporation, desires to designate a new qualified representative or Minnesota  
63.6 manager, a fee equal to one-half of the license fee shall be submitted to the board.

## 63.7 ARTICLE 8

### 63.8 REHABILITATION OF OFFENDERS

63.9 Section 1. Minnesota Statutes 2024, section 364.03, subdivision 3, is amended to read:

63.10 Subd. 3. **Evidence of rehabilitation.** (a) A person who has been convicted of a crime  
63.11 or crimes which directly relate to the public employment sought or to the occupation for  
63.12 which a license is sought shall not be disqualified from the employment or occupation if  
63.13 the person can show both competent evidence of sufficient rehabilitation and present fitness  
63.14 to perform the duties of the public employment sought or the occupation for which the  
63.15 license is sought.

63.16 (b) In determining whether the person has demonstrated competent evidence of sufficient  
63.17 rehabilitation and present fitness, the licensing or hiring authority may be established by  
63.18 the production of consider the following when making a determination:

63.19 (1) the person's most recent certified copy of a United States Department of Defense  
63.20 form DD-214 showing the person's honorable discharge, or separation under honorable  
63.21 conditions, from the United States armed forces for military service rendered following  
63.22 conviction for any crime that would otherwise disqualify the person from the public  
63.23 employment sought or the occupation for which the license is sought; ~~or;~~

63.24 (~~1~~) (2) a copy of the local, state, or federal release order; and

63.25 (~~2~~) evidence showing that at least one year has elapsed since release from any local,  
63.26 state, or federal correctional institution without subsequent conviction of a crime; and  
63.27 evidence showing compliance with all terms and conditions of probation or parole; ~~or~~

63.28 (3) a copy of the relevant Department of Corrections discharge order or other documents  
63.29 showing completion of probation or parole supervision;

63.30 (b) In addition to the documentary evidence presented, the licensing or hiring authority  
63.31 shall consider any evidence presented by the applicant regarding:

64.1 (4) evidence regarding:

64.2 ~~(1)~~ (i) the nature and seriousness of the crime or crimes for which convicted;

64.3 ~~(2)~~ (ii) all circumstances relative to the crime or crimes, including mitigating  
64.4 circumstances or social conditions surrounding the commission of the crime or crimes;

64.5 ~~(3)~~ (iii) the age of the person at the time the crime or crimes were committed; and

64.6 ~~(4)~~ (iv) the length of time elapsed since the crime or crimes were committed; and

64.7 (5) all other competent evidence of rehabilitation and present fitness presented, including,  
64.8 but not limited to, letters of reference by persons who have been in contact with the applicant  
64.9 since the applicant's release from any local, state, or federal correctional institution.

64.10 (c) The certified copy of a person's United States Department of Defense form DD-214  
64.11 showing the person's honorable discharge or separation under honorable conditions from  
64.12 the United States armed forces ceases to qualify as competent evidence of sufficient  
64.13 rehabilitation for purposes of this section upon the person's conviction for any gross  
64.14 misdemeanor or felony committed by the person subsequent to the effective date of that  
64.15 honorable discharge or separation from military service.

64.16 Sec. 2. Minnesota Statutes 2024, section 364.05, is amended to read:

64.17 **364.05 NOTIFICATION UPON DENIAL OF EMPLOYMENT OR**  
64.18 **DISQUALIFICATION FROM OCCUPATION.**

64.19 If a hiring or licensing authority denies an individual a position of public employment  
64.20 or disqualifies the individual from pursuing, practicing, or engaging in any occupation for  
64.21 which a license is required, solely or in part because of the individual's prior conviction of  
64.22 a crime, the hiring or licensing authority shall notify the individual in writing of the following:

64.23 (1) the grounds and reasons for the denial or disqualification;

64.24 (2) the applicable complaint and grievance procedure as set forth in section 364.06;

64.25 (3) the earliest date the person may reapply for a position of public employment or a  
64.26 license with a hiring or licensing authority; and

64.27 (4) that all competent evidence of rehabilitation presented upon reapplication will be  
64.28 considered ~~upon reapplication~~.

65.1

**ARTICLE 9**

65.2

**PROTECTIONS FOR JUDICIAL OFFICIALS**

65.3 Section 1. Minnesota Statutes 2025 Supplement, section 480.40, subdivision 1, is amended  
65.4 to read:

65.5 Subdivision 1. **Definitions.** (a) For purposes of this section and section 480.45, the  
65.6 following terms have the meanings given.

65.7 (b) "Judicial official" means:

65.8 (1) every Minnesota district court judge, senior judge, retired judge, and every judge of  
65.9 the Minnesota Court of Appeals and every active, senior, recalled, or retired federal judge  
65.10 who resides in Minnesota;

65.11 (2) a current or retired justice of the Minnesota Supreme Court;

65.12 (3) employees of the Minnesota judicial branch;

65.13 (4) judicial referees and magistrate judges; and

65.14 (5) current and retired judges and current employees of the Office of Administrative  
65.15 Hearings, Department of Employment and Economic Development Unemployment Insurance  
65.16 and Paid Leave Appeals Divisions, Department of Human Services Appeals Division,  
65.17 Workers' Compensation Court of Appeals, and Tax Court.

65.18 (c) "Personal information" does not include publicly available information. Personal  
65.19 information means:

65.20 (1) a residential address of a judicial official;

65.21 (2) a residential address of the spouse, domestic partner, or children of a judicial official;

65.22 (3) a nonjudicial branch issued telephone number or email address of a judicial official;

65.23 (4) the name of any child of a judicial official; and

65.24 (5) the name of any child care facility or school that is attended by a child of a judicial  
65.25 official if combined with an assertion that the named facility or school is attended by the  
65.26 child of a judicial official.

65.27 (d) "Publicly available information" means information that is lawfully made available  
65.28 through federal, state, or local government records or information that a business has a  
65.29 reasonable basis to believe is lawfully made available to the general public through widely  
65.30 distributed media, by a judicial official, or by a person to whom the judicial official has

66.1 disclosed the information, unless the judicial official has restricted the information to a  
66.2 specific audience.

66.3 (e) "Law enforcement support organizations" do not include charitable organizations.

66.4 (f) "Real property records" has the meaning given in section 480.50, subdivision 1,  
66.5 paragraph (f).

66.6 Sec. 2. Minnesota Statutes 2025 Supplement, section 480.50, subdivision 1, is amended  
66.7 to read:

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

66.10 (b) "County recorder" has the meaning given in section 13.045, subdivision 1, clause  
66.11 (4).

66.12 (c) "Government entity" has the meaning given in section 13.02, subdivision 7a.

66.13 (d) "Judicial official" has the meaning given in section 480.40, subdivision 1, paragraph  
66.14 (b), except that it does not include: (1) employees of the Minnesota judicial branch, the  
66.15 Office of Administrative Hearings, the Workers' Compensation Court of Appeals, or the  
66.16 Tax Court; ~~or~~ (2) judges or employees in the Department of Human Services Appeals  
66.17 Division; or (3) judges or employees in the Unemployment Insurance and Paid Leave  
66.18 Appeals Divisions.

66.19 (e) "Personal information" has the meaning given in section 480.40, subdivision 1,  
66.20 paragraph (c).

66.21 (f) "Real property records" means any of the following:

66.22 (1) real property records as defined in section 13.045, subdivision 1, clause (5);

66.23 (2) Uniform Commercial Code filings and tax liens maintained by the Secretary of State;  
66.24 and

66.25 (3) any other records maintained by a county recorder or other government entity  
66.26 evidencing title to, or any lien, judgment, or other encumbrance on, real or personal property.

66.27 (g) "Responsible authority" has the meaning given in section 13.02, subdivision 16.

APPENDIX  
Article locations for S4760-1

|           |   |               |
|-----------|---|---------------|
| ARTICLE 1 | DEPARTMENT OF PUBLIC SAFETY.....                                    | Page.Ln 2.9   |
| ARTICLE 2 | CRIME VICTIMS.....  | Page.Ln 23.10 |
| ARTICLE 3 | IMPAIRED DRIVING; DRIVERS' LICENSES.....                            | Page.Ln 28.7  |
| ARTICLE 4 | BUREAU OF CRIMINAL APPREHENSION.....                                | Page.Ln 32.20 |
| ARTICLE 5 | DEPARTMENT OF CORRECTIONS LICENSING.....                            | Page.Ln 38.1  |
| ARTICLE 6 | DEPARTMENT OF CORRECTIONS SUBSTANCE ABUSE AND<br>MENTAL HEALTH..... | Page.Ln 57.24 |
| ARTICLE 7 | PRIVATE DETECTIVE AND PROTECTIVE AGENT LICENSING...                 | Page.Ln 59.24 |
| ARTICLE 8 | REHABILITATION OF OFFENDERS.....                                    | Page.Ln 63.7  |
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**169A.54 DWI CONVICTIONS, ADJUDICATIONS; ADMINISTRATIVE PENALTIES.**

Subd. 6. **Applicability of implied consent revocation.** (a) Any person whose license has been revoked pursuant to section 169A.52 (license revocation for test failure or refusal) or 171.177 (revocation; pursuant to a search warrant) as the result of the same incident, and who does not have a qualified prior impaired driving incident, is subject to the mandatory revocation provisions of subdivision 1, clause (1) or (2), in lieu of the mandatory revocation provisions of section 169A.52 or 171.177.

(b) Paragraph (a) does not apply to:

(1) a person whose license has been revoked under subdivision 2 (driving while impaired by person under age 21); or

(2) a person whose driver's license has been revoked for, or who is charged with (i) an alcohol concentration of twice the legal limit or more as measured at the time or within two hours of the time of the offense; or (ii) a violation of section 169A.20 (driving while impaired) with an aggravating factor described in section 169A.03, subdivision 3, clause (3).

**241.021 LICENSING AND SUPERVISION OF FACILITIES.**

Subd. 1g. **Biennial assessment and audit of security practices; state correctional facilities.** (a) Beginning in 2022, the commissioner shall have the department's inspection unit conduct biennial security audits of each state correctional facility using the standards promulgated by the state correctional facilities security audit group. The unit must prepare a report for each assessment and audit and submit the report to the state correctional facilities security audit group within 30 days of completion of the audit.

(b) Corrections and detention confidential data, as defined in section 13.85, subdivision 3, and nonpublic security information, as defined in section 13.37, subdivision 1, that is contained in reports and records of the group maintain that classification, regardless of the data's classification in the hands of the person who provided the data, and are not subject to discovery or introduction into evidence in a civil or criminal action against the state arising out of the matters the group is reviewing. Information, documents, and records otherwise available from other sources are not immune from discovery or use in a civil or criminal action solely because they were acquired during the group's audit. This section does not limit a person who presented information to the group or who is a member of the group from testifying about matters within the person's knowledge. However, in a civil or criminal proceeding, a person may not be questioned about the person's good faith presentation of information to the group or opinions formed by the person as a result of the group's audits.

Subd. 1h. **State correctional facilities security audit group.** (a) Beginning in fiscal year 2022, the commissioner shall form a state correctional facilities security audit group. The group must consist of the following members:

(1) a Department of Corrections employee who is not assigned to the correctional institutions division, appointed by the commissioner;

(2) the ombudsperson for corrections or a designee;

(3) an elected sheriff or designee nominated by the Minnesota Sheriffs' Association and appointed by the commissioner;

(4) an individual with expertise in security related to infrastructure and operational logistics of correctional facilities who is not required to reside in Minnesota, appointed by the governor;

(5) the commissioner of health or a designee;

(6) the commissioner of administration or a designee;

(7) two senators, one appointed by the senate majority leader and one appointed by the minority leader; and

(8) two representatives, one appointed by the speaker of the house and one appointed by the minority leader of the house of representatives.

(b) The ombudsperson or a designee shall chair the group. The group shall establish security audit standards for state correctional facilities. In developing the standards, the group, or individual members of the group, may gather information from state correctional facilities and state correctional staff and inmates. The security audit group must periodically review the standards and modify them

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as needed. The group must report the standards to the chairs and ranking minority members of the house of representatives and senate committees with jurisdiction over public safety policy and finance whenever the standards are updated.

(c) The group shall meet twice a year to review facility audit reports submitted to the group by the agency's inspection unit. Notwithstanding any law to the contrary, the group is entitled to review the full audit reports including nonpublic security information and corrections and detention confidential data. Within 60 days of meeting to review audit reports from the department's inspection unit, the group must make recommendations to the commissioner. Within 45 days of receiving the group's recommendations, the commissioner must reply in writing to the group's findings and recommendations. The commissioner's response must explain whether the agency will implement the group's recommendations, the timeline for implementation of the changes, and, if not, why the commissioner will not or cannot implement the group's recommendations.

(d) Beginning in 2023, the commissioner must include a written aggregate of the group's recommendations based on each security audit and assessment of a state correctional facility and the commissioner's responses to the recommendations in the biennial report required under section 241.016, subdivision 1. The commissioner shall not include corrections and detention confidential data, as defined in section 13.85, subdivision 3, and nonpublic security information, as defined in section 13.37, subdivision 1, in the commissioner's report to the legislature.

(e) The commissioner shall provide staffing and administrative support to the group.

(f) The state correctional facilities security audit group is not subject to chapter 13D.

(g) Except as otherwise provided in this paragraph, the terms, compensation, and removal of members of the group are governed by section 15.059. Members of the group serve without compensation but shall receive expense reimbursement. Notwithstanding section 15.059, subdivision 6, the group does not expire.

**Subd. 2. Facilities for delinquent children and youth; licenses; supervision.** Notwithstanding any provisions in sections 142B.05; 142B.10; 245A.03; 245A.04; and 256.01, subdivision 2, paragraph (a), clause (2), and chapter 245C to the contrary, but subject to the municipality notification requirements of subdivision 2a, the commissioner of corrections shall review all county, municipal, or other publicly established and operated facilities for the detention, care and training of delinquent children and youth at least once every biennium, and if such facility conforms to reasonable standards established by the commissioner or in the commissioner's judgment is making satisfactory progress toward substantial conformity therewith, and the commissioner is satisfied that the interests and well-being of children and youth received therein are protected, the commissioner shall grant a license to the county, municipality or agency thereof operating such facility. The commissioner may grant licensure up to two years. Each such facility shall cooperate with the commissioner to make available all facts regarding its operation and services as the commissioner requires to determine its conformance to standards and its competence to give the services needed and which it purports to give. Every such facility as herein described is subject to visitation and supervision by the commissioner and shall receive from the commissioner consultation as needed to strengthen services to the children and youth received therein.

**Subd. 2a. Affected municipality; notice.** The commissioner must not grant a license without giving 30 calendar days' written notice to any affected municipality or other political subdivision unless the facility has a licensed capacity of six or fewer persons and is occupied by either the licensee or the group foster home parents. The notification must be given before the license is first granted and annually after that time if annual notification is requested in writing by any affected municipality or other political subdivision. State funds must not be made available to or be spent by an agency or department of state, county, or municipal government for payment to a foster care facility licensed under subdivision 2 until the provisions of this subdivision have been complied with in full.

**Subd. 2b. Licensing; facilities; juveniles from outside state.** The commissioner may not:

(1) grant a license under this section to operate a correctional facility for the detention or confinement of juvenile offenders if the facility accepts juveniles who reside outside of Minnesota without an agreement with the entity placing the juvenile at the facility that obligates the entity to pay the educational expenses of the juvenile; or

(2) renew a license under this section to operate a correctional facility for the detention or confinement of juvenile offenders if the facility accepts juveniles who reside outside of Minnesota

without an agreement with the entity placing the juvenile at the facility that obligates the entity to pay the educational expenses of the juvenile.

**Subd. 3. Revocation of license.** When after due notice and hearing the commissioner of corrections determines that any facility described in subdivision 2 does not substantially conform to the reasonable standards therein provided or is not making satisfactory progress toward substantial compliance therewith, the commissioner may, with the consent of the judge of the district court, issue an order revoking the license of that facility. After revocation of its license, that facility shall not be used for the care and training of delinquent children, or for their detention until its license is renewed.

**Subd. 6. Background studies.** (a) The commissioner of corrections is authorized to do background studies on personnel employed by any facility serving children or youth that is licensed under this section. The commissioner of corrections shall contract with the commissioner of human services to conduct background studies of individuals providing services in secure and nonsecure residential facilities and detention facilities who have direct contact, as defined under section 245C.02, subdivision 11, with persons served in the facilities. A disqualification of an individual in this section shall disqualify the individual as provided in chapter 245C.

(b) A clerk or administrator of any court, the Bureau of Criminal Apprehension, a prosecuting attorney, a county sheriff, or a chief of a local police department, shall assist in these studies by providing to the commissioner of human services, or the commissioner's representative, all criminal conviction data available from local, state, and national criminal history record repositories, including the criminal justice data communications network, pertaining to the following individuals: applicants, operators, all persons living in the household, and all staff of any facility subject to background studies under this subdivision.

(c) The Department of Human Services shall conduct the background studies required by paragraph (a) in compliance with the provisions of chapter 245C. For the purpose of this subdivision, the term "secure and nonsecure residential facility and detention facility" shall include programs licensed or certified under subdivision 2. The Department of Human Services shall provide necessary forms and instructions, shall conduct the necessary background studies of individuals, and shall provide notification of the results of the studies to the facilities, individuals, and the commissioner of corrections. Individuals shall be disqualified under the provisions of chapter 245C.

If an individual is disqualified, the Department of Human Services shall notify the facility and the individual and shall inform the individual of the right to request a reconsideration of the disqualification by submitting the request to the Department of Corrections.

(d) The commissioner of corrections shall review and decide reconsideration requests, including the granting of variances, in accordance with the procedures and criteria contained in chapter 245C. The commissioner's decision shall be provided to the individual and to the Department of Human Services. The commissioner's decision to grant or deny a reconsideration of disqualification is the final administrative agency action.

(e) Facilities described in paragraph (a) shall be responsible for cooperating with the departments in implementing the provisions of this subdivision. The responsibilities imposed on applicants and licensees under chapters 245A and 245C shall apply to these facilities.

#### **299C.12 RECORD KEPT BY PEACE OFFICER; REPORT.**

Every peace officer shall keep or cause to be kept a permanent written record, in such form as the superintendent may prescribe, of all felonies reported to or discovered by the officer within the officer's jurisdiction and of all warrants of arrest for felonies and search warrants issued to the officer in relation to the commission of felonies, and shall make or cause to be made to the sheriff of the county and the bureau reports of all such crimes, upon such forms as the superintendent may prescribe, including a statement of the facts and a description of the offender, so far as known, the offender's method of operation, the action taken by the officer, and such other information as the superintendent may require.