

FORTY-THIRD DAY

St. Paul, Minnesota, Thursday, March 30, 2023

The Senate met at 11:00 a.m. and was called to order by the President.

CALL OF THE SENATE

Senator Hawj imposed a call of the Senate. The Sergeant at Arms was instructed to bring in the absent members.

Prayer was offered by the Chaplain, Rev. Dr. Ken Beale.

The members of the Senate gave the pledge of allegiance to the flag of the United States of America.

The roll was called, and the following Senators were present:

| | | | | |
|------------|------------|----------|----------------|-----------|
| Abeler | Duckworth | Howe | Mathews | Pratt |
| Anderson | Dziedzic | Jasinski | Maye Quade | Putnam |
| Bahr | Eichorn | Johnson | McEwen | Rarick |
| Boldon | Farnsworth | Klein | Miller | Rasmusson |
| Carlson | Fateh | Koran | Mitchell | Rest |
| Champion | Frentz | Kreun | Mohamed | Seeberger |
| Coleman | Green | Kunesh | Morrison | Utke |
| Cwodzinski | Gruenhagen | Kupec | Murphy | Weber |
| Dahms | Gustafson | Lieske | Nelson | Wesenberg |
| Dibble | Hauschild | Limmer | Oumou Verbeten | Westlin |
| Dornink | Hawj | Lucero | Pappas | Westrom |
| Draheim | Hoffman | Mann | Pha | Wiklund |
| Drazkowski | Housley | Marty | Port | Xiong |

The President declared a quorum present.

The reading of the Journal was dispensed with and the Journal, as printed and corrected, was approved.

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 375, 581, 1327, 1355, and 1523.

Patrick D. Murphy, Chief Clerk, House of Representatives

Transmitted March 27, 2023

FIRST READING OF HOUSE BILLS

The following bills were read the first time.

H.F. No. 375: A bill for an act relating to employment; modifications related to open appointments to multimember agencies; making multimember agency appointments subject to ban the box law; amending Minnesota Statutes 2022, sections 15.0597, subdivisions 1, 4, 5, 6; 351.01, subdivision 2; 364.021; 364.06, subdivision 1.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 293, now on General Orders.

H.F. No. 581: A bill for an act relating to motor vehicles; making a technical change to requirements governing motor vehicle titles and disclosure; amending Minnesota Statutes 2022, section 325F.6641, subdivision 2.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 624, now on General Orders.

H.F. No. 1327: A bill for an act relating to mass transit; clarifying Metropolitan Council authority to establish fare programs and passes; amending Minnesota Statutes 2022, section 473.408, by adding a subdivision; repealing Minnesota Statutes 2022, section 473.408, subdivisions 6, 7, 8, 9.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1053, now on General Orders.

H.F. No. 1355: A bill for an act relating to corrections; authorizing e-filing of disposition of detainees; providing language access to limited English proficient individuals under authority of Department of Corrections; amending statutory language regarding substance use disorder assessment process to reflect current standards of care; providing for facility for commitment of adjudicated delinquents based on rehabilitation needs; issuing warrant for convicted defendant not reporting to facility postsentencing; modifying certain provisions regarding release of incarcerated persons; permitting certain public agency and community corrections staff to participate in certain employment benefits; providing for readmission to challenge incarceration program; clarifying that Shakopee correctional facility offers challenge incarceration program; combining Advisory council of Interstate Adult Supervision with Interstate Commission for Juveniles; repealing intensive community supervision program law; providing mechanism for funding probation services resulting from transition of services to Department of Corrections; amending Minnesota Statutes 2022, sections 169A.276, subdivision 1; 241.021, by adding a subdivision; 242.18; 243.1606; 243.58; 244.05, subdivisions 6, 8; 244.0513, subdivisions 2, 4; 244.171, subdivision 4; 244.172, subdivision 1; 244.19, subdivisions 1, 5; 260.515; 299A.41, subdivision 4; 629.292, subdivision 2; repealing Minnesota Statutes 2022, sections 244.14; 244.15.

Referred to the Committee on Finance.

H.F. No. 1523: A bill for an act relating to corrections; expanding the authority of the Department of Corrections Fugitive Apprehension Unit; amending Minnesota Statutes 2022, section 241.025, subdivisions 1, 2, 3.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1333, now on General Orders.

REPORTS OF COMMITTEES

Senator Morrison moved that the Committee Reports at the Desk be now adopted.

The question was taken on the adoption of the motion.

The roll was called, and there were yeas 42 and nays 20, as follows:

Those who voted in the affirmative were:

| | | | | |
|------------|------------|------------|----------------|-----------|
| Boldon | Farnsworth | Kunesh | Morrison | Rest |
| Carlson | Fateh | Kupec | Murphy | Seeberger |
| Champion | Frentz | Mann | Nelson | Westlin |
| Cwodzinski | Gustafson | Marty | Oumou Verbeten | Westrom |
| Dibble | Hauschild | Maye Quade | Pappas | Wiklund |
| Dornink | Hawj | McEwen | Pha | Xiong |
| Draheim | Housley | Miller | Port | |
| Duckworth | Klein | Mitchell | Pratt | |
| Dziedzic | Kreun | Mohamed | Putnam | |

Pursuant to Rule 40, Senator Boldon cast the affirmative vote on behalf of the following Senator: Dziedzic.

Pursuant to Rule 40, Senator Jasinski cast the affirmative vote on behalf of the following Senator: Westrom.

Those who voted in the negative were:

| | | | | |
|----------|------------|----------|---------|-----------|
| Anderson | Drazkowski | Howe | Lieske | Rasmusson |
| Bahr | Eichorn | Jasinski | Lucero | Utke |
| Coleman | Green | Johnson | Mathews | Weber |
| Dahms | Gruehagen | Koran | Rarick | Wesenberg |

The motion prevailed.

Senator Latz from the Committee on Judiciary and Public Safety, to which was referred

S.F. No. 1819: A bill for an act relating to corrections; providing for juvenile risk assessments; amending Minnesota Statutes 2022, section 260B.176, by adding a subdivision.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2022, section 169A.276, subdivision 1, is amended to read:

Subdivision 1. **Mandatory prison sentence.** (a) The court shall sentence a person who is convicted of a violation of section 169A.20 (driving while impaired) under the circumstances described in section 169A.24 (first-degree driving while impaired) to imprisonment for not less than three years. In addition, the court may order the person to pay a fine of not more than \$14,000.

(b) The court may stay execution of this mandatory sentence as provided in subdivision 2 (stay of mandatory sentence), but may not stay imposition or adjudication of the sentence or impose a sentence that has a duration of less than three years.

(c) An offender committed to the custody of the commissioner of corrections under this subdivision is not eligible for release as provided in section 241.26, 244.065, 244.12, or 244.17, unless the offender has successfully completed ~~a chemical dependency treatment program while in prison~~ treatment recommendations as determined by a comprehensive substance use disorder assessment while incarcerated.

(d) Notwithstanding the statutory maximum sentence provided in section 169A.24 (first-degree driving while impaired), when the court commits a person to the custody of the commissioner of corrections under this subdivision, it shall provide that after the person has been released from prison the commissioner shall place the person on conditional release for five years. The commissioner shall impose any conditions of release that the commissioner deems appropriate including, but not limited to, successful completion of an intensive probation program as described in section 169A.74 (pilot programs of intensive probation for repeat DWI offenders). If the person fails to comply with any condition of release, the commissioner may revoke the person's conditional release and order the person to serve all or part of the remaining portion of the conditional release term in prison. The commissioner may not dismiss the person from supervision before the conditional release term expires. Except as otherwise provided in this section, conditional release is governed by provisions relating to supervised release. The failure of a court to direct the commissioner of corrections to place the person on conditional release, as required in this paragraph, does not affect the applicability of the conditional release provisions to the person.

(e) The commissioner shall require persons placed on supervised or conditional release under this subdivision to pay as much of the costs of the supervision as possible. The commissioner shall develop appropriate standards for this.

Sec. 2. Minnesota Statutes 2022, section 241.021, is amended by adding a subdivision to read:

Subd. 4e. **Language access.** The commissioner of corrections shall take reasonable steps to provide meaningful access to limited English proficient (LEP) individuals incarcerated, detained, or supervised by the Department of Corrections. The commissioner shall develop written policy and annual training to implement language access for LEP individuals.

Sec. 3. Minnesota Statutes 2022, section 241.025, subdivision 1, is amended to read:

Subdivision 1. **Authorization.** The commissioner of corrections may appoint peace officers, as defined in section 626.84, subdivision 1, paragraph (c), who shall serve in the classified service subject to the provisions of section 43A.01, subdivision 2, and establish a law enforcement agency, as defined in section 626.84, subdivision 1, paragraph (f), known as the Department of Corrections Fugitive Apprehension Unit, to perform the duties necessary to make statewide arrests under sections 629.30 and 629.34. The jurisdiction of the law enforcement agency is ~~limited to~~ primarily the arrest

of Department of Corrections' discretionary and statutory released violators and Department of Corrections' escapees and this must be its primary focus. The Department of Corrections Fugitive Apprehension Unit may respond to a law enforcement agency's request to exercise general law enforcement duties during the course of official duties by carrying out law enforcement activities at the direction of the law enforcement agency of jurisdiction. In addition, the unit may investigate criminal offenses in agency-operated correctional facilities and surrounding property.

Sec. 4. Minnesota Statutes 2022, section 241.025, subdivision 2, is amended to read:

Subd. 2. **Limitations.** The initial processing of a person arrested by the fugitive apprehension unit for an offense ~~within the agency's jurisdiction~~ is the responsibility of the fugitive apprehension unit unless otherwise directed by the law enforcement agency with primary jurisdiction. A subsequent investigation is the responsibility of the law enforcement agency of the jurisdiction ~~in which a new crime is committed~~ unless the law enforcement agency authorizes the fugitive apprehension unit to assume the subsequent investigation. At the request of the primary jurisdiction, the fugitive apprehension unit may assist in subsequent investigations or law enforcement efforts being carried out by the primary jurisdiction. Persons arrested for violations that the fugitive apprehension unit determines are not within the agency's jurisdiction must be referred to the appropriate local law enforcement agency for further investigation or disposition.

Sec. 5. Minnesota Statutes 2022, section 241.025, subdivision 3, is amended to read:

Subd. 3. **Policies.** The fugitive apprehension unit must develop and file all policies required under state law for law enforcement agencies. The fugitive apprehension unit also must develop a policy for contacting law enforcement agencies in a city or county before initiating any fugitive surveillance, investigation, or apprehension within the city or county. ~~These policies must be filed with the board of peace officers standards and training by November 1, 2000.~~ Revisions of any of these policies must be filed with the board within ten days of the effective date of the revision. The Department of Corrections shall train all of its peace officers regarding the application of these policies.

Sec. 6. Minnesota Statutes 2022, section 242.18, is amended to read:

242.18 STUDY OF OFFENDER'S BACKGROUND; REHABILITATION.

(a) When a person has been committed to the commissioner of corrections, the commissioner under rules shall forthwith cause the person to be examined and studied, and investigate all of the pertinent circumstances of the person's life and the antecedents of the crime or other delinquent conduct because of which the person has been committed to the commissioner, and thereupon order the treatment the commissioner determines to be most conducive to rehabilitation. Except as authorized in paragraph (b), persons convicted of crimes shall not be detained in institutions for adjudicated delinquents, nor shall delinquent children be detained in institutions for persons convicted of crimes. The court and the prosecuting and police authorities and other public officials shall make available to the commissioner of corrections all pertinent data in their possession in respect to the case.

(b) Upon review of safety considerations and the treatment and programming needs of a juvenile convicted of a crime, the commissioner may commit the juvenile to the facility that best meets rehabilitative needs.

Sec. 7. Minnesota Statutes 2022, section 243.1606, is amended to read:

243.1606 ADVISORY COUNCIL ON INTERSTATE ADULT OFFENDER SUPERVISION.

Subdivision 1. **Membership.** The Advisory Council on Interstate Adult Offender Supervision ~~consists~~ shall be combined with the State Advisory Council for the Interstate Compact for Juveniles established by section 260.515 and consist of the following individuals or their designees:

- (1) the governor;
- (2) the chief justice of the supreme court;
- (3) two senators, one from the majority and the other from the minority party, selected by the Subcommittee on Committees of the senate Committee on Rules and Administration;
- (4) two representatives, one from the majority and the other from the minority party, selected by the house speaker;
- (5) the compact administrator, selected as provided in section 243.1607;
- (6) a representative from the Department of Human Services regarding the Interstate Compact for the Placement of Children;
- ~~(6)~~ (7) the executive director of the Office of Justice Programs in the Department of Public Safety; and
- (8) the deputy compact administrator as defined in section 260.515;
- (9) a representative from the State Public Defender's Office;
- (10) a representative from the Minnesota County Attorney's Association;
- (11) a representative from the Minnesota Sheriff's Association;
- (12) a representative from the Minnesota Association of County Probation Officers;
- (13) a representative from the Minnesota Association of Community Corrections Act Counties;
- (14) a representative from the community at large;
- (15) a representative from a community organization working with victims of crimes; and
- ~~(7)~~ (16) other members as appointed by the commissioner of corrections.

The council may elect a chair from among its members.

Subd. 2. **Duties.** The council shall oversee and administer the state's participation in ~~the compact~~ both compacts described in ~~section~~ sections 243.1605 and 260.515. The council shall appoint the compact administrator as the state's commissioner. In addition to these duties, the council shall develop a model policy concerning the operations and procedures of the compact within the state.

Subd. 3. **Annual report.** By March 1 of each year, the council shall report to the governor and the chairs and ranking minority members of the senate and house of representatives committees having jurisdiction over criminal justice policy on its activities along with providing a copy of the annual report published by the national commission that includes the activities of the interstate commission and executive committee as described in section 243.1605 for the preceding year. The council's annual report must also include information required of the State Advisory Council for the Interstate Compact for Juveniles as described in Article IV in section 260.515.

Subd. 4. **Expiration; expenses.** The provisions of section 15.059 apply to the council.

Sec. 8. Minnesota Statutes 2022, section 243.58, is amended to read:

243.58 ESCAPED INMATES; WARRANT; REWARD ISSUING WARRANT FOR ESCAPED INMATE OR CONVICTED DEFENDANT.

If an inmate escapes from any state correctional facility under the control of the commissioner of corrections, the commissioner shall issue a warrant directed to any peace officer requiring that the fugitive be taken into immediate custody and returned to any state correctional facility designated by the commissioner. The commissioner may also issue such a warrant when a convicted defendant fails to report postsentencing to their county authority or to a state correctional facility. The chief executive officer of the facility from which the escape occurred shall use all proper means to apprehend and return the escapee, which may include the offer of a reward of not more than \$100 to be paid from the state treasury, for information leading to the arrest and return to custody of the escapee.

Sec. 9. **[244.049] INDETERMINATE SENTENCE RELEASE BOARD.**

Subdivision 1. **Establishment; membership.** (a) As provided under paragraph (b) and section 244.05, subdivision 5, the Indeterminate Sentence Release Board is established to review eligible cases and make release and final discharge decisions for:

(1) inmates serving life sentences with the possibility of parole or supervised release under sections 243.05, subdivision 1, and 244.05, subdivision 5; and

(2) inmates serving indeterminate sentences for crimes committed on or before April 30, 1980.

(b) Beginning July 1, 2024, the authority to grant discretionary release and final discharge previously vested in the commissioner under sections 243.05, subdivisions 1, paragraph (a), and 3; 244.08; and 609.12 is transferred to the board.

(c) The board consists of five members as follows:

(1) four members appointed by the governor from which each of the majority leaders and minority leaders of the house of representatives and the senate provides two candidate recommendations for consideration; and

(2) the commissioner, who serves as chair.

(d) Appointed board members must meet the following qualifications, at a minimum:

(1) a law degree or a bachelor's degree in criminology, corrections, or a related social science;

(2) five years of experience in corrections, a criminal justice or community corrections field, rehabilitation programming, behavioral health, or criminal law; and

(3) demonstrated knowledge of victim issues and correctional processes.

Subd. 2. **Terms; compensation.** (a) Appointed board members serve four-year staggered terms, but the terms of the initial members are as follows:

(1) two members must be appointed for terms that expire January 1, 2026; and

(2) two members must be appointed for terms that expire January 1, 2028.

(b) An appointed member is eligible for reappointment, and a vacancy must be filled according to subdivision 1.

(c) For appointed members, compensation and removal are as provided in section 15.0575.

Subd. 3. **Quorum; administrative duties.** (a) The majority of members constitutes a quorum.

(b) An appointed board member must visit at least one state correctional facility every 12 months.

(c) The commissioner must provide the board with personnel, supplies, equipment, office space, and other administrative services necessary and incident to fulfilling the board's functions.

Subd. 4. **Limitation.** Nothing in this section or section 244.05, subdivision 5:

(1) supersedes the commissioner's authority to set conditions of release or revoke an inmate's release for violating any of the conditions; or

(2) impairs the power of the Board of Pardons to grant a pardon or commutation in any case.

Subd. 5. **Report.** (a) Beginning February 15, 2025, and each year thereafter, the board must submit to the legislative committees with jurisdiction over criminal justice policy a written report that:

(1) details the number of inmates reviewed;

(2) identifies inmates granted release or final discharge in the preceding year; and

(3) provides demographic data of inmates who were granted release or final discharge and inmates who were denied release or final discharge.

(b) The report must also include the board's recommendations to the commissioner for policy modifications that influence the board's duties.

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

Sec. 10. Minnesota Statutes 2022, section 244.05, subdivision 2, is amended to read:

Subd. 2. **Rules.** (a) Notwithstanding section 14.03, subdivision 3, paragraph (b), clause (1), the commissioner of corrections shall must adopt by rule standards and procedures for the revocation of revoking supervised or conditional release; and shall must specify the period of revocation for each violation of release, except in accordance with subdivision 5, paragraph (i), for inmates serving life sentences.

(b) Procedures for the revocation of revoking release shall must provide due process of law for the inmate.

EFFECTIVE DATE. This section is effective July 1, 2024.

Sec. 11. Minnesota Statutes 2022, section 244.05, subdivision 5, is amended to read:

Subd. 5. **Supervised release; life sentence and indeterminate sentences.** (a) The commissioner of corrections board may, under rules promulgated adopted by the commissioner, give grant supervised release or parole to an inmate serving a mandatory life sentence under section 609.185, paragraph (a), clause (3), (5), or (6); 609.3455, subdivision 3 or 4; 609.385; or Minnesota Statutes 2004, section 609.109, subdivision 3;

(1) after the inmate has served the minimum term of imprisonment specified in subdivision 4 or section 243.05, subdivision 1, paragraph (a); or

(2) at any time for an inmate serving a nonlife indeterminate sentence for a crime committed on or before April 30, 1980.

(b) No earlier than three years before an inmate reaches their minimum term of imprisonment or parole eligibility date, the commissioner must conduct a formal review and make programming recommendations relevant to the inmate's release review under this subdivision.

(c) The commissioner shall board must require the preparation of a community investigation report and shall consider the findings of the report when making a supervised release or parole decision under this subdivision. The report shall must:

(1) reflect the sentiment of the various elements of the community toward the inmate, both at the time of the offense and at the present time;

The report shall (2) include the views of the sentencing judge, the prosecutor, any law enforcement personnel who may have been involved in the case, and any successors to these individuals who may have information relevant to the supervised release decision; and

The report shall also (3) include the views of the victim and the victim's family unless the victim or the victim's family chooses not to participate.

(~~e~~) (d) The commissioner shall must make reasonable efforts to notify the victim, in advance, of the time and place of the inmate's supervised release review hearing. The victim has a right to submit an oral or written statement at the review hearing. The statement may summarize the harm suffered by the victim as a result of the crime and give the victim's recommendation on whether the inmate should be given supervised release or parole at this time. The commissioner must consider the victim's statement when making the supervised release decision.

~~(d)~~ (e) Supervised release or parole must be granted with a majority vote of the board members. When considering whether to give grant supervised release or parole to an inmate serving a life sentence under section 609.3455, subdivision 3 or 4 or indeterminate sentence, the commissioner shall board must consider, at a minimum, the following:

- (1) the risk the inmate poses to the community if released;
- (2) the inmate's progress in treatment;
- (3) the inmate's behavior while incarcerated;
- (4) psychological or other diagnostic evaluations of the inmate;
- (5) the inmate's criminal history;
- (6) a victim statement under paragraph (d), if submitted; and
- (7) any other relevant conduct of the inmate while incarcerated or before incarceration.

~~(f)~~ The ~~commissioner~~ board may not give grant supervised release or parole to the an inmate unless:

(1) while in prison:

- (i) the inmate has successfully completed appropriate sex offender treatment, if applicable;
- (ii) the inmate has been assessed for substance use disorder needs and, if appropriate, has successfully completed substance use disorder treatment; and
- (iii) the inmate has been assessed for mental health needs and, if appropriate, has successfully completed mental health treatment; and

(2) a comprehensive individual release plan is in place for the inmate that:

(i) ensures that, after release, the inmate will have suitable housing and receive appropriate aftercare and community-based treatment. ~~The comprehensive plan also must include; and~~

(ii) includes a postprison employment or education plan for the inmate.

~~(e)~~ (g) When granting supervised release under this subdivision, the board must set prerelease conditions to be followed by the inmate before that inmate's actual release or before constructive parole becomes effective. If the inmate violates any of the prerelease conditions, the commissioner may rescind the grant of supervised release without a hearing at any time before the inmate's release or before constructive parole becomes effective. A grant of constructive parole becomes effective once the inmate begins serving the consecutive sentence.

(h) If the commissioner rescinds a grant of supervised release or parole, the board:

(1) must set a release review date that occurs within 90 days of the commissioner's rescission; and

(2) by majority vote, may set a new supervised release date or set another review date.

(i) If the commissioner revokes supervised release or parole for an inmate serving a life sentence, the revocation is not subject to the limitations under section 244.30 and the board:

(1) must set a release review date that occurs within one year of the commissioner's final revocation decision; and

(2) by majority vote, may set a new supervised release date or set another review date.

(j) The board may, by a majority vote, grant a person on supervised release or parole for a life or indeterminate sentence a final discharge from that person's sentence in accordance with section 243.05, subdivision 3. In no case, however, may a person subject to a mandatory lifetime conditional release term under section 609.3455, subdivision 7, be discharged from that term.

As used in (k) For purposes of this subdivision;

(1) "board" means the Indeterminate Sentence Release Board under section 244.049;

(2) "constructive parole" means the status of an inmate who has been paroled from an indeterminate sentence to begin serving a consecutive sentence in prison; and

(3) "victim" means ~~the~~ an individual who has directly suffered loss or harm as a result of the from an inmate's crime or, if the individual is deceased, the deceased's a murder victim's surviving spouse or, next of kin, or family kin.

EFFECTIVE DATE. This section is effective July 1, 2024.

Sec. 12. Minnesota Statutes 2022, section 244.05, subdivision 6, is amended to read:

Subd. 6. **Intensive supervised release.** (a) The commissioner may order that an inmate be placed on intensive supervised release for:

(1) all or part of the inmate's supervised release or parole term ~~if the commissioner determines that the action will further the goals described in section 244.14, subdivision 1, clauses (2), (3), and (4). In addition, the commissioner may order that an inmate be placed on intensive supervised release for; or~~

(2) all of the inmate's conditional or supervised release term if the inmate was:

(i) convicted of a sex offense under section 609.342, 609.343, 609.344, 609.345, or 609.3453;
or

was (ii) sentenced under ~~the provisions of~~ section 609.3455, subdivision 3a.

(b) The commissioner ~~shall~~ must order that all level III predatory offenders be placed on intensive supervised release for the entire supervised release, conditional release, or parole term.

(~~b~~) (c) The commissioner may impose appropriate conditions of release on ~~the~~ an inmate, including but not limited to:

(1) unannounced searches by an intensive supervision agent of the inmate's person, vehicle, premises, computer, or other electronic devices capable of accessing the Internet by an intensive supervision agent;

(2) compliance with court-ordered restitution, if any;

(3) random drug testing;

(4) house arrest;

(5) daily curfews;

(6) frequent face-to-face contacts with an assigned intensive supervision agent;

(7) work, education, or treatment requirements; and

(8) electronic surveillance.

~~In addition, any~~ (d) A sex offender placed on intensive supervised release may be ordered to participate in an appropriate sex offender program as a condition of release.

(e) If electronic surveillance is directed for an inmate on intensive supervised release, the commissioner must require that until electronic surveillance is activated:

(1) the inmate be kept in custody; or

(2) the inmate's intensive supervision agent, or the agent's designee, directly supervise the inmate.

(f) Before being released from custody or the direct supervision of an intensive supervision agent, an inmate placed on electronic surveillance must ensure that:

(1) the inmate's residence is properly equipped to support electronic surveillance; and

(2) the inmate's telecommunications system is properly configured to support electronic surveillance.

(g) An inmate who fails to comply with paragraph (f) may be found in violation of the inmate's conditions of release after a revocation hearing.

~~(e)~~ (h) As a condition of release for an inmate required to register under section 243.166 who is placed on intensive supervised release under this subdivision, the commissioner shall prohibit the inmate from accessing, creating, or maintaining a personal web page, profile, account, password, or user name username for: (1) a social networking website, or (2) an instant messaging or chat room program, any of which permits persons under the age of 18 to become a member or to create or maintain a personal web page.

(i) An intensive supervised release supervision agent may modify the prohibition described in this under paragraph (h) if doing so does:

(1) the modification would not jeopardize public safety; and

(2) the modification is specifically described and agreed to in advance by the agent.

~~(d)~~ (j) If ~~the~~ an inmate violates the conditions of ~~the~~ intensive supervised release, the commissioner ~~shall~~ may impose sanctions as provided in subdivision 3 and section 609.3455.

Sec. 13. Minnesota Statutes 2022, section 244.05, subdivision 8, is amended to read:

Subd. 8. **Conditional medical and epidemic release.** (a) Notwithstanding subdivisions 4 and 5, the commissioner may order that ~~any offender~~ an inmate be placed on conditional medical release before ~~the offender's~~ their scheduled supervised release date or target release date if:

(1) ~~the offender~~ inmate suffers from a grave illness or medical condition; and

(2) the release poses no threat to the public.

(b) If there is an epidemic of any potentially fatal infectious or contagious disease in the community or in a state correctional facility, the commissioner may also release an inmate to home confinement before the inmate's scheduled supervised release date or target release date if:

(1) the inmate has a medical condition or state of health that would make the inmate particularly vulnerable to the disease; and

(2) release to home confinement poses no threat to the public.

~~In making the decision to~~ (c) When deciding whether to release an offender on this status inmate according to this subdivision, the commissioner must consider:

(1) the offender's inmate's age and medical condition, the health care needs of the offender, the offender's and custody classification and level of risk of violence;

(2) the appropriate level of community supervision; and

(3) alternative placements that may be available for the offender inmate.

(d) An inmate may not be released under this provision subdivision unless the commissioner has determined that the inmate's health costs are likely to be borne by:

(1) the inmate; or

(2) medical assistance, Medicaid, veteran's benefits, or by any other federal or state medical assistance programs or by the inmate.

~~Conditional medical release is governed by provisions relating to supervised release except that it may be rescinded~~ (e) The commissioner may rescind conditional medical release without a hearing by the commissioner if the offender's commissioner considers that the inmate's medical condition improves has improved to the extent that the continuation of the conditional medical release presents a more serious risk to the public.:

(1) the illness or condition is no longer grave or can be managed by correctional health care options; or

(2) the epidemic that precipitated release has subsided or effective vaccines or other treatments have become available.

(f) Release under this subdivision may also be revoked in accordance with subdivisions 2 and 3 if the inmate violates any conditions of release imposed by the commissioner.

Sec. 14. Minnesota Statutes 2022, section 244.0513, subdivision 2, is amended to read:

Subd. 2. **Conditional release of certain nonviolent controlled substance offenders.** An offender who has been committed to the commissioner's custody may petition the commissioner for conditional release from prison before the offender's scheduled supervised release date or target release date if:

(1) the offender is serving a sentence for violating section 152.021, subdivision 2 or 2a; 152.022, subdivision 2; 152.023, subdivision 2; 152.024; or 152.025;

(2) the offender committed the crime as a result of a controlled substance ~~addiction~~ use disorder;

(3) the offender has served at least:

(i) 18 months or one-half of the offender's term of imprisonment, whichever is less, if the offense for which the offender is seeking conditional release is a violation of section 152.024 or 152.025; or

(ii) 36 months or one-half of the offender's term of imprisonment, whichever is less, if the offense for which the offender is seeking conditional release is a violation of section 152.021, subdivision 2 or 2a, 152.022, subdivision 2, or 152.023, subdivision 2;

(4) the offender successfully completed ~~a substance use disorder treatment program of the type described in this section while in prison~~ treatment recommendations as determined by a comprehensive substance use disorder assessment while incarcerated;

(5) the offender has not previously been conditionally released under this section; and

(6) the offender has not within the past ten years been convicted or adjudicated delinquent for a violent crime as defined in section 609.1095 other than the current conviction for the controlled substance offense.

Sec. 15. Minnesota Statutes 2022, section 244.0513, subdivision 4, is amended to read:

Subd. 4. **Substance use disorder treatment program components.** (a) The substance use disorder treatment program described in subdivisions 2 and 3 must:

(1) contain a ~~highly~~ highly structured ~~daily~~ schedule for the offender;

(2) contain ~~individualized educational programs designed to improve the basic educational skills of the offender and to provide vocational training, if appropriate~~ individual or group counseling or both to help the offender identify and address needs related to substance use and develop strategies to avoid harmful substance use after discharge and to help the offender obtain the services necessary to establish a lifestyle free of the harmful effects of substance use disorder;

(3) contain programs designed to promote the offender's self-worth and the offender's acceptance of responsibility for the consequences of the offender's own decisions;

(4) be ~~licensed by the Department of Human Services and~~ designed to serve the inmate population; and

(5) require that each offender submit to a ~~chemical use assessment~~ substance use disorder assessment and that the offender receive the appropriate level of treatment as indicated by the assessment.

(b) The commissioner ~~shall~~ may expel from the substance use disorder treatment program any offender who:

(1) commits a material violation of or repeatedly fails to follow the rules of the program;

(2) commits any criminal offense while in the program; or

(3) presents any risk to other inmates based on the offender's behavior or attitude.

Sec. 16. Minnesota Statutes 2022, section 244.171, subdivision 4, is amended to read:

Subd. 4. **Sanctions.** (a) The commissioner shall impose severe and meaningful sanctions for violating the conditions of the challenge incarceration program. The commissioner shall remove an offender from the challenge incarceration program if the offender:

(1) commits a material violation of or repeatedly fails to follow the rules of the program;

(2) commits any misdemeanor, gross misdemeanor, or felony offense; or

(3) presents a risk to the public, based on the offender's behavior, attitude, or abuse of alcohol or controlled substances. The removal of an offender from the challenge incarceration program is governed by the procedures in the commissioner's rules adopted under section 244.05, subdivision 2.

(b) An offender who is removed from the challenge incarceration program shall be imprisoned for a time period equal to the offender's term of imprisonment, minus earned good time if any, but in no case for longer than the time remaining in the offender's sentence. "Term of imprisonment" means a time period equal to two-thirds of the sentence originally executed by the sentencing court, minus jail credit, if any.

(c) Notwithstanding paragraph (b), an offender who has been removed from the challenge incarceration program but who remains otherwise eligible for acceptance into the program may be readmitted at the commissioner's discretion. An offender readmitted to the program under this paragraph must participate from the beginning and complete all of the program's phases.

Sec. 17. Minnesota Statutes 2022, section 244.172, subdivision 1, is amended to read:

Subdivision 1. **Phase I.** Phase I of the program lasts at least six months. The offender must be confined at the Minnesota Correctional Facility - Willow River/Moose Lake ~~or~~ the Minnesota Correctional Facility - Togo, or the Minnesota Correctional Facility - Shakopee and must successfully

participate in all intensive treatment, education, and work programs required by the commissioner. The offender must also submit on demand to random drug and alcohol testing at time intervals set by the commissioner. Throughout phase I, the commissioner must severely restrict the offender's telephone and visitor privileges.

Sec. 18. Minnesota Statutes 2022, section 244.19, subdivision 1, is amended to read:

Subdivision 1. **Appointment; joint services; state services.** (a) If a county or group of counties has established a human services board pursuant to chapter 402, the district court may appoint one or more county probation officers as necessary to perform court services, and the human services board shall appoint persons as necessary to provide correctional services within the authority granted in chapter 402. In all counties of more than 200,000 population, which have not organized pursuant to chapter 402, the district court shall appoint one or more persons of good character to serve as county probation officers during the pleasure of the court. All other counties shall provide adult misdemeanor and juvenile probation services to district courts in one of the following ways:

(1) the court, with the approval of the county boards, may appoint one or more salaried county probation officers to serve during the pleasure of the court;

(2) when two or more counties offer probation services the district court through the county boards may appoint common salaried county probation officers to serve in the several counties;

(3) a county or a district court may request the commissioner of corrections to furnish probation services in accordance with the provisions of this section, and the commissioner of corrections shall furnish such services to any county or court that fails to provide its own probation officer by one of the two procedures listed above;

(4) if a county or district court providing probation services under clause (1) or (2) asks the commissioner of corrections or the legislative body for the state of Minnesota mandates the commissioner of corrections to furnish probation services to the district court, the probation officers and other employees displaced by the changeover shall be employed by the commissioner of corrections. The commissioner of corrections shall request an increase to the county probation officers reimbursement appropriation during the legislative session immediately following the transition of services, in an amount sufficient to pay the salaries of the employees who transferred from county employees to state employees. Reimbursement of funds received under subdivision 5 from a county that requested the commissioner of corrections to furnish probation services shall be appropriated to the commissioner of corrections for the provision of probation services until the county probation officers reimbursement appropriation is sufficiently increased by the legislature. Years of service in the county probation department are to be given full credit for future sick leave and vacation accrual purposes;

(5) all probation officers serving the juvenile courts on July 1, 1972, shall continue to serve in the county or counties they are now serving.

(b) The commissioner of management and budget shall place employees transferred to state service under paragraph (a), clause (4), in the proper classifications in the classified service. Each employee is appointed without examination at no loss in salary or accrued vacation or sick leave benefits, but no additional accrual of vacation or sick leave benefits may occur until the employee's total accrued vacation or sick leave benefits fall below the maximum permitted by the state for the

employee's position. An employee appointed under paragraph (a), clause (4), shall serve a probationary period of six months. After exhausting labor contract remedies, a noncertified employee may appeal for a hearing within ten days to the commissioner of management and budget, who may uphold the decision, extend the probation period, or certify the employee. The decision of the commissioner of management and budget is final. The state shall negotiate with the exclusive representative for the bargaining unit to which the employees are transferred regarding their seniority. For purposes of computing seniority among those employees transferring from one county unit only, a transferred employee retains the same seniority position as the employee had within that county's probation office.

Sec. 19. Minnesota Statutes 2022, section 244.19, subdivision 5, is amended to read:

Subd. 5. **Compensation.** In counties of more than 200,000 population, a majority of the judges of the district court may direct the payment of such salary to probation officers as may be approved by the county board, and in addition thereto shall be reimbursed for all necessary expenses incurred in the performance of their official duties. In all counties which obtain probation services from the commissioner of corrections the commissioner shall, out of appropriations provided therefor, pay probation officers the salary and all benefits fixed by the state law or applicable bargaining unit and all necessary expenses, including secretarial service, office equipment and supplies, postage, telephone and telegraph services, and travel and subsistence. Each county receiving probation services from the commissioner of corrections shall reimburse the department of corrections for the total cost and expenses of such services as incurred by the commissioner of corrections. Total annual costs for each county shall be that portion of the total costs and expenses for the services of one probation officer represented by the ratio which the county's population bears to the total population served by one officer. For the purposes of this section, the population of any county shall be the most recent estimate made by the Department of Health. At least every six months the commissioner of corrections shall bill for the total cost and expenses incurred by the commissioner on behalf of each county which has received probation services. The commissioner of corrections shall notify each county of the cost and expenses and the county shall pay to the commissioner the amount due for reimbursement. All such reimbursements shall be deposited in the general fund except as provided in subdivision 1, paragraph (a), clause (4). Objections by a county to all allocation of such cost and expenses shall be presented to and determined by the commissioner of corrections. Each county providing probation services under this section is hereby authorized to use unexpended funds and to levy additional taxes for this purpose.

The county commissioners of any county of not more than 200,000 population shall, when requested to do so by the juvenile judge, provide probation officers with suitable offices, and may provide equipment, and secretarial help needed to render the required services.

Sec. 20. Minnesota Statutes 2022, section 260.515, is amended to read:

260.515 INTERSTATE COMPACT FOR JUVENILES.

The Interstate Compact for Juveniles is enacted into law and entered into with all other states legally joining in it in substantially the following form:

ARTICLE I PURPOSE

The compacting states to this Interstate Compact recognize that each state is responsible for the proper supervision or return of juveniles, delinquents, and status offenders who are on probation or parole and who have absconded, escaped, or run away from supervision and control and in so doing have endangered their own safety and the safety of others. The compacting states also recognize that each state is responsible for the safe return of juveniles who have run away from home and in doing so have left their state of residence. The compacting states also recognize that Congress, by enacting the Crime Control Act, United States Code, title 4, section 112 (1965), has authorized and encouraged compacts for cooperative efforts and mutual assistance in the prevention of crime.

It is the purpose of this compact, through means of joint and cooperative action among the compacting states to:

(A) ensure that the adjudicated juveniles and status offenders subject to this compact are provided adequate supervision and services in the receiving state as ordered by the adjudicating judge or parole authority in the sending state;

(B) ensure that the public safety interests of the citizens, including the victims of juvenile offenders, in both the sending and receiving states are adequately protected;

(C) return juveniles who have run away, absconded, or escaped from supervision or control or have been accused of an offense to the state requesting their return;

(D) make contracts for the cooperative institutionalization in public facilities in member states for delinquent youth needing special services;

(E) provide for the effective tracking and supervision of juveniles;

(F) equitably allocate the costs, benefits, and obligations of the compact states;

(G) establish procedures to manage the movement between states of juvenile offenders released to the community under the jurisdiction of courts, juvenile departments, or any other criminal or juvenile justice agency which has jurisdiction over juvenile offenders;

(H) insure immediate notice to jurisdictions where defined juvenile offenders are authorized to travel or to relocate across state lines;

(I) establish procedures to resolve pending charges (detainers) against juvenile offenders prior to transfer or release to the community under the terms of this compact;

(J) establish a system of uniform data collection on information pertaining to juveniles subject to this compact that allows access by authorized juvenile justice and criminal justice officials, and regular reporting of compact activities to heads of state; executive, judicial, and legislative branches; and juvenile criminal justice administrators;

(K) monitor compliance with rules governing interstate movement of juveniles and initiate interventions to address and correct noncompliance;

(L) coordinate training and education regarding the regulation of interstate movement of juveniles for officials involved in such activity; and

(M) coordinate the implementation and operation of the compact with the Interstate Compact for the Placement of Children, the Interstate Compact for Adult Offender Supervision, and other compacts affecting juveniles particularly in those cases where concurrent or overlapping supervision issues arise.

It is the policy of the compacting states that the activities conducted by the Interstate Commission created herein are the information of public policies and therefore are public business. Furthermore, the compacting states shall cooperate and observe their individual and collective duties and responsibilities for the prompt return and acceptance of juveniles subject to the provisions of this compact. The provisions of this compact shall be reasonably and liberally construed to accomplish the purpose and policies of the compact.

ARTICLE II DEFINITIONS

As used in this compact, unless the context clearly requires a different construction:

A. "Bylaws" means those bylaws established by the commission for its governance, or for directing or controlling its actions or conduct.

B. "Compact administrator" means the individual in each compacting state appointed pursuant to the terms of this compact responsible for the administration and management of the state's supervision and transfer of juveniles subject to the terms of this compact, the rules adopted by the Interstate Commission, and policies adopted by the state council under this compact.

C. "Compacting state" means any state which has enacted the enabling legislation for this compact.

D. "Commissioner" means the voting representative of each compacting state appointed pursuant to Article III of this compact.

E. "Court" means any court having jurisdiction over delinquent, neglected, or dependent children.

F. "Deputy compact administrator" means the individual, if any, in each compacting state appointed to act on behalf of a compact administrator pursuant to the terms of this compact responsible for the administration and management of the state's supervision and transfer of juveniles subject to the terms of this compact, the rules adopted by the Interstate Commission, and policies adopted by the state council under this compact.

G. "Interstate Commission" means the Interstate Commission for Juveniles created by Article III of this compact.

H. "Juvenile" means any person defined as a juvenile in any member state or by the rules of the Interstate Commission, including:

(1) accused delinquent - a person charged with an offense that, if committed by an adult, would be a criminal offense;

(2) adjudicated delinquent - a person found to have committed an offense that, if committed by an adult, would be a criminal offense;

(3) accused status offender - a person charged with an offense that would not be a criminal offense if committed by an adult;

(4) adjudicated status offender - a person found to have committed an offense that would not be a criminal offense if committed by an adult; and

(5) nonoffender - a person in need of supervision who has not been accused or adjudicated a status offender or delinquent.

I. "Noncompacting state" means any state which has not enacted the enabling legislation for this compact.

J. "Probation" or "parole" means any kind of supervision or conditional release of juveniles authorized under the laws of the compacting states.

K. "Rule" means a written statement by the Interstate Commission promulgated pursuant to Article VI of this compact that is of general applicability, implements, interprets, or prescribes a policy or provision of the compact, or an organizational, procedural, or practice requirement of the commission, and has the force and effect of statutory law in a compacting state, and includes the amendment, repeal, or suspension of an existing rule.

L. "State" means a state of the United States, the District of Columbia (or its designee), the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, and the Northern Marianas.

ARTICLE III INTERSTATE COMMISSION FOR JUVENILES

A. The compacting states hereby create the "Interstate Commission for Juveniles." The commission shall be a body corporate and joint agency of the compacting states. The commission shall have all the responsibilities, powers, and duties set forth herein, and such additional powers as may be conferred upon it by subsequent action of the respective legislatures of the compacting states in accordance with the terms of this compact.

B. The Interstate Commission shall consist of commissioners appointed by the appropriate appointing authority in each state pursuant to the rules and requirements of each compacting state and in consultation with the State Advisory Council for Interstate Supervision of Juvenile Offenders and Runaways created hereunder. The commissioner shall be the compact administrator. The commissioner of corrections or the commissioner's designee shall serve as the compact administrator, who shall serve on the Interstate Commission in such capacity under or pursuant to the applicable law of the compacting state.

C. In addition to the commissioners who are the voting representatives of each state, the Interstate Commission shall include individuals who are not commissioners but who are members of interested organizations. Such noncommissioner members must include a member of the national organizations of governors, legislators, state chief justices, attorneys general, Interstate Compact for Adult Offender Supervision, Interstate Compact on the Placement of Children, juvenile justice and juvenile corrections officials, and crime victims. All noncommissioner members of the Interstate Commission shall be ex-officio (nonvoting) members. The Interstate Commission may provide in its bylaws for such

additional ex-officio (nonvoting) members, including members of other national organizations, in such numbers as shall be determined by the commission.

D. Each compacting state represented at any meeting of the commission is entitled to one vote. A majority of the compacting states shall constitute a quorum for the transaction of business, unless a larger quorum is required by the bylaws of the Interstate Commission.

E. The commission shall meet at least once each calendar year. The chair may call additional meetings and, upon the request of a simple majority of the compacting states, shall call additional meetings. Public notice shall be given of all meetings and meetings shall be open to the public.

F. The Interstate Commission shall establish an executive committee, which shall include commission officers, members, and others as determined by the bylaws. The executive committee shall have the power to act on behalf of the Interstate Commission during periods when the Interstate Commission is not in session, with the exception of rulemaking and/or amendment to the compact. The executive committee shall oversee the day-to-day activities of the administration of the compact managed by an executive director and Interstate Commission staff; administer enforcement and compliance with the provisions of the compact, its bylaws, and rules; and perform such other duties as directed by the Interstate Commission or set forth in the bylaws.

G. Each member of the Interstate Commission shall have the right and power to cast a vote to which that compacting state is entitled and to participate in the business and affairs of the Interstate Commission. A member shall vote in person and shall not delegate a vote to another compacting state. However, a commissioner, in consultation with the state council, shall appoint another authorized representative, in the absence of the commissioner from that state, to cast a vote on behalf of the compacting state at a specified meeting. The bylaws may provide for members' participation in meetings by telephone or other means of telecommunication or electronic communication.

H. The Interstate Commission's bylaws shall establish conditions and procedures under which the Interstate Commission shall make its information and official records available to the public for inspection or copying. The Interstate Commission may exempt from disclosure any information or official records to the extent they would adversely affect personal privacy rights or proprietary interests.

I. Public notice shall be given of all meetings and all meetings shall be open to the public, except as set forth in the rules or as otherwise provided in the compact. The Interstate Commission and any of its committees may close a meeting to the public where it determines by two-thirds vote that an open meeting would be likely to:

1. relate solely to the Interstate Commission's internal personnel practices and procedures;
2. disclose matters specifically exempted from disclosure by statute;
3. disclose trade secrets or commercial or financial information which is privileged or confidential;
4. involve accusing any person of a crime or formally censuring any person;

5. disclose information of a personal nature where disclosure would constitute a clearly unwarranted invasion of personal privacy;

6. disclose investigative records compiled for law enforcement purposes;

7. disclose information contained in or related to examination, operating or condition reports prepared by, or on behalf of or for the use of, the Interstate Commission with respect to a regulated person or entity for the purpose of regulation or supervision of such person or entity;

8. disclose information, the premature disclosure of which would significantly endanger the stability of a regulated person or entity;

9. specifically relate to the Interstate Commission's issuance of a subpoena or its participation in a civil action or other legal proceeding.

J. For every meeting closed pursuant to this provision, the Interstate Commission's legal counsel shall publicly certify that, in the legal counsel's opinion, the meeting may be closed to the public, and shall reference each relevant exemptive provision. The Interstate Commission shall keep minutes which shall fully and clearly describe all matters discussed in any meeting and shall provide a full and accurate summary of any actions taken, and the reasons therefore, including a description of each of the views expressed on any item and the record of any roll call vote (reflected in the vote of each member on the question). All documents considered in connection with any action shall be identified in such minutes.

K. The Interstate Commission shall collect standardized data concerning the interstate movement of juveniles as directed through its rules which shall specify the data to be collected, the means of collection, and data exchange and reporting requirements. Such methods of data collection, exchange, and reporting shall insofar as is reasonably possible conform to up-to-date technology and coordinate its information functions with the appropriate repository of records.

ARTICLE IV POWERS AND DUTIES OF THE INTERSTATE COMMISSION

The commission shall have the following powers and duties:

1. To provide for dispute resolution among compacting states.

2. To promulgate rules to affect the purposes and obligations as enumerated in this compact, which shall have the force and effect of statutory law and shall be binding in the compact states to the extent and in the manner provided in this compact.

3. To oversee, supervise, and coordinate the interstate movement of juveniles subject to the terms of this compact and any bylaws adopted and rules promulgated by the Interstate Commission.

4. To enforce compliance with the compact provisions, the rules promulgated by the Interstate Commission, and the bylaws, using all necessary and proper means, including but not limited to the use of judicial process.

5. To establish and maintain offices which shall be located within one or more of the compacting states.

6. To purchase and maintain insurance and bonds.
7. To borrow, accept, hire, or contract for services of personnel.
8. To establish and appoint committees and hire staff which it deems necessary for the carrying out of its functions including, but not limited to, an executive committee as required by Article III, which shall have the power to act on behalf of the Interstate Commission in carrying out its powers and duties hereunder.
9. To elect or appoint such officers, attorneys, employees, agents, or consultants, and to fix their compensation, define their duties, and determine their qualifications; and to establish the Interstate Commission's personnel policies and programs relating to, inter alia, conflicts of interest, rates of compensation, and qualifications of personnel.
10. To accept any and all donations and grants of money, equipment, supplies, materials, and services, and to receive, utilize, and dispose of it.
11. To lease, purchase, accept contributions or donations of, or otherwise to own, hold, improve, or use any property, real, personal, or mixed.
12. To sell, convey, mortgage, pledge, lease, exchange, abandon, or otherwise dispose of any property, real, personal, or mixed.
13. To establish a budget, make expenditures, and levy dues as provided in Article VIII of this compact.
14. To sue and be sued.
15. To adopt a seal and bylaws governing the management and operation of the Interstate Commission.
16. To perform such functions as may be necessary or appropriate to achieve the purposes of this compact.
17. To report annually to the legislatures, governors, judiciary, and state councils of the compacting states concerning the activities of the Interstate Commission during the preceding year. Such reports shall also include any recommendations that may have been adopted by the Interstate Commission.
18. To coordinate education, training, and public awareness regarding the interstate movement of juveniles for officials involved in such activity.
19. To establish uniform standards of the reporting, collecting, and exchanging of data.
20. The Interstate Commission shall maintain its corporate books and records in accordance with the bylaws.

ARTICLE V
ORGANIZATION AND OPERATION
OF THE INTERSTATE COMMISSION

Section A. Bylaws.

1. The Interstate Commission shall, by a majority of the members present and voting, within 12 months after the first Interstate Commission meeting, adopt bylaws to govern its conduct as may be necessary or appropriate to carry out the purposes of the compact, including, but not limited to:

- a. establishing the fiscal year of the Interstate Commission;
- b. establishing an executive committee and such other committees as may be necessary;
- c. provide: (i) for the establishment of committees, and (ii) governing any general or specific delegation of any authority or function of the Interstate Commission;
- d. providing reasonable procedures for calling and conducting meetings of the Interstate Commission and ensuring reasonable notice of each such meeting;
- e. establishing the titles and responsibilities of the officers of the Interstate Commission;
- f. providing a mechanism for concluding the operations of the Interstate Commission and the return of any surplus funds that may exist upon the termination of the compact after the payment and/or reserving of all of its debts and obligations;
- g. providing "start-up" rules for initial administration of the compact;
- h. establishing standards and procedures for compliance and technical assistance in carrying out the compact.

Section B. Officers and staff.

1. The Interstate Commission shall, by a majority of the members, elect annually from among its members a chair and a vice-chair, each of whom shall have such authority and duties as may be specified in the bylaws. The chair or, in the chair's absence or disability, the vice-chair shall preside at all meetings of the Interstate Commission. The officers so elected shall serve without compensation or remuneration from the Interstate Commission; provided that, subject to the availability of budget funds, the officers shall be reimbursed for any ordinary and necessary costs and expenses incurred by them in the performance of their responsibilities as officers of the Interstate Commission.

2. The Interstate Commission shall, through its executive committee, appoint or retain an executive director for such period, upon such terms and conditions, and for such compensation as the Interstate Commission may deem appropriate. The executive director shall serve as secretary to the Interstate Commission, but shall not be a member and shall hire and supervise such other staff as may be authorized by the Interstate Commission.

Section C. Qualified immunity, defense, and indemnification.

1. The commission's executive director and employees shall be immune from suit and liability, either personally or in their official capacity, for any claim for damage to or loss of property or personal injury or other civil liability caused or arising out of or relating to any actual or alleged act, error, or omission that occurred, or that such person had a reasonable basis for believing occurred within the scope of commission employment, duties, or responsibilities; provided, that any such

person shall not be protected from suit or liability for any damage, loss, injury, or liability caused by the intentional or willful and wanton misconduct of any such person.

2. The liability of any commissioner, or the employee or agent of a commissioner, acting within the scope of such person's employment or duties for acts, errors, or omissions occurring within such person's state may not exceed the limits of liability set forth under the Constitution and laws of that state for state officials, employees, and agents. Nothing in this subsection shall be construed to protect any such person from suit or liability for any damage, loss, injury, or liability caused by the intentional or willful and wanton misconduct of any such person.

3. The Interstate Commission shall defend the executive director or the employees or representatives of the Interstate Commission and, subject to the approval of the attorney general of the state represented by any commissioner of a compacting state, shall defend such commissioner or the commissioner's representatives or employees in any civil action seeking to impose liability arising out of any actual or alleged act, error, or omission that occurred within the scope of Interstate Commission employment, duties, or responsibilities, or that the defendant has a reasonable basis for believing occurred within the scope of Interstate Commission employment, duties, or responsibilities, provided that the actual or alleged act, error, or omission did not result from intentional or willful and wanton misconduct on the part of such person.

4. The Interstate Commission shall indemnify and hold the commissioner of a compacting state, or the commissioner's representatives or employees, or the Interstate Commission's representatives or employees, harmless in the amount of any settlement or judgment obtained against such persons arising out of any actual or alleged act, error, or omission that occurred within the scope of Interstate Commission employment, duties, or responsibilities, or that such persons had a reasonable basis for believing occurred within the scope of Interstate Commission employment, duties, or responsibilities, provided that the actual or alleged act, error, or omission did not result from intentional or willful and wanton misconduct on the part of such persons.

ARTICLE VI RULEMAKING FUNCTIONS OF THE INTERSTATE COMMISSION

1. The Interstate Commission shall promulgate and publish rules in order to effectively and efficiently achieve the purposes of the compact.

2. Rulemaking shall occur pursuant to the criteria set forth in this article and the bylaws and rules adopted pursuant thereto. Such rulemaking shall substantially conform to the principles of the "Model State Administrative Procedures Act," 1981 Act, Uniform Laws Annotated, Vol. 15, page 1 (2000), or such other administrative procedures act, as the Interstate Commission deems appropriate consistent with due process requirements under the United States Constitution as now or hereafter interpreted by the United States Supreme Court. All rules and amendments shall become binding as of the date specified, as published with the final version of the rule as approved by the commission.

3. When promulgating a rule, the Interstate Commission shall, at a minimum:

a. publish the proposed rule's entire text stating the reasons for that proposed rule;

b. allow and invite any and all persons to submit written data, facts, opinions, and arguments, which information shall be added to the record, and be made publicly available;

c. provide an opportunity for an informal hearing if petitioned by ten or more persons; and

d. promulgate a final rule and its effective date, if appropriate, based on input from state or local officials, or interested parties.

4. The Interstate Commission shall allow, not later than 60 days after a rule is promulgated, any interested person to file a petition in the United States District Court for the District of Columbia or in the federal District Court where the Interstate Commission's principal office is located for judicial review of such rule. If the court finds that the Interstate Commission's action is not supported by substantial evidence in the rulemaking record, the court shall hold the rule unlawful and set it aside. For purposes of this subsection, evidence is substantial if it would be considered substantial evidence under the Model (State) Administrative Procedures Act.

5. If a majority of the legislatures of the compacting states rejects a rule, those states may, by enactment of a statute or resolution in the same manner used to adopt the compact, cause that such rule shall have no further force and effect in any compacting state.

6. The existing rules governing the operation of the Interstate Compact on Juveniles superceded by this act shall be null and void 12 months after the first meeting of the Interstate Commission created hereunder.

7. Upon determination by the Interstate Commission that a state of emergency exists, it may promulgate an emergency rule which shall become effective immediately upon adoption, provided that the usual rulemaking procedures provided hereunder shall be retroactively applied to said rule as soon as reasonably possible, but no later than 90 days after the effective date of the emergency rule.

ARTICLE VII OVERSIGHT, ENFORCEMENT, AND DISPUTE RESOLUTION BY THE INTERSTATE COMMISSION

Section A. Oversight.

1. The Interstate Commission shall oversee the administration and operations of the interstate movement of juveniles subject to this compact in the compacting states and shall monitor such activities being administered in noncompacting states which may significantly affect compacting states.

2. The courts and executive agencies in each compacting state shall enforce this compact and shall take all actions necessary and appropriate to effectuate the compact's purposes and intent. The provisions of this compact and the rules promulgated hereunder shall be received by all the judges, public officers, commissions, and departments of the state government as evidence of the authorized statute and administrative rules. All courts shall take judicial notice of the compact and the rules. In any judicial or administrative proceeding in a compacting state pertaining to the subject matter of this compact which may affect the powers, responsibilities, or actions of the Interstate Commission, it shall be entitled to receive all service of process in any such proceeding, and shall have standing to intervene in the proceeding for all purposes.

3. The compact administrator shall assess and collect fines, fees, and costs from any state or local entity deemed responsible by the compact administrator for a default as determined by the Interstate Commission under Article XI.

Section B. Dispute resolution.

1. The compacting states shall report to the Interstate Commission on all issues and activities necessary for the administration of the compact as well as issues and activities pertaining to compliance with the provisions of the compact and its bylaws and rules.

2. The Interstate Commission shall attempt, upon the request of a compacting state, to resolve any disputes or other issues which are subject to the compact and which may arise among compacting states and between compacting and noncompacting states. The commission shall promulgate a rule providing for both mediation and binding dispute resolution for disputes among the compacting states.

3. The Interstate Commission, in the reasonable exercise of its discretion, shall enforce the provisions and rules of this compact using any or all means set forth in Article XI of this compact.

ARTICLE VIII
FINANCE

1. The Interstate Commission shall pay or provide for the payment of the reasonable expenses of its establishment, organization, and ongoing activities.

2. The Interstate Commission shall levy on and collect an annual assessment from each compacting state to cover the cost of the internal operations and activities of the Interstate Commission and its staff which must be in a total amount sufficient to cover the Interstate Commission's annual budget as approved each year. The aggregate annual assessment amount shall be allocated based upon a formula to be determined by the Interstate Commission, taking into consideration the population of each compacting state and the volume of interstate movement of juveniles in each compacting state, and shall promulgate a rule binding upon all compacting states which governs said assessment.

3. The Interstate Commission shall not incur any obligations of any kind prior to securing the funds adequate to meet the same; nor shall the Interstate Commission pledge the credit of any of the compacting states, except by and with the authority of the compacting state.

4. The Interstate Commission shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the Interstate Commission shall be subject to the audit and accounting procedures established under its bylaws. However, all receipts and disbursements of funds handled by the Interstate Commission shall be audited yearly by a certified or licensed public accountant and the report of the audit shall be included in and become part of the annual report of the Interstate Commission.

5. Minnesota's annual assessment shall not exceed \$30,000. The Interstate Compact for Juveniles fund is established as a special fund in the Department of Corrections. The fund consists of money appropriated for the purpose of meeting financial obligations imposed on the state as a result of Minnesota's participation in this compact. An assessment levied or any other financial obligation

imposed under this compact is effective against the state only to the extent that money to pay the assessment or meet the financial obligation has been appropriated and deposited in the fund established in this paragraph.

ARTICLE IX
THE STATE ADVISORY COUNCIL

Each member state shall create a State Advisory Council for the Interstate Compact for Juveniles. The Advisory Council on the Interstate Compact for Juveniles ~~consists~~ shall be combined with the Advisory Council on Interstate Adult Offender Supervision established by section 243.1606 and consist of the following individuals or their designees:

- (1) the governor;
- (2) the chief justice of the Supreme Court;
- (3) two senators, one from the majority and the other from the minority party, selected by the Subcommittee on Committees of the senate Committee on Rules and Administration;
- (4) two representatives, one from the majority and the other from the minority party, selected by the house speaker;
- (5) a representative from the Department of Human Services regarding the Interstate Compact for the Placement of Children;
- (6) the compact administrator, selected as provided in Article III;
- (7) the executive director of the Office of Justice Programs or designee;
- (8) the deputy compact administrator; ~~and~~
- (9) a representative from the State Public Defender's Office;
- (10) a representative from the Minnesota County Attorney's Association;
- (11) a representative from the Minnesota Sheriff's Association;
- (12) a representative from the Minnesota Association of County Probation Officers;
- (13) a representative from the Minnesota Association of Community Corrections Act Counties;
- (14) a representative from the community at large;
- (15) a representative from a community organization working with victims of crimes; and
- ~~(9)~~ (16) other members as appointed by the commissioner of corrections.

The council may elect a chair from among its members.

The council shall oversee and administer the state's participation in the compact as described in Article III. The council shall appoint the compact administrator as the state's commissioner.

The state advisory council will advise and exercise advocacy concerning that state's participation in Interstate Commission activities and other duties as may be determined by that state, including, but not limited to, development of policy concerning operations and procedures of the compact within that state.

Expiration; expenses. The provisions of section 15.059 apply to the council except that it does not expire.

ARTICLE X
COMPACTING STATES, EFFECTIVE DATE,
AND AMENDMENT

1. Any state, the District of Columbia (or its designee), the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, and the Northern Marianas Islands as defined in Article II of this compact is eligible to become a compacting state.

2. The compact shall become effective and binding upon legislative enactment of the compact into law by no less than 35 of the states. The initial effective date shall be the later of July 1, 2004, or upon enactment into law by the 35th jurisdiction. Thereafter, it shall become effective and binding as to any other compacting state upon enactment of the compact into law by that state. The governors of nonmember states or their designees shall be invited to participate in the activities of the Interstate Commission on a nonvoting basis prior to adoption of the compact by all states and territories of the United States.

3. The Interstate Commission may propose amendments to the compact for enactment by the compacting states. No amendment shall become effective and binding upon the Interstate Commission and the compacting states unless and until it is enacted into law by unanimous consent of the compacting states.

ARTICLE XI
WITHDRAWAL, DEFAULT, TERMINATION,
AND JUDICIAL ENFORCEMENT

Section A. Withdrawal.

1. Once effective, the compact shall continue in force and remain binding upon each and every compacting state; provided that a compacting state may withdraw from the compact specifically repealing the statute, which enacted the compact into law.

2. The effective date of withdrawal is the effective date of the repeal.

3. The withdrawing state shall immediately notify the chair of the Interstate Commission in writing upon the introduction of legislation repealing this compact in the withdrawing state. The Interstate Commission shall notify the other compacting states of the withdrawing state's intent to withdraw within 60 days of its receipt thereof.

4. The withdrawing state is responsible for all assessments, obligations, and liabilities incurred through the effective date of withdrawal, including any obligations, the performance of which extend beyond the effective date of withdrawal.

5. Reinstatement following withdrawal of any compacting state shall occur upon the withdrawing state reenacting the compact or upon such later date as determined by the Interstate Commission.

Section B. Technical assistance, fines, suspension, termination, and default.

1. If the Interstate Commission determines that any compacting state has at any time defaulted in the performance of any of its obligations or responsibilities under this compact, or the bylaws or duly promulgated rules, the Interstate Commission may impose any or all of the following penalties:

a. remedial training and technical assistance as directed by the Interstate Commission;

b. alternative dispute resolution;

c. fines, fees, and costs in such amounts as are deemed to be reasonable as fixed by the Interstate Commission;

d. suspension or termination of membership in the compact, which shall be imposed only after all other reasonable means of securing compliance under the bylaws and rules have been exhausted and the Interstate Commission has therefore determined that the offending state is in default. Immediate notice of suspension shall be given by the Interstate Commission to the governor, the chief justice, or the chief judicial officer of the state; the majority and minority leaders of the defaulting state's legislature; and the state council. The grounds for default include, but are not limited to, failure of a compacting state to perform such obligations or responsibilities imposed upon it by this compact, the bylaws, or duly promulgated rules and any other grounds designated in commission bylaws and rules. The Interstate Commission shall immediately notify the defaulting state in writing of the penalty imposed by the Interstate Commission and of the default pending a cure of the default. The commission shall stipulate the conditions and the time period within which the defaulting state must cure its default. If the defaulting state fails to cure the default within the time period specified by the commission, the defaulting state shall be terminated from the compact upon an affirmative vote of a majority of the compacting states and all rights, privileges, and benefits conferred by this compact shall be terminated from the effective date of termination.

2. Within 60 days of the effective date of termination of a defaulting state, the commission shall notify the governor, the chief justice or chief judicial officer, the majority and minority leaders of the defaulting state's legislature, and the state council of such termination.

3. The defaulting state is responsible for all assessments, obligations, and liabilities incurred through the effective date of termination including any obligations, the performance of which extends beyond the effective date of termination.

4. The Interstate Commission shall not bear any costs relating to the defaulting state unless otherwise mutually agreed upon in writing between the Interstate Commission and the defaulting state.

5. Reinstatement following termination of any compacting state requires both a reenactment of the compact by the defaulting state and the approval of the Interstate Commission pursuant to the rules.

Section C. Judicial enforcement.

The Interstate Commission may, by majority vote of the members, initiate legal action in the United States District Court for the District of Columbia or, at the discretion of the Interstate Commission, in the federal district where the Interstate Commission has its offices, to enforce compliance with the provisions of the compact, its duly promulgated rules and bylaws, against any compacting state in default. In the event judicial enforcement is necessary, the prevailing party shall be awarded all costs of such litigation, including reasonable attorney fees.

Section D. Dissolution of compact.

1. The compact dissolves effective upon the date of the withdrawal or default of the compacting state, which reduces membership in the compact to one compacting state.

2. Upon the dissolution of this compact, the compact becomes null and void and shall be of no further force or effect, and the business and affairs of the Interstate Commission shall be concluded and any surplus funds shall be distributed in accordance with the bylaws.

ARTICLE XII SEVERABILITY AND CONSTRUCTION

1. The provisions of this compact shall be severable, and if any phrase, clause, sentence, or provision is deemed unenforceable, the remaining provisions of this compact shall be enforceable.

2. The provisions of this compact shall be liberally constructed to effectuate its purposes.

ARTICLE XIII BINDING EFFECT OF COMPACT AND OTHER LAWS

Section A. Other laws.

1. Nothing herein prevents the enforcement of any other law of a compacting state that is not inconsistent with this compact.

2. All compacting states' laws other than state constitutions and other interstate compacts conflicting with this compact are superseded to the extent of the conflict.

Section B. Binding effect of the compact.

1. All lawful actions of the Interstate Commission, including all rules and bylaws promulgated by the Interstate Commission, are binding upon the compacting state.

2. All agreements between the Interstate Commission and the compacting states are binding in accordance with their terms.

3. Upon the request of a party to a conflict over meaning or interpretation of Interstate Commission actions, and upon a majority vote of the compacting states, the Interstate Commission may issue advisory opinions regarding such meaning of interpretation.

4. In the event any provision of this compact exceeds the constitutional limits imposed on the legislature of any compacting state, the obligations, duties, powers, or jurisdiction sought to be conferred by such provision upon the Interstate Commission shall be ineffective and such obligations,

duties, powers, or jurisdiction shall remain in the compacting state and shall be exercised by the agency thereof to which such obligations, duties, powers, or jurisdiction are delegated by law in effect at the time this compact becomes effective.

Sec. 21. Minnesota Statutes 2022, section 260B.176, is amended by adding a subdivision to read:

Subd. 1a. **Risk-assessment instrument.** (a) If a peace officer, probation officer, or parole officer who takes a child into custody does not release the child according to subdivision 1, the officer must communicate with or deliver the child to a juvenile secure detention facility to determine whether the child should be released or detained.

(b) To determine whether a child should be released or detained, a facility's supervisor must use an objective and racially, ethnically, and gender-responsive juvenile detention risk-assessment instrument developed by the commissioner of corrections, county, group of counties, or judicial district, in consultation with the state coordinator or coordinators of the Minnesota Juvenile Detention Alternative Initiative.

(c) The risk-assessment instrument must:

(1) assess the likelihood that a child released from preadjudication detention under this section or section 260B.178 would endanger others or not return for a court hearing;

(2) identify the appropriate setting for a child who might endanger others or not return for a court hearing pending adjudication, with either continued detention or placement in a noncustodial community-based supervision setting; and

(3) identify the type of noncustodial community-based supervision setting necessary to minimize the risk that a child who is released from custody will endanger others or not return for a court hearing.

(d) If, after using the instrument, a determination is made that the child should be released, the person taking the child into custody or the facility supervisor must release the child according to subdivision 1.

EFFECTIVE DATE. This section is effective August 15, 2023.

Sec. 22. Minnesota Statutes 2022, section 299A.41, subdivision 4, is amended to read:

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

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

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

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

~~(3)~~ (4) an individual employed on a full-time basis by the state or by a fire department of a governmental subdivision of the state, who is engaged in any of the following duties:

- (i) firefighting;
- (ii) emergency motor vehicle operation;
- (iii) investigation into the cause and origin of fires;
- (iv) the provision of emergency medical services; or
- (v) hazardous material responder;

~~(4)~~ (5) a legally enrolled member of a volunteer fire department or member of an independent nonprofit firefighting corporation who is engaged in the hazards of firefighting;

~~(5)~~ (6) a good samaritan while complying with the request or direction of a public safety officer to assist the officer;

~~(6)~~ (7) a reserve police officer or a reserve deputy sheriff while acting under the supervision and authority of a political subdivision;

~~(7)~~ (8) a driver or attendant with a licensed basic or advanced life-support transportation service who is engaged in providing emergency care;

~~(8)~~ (9) a first responder who is certified by the emergency medical services regulatory board to perform basic emergency skills before the arrival of a licensed ambulance service and who is a member of an organized service recognized by a local political subdivision to respond to medical emergencies to provide initial medical care before the arrival of an ambulance; and

~~(9)~~ (10) a person, other than a state trooper, employed by the commissioner of public safety and assigned to the State Patrol, whose primary employment duty is either Capitol security or the enforcement of commercial motor vehicle laws and regulations.

Sec. 23. Minnesota Statutes 2022, section 629.292, subdivision 2, is amended to read:

Subd. 2. **Procedure on receipt of request.** The request shall be delivered to the commissioner of corrections or other official designated by the commissioner having custody of the prisoner, who shall forthwith:

~~(a)~~ (1) certify the term of commitment under which the prisoner is being held, the time already served on the sentence, the time remaining to be served, the good time earned, the time of parole eligibility of the prisoner, and any decisions of the commissioner of corrections relating to the prisoner; ~~and~~

~~(b)~~ (2) send by registered or certified mail, return receipt requested, one copy of the request and certificate to the court and one copy to the prosecuting attorney to whom it is addressed; and

(3) send by e-filing and e-serving the paperwork, one copy of the request to the court and one copy to the prosecuting attorney to whom it is addressed.

Sec. 24. INDETERMINATE SENTENCE RELEASE BOARD.

Notwithstanding Minnesota Statutes, section 244.049, subdivision 1, paragraph (a), the Indeterminate Sentence Release Board may not begin to review eligible cases and make release and final discharge decisions until July 1, 2024.

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

Sec. 25. MENTAL HEALTH UNIT PILOT PROGRAM.

(a) The commissioner of corrections shall establish a pilot program with interested counties to provide mental health care to individuals with serious and persistent mental illness who are incarcerated in county jails. The pilot program must require the participating counties to pay according to Minnesota Statutes, section 243.51, a per diem for reimbursement of the Mental Health Unit at the Minnesota Correctional Facility - Oak Park Heights, and other costs incurred by the Department of Corrections.

(b) The commissioner in consultation with the Minnesota Sheriffs' Association shall develop program protocols, guidelines, and procedures and qualifications for participating counties and incarcerated individuals to be treated in the Mental Health Unit. The program is limited to a total of five incarcerated individuals from the participating counties at any one time. Incarcerated individuals must volunteer to be treated in the unit and be able to participate in programming with other incarcerated individuals.

(c) The Minnesota Correctional Facility - Oak Park Heights warden, director of psychology, and associate director of behavioral health, or a designee of each, in consultation with the Minnesota Sheriffs' Association, the Minnesota branch of the National Association on Mental Illness, and the Department of Human Services, shall oversee the pilot program.

(d) On November 15, 2024, the warden shall submit a report to the chairs and ranking minority members of the legislative committees and divisions with jurisdiction over corrections describing the protocols, guidelines, and procedures for participation in the pilot program by counties and incarcerated individuals, challenges with staffing, cost sharing with counties, capacity of the program, services provided to the incarcerated individuals, program outcomes, concerns regarding the program, and recommendations for the viability of a long-term program.

(e) The pilot program expires November 16, 2024.

Sec. 26. REVISOR INSTRUCTION.

Where necessary to reflect the transfer under Minnesota Statutes, section 244.049, subdivision 1, the revisor of statutes must change the term "commissioner" or "commissioner of corrections" to "Indeterminate Sentence Release Board" or "board" in Minnesota Statutes, sections 243.05, subdivisions 1, paragraph (a), and 3; 244.08; and 609.12, and make any other necessary grammatical changes.

EFFECTIVE DATE. This section is effective July 1, 2024.

Sec. 27. REPEALER.

Minnesota Statutes 2022, sections 244.14; and 244.15, are repealed."

Delete the title and insert:

"A bill for an act relating to corrections; amending provisions relating to juvenile placement and risk assessments, fugitive apprehension and warrants, and release and programming authority; combining and expanding advisory councils; establishing a pilot program and a release board; amending Minnesota Statutes 2022, sections 169A.276, subdivision 1; 241.021, by adding a subdivision; 241.025, subdivisions 1, 2, 3; 242.18; 243.1606; 243.58; 244.05, subdivisions 2, 5, 6, 8; 244.0513, subdivisions 2, 4; 244.171, subdivision 4; 244.172, subdivision 1; 244.19, subdivisions 1, 5; 260.515; 260B.176, by adding a subdivision; 299A.41, subdivision 4; 629.292, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 244; repealing Minnesota Statutes 2022, sections 244.14; 244.15."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Senator Latz from the Committee on Judiciary and Public Safety, to which was re-referred

S.F. No. 1824: A bill for an act relating to public safety; authorizing the commissioner of public safety to accept donations, nonfederal grants, bequests, and other gifts of money; proposing coding for new law in Minnesota Statutes, chapter 299A.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2022, section 13.825, subdivision 2, is amended to read:

Subd. 2. **Data classification; court-authorized disclosure.** (a) Data collected by a portable recording system are private data on individuals or nonpublic data, subject to the following:

(1) data that document the discharge of a firearm by a peace officer in the course of duty, if a notice is required under section 626.553, subdivision 2, or the use of force by a peace officer that results in substantial bodily harm, as defined in section 609.02, subdivision 7a, are public;

(2) data are public if a subject of the data requests it be made accessible to the public, except that, if practicable, (i) data on a subject who is not a peace officer and who does not consent to the release must be redacted, and (ii) data on a peace officer whose identity is protected under section 13.82, subdivision 17, clause (a), must be redacted;

(3) portable recording system data that are active criminal investigative data are governed by section 13.82, subdivision 7, and portable recording system data that are inactive criminal investigative data are governed by this section;

(4) portable recording system data that are public personnel data under section 13.43, subdivision 2, clause (5), are public; and

(5) data that are not public data under other provisions of this chapter retain that classification.

(b) Notwithstanding section 13.82, subdivision 7, a deceased individual's next of kin, legal representative of the next of kin, or other parent of the deceased individual's children is entitled to view any and all recordings from a peace officer's portable recording system and police vehicle dashboard camera, redacted no more than what is required by law, that documents the use of deadly force no later than five business days following an incident where deadly force used by a peace officer results in the death of an individual, except that a chief law enforcement officer may deny a request if the investigating agency requests and can articulate a compelling reason as to why allowing the deceased individual's next of kin, legal representative of the next of kin, or other parent of the deceased individual's children to review the recordings would interfere with a thorough investigation. If the chief law enforcement officer denies a request under this paragraph, the involved officer's agency must issue a prompt, written denial and provide notice to the deceased individual's next of kin, legal representative of the next of kin, or other parent of the deceased individual's children that relief may be sought from the district court.

(c) Notwithstanding section 13.82, subdivision 7, an involved officer's agency shall release all portable recording system and police vehicle dashboard camera recordings of an incident where a peace officer used deadly force and an individual dies to the public no later than 14 business days after the incident, except that a chief law enforcement officer shall not release the video if the investigating agency asserts in writing that allowing the public to view the recordings would interfere with the ongoing investigation.

~~(b)~~ (d) A law enforcement agency may redact or withhold access to portions of data that are public under this subdivision if those portions of data are clearly offensive to common sensibilities.

~~(e)~~ (e) Section 13.04, subdivision 2, does not apply to collection of data classified by this subdivision.

~~(d)~~ (f) Any person may bring an action in the district court located in the county where portable recording system data are being maintained to authorize disclosure of data that are private or nonpublic under this section or to challenge a determination under paragraph (b) to redact or withhold access to portions of data because the data are clearly offensive to common sensibilities. The person bringing the action must give notice of the action to the law enforcement agency and subjects of the data, if known. The law enforcement agency must give notice to other subjects of the data, if known, who did not receive the notice from the person bringing the action. The court may order that all or part of the data be released to the public or to the person bringing the action. In making this determination, the court shall consider whether the benefit to the person bringing the action or to the public outweighs any harm to the public, to the law enforcement agency, or to a subject of the data and, if the action is challenging a determination under paragraph (b), whether the data are clearly offensive to common sensibilities. The data in dispute must be examined by the court in camera. This paragraph does not affect the right of a defendant in a criminal proceeding to obtain access to portable recording system data under the Rules of Criminal Procedure.

Sec. 2. Minnesota Statutes 2022, section 169A.40, subdivision 3, is amended to read:

Subd. 3. **Certain DWI offenders; custodial arrest.** (a) Notwithstanding rule 6.01 of the Rules of Criminal Procedure, a peace officer acting without a warrant who has decided to proceed with the prosecution of a person for violating section 169A.20 (driving while impaired), shall arrest and

take the person into custody, ~~and the person must be detained until the person's first court appearance,~~ if the officer has reason to believe that the violation occurred:

(1) under the circumstances described in section 169A.24 (first-degree driving while impaired) ~~or~~;

(2) under the circumstances described in section 169A.25 (second-degree driving while impaired);

~~(2)~~ (3) under the circumstances described in section 169A.26 (third-degree driving while impaired) if the person is under the age of 19;

~~(3)~~ (4) in the presence of an aggravating factor described in section 169A.03, subdivision 3, clause (2) or (3); or

~~(4)~~ (5) while the person's driver's license or driving privileges have been canceled under section 171.04, subdivision 1, clause (10) (persons not eligible for drivers' licenses, inimical to public safety).

(b) A person described in paragraph (a), clause (1) or (5), must be detained until the person's first court appearance.

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

Sec. 3. Minnesota Statutes 2022, section 169A.41, subdivision 1, is amended to read:

Subdivision 1. **When authorized.** When a peace officer has reason to believe from the manner in which a person is driving, operating, controlling, or acting upon departure from a motor vehicle, or has driven, operated, or controlled a motor vehicle, that the driver may be violating or has violated section 169A.20 (driving while impaired), 169A.31 (alcohol-related school bus or Head Start bus driving), ~~or 169A.33 (underage drinking and driving), 221.0314 (alcohol-related commercial driving), or 221.605 (alcohol-related commercial driving),~~ the officer may require the driver to provide a sample of the driver's breath for a preliminary screening test using a device approved by the commissioner for this purpose.

Sec. 4. Minnesota Statutes 2022, section 169A.41, subdivision 2, is amended to read:

Subd. 2. **Use of test results.** The results of this preliminary screening test must be used for the purpose of deciding whether an arrest should be made and whether to require the tests authorized in section 169A.51 (chemical tests for intoxication), but must not be used in any court action except the following:

(1) to prove that a test was properly required of a person pursuant to section 169A.51, subdivision 1;

(2) in a civil action arising out of the operation or use of the motor vehicle;

(3) in an action for license reinstatement under section 171.19;

(4) in a prosecution for a violation of section 169A.20, subdivision 2 (driving while impaired; test refusal);

(5) in a prosecution or juvenile court proceeding concerning a violation of section 169A.33 (underage drinking and driving), or 340A.503, subdivision 1, paragraph (a), clause (2) (underage alcohol consumption);

(6) in a prosecution under section 169A.31 (alcohol-related school or Head Start bus driving), or 171.30 (limited license); ~~or~~

(7) in a prosecution for a violation of a restriction on a driver's license under section 171.09, which provides that the license holder may not use or consume any amount of alcohol or a controlled substance; or

(8) in a prosecution for a violation of Code of Federal Regulations, title 49, part 392, as adopted in sections 221.0314, subdivision 6, and 221.605.

Sec. 5. Minnesota Statutes 2022, section 169A.44, is amended to read:

169A.44 CONDITIONAL RELEASE.

Subdivision 1. **Nonfelony violations.** (a) This subdivision applies to a person charged with a nonfelony violation of section 169A.20 (driving while impaired) under circumstances described in section 169A.40, subdivision 3 (certain DWI offenders; custodial arrest).

(b) Except as provided in subdivision 3, unless maximum bail is imposed under section 629.471, a person described in paragraph (a) may be released from detention only if the person agrees to:

(1) abstain from alcohol; and

(2) submit to a program of electronic alcohol monitoring, involving at least daily measurements of the person's alcohol concentration, pending resolution of the charge.

Clause (2) applies only when electronic alcohol-monitoring equipment is available to the court. The court shall require partial or total reimbursement from the person for the cost of the electronic alcohol monitoring, to the extent the person is able to pay.

Subd. 2. **Felony violations.** (a) Except as provided in subdivision 3, a person charged with violating section 169A.20 within ten years of the first of three or more qualified prior impaired driving incidents may be released from detention only if the following conditions are imposed:

(1) the conditions described in subdivision 1, paragraph (b), if applicable;

(2) the impoundment of the registration plates of the vehicle used to commit the violation, unless already impounded;

(3) if the vehicle used to commit the violation was an off-road recreational vehicle or a motorboat, the impoundment of the off-road recreational vehicle or motorboat;

(4) a requirement that the person report weekly to a probation agent;

(5) a requirement that the person abstain from consumption of alcohol and controlled substances and submit to random alcohol tests or urine analyses at least weekly;

(6) a requirement that, if convicted, the person reimburse the court or county for the total cost of these services; and

(7) any other conditions of release ordered by the court.

(b) In addition to setting forth conditions of release under paragraph (a), if required by court rule, the court shall also fix the amount of money bail without other conditions upon which the defendant may obtain release.

Subd. 3. **Exception; ignition interlock program.** (a) A court is not required, either when initially reviewing a person's release or when modifying the terms of the person's release, to order a person charged with violating section 169A.24 (first-degree driving while impaired), 169A.25 (second-degree driving while impaired), or 169A.26 (third-degree driving while impaired) to submit to a program of electronic alcohol monitoring under subdivision 1 or 2 if the person becomes a program participant in the ignition interlock program under section 171.306.

(b) A judicial officer, county agency, or probation office may not require or suggest that the person use a particular ignition interlock vendor when complying with this subdivision but may provide the person with a list of all Minnesota vendors of certified devices.

(c) Paragraph (b) does not apply in counties where a contract exists for a specific vendor to provide interlock device service for program participants who are indigent pursuant to section 171.306, subdivision 2, paragraph (b), clause (1).

Sec. 6. Minnesota Statutes 2022, section 169A.60, subdivision 2, is amended to read:

Subd. 2. Plate impoundment violation; impoundment order. (a) The commissioner shall issue a registration plate impoundment order when:

- (1) a person's driver's license or driving privileges are revoked for a plate impoundment violation;
- (2) a person is arrested for or charged with a plate impoundment violation described in subdivision 1, paragraph (d), clause (5); or

(3) a person issued new registration plates pursuant to subdivision 13, paragraph (f), violates the terms of the ignition interlock program as described in subdivision 13, paragraph (g).

(b) The order must require the impoundment of the registration plates of the motor vehicle involved in the plate impoundment violation ~~and all motor vehicles owned by, registered, or leased in the name of the violator, including motor vehicles registered jointly or leased in the name of the violator and another.~~ The commissioner shall not issue an impoundment order for the registration plates of a rental vehicle, as defined in section 168.041, subdivision 10, or a vehicle registered in another state.

EFFECTIVE DATE. This section is effective August 1, 2023, and applies to acts occurring on or after that date.

Sec. 7. Minnesota Statutes 2022, section 171.306, is amended by adding a subdivision to read:

Subd. 9. **Choice of vendor.** (a) A judicial officer, county agency, or probation office may not require or suggest that a person participating in the ignition interlock program under this section use a particular ignition interlock vendor but may provide the person with a list of all Minnesota vendors of certified devices.

(b) Paragraph (a) does not apply in counties where a contract exists for a specific vendor to provide interlock device service for program participants who are indigent pursuant to subdivision 2, paragraph (b), clause (1).

Sec. 8. Minnesota Statutes 2022, section 256I.04, subdivision 2g, is amended to read:

Subd. 2g. **Crisis shelters.** Secure crisis shelters for ~~battered women~~ victims of domestic abuse and their children designated by the Minnesota Department of ~~Corrections~~ Public Safety are not eligible for housing support under this chapter.

Sec. 9. **[299A.012] ACCEPTANCE OF PRIVATE FUNDS; APPROPRIATION.**

(a) The commissioner may accept donations, nonfederal grants, bequests, and other gifts of money to carry out the purposes of chapter 299A. Donations, nonfederal grants, bequests, or other gifts of money accepted by the commissioner must be deposited in an account in the special revenue fund and are appropriated to the commissioner for the purpose for which the money was given if the department is authorized to conduct that activity under this chapter.

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

Sec. 10. Minnesota Statutes 2022, section 299A.48, is amended to read:

299A.48 CITATION.

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

Sec. 11. Minnesota Statutes 2022, section 299A.49, is amended to read:

299A.49 DEFINITIONS.

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

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

Subd. 2. ~~**Chemical assessment team.** "Chemical assessment team" means a team (1) trained, equipped, and authorized to evaluate and, when possible, provide simple mitigation to a hazardous materials incident and (2) required to recommend to the local incident manager the best means of~~

~~controlling the hazard after consideration of life safety concerns, environmental effects, exposure hazards, quantity and type of hazardous material, availability of resources, or other relevant factors.~~

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

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

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

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

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

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

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

~~Subd. 7. **Regional Hazardous materials response team.** "Regional hazardous materials response team" means a team trained and equipped to respond to and mitigate a hazardous materials release. A regional hazardous materials response team may include strategically located chemical assessment teams.~~

Subd. 8. **State emergency response asset.** "State emergency response asset" means any team or teams defined under this section.

Subd. 9. **Urban search and rescue team (USAR).** "Urban search and rescue team" or "USAR" means a team trained and equipped to respond to and carry out rescue and recovery operations at the scene of a collapsed structure. A USAR team may include strategically located fire department assets combined under one joint powers agreement.

Sec. 12. Minnesota Statutes 2022, section 299A.50, is amended to read:

299A.50 RESPONSE PLAN.

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

- (1) the locations of ~~up to five regional~~ hazardous materials emergency response teams, based on the location of hazardous materials, response time, proximity to large population centers, and other factors;
- (2) the number and qualifications of members on each team;
- (3) the responsibilities of ~~regional~~ hazardous materials emergency response teams;
- (4) equipment needed for ~~regional~~ hazardous materials emergency response teams;
- (5) procedures for selecting and contracting with local governments or nonpublic persons to establish ~~regional~~ hazardous materials emergency response teams;
- (6) procedures for dispatching teams at the request of local governments;
- (7) a fee schedule for reimbursing local governments or nonpublic persons responding to an incident; and
- (8) coordination with other state departments and agencies, local units of government, other states, Indian tribes, the federal government, and other nonpublic persons.

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

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

Sec. 13. Minnesota Statutes 2022, section 299A.51, is amended to read:

299A.51 LIABILITY AND WORKERS' COMPENSATION.

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

Subd. 2. **Workers' compensation.** During operations authorized under section 299A.50, members of a ~~regional hazardous materials team~~ state emergency response asset operating outside their

geographic jurisdiction are considered employees of the Department of Public Safety for purposes of chapter 176.

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

Sec. 14. Minnesota Statutes 2022, section 299A.52, is amended to read:

299A.52 RESPONSIBLE PERSON PARTY.

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

Subd. 2. **Expense recovery.** The commissioner shall assess the responsible person party for ~~the regional hazardous materials response team~~ an emergency response asset's costs of response. The commissioner may bring an action for recovery of unpaid costs, reasonable attorney fees, and any additional court costs. Any funds received by the commissioner under this subdivision are appropriated to the commissioner to pay for costs for which the funds were received. Any remaining funds at the end of the biennium shall be transferred to the ~~Fire Safety Account~~ general fund.

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

Sec. 15. Minnesota Statutes 2022, section 299A.78, subdivision 1, is amended to read:

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

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

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

~~(c)~~ "Blackmail" has the meaning given in section 609.281, subdivision 2.

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

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

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

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

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

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

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

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

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

Sec. 16. Minnesota Statutes 2022, section 299A.79, subdivision 3, is amended to read:

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

(1) the risks of becoming a trafficking victim;

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

(3) crime victims' rights; and

(4) reporting recruitment activities involved in trafficking.

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

Sec. 17. Minnesota Statutes 2022, section 299C.063, is amended to read:

299C.063 BOMB DISPOSAL EXPENSE REIMBURSEMENT.

Subdivision 1. **Definitions.** The terms used in this section have the meanings given them in this subdivision:

(a) "Bomb disposal unit" means a commissioner-approved unit consisting of persons who are trained and equipped to dispose of or neutralize bombs or other similar hazardous explosives and who are employed by a municipality.

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

~~(c) "Municipality" has the meaning given it in section 466.01.~~

(c) "Explosives sweep" means a detailed scanning service used in corporate office buildings, shipping hangars, event stadiums, transportation hubs, large outdoor events, and other critical facilities using ground-penetrating radar, magnetometers, metal detectors, and specially trained K-9 units to detect improvised explosive devices and explosive remnants of war, such as unexploded ordnance and abandoned ordnance.

(d) "Hazardous explosives" means explosives as defined in section 299F.72, subdivision 2, explosive devices and incendiary devices as defined in section 609.668, subdivision 1, and all materials subject to regulation under United States Code, title 18, chapter 40.

(e) "Municipality" has the meaning given in section 466.01.

Subd. 2. **Expense reimbursement.** (a) The commissioner may reimburse bomb disposal units for reasonable expenses incurred:

(1) to dispose of or neutralize bombs or other similar hazardous explosives for their employer-municipality or for another municipality outside the jurisdiction of the employer-municipality but within the state. Reimbursement is limited to the extent of appropriated funds;

(2) to use the services of police explosive detection K-9 assets;

(3) for dignitary explosive sweeps;

(4) for explosive sweeps at large state events;

(5) to provide for explosive security at large state events; and

(6) for large-scale scheduled public events.

(b) Reimbursement for expenses under this subdivision is limited to the extent of appropriated funds.

Subd. 3. **Agreements.** The commissioner may enter into contracts or agreements with bomb disposal units to implement and administer this section.

Subd. 4. **Public event agreements.** The commissioner may enter into contracts with public event organizers, as defined in section 299A.52, for costs associated with explosive sweeps conducted by state bomb disposal units.

Sec. 18. **[299C.092] QUESTIONED IDENTITY PROCESS.**

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

(b) "Questioned identity" means an individual's identity that is associated with another person's records when the individual's identity is used by an offender in interactions with law enforcement or that the offender has the same name which can lead to difficulties differentiating the individual from the offender.

(c) "Bureau" means the Bureau of Criminal Apprehension.

Subd. 2. **Process.** (a) When an individual is the subject of questioned identity, the individual may request a review by the bureau through its questioned identity process. Individuals must contact the bureau and provide the following:

(1) documentation of the individual's identity through or via a government-issued photo identification;

(2) documents or information that lead the individual to believe that the individual is the subject of questioned identity; and

(3) fingerprints for identification verification purposes.

(b) If the bureau is able to confirm that the individual is the subject of questioned identity, the bureau shall provide documentation to the individual indicating that the individual has been through the bureau's questioned identity process.

(c) The bureau shall denote any aliases determined to be questioned identities in the Criminal History System under section 299C.09 and shall work with other state and local agencies to denote aliases in arrest warrants.

(d) The bureau shall attach a photo of the offender to arrest warrants in the bureau's warrant file if a photo is available.

(e) The bureau, in consultation with reporting criminal justice agencies, may remove an alias from a criminal history record when it determines doing so will not negatively impact a criminal justice agency's ability to identify the offender in the future. Some considerations in making the determination include but are not limited to time elapsed since the alias name was last used, frequency with which the alias was used, current incarceration status of the offender, whether it is or was the offender's name, and whether the offender is living or deceased.

(f) Law enforcement must take into account the presence of documentation from the bureau or another law enforcement agency confirming a questioned identity when considering whether an individual has a warrant under section 299C.115 and may contact the bureau or the issuing law enforcement agency to confirm authenticity of the documentation provided by an individual.

Sec. 19. Minnesota Statutes 2022, section 299C.46, subdivision 1, is amended to read:

Subdivision 1. **Establishment.** The commissioner of public safety shall establish a criminal justice data communications network that will provide secure access to systems and services available from or through the Bureau of Criminal Apprehension. The Bureau of Criminal Apprehension may approve additional criminal justice uses by authorized agencies to access necessary systems or services not from or through the bureau. The commissioner of public safety is authorized to lease or purchase facilities and equipment as may be necessary to establish and maintain the data communications network.

Sec. 20. Minnesota Statutes 2022, section 299C.65, subdivision 1a, is amended to read:

Subd. 1a. **Membership; duties.** (a) The Criminal and Juvenile Justice Information and Bureau of Criminal Apprehension Advisory Group consists of the following members:

(1) the commissioner of corrections or designee;

(2) the commissioner of public safety or designee;

- (3) the state chief information officer or designee;
- (4) three members of the judicial branch appointed by the chief justice of the supreme court;
- (5) the commissioner of administration or designee;
- (6) the state court administrator or designee;
- (7) two members appointed by the Minnesota Sheriffs Association, at least one of whom must be a sheriff;
- (8) two members appointed by the Minnesota Chiefs of Police Association, at least one of whom must be a chief of police;
- (9) two members appointed by the Minnesota County Attorneys Association, at least one of whom must be a county attorney;
- (10) two members appointed by the League of Minnesota Cities representing the interests of city attorneys, at least one of whom must be a city attorney;
- (11) two members appointed by the Board of Public Defense, at least one of whom must be a public defender;
- (12) two corrections administrators appointed by the Association of Minnesota Counties representing the interests of local corrections, at least one of whom represents a Community Corrections Act county;
- (13) two probation officers appointed by the commissioner of corrections in consultation with the president of the Minnesota Association of Community Corrections Act Counties and the president of the Minnesota Association of County Probation Officers;
- (14) four public members appointed by the governor representing both metropolitan and greater Minnesota for a term of four years using the process described in section 15.059, one of whom represents the interests of victims, and one of whom represents the private business community who has expertise in integrated information systems and who, for the purposes of meetings of the advisory group, may be compensated pursuant to section 15.059;
- (15) two members appointed by the Minnesota Association for Court Management, at least one of whom must be a court administrator;
- (16) one member of the house of representatives appointed by the speaker of the house, or an alternate who is also a member of the house of representatives, appointed by the speaker of the house;
- (17) one member of the senate appointed by the majority leader, or an alternate who is also a member of the senate, appointed by the majority leader of the senate;
- (18) one member appointed by the attorney general;

(19) two members appointed by the League of Minnesota Cities, one of whom works or resides in greater Minnesota and one of whom works or resides in the seven-county metropolitan area, and at least one of whom is an elected official;

(20) two members appointed by the Association of Minnesota Counties, one of whom works or resides in greater Minnesota and one of whom works or resides in the seven-county metropolitan area, and at least one of whom is an elected official; and

(21) the director of the Sentencing Guidelines Commission or a designee.

(b) The chair, first vice-chair, and second vice-chair shall be elected by the advisory group.

(c) The advisory group shall serve as the state advisory group on statewide criminal justice information policy and funding issues. The advisory group shall study and make recommendations to the governor, the supreme court, and the legislature on criminal justice information funding and policy issues such as related data practices, individual privacy rights, and data on race and ethnicity; information-sharing at the local, state, and federal levels; technology education and innovation; the impact of proposed legislation on the criminal justice system related to information systems and business processes; and data and identification standards.

(d) The advisory group shall have the additional duties of reviewing and advising the bureau superintendent on:

(1) audits, accreditation reports, and internal reviews of bureau operations;

(2) emerging technologies in the law enforcement and forensic science fields;

(3) policies and practices that impact individual privacy interests; and

(4) other programmatic and operational initiatives of the bureau at the request of the superintendent.

Sec. 21. Minnesota Statutes 2022, section 299C.65, subdivision 3a, is amended to read:

Subd. 3a. **Report.** The advisory group shall file a biennial report with the governor, supreme court, and chairs and ranking minority members of the senate and house of representatives committees and divisions with jurisdiction over criminal justice funding and policy by January 15 in each odd-numbered year. The report must provide the following:

(1) status and review of current statewide criminal justice information systems;

(2) recommendations concerning any legislative changes or appropriations that are needed to ensure that the criminal justice information systems operate accurately and efficiently; ~~and~~

(3) summary of the activities of the advisory group, including any funding and grant requests; and

(4) summary of any reviews conducted by the advisory group of bureau audits, reports, policies, programs, and procedures along with any recommendations provided to the bureau related to the reviews.

Sec. 22. Minnesota Statutes 2022, section 299F.362, is amended to read:

299F.362 SMOKE ~~DETECTOR~~ ALARM; INSTALLATION; RULES; PENALTY.

Subdivision 1. **Definitions.** For the purposes of this section, the following definitions shall apply:

(a) "Apartment house" is any building, or portion thereof, which is designed, built, rented, leased, let, or hired out to be occupied, or which is occupied as the home or residence of three or more families living independently of each other and doing their own cooking in the building, and shall include buildings containing three or more flats or apartments.

(b) "Dwelling" is any building, or any portion thereof, which is not an apartment house, lodging house, or a hotel and which contains one or two "dwelling units" which are, or are intended or designed to be, occupied for living purposes.

(c) "Dwelling unit" is a single unit providing complete, independent living facilities for one or more persons including permanent provisions for living, sleeping, eating, cooking, and sanitation, or a single unit used by one or more persons for sleeping and sanitation pursuant to a work practice or labor agreement.

(d) "Hotel" is any building, or portion thereof, containing six or more guest rooms intended or designed to be used, or which are used, rented, or hired out to be occupied, or which are occupied for sleeping purposes by guests.

(e) "Lodging house" is any building, or portion thereof, containing not more than five guest rooms which are used or are intended to be used for sleeping purposes by guests and where rent is paid in money, goods, labor, or otherwise.

Subd. 2. **Rules; ~~smoke detector~~ alarm location.** The commissioner of public safety shall promulgate rules concerning the placement of smoke ~~detectors~~ alarms in dwellings, apartment houses, hotels, and lodging houses. The rules shall take into account designs of the guest rooms or dwelling units.

Subd. 3. **Smoke ~~detector~~ alarm for any dwelling.** Every dwelling unit within a dwelling must be provided with a smoke ~~detector~~ alarm meeting the requirements of the State Fire Code. The ~~detector~~ smoke alarm must be mounted in accordance with the rules regarding smoke ~~detector~~ alarm location adopted under subdivision 2. When actuated, the ~~detector~~ smoke alarm must provide an alarm in the dwelling unit.

Subd. 3a. **Smoke ~~detector~~ alarm for new dwelling.** In construction of a new dwelling, each smoke ~~detector~~ alarm must be attached to a centralized power source.

Subd. 4. **Smoke ~~detector~~ alarm for apartment, lodging house, or hotel.** Every dwelling unit within an apartment house and every guest room in a lodging house or hotel used for sleeping purposes must be provided with a smoke ~~detector~~ alarm conforming to the requirements of the State Fire Code. In dwelling units, ~~detectors~~ smoke alarms must be mounted in accordance with the rules regarding smoke ~~detector~~ alarm location adopted under subdivision 2. When actuated, the ~~detector~~ smoke alarm must provide an alarm in the dwelling unit or guest room.

Subd. 5. **Maintenance responsibilities.** For all occupancies covered by this section where the occupant is not the owner of the dwelling unit or the guest room, the owner is responsible for maintenance of the smoke ~~detectors~~ alarms. An owner may file inspection and maintenance reports with the local fire marshal for establishing evidence of inspection and maintenance of smoke ~~detectors~~ alarms.

Subd. 5a. **Inform owner; no added liability.** The occupant of a dwelling unit must inform the owner of the dwelling unit of a nonfunctioning smoke ~~detector~~ alarm within 24 hours of discovering that the smoke ~~detector~~ alarm in the dwelling unit is not functioning. If the occupant fails to inform the owner under this subdivision, the occupant's liability for damages is not greater than it otherwise would be.

Subd. 6. **Penalties.** (a) Any person who violates any provision of this section ~~shall be~~ is subject to the same penalty and ~~the~~ enforcement mechanism that is provided for violation of the State Fire Code, as specified in section 299F.011, subdivision 6.

(b) An occupant who willfully disables a smoke ~~detector~~ alarm or causes it to be nonfunctioning, resulting in damage or injury to persons or property, is guilty of a misdemeanor.

Subd. 7. **Local government preempted.** This section prohibits a local unit of government from adopting standards different from those provided in this section.

Subd. 9. **Local government ordinance; installation in single-family residence.** Notwithstanding subdivision 7, or other law to the contrary, a local governing body may adopt, by ordinance, rules for the installation of a smoke ~~detector~~ alarm in single-family homes in the city that are more restrictive than the standards provided by this section. Rules adopted pursuant to this subdivision may be enforced through a truth-in-housing inspection.

Subd. 10. **Public fire safety educator.** The position of Minnesota public fire safety educator is established in the Department of Public Safety.

Subd. 11. **Insurance claim.** No insurer shall deny a claim for loss or damage by fire for failure of a person to comply with this section.

Sec. 23. Minnesota Statutes 2022, section 609.281, subdivision 3, is amended to read:

Subd. 3. **Debt bondage.** "Debt bondage" ~~means the status or condition of a debtor arising from a pledge by the debtor of the debtor's personal~~ occurs when a person provides labor or services or those of any kind to pay a real or alleged debt of a the person under the debtor's control as a security for debt or another, if the value of those the labor or services as reasonably assessed is not applied toward the liquidation of the debt or the length and nature of those the labor or services are not respectively limited and defined.

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

Sec. 24. Minnesota Statutes 2022, section 609.281, subdivision 4, is amended to read:

Subd. 4. **Forced or coerced labor or services.** "Forced or coerced labor or services" means labor or services of any kind that are performed or provided by another person and are obtained or maintained through an actor's:

(1) threat, either implicit or explicit, scheme, plan, ~~or~~ pattern, or other action or statement intended to cause a person to believe that, if the person did not perform or provide the labor or services, that person or another person would suffer bodily harm or physical restraint; sexual contact, as defined in section 609.341, subdivision 11, paragraph (b); or bodily, psychological, demonstrable economic, or demonstrable reputational harm that is sufficiently serious, under all the surrounding circumstances, to compel a reasonable person of the same background and in the same circumstances to perform or to continue performing labor or services in order to avoid incurring that harm;

(2) physically restraining or threatening to physically restrain sexual contact, as defined in section 609.341, subdivision 11, paragraph (b), with a person;

(3) physical restraint of a person;

(4) infliction of bodily, psychological, demonstrable economic, or demonstrable reputational harm that is sufficiently serious, under all the surrounding circumstances, to compel a reasonable person of the same background and in the same circumstances to perform or to continue performing labor or services in order to avoid incurring that harm;

~~(3)~~ (5) abuse or threatened abuse of the legal process, including the use or threatened use of a law or legal process, whether administrative, civil, or criminal; or

(4) ~~knowingly destroying, concealing, removing, confiscating, or possessing~~ (6) destruction, concealment, removal, confiscation, withholding, or possession of any actual or purported passport or other immigration document, or any other actual or purported government identification document, of another person; ~~or~~

~~(5) use of blackmail.~~

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

Sec. 25. Minnesota Statutes 2022, section 609.281, subdivision 5, is amended to read:

Subd. 5. **Labor trafficking.** "Labor trafficking" means:

(1) the recruitment, transportation, transfer, harboring, enticement, provision, obtaining, or receipt of a person by any means, for the purpose in furtherance of:

(i) ~~debt bondage ~~or~~~~;

(ii) forced or coerced labor or services;

~~(ii)~~ (iii) slavery or practices similar to slavery; or

~~(iii)~~ (iv) the removal of organs through the use of coercion or intimidation; or

(2) receiving profit or anything of value, knowing or having reason to know it is derived from an act described in clause (1).

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

Sec. 26. Minnesota Statutes 2022, section 609.281, is amended by adding a subdivision to read:

Subd. 7. Psychological harm. "Psychological harm" means harm that causes mental distress, mental suffering, or mental anguish as demonstrated by a victim's response to an act, including but not limited to seeking psychotherapy as defined in section 604.20, losing sleep or appetite, being diagnosed with a mental health condition, experiencing suicidal ideation, or having difficulty concentrating on tasks resulting in a loss of productivity.

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

Sec. 27. Minnesota Statutes 2022, section 609.282, subdivision 1, is amended to read:

Subdivision 1. ~~Individuals under age 18~~ **Labor trafficking resulting in death.** Whoever knowingly engages in the labor trafficking of an individual ~~who is under the age of 18~~ is guilty of a crime and may be sentenced to imprisonment for not more than ~~20~~ 25 years or to payment of a fine of not more than \$40,000, or both, if the labor trafficking victim dies and the death was proximately caused by the labor trafficking conduct of the offender and murder in the first or second degree was not committed thereby.

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

Sec. 28. Minnesota Statutes 2022, section 609.282, is amended by adding a subdivision to read:

Subd. 1a. Individuals under age 18; extended period of time; great bodily harm. Whoever knowingly engages in the labor trafficking of an individual is guilty of a crime and may be sentenced to imprisonment for not more than 20 years or to a payment of a fine of not more than \$40,000, or both, if any of the following circumstances exist:

(1) the labor trafficking victim is under the age of 18;

(2) the labor trafficking occurs over an extended period of time; or

(3) the labor trafficking victim suffers great bodily harm and the harm was proximately caused by the labor trafficking conduct of the offender.

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

Sec. 29. Minnesota Statutes 2022, section 609.321, is amended by adding a subdivision to read:

Subd. 15. Debt bondage. "Debt bondage" has the meaning given in section 609.281, subdivision 3.

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

Sec. 30. Minnesota Statutes 2022, section 609.321, is amended by adding a subdivision to read:

Subd. 16. Forced or coerced labor or services. "Forced or coerced labor or services" has the meaning given in section 609.281, subdivision 4.

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

Sec. 31. Minnesota Statutes 2022, section 609.321, is amended by adding a subdivision to read:

Subd. 17. Labor trafficking victim. "Labor trafficking victim" has the meaning given in section 609.281, subdivision 6.

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

Sec. 32. Minnesota Statutes 2022, section 609.322, subdivision 1, is amended to read:

Subdivision 1. **Solicitation, inducement, and promotion of prostitution; sex trafficking in the first degree.** (a) Whoever, while acting other than as a prostitute or patron, intentionally does any of the following may be sentenced to imprisonment for not more than 25 years or to payment of a fine of not more than \$50,000, or both:

- (1) solicits or induces an individual under the age of 18 years to practice prostitution;
- (2) promotes the prostitution of an individual under the age of 18 years;
- (3) receives profit, knowing or having reason to know that it is derived from the prostitution, or the promotion of the prostitution, of an individual under the age of 18 years; or
- (4) engages in the sex trafficking of an individual under the age of 18 years.

(b) Whoever violates paragraph (a) or subdivision 1a may be sentenced to imprisonment for not more than 30 years or to payment of a fine of not more than \$60,000, or both, if one or more of the following aggravating factors are present:

- (1) the offender has committed a prior qualified human trafficking-related offense;
- (2) the offense involved a sex trafficking victim who suffered bodily harm during the commission of the offense;
- (3) the time period that a sex trafficking victim was held in debt bondage or forced or coerced labor or services exceeded 180 days; or
- (4) the offense involved more than one sex trafficking victim.

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

Sec. 33. Minnesota Statutes 2022, section 609.325, subdivision 4, is amended to read:

Subd. 4. **Affirmative defense.** It is an affirmative defense to a charge under section 609.324, subdivision 6 or 7, if the defendant proves by a preponderance of the evidence that the defendant is a labor trafficking victim, ~~as defined in section 609.281,~~ or a sex trafficking victim, ~~as defined in section 609.321,~~ and that the defendant committed the acts underlying the charge as a result of being a labor trafficking or sex trafficking victim.

Sec. 34. Minnesota Statutes 2022, section 609.87, is amended by adding a subdivision to read:

Subd. 17. **Electronic data.** "Electronic data" means records or information in digital form on a computer, computer network, computer system, or in computer software that can be stored, transmitted, or processed.

Sec. 35. Minnesota Statutes 2022, section 609.89, is amended to read:

609.89 COMPUTER AND ELECTRONIC DATA THEFT.

Subdivision 1. **Acts.** Whoever does any of the following is guilty of computer or electronic data theft and may be sentenced as provided in subdivision 2:

~~(a)~~ (1) intentionally and without authorization or claim of right accesses or causes to be accessed any computer, computer system, computer network or any part thereof for the purpose of obtaining services or property; ~~or~~

~~(b)~~ (2) intentionally and without claim of right, and with intent to deprive the owner of use or possession, takes, transfers, conceals or retains possession of any computer, computer system, or any computer software or data contained in a computer, computer system, or computer network;

(3) intentionally and without authorization or claim of right accesses or copies any computer software or electronic data and uses, alters, transfers, retains, or publishes the computer software or electronic data; or

(4) intentionally retains copies of any computer software or electronic data beyond the individual's authority.

Subd. 2. **Penalty.** (a) Except as provided in paragraph (b), anyone who commits computer or electronic data theft may be sentenced as follows:

~~(a)~~ (1) to imprisonment for not more than ten years or to payment of a fine of not more than \$50,000, or both, if the loss to the owner, or the owner's agent, or lessee is in excess of \$2,500; ~~or~~

~~(b)~~ (2) to imprisonment for not more than five years or to payment of a fine of not more than \$10,000, or both, if the loss to the owner, or the owner's agent, or lessee is more than \$500 but not more than \$2,500; or

~~(c)~~ (3) in all other cases to imprisonment for not more than 90 days or to payment of a fine of not more than \$1,000, or both.

(b) A violation of subdivision 1, clause (3) or (4), is a misdemeanor.

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

Sec. 36. Minnesota Statutes 2022, section 611A.033, is amended to read:

611A.033 SPEEDY TRIAL; NOTICE OF HEARINGS AND SCHEDULE CHANGE.

(a) A victim has the right to request that the prosecutor make a demand under rule 11.09 of the Rules of Criminal Procedure that the trial be commenced within 60 days of the demand. The prosecutor shall make reasonable efforts to comply with the victim's request.

(b) A prosecutor shall make reasonable efforts to provide to a victim the date and time of the sentencing hearing and the hearing during which the plea is to be presented to the court.

~~(b)~~ (c) A prosecutor shall make reasonable efforts to provide advance notice of any change in the schedule of the court proceedings to a victim who has been subpoenaed or requested to testify.

~~(c)~~ (d) In a criminal proceeding in which a vulnerable adult, as defined in section 609.232, subdivision 11, is a victim, the state may move the court for a speedy trial. The court, after consideration of the age and health of the victim, may grant a speedy trial. The motion may be filed and served with the complaint or any time after the complaint is filed and served.

Sec. 37. Minnesota Statutes 2022, section 611A.039, subdivision 1, is amended to read:

Subdivision 1. **Notice required.** (a) Except as otherwise provided in subdivision 2, within 15 working days after a conviction, acquittal, or dismissal in a criminal case in which there is an identifiable crime victim, the prosecutor shall make reasonable good faith efforts to provide to each affected crime victim oral or written notice of the final disposition of the case and of the victim rights under section 611A.06. When the court is considering modifying the sentence for a felony or a crime of violence or an attempted crime of violence, the ~~court or its designee~~ prosecutor shall make a reasonable and good faith effort to notify the victim of the crime. If the victim is incapacitated or deceased, notice must be given to the victim's family. If the victim is a minor, notice must be given to the victim's parent or guardian. The notice must include:

- (1) the date and approximate time of the review;
- (2) the location where the review will occur;
- (3) the name and telephone number of a person to contact for additional information; and
- (4) a statement that the victim and victim's family may provide input to the court concerning the sentence modification.

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

(c) As used in this section, "crime of violence" has the meaning given in section 624.712, subdivision 5, and also includes violations of section 609.3458, gross misdemeanor violations of section 609.224, and nonfelony violations of sections 518B.01, 609.2231, 609.3451, 609.748, and 609.749.

Sec. 38. Minnesota Statutes 2022, section 611A.51, is amended to read:

611A.51 TITLE.

Sections 611A.51 to 611A.68 shall be known as the "Minnesota Crime Victims ~~Reparations~~ Reimbursement Act."

Sec. 39. Minnesota Statutes 2022, section 611A.52, subdivision 3, is amended to read:

Subd. 3. **Board.** "Board" means the Crime Victims ~~reparations~~ Reimbursement Board established by section 611A.55.

Sec. 40. Minnesota Statutes 2022, section 611A.52, subdivision 4, is amended to read:

Subd. 4. **Claimant.** "Claimant" means a person entitled to apply for ~~reparations~~ reimbursement pursuant to sections 611A.51 to 611A.68.

Sec. 41. Minnesota Statutes 2022, section 611A.52, subdivision 5, is amended to read:

Subd. 5. **Collateral source.** "Collateral source" means a source of benefits or advantages for economic loss otherwise ~~reparable~~ reimbursable under sections 611A.51 to 611A.68 which the victim or claimant has received, or which is readily available to the victim, from:

- (1) the offender;
- (2) the government of the United States or any agency thereof, a state or any of its political subdivisions, or an instrumentality of two or more states, unless the law providing for the benefits or advantages makes them excess or secondary to benefits under sections 611A.51 to 611A.68;
- (3) Social Security, Medicare, and Medicaid;
- (4) state required temporary nonoccupational disability insurance;
- (5) workers' compensation;
- (6) wage continuation programs of any employer;
- (7) proceeds of a contract of insurance payable to the victim for economic loss sustained because of the crime;
- (8) a contract providing prepaid hospital and other health care services, or benefits for disability;
- (9) any private source as a voluntary donation or gift; or
- (10) proceeds of a lawsuit brought as a result of the crime.

The term does not include a life insurance contract.

Sec. 42. Minnesota Statutes 2022, section 611A.53, is amended to read:

611A.53 REPARATIONS REIMBURSEMENT AWARDS PROHIBITED.

Subdivision 1. **Generally.** Except as provided in subdivisions 1a and 2, the following persons shall be entitled to ~~reparations~~ reimbursement upon a showing by a preponderance of the evidence that the requirements for ~~reparations~~ reimbursement have been met:

- (1) a victim who has incurred economic loss;
- (2) a dependent who has incurred economic loss;
- (3) the estate of a deceased victim if the estate has incurred economic loss;
- (4) any other person who has incurred economic loss by purchasing any of the products, services, and accommodations described in section 611A.52, subdivision 8, for a victim;
- (5) the guardian, guardian ad litem, conservator or authorized agent of any of these persons.

Subd. 1a. **Providers; limitations.** No hospital, medical organization, health care provider, or other entity that is not an individual may qualify for reparations under subdivision 1, clause (4). If a hospital, medical organization, health care provider, or other entity that is not an individual qualifies for ~~reparations~~ reimbursement under subdivision 1, clause (5), because it is a guardian, guardian ad litem, conservator, or authorized agent, any ~~reparations~~ reimbursement to which it is entitled must be made payable solely or jointly to the victim, if alive, or to the victim's estate or successors, if the victim is deceased.

Subd. 1b. **Minnesota residents injured elsewhere.** (a) A Minnesota resident who is the victim of a crime committed outside the geographical boundaries of this state but who otherwise meets the requirements of this section shall have the same rights under this chapter as if the crime had occurred within this state upon a showing that the state, territory, United States possession, country, or political subdivision of a country in which the crime occurred does not have a crime victim ~~reparations~~ reimbursement law covering the resident's injury or death.

(b) Notwithstanding paragraph (a), a Minnesota resident who is the victim of a crime involving international terrorism who otherwise meets the requirements of this section has the same rights under this chapter as if the crime had occurred within this state regardless of where the crime occurred or whether the jurisdiction has a crime victims ~~reparations~~ reimbursement law.

Subd. 2. **Limitations on awards.** No ~~reparations~~ reimbursement shall be awarded to a claimant otherwise eligible if:

(1) the crime was not reported to the police within 30 days of its occurrence or, if it could not reasonably have been reported within that period, within 30 days of the time when a report could reasonably have been made. A victim of criminal sexual conduct in the first, second, third, or fourth degree who does not report the crime within 30 days of its occurrence is deemed to have been unable to have reported it within that period;

(2) the victim or claimant failed or refused to cooperate fully with the police and other law enforcement officials. Cooperation is determined through law enforcement reports, prosecutor records, or corroboration memorialized in a signed document submitted by a victim service, counseling, or medical professional involved in the case;

(3) the victim or claimant was the offender or an accomplice of the offender or an award to the claimant would unjustly benefit the offender or an accomplice;

(4) the victim or claimant was in the act of committing a crime at the time the injury occurred;

(5) no claim was filed with the board within three years of victim's injury or death; except that (i) if the claimant was unable to file a claim within that period, then the claim can be made within three years of the time when a claim could have been filed; and (ii) if the victim's injury or death was not reasonably discoverable within three years of the injury or death, then the claim can be made within three years of the time when the injury or death is reasonably discoverable. The following circumstances do not render a claimant unable to file a claim for the purposes of this clause: (A) lack of knowledge of the existence of the Minnesota Crime Victims ~~Reparations~~ Reimbursement Act, (B) the failure of a law enforcement agency to provide information or assistance to a potential claimant under section 611A.66, (C) the incompetency of the claimant if the claimant's affairs were being managed during that period by a guardian, guardian ad litem, conservator, authorized agent, or parent, or (D) the fact that the claimant is not of the age of majority; or

(6) the claim is less than \$50.

The limitations contained in clauses (1) and (6) do not apply to victims of child abuse. In those cases the three-year limitation period commences running with the report of the crime to the police.

Sec. 43. Minnesota Statutes 2022, section 611A.54, is amended to read:

611A.54 AMOUNT OF ~~REPARATIONS~~ REIMBURSEMENT.

~~Reparations~~ Reimbursement shall equal economic loss except that:

(1) ~~reparations~~ reimbursement shall be reduced to the extent that economic loss is recouped from a collateral source or collateral sources. Where compensation is readily available to a claimant from a collateral source, the claimant must take reasonable steps to recoup from the collateral source before claiming ~~reparations~~ reimbursement;

(2) ~~reparations~~ reimbursement shall be denied or reduced to the extent, if any, that the board deems reasonable because of the contributory misconduct of the claimant or of a victim through whom the claimant claims. Contributory misconduct does not include current or past affiliation with any particular group; and

(3) ~~reparations~~ reimbursement paid to all claimants suffering economic loss as the result of the injury or death of any one victim shall not exceed \$50,000.

No employer may deny an employee an award of benefits based on the employee's eligibility or potential eligibility for ~~reparations~~ reimbursement.

Sec. 44. Minnesota Statutes 2022, section 611A.55, is amended to read:

611A.55 CRIME VICTIMS ~~REPARATIONS~~ REIMBURSEMENT BOARD.

Subdivision 1. **Creation of board.** There is created in the Department of Public Safety, for budgetary and administrative purposes, the Crime Victims ~~Reparations~~ Reimbursement Board,

which shall consist of five members appointed by the commissioner of public safety. One of the members shall be designated as chair by the commissioner of public safety and serve as such at the commissioner's pleasure. At least one member shall be a medical or osteopathic physician licensed to practice in this state, and at least one member shall be a victim, as defined in section 611A.01.

Subd. 2. **Membership, terms and compensation.** The membership terms, compensation, removal of members, and filling of vacancies on the board shall be as provided in section 15.0575.

Subd. 3. **Part-time service.** Members of the board shall serve part time.

Sec. 45. Minnesota Statutes 2022, section 611A.56, is amended to read:

611A.56 POWERS AND DUTIES OF BOARD.

Subdivision 1. **Duties.** In addition to carrying out any duties specified elsewhere in sections 611A.51 to 611A.68 or in other law, the board shall:

- (1) provide all claimants with an opportunity for hearing pursuant to chapter 14;
- (2) adopt rules to implement and administer sections 611A.51 to 611A.68, including rules governing the method of practice and procedure before the board, prescribing the manner in which applications for ~~reparations~~ reimbursement shall be made, and providing for discovery proceedings;
- (3) publicize widely the availability of ~~reparations~~ reimbursement and the method of making claims; and
- (4) prepare and transmit annually to the governor and the commissioner of public safety a report of its activities including the number of claims awarded, a brief description of the facts in each case, the amount of ~~reparation~~ reimbursement awarded, and a statistical summary of claims and awards made and denied.

Subd. 2. **Powers.** In addition to exercising any powers specified elsewhere in sections 611A.51 to 611A.68 or other law, the board upon its own motion or the motion of a claimant or the attorney general may:

- (1) issue subpoenas for the appearance of witnesses and the production of books, records, and other documents;
- (2) administer oaths and affirmations and cause to be taken affidavits and depositions within and without this state;
- (3) take notice of judicially cognizable facts and general, technical, and scientific facts within their specialized knowledge;
- (4) order a mental or physical examination of a victim or an autopsy of a deceased victim provided that notice is given to the person to be examined and that the claimant and the attorney general receive copies of any resulting report;
- (5) suspend or postpone the proceedings on a claim if a criminal prosecution arising out of the incident which is the basis of the claim has been commenced or is imminent;

(6) request from prosecuting attorneys and law enforcement officers investigations and data to enable the board to perform its duties under sections 611A.51 to 611A.68;

(7) grant emergency ~~reparations~~ reimbursement pending the final determination of a claim if it is one with respect to which an award will probably be made and undue hardship will result to the claimant if immediate payment is not made; and

(8) reconsider any decision granting or denying ~~reparations~~ reimbursement or determining their amount.

Sec. 46. Minnesota Statutes 2022, section 611A.57, subdivision 5, is amended to read:

Subd. 5. **Reconsideration.** The claimant may, within 30 days after receiving the decision of the board, apply for reconsideration before the entire board. Upon request for reconsideration, the board shall reexamine all information filed by the claimant, including any new information the claimant provides, and all information obtained by investigation. The board may also conduct additional examination into the validity of the claim. Upon reconsideration, the board may affirm, modify, or reverse the prior ruling. A claimant denied ~~reparations~~ reimbursement upon reconsideration is entitled to a contested case hearing within the meaning of chapter 14.

Sec. 47. Minnesota Statutes 2022, section 611A.57, subdivision 6, is amended to read:

Subd. 6. **Data.** Claims for ~~reparations~~ reimbursement and supporting documents and reports are investigative data and subject to the provisions of section 13.39 until the claim is paid, denied, withdrawn, or abandoned. Following the payment, denial, withdrawal, or abandonment of a claim, the claim and supporting documents and reports are private data on individuals as defined in section 13.02, subdivision 12; provided that the board may forward any ~~reparations~~ reimbursement claim forms, supporting documents, and reports to local law enforcement authorities for purposes of implementing section 611A.67.

Sec. 48. Minnesota Statutes 2022, section 611A.60, is amended to read:

611A.60 ~~REPARATIONS~~ REIMBURSEMENT; HOW PAID.

~~Reparations~~ Reimbursement may be awarded in a lump sum or in installments in the discretion of the board. The amount of any emergency award shall be deducted from the final award, if a lump sum, or prorated over a period of time if the final award is made in installments. ~~Reparations are~~ Reimbursement is exempt from execution or attachment except by persons who have supplied services, products or accommodations to the victim as a result of the injury or death which is the basis of the claim. The board, in its discretion may order that all or part of the ~~reparations~~ reimbursement awarded be paid directly to these suppliers.

Sec. 49. Minnesota Statutes 2022, section 611A.61, is amended to read:

611A.61 SUBROGATION.

Subdivision 1. **Subrogation rights of state.** The state shall be subrogated, to the extent of ~~reparations~~ reimbursement awarded, to all the claimant's rights to recover benefits or advantages for economic loss from a source which is or, if readily available to the victim or claimant would be,

a collateral source. Nothing in this section shall limit the claimant's right to bring a cause of action to recover for other damages.

Subd. 2. **Duty of claimant to assist.** A claimant who receives ~~repairs~~ reimbursement must agree to assist the state in pursuing any subrogation rights arising out of the claim. The board may require a claimant to agree to represent the state's subrogation interests if the claimant brings a cause of action for damages arising out of the crime or occurrence for which the board has awarded ~~repairs~~ reimbursement. An attorney who represents the state's subrogation interests pursuant to the client's agreement with the board is entitled to reasonable attorney's fees not to exceed one-third of the amount recovered on behalf of the state.

Sec. 50. Minnesota Statutes 2022, section 611A.612, is amended to read:

611A.612 CRIME VICTIMS ACCOUNT.

A crime victim account is established as a special account in the state treasury. Amounts collected by the state under section 611A.61, paid to the Crime Victims ~~Reparations~~ Reimbursement Board under section 611A.04, subdivision 1a, or amounts deposited by the court under section 611A.04, subdivision 5, shall be credited to this account. Money credited to this account is annually appropriated to the Department of Public Safety for use for crime victim ~~repairs~~ reimbursement under sections 611A.51 to 611A.67.

Sec. 51. Minnesota Statutes 2022, section 611A.66, is amended to read:

611A.66 LAW ENFORCEMENT AGENCIES; DUTY TO INFORM VICTIMS OF RIGHT TO FILE CLAIM.

All law enforcement agencies investigating crimes shall provide victims with notice of their right to apply for ~~repairs~~ reimbursement with the telephone number ~~to call to request~~ and website information to obtain an application form.

Law enforcement agencies shall assist the board in performing its duties under sections 611A.51 to 611A.68. Law enforcement agencies within ten days after receiving a request from the board shall supply the board with requested reports, notwithstanding any provisions to the contrary in chapter 13, and including reports otherwise maintained as confidential or not open to inspection under section 260B.171 or 260C.171. All data released to the board retains the data classification that it had in the possession of the law enforcement agency.

Sec. 52. Minnesota Statutes 2022, section 611A.68, subdivision 2a, is amended to read:

Subd. 2a. **Notice and payment of proceeds to board required.** A person that enters into a contract with an offender convicted in this state, and a person that enters into a contract in this state with an offender convicted in this state or elsewhere within the United States, must comply with this section if the person enters into the contract during the ten years after the offender is convicted of a crime or found not guilty by reason of insanity. If an offender is imprisoned or committed to an institution following the conviction or finding of not guilty by reason of insanity, the ten-year period begins on the date of the offender's release. A person subject to this section must notify the Crime Victims ~~Reparations~~ Reimbursement Board of the existence of the contract immediately upon

its formation, and pay over to the board money owed to the offender or the offender's representatives by virtue of the contract according to the following proportions:

(1) if the crime occurred in this state, the person shall pay to the board 100 percent of the money owed under the contract;

(2) if the crime occurred in another jurisdiction having a law applicable to the contract which is substantially similar to this section, this section does not apply, and the person must not pay to the board any of the money owed under the contract; and

(3) in all other cases, the person shall pay to the board that percentage of money owed under the contract which can fairly be attributed to commerce in this state with respect to the subject matter of the contract.

Sec. 53. Minnesota Statutes 2022, section 611A.68, subdivision 4, is amended to read:

Subd. 4. **Deductions.** When the board has made ~~reparations~~ reimbursement payments to or on behalf of a victim of the offender's crime pursuant to sections 611A.51 to 611A.68, it shall deduct the amount of the ~~reparations~~ reimbursement award from any payment received under this section by virtue of the offender's contract unless the board has already been reimbursed for the ~~reparations~~ award from another collateral source.

Sec. 54. Minnesota Statutes 2022, section 611A.68, subdivision 4b, is amended to read:

Subd. 4b. **Claims by victims of offender's crime.** A victim of a crime committed by the offender and the estate of a deceased victim of a crime committed by the offender may submit the following claims for ~~reparations~~ reimbursement and damages to the board to be paid from money received by virtue of the offender's contract:

(1) claims for ~~reparations~~ reimbursement to which the victim is entitled under sections 611A.51 to 611A.68 and for which the victim has not yet received an award from the board;

(2) claims for ~~reparations~~ reimbursement to which the victim would have been entitled under sections 611A.51 to 611A.68, but for the \$50,000 maximum limit contained in section 611A.54, clause (3); and

(3) claims for other uncompensated damages suffered by the victim as a result of the offender's crime including, but not limited to, damages for pain and suffering.

The victim must file the claim within five years of the date on which the board received payment under this section. The board shall determine the victim's claim in accordance with the procedures contained in sections 611A.57 to 611A.63. An award made by the board under this subdivision must be paid from the money received by virtue of the offender's contract that remains after a deduction or allocation, if any, has been made under subdivision 4 or 4a.

Sec. 55. Minnesota Statutes 2022, section 611A.68, subdivision 4c, is amended to read:

Subd. 4c. **Claims by other crime victims.** The board may use money received by virtue of an offender's contract for the purpose of paying ~~reparations~~ reimbursement awarded to victims of other crimes pursuant to sections 611A.51 to 611A.68 under the following circumstances:

(1) money remain after deductions and allocations have been made under subdivisions 4 and 4a, and claims have been paid under subdivision 4b; or

(2) no claim is filed under subdivision 4b within five years of the date on which the board received payment under this section.

None of this money may be used for purposes other than ~~the payment of reparations~~ reimbursement.

Sec. 56. Minnesota Statutes 2022, section 629.341, subdivision 3, is amended to read:

Subd. 3. **Notice of rights.** The peace officer shall tell the victim whether a shelter or other services are available in the community and give the victim immediate notice of the legal rights and remedies available. The notice must include furnishing the victim a copy of the following statement:

"IF YOU ARE THE VICTIM OF DOMESTIC VIOLENCE, you can ask the city or county attorney to file a criminal complaint. You also have the right to go to court and file a petition requesting an order for protection from domestic abuse. The order could include the following:

(1) an order restraining the abuser from further acts of abuse;

(2) an order directing the abuser to leave your household;

(3) an order preventing the abuser from entering your residence, school, business, or place of employment;

(4) an order awarding you or the other parent custody of or parenting time with your minor child or children; or

(5) an order directing the abuser to pay support to you and the minor children if the abuser has a legal obligation to do so."

The notice must include the resource listing, including telephone number, for the area ~~battered women's~~ program that provides services to victims of domestic abuse as shelter, to be designated by the Office of Justice Programs in the Department of Corrections Public Safety.

Sec. 57. Minnesota Statutes 2022, section 629.341, subdivision 4, is amended to read:

Subd. 4. **Report required.** Whenever a peace officer investigates an allegation that an incident described in subdivision 1 has occurred, whether or not an arrest is made, the officer shall make a written police report of the alleged incident. The report must contain at least the following information: the name, address and telephone number of the victim, if provided by the victim, a statement as to whether an arrest occurred, the name of the arrested person, and a brief summary of the incident. Data that identify a victim who has made a request under section 13.82, subdivision 17, paragraph (d), and that are private data under that subdivision, shall be private in the report required by this section. A copy of this report must be provided upon request, at no cost, to the victim of domestic abuse, the victim's attorney, or organizations designated by the Office of Justice Programs in the Department of Public Safety ~~or the commissioner of corrections~~ that are providing services to victims of domestic abuse. The officer shall submit the report to the officer's supervisor or other person to whom the employer's rules or policies require reports of similar allegations of criminal activity to be made.

Sec. 58. Minnesota Statutes 2022, section 629.72, subdivision 6, is amended to read:

Subd. 6. **Notice; release of arrested person.** (a) Immediately after issuance of a citation in lieu of continued detention under subdivision 1, or the entry of an order for release under subdivision 2, but before the arrested person is released, the agency having custody of the arrested person or its designee must make a reasonable and good faith effort to inform orally the alleged victim, local law enforcement agencies known to be involved in the case, if different from the agency having custody, and, at the victim's request any local battered women's and domestic abuse programs established under section 611A.32 or sexual assault programs of:

- (1) the conditions of release, if any;
- (2) the time of release;
- (3) the time, date, and place of the next scheduled court appearance of the arrested person and the victim's right to be present at the court appearance; and
- (4) if the arrested person is charged with domestic abuse, the location and telephone number of the area ~~battered women's shelter~~ program that provides services to victims of domestic abuse as designated by the Office of Justice Programs in the Department of Public Safety.

(b) As soon as practicable after an order for conditional release is entered, the agency having custody of the arrested person or its designee must personally deliver or mail to the alleged victim a copy of the written order and written notice of the information in paragraph (a), clauses (2) and (3).

(c) Data on the victim and the notice provided by the custodial authority are private data on individuals as defined in section 13.02, subdivision 12, and are accessible only to the victim.

Sec. 59. **SEVERITY LEVEL RANKING REVIEW.**

The Sentencing Guidelines Commission shall consider assigning an offense severity level to labor trafficking under Minnesota Statutes, section 609.282, subdivision 2, and the enhanced penalty provisions in Minnesota Statutes, section 609.282, subdivisions 1 and 1a.

Sec. 60. **REVISOR INSTRUCTION.**

In Minnesota Statutes, the revisor of statutes shall change "reparations," "reparable," or the same or similar terms to "reimbursement," "reimbursable," or the same or similar terms consistent with this act. The revisor shall also make other technical changes resulting from the change of term to the statutory language, sentence structure, or both, if necessary to preserve the meaning of the text.

Sec. 61. **REPEALER.**

(a) Minnesota Statutes 2022, section 609.281, subdivision 2, is repealed.

(b) Minnesota Statutes 2022, section 518B.02, subdivision 3, is repealed.

EFFECTIVE DATE. Paragraph (a) is effective August 1, 2023."

Delete the title and insert:

"A bill for an act relating to public safety; amending provisions relating to crime victims, fire marshal, BCA, Department of Public Safety, computer theft, and driving while impaired; requiring a report; amending Minnesota Statutes 2022, sections 13.825, subdivision 2; 169A.40, subdivision 3; 169A.41, subdivisions 1, 2; 169A.44; 169A.60, subdivision 2; 171.306, by adding a subdivision; 256I.04, subdivision 2g; 299A.48; 299A.49; 299A.50; 299A.51; 299A.52; 299A.78, subdivision 1; 299A.79, subdivision 3; 299C.063; 299C.46, subdivision 1; 299C.65, subdivisions 1a, 3a; 299F.362; 609.281, subdivisions 3, 4, 5, by adding a subdivision; 609.282, subdivision 1, by adding a subdivision; 609.321, by adding subdivisions; 609.322, subdivision 1; 609.325, subdivision 4; 609.87, by adding a subdivision; 609.89; 611A.033; 611A.039, subdivision 1; 611A.51; 611A.52, subdivisions 3, 4, 5; 611A.53; 611A.54; 611A.55; 611A.56; 611A.57, subdivisions 5, 6; 611A.60; 611A.61; 611A.612; 611A.66; 611A.68, subdivisions 2a, 4, 4b, 4c; 629.341, subdivisions 3, 4; 629.72, subdivision 6; proposing coding for new law in Minnesota Statutes, chapters 299A; 299C; repealing Minnesota Statutes 2022, sections 518B.02, subdivision 3; 609.281, subdivision 2."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Senator Hawj from the Committee on Environment, Climate, and Legacy, to which was referred

S.F. No. 2114: A bill for an act relating to arts and cultural heritage; requiring a report from agencies receiving arts and cultural heritage funding; amending Minnesota Statutes 2022, section 129D.17, by adding a subdivision.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Senator Hawj from the Committee on Environment, Climate, and Legacy, to which was referred

S.F. No. 136: A bill for an act relating to environment; extending the availability of aquatic invasive species grant appropriation.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Finance. Report adopted.

Senator Hawj from the Committee on Environment, Climate, and Legacy, to which was referred

S.F. No. 2769: A bill for an act relating to natural resources; appropriating money for drill core library.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Finance. Report adopted.

Senator Wiklund from the Committee on Health and Human Services, to which was re-referred

S.F. No. 2042: A bill for an act relating to controlled substances; modifying Minnesota's schedules of controlled substances; amending Minnesota Statutes 2022, section 152.02, subdivisions 2, 3, 5, 6.

Reports the same back with the recommendation that the bill do pass. Report adopted.

Senator Pappas from the Committee on Capital Investment, to which was referred

S.F. No. 1970: A bill for an act relating to capital investment; appropriating money for capital improvements to a Minnesota Department of Agriculture potato inspection facility in the city of East Grand Forks; authorizing the sale and issuance of state bonds.

Reports the same back with the recommendation that the bill be re-referred to the Committee on Finance without recommendation. Report adopted.

Senator Pappas from the Committee on Capital Investment, to which was referred

S.F. No. 1586: A bill for an act relating to capital investment; appropriating money for metropolitan regional parks and trails; authorizing the sale and issuance of state bonds.

Reports the same back with the recommendation that the bill be re-referred to the Committee on Finance without recommendation. Report adopted.

Senator Dzedzic, from the Committee on Rules and Administration, to which was referred

H.F. No. 1656 for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

| GENERAL ORDERS | | CONSENT CALENDAR | | CALENDAR | |
|-----------------------|----------|-------------------------|----------|-----------------|----------|
| H.F. No. | S.F. No. | H.F. No. | S.F. No. | H.F. No. | S.F. No. |
| 1656 | 1622 | | | | |

Pursuant to Rule 45, the Committee on Rules and Administration recommends that H.F. No. 1656 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 1656, the third engrossment; and insert the language after the enacting clause of S.F. No. 1622, the second engrossment; further, delete the title of H.F. No. 1656, the third engrossment; and insert the title of S.F. No. 1622, the second engrossment.

And when so amended H.F. No. 1656 will be identical to S.F. No. 1622, and further recommends that H.F. No. 1656 be given its second reading and substituted for S.F. No. 1622, and that the Senate File be indefinitely postponed.

Pursuant to Rule 45, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

Senator Marty from the Committee on Finance, to which was re-referred

H.F. No. 19: A bill for an act relating to employment; providing for earned sick and safe time; adding a district court judge to the Ninth Judicial District; requiring a report; authorizing rulemaking; appropriating money; amending Minnesota Statutes 2022, sections 2.722, subdivision 1; 177.27, subdivisions 2, 4, 7; 181.942, subdivision 1; 181.9436; 181.944; proposing coding for new law in Minnesota Statutes, chapters 177; 181; repealing Minnesota Statutes 2022, section 181.9413.

Reports the same back with the recommendation that H.F. No. 19, the first unofficial engrossment, be amended as follows:

Page 18, delete lines 17 to 30

Page 18, line 31, delete "(f)" and insert "(b)"

Page 19, delete lines 3 to 5

Page 19, delete article 4

Amend the title accordingly

And when so amended the bill do pass. Amendments adopted. Report adopted.

REPORT OF VOTE IN COMMITTEE

Pursuant to Rule 12.10, upon the request of three members, a roll call was taken on the Pappas amendment to H.F. No. 19.

There were yeas 6 and nays 4, as follows:

Those who voted in the affirmative were:

Senators Champion, Frenz, Marty, Mohamed, Murphy, and Pappas.

Those who voted in the negative were:

Senators Dahms, Draheim, Eichorn, and Pratt.

The amendment was adopted.

Pursuant to Rule 12.10, upon the request of three members, a roll call was taken on the Pratt motion that H.F. No. 19, be re-referred.

There were yeas 5 and nays 7, as follows:

Those who voted in the affirmative were:

Senators Dahms, Draheim, Eichorn, Pratt, and Westrom.

Those who voted in the negative were:

Senators Champion, Frenz, Marty, Mohamed, Murphy, Pappas, and Wiklund.

The motion did not prevail.

Pursuant to Rule 12.10, upon the request of three members, a roll call was taken on the motion that H.F. No. 19, as amended, do pass.

There were yeas 7 and nays 5, as follows:

Those who voted in the affirmative were:

Senators Champion, Frenz, Marty, Mohamed, Murphy, Pappas, and Wiklund.

Those who voted in the negative were:

Senators Dahms, Draheim, Eichorn, Pratt, and Westrom.

The motion prevailed.

SECOND READING OF SENATE BILLS

S.F. Nos. 1819, 1824, 2114, and 2042 were read the second time.

SECOND READING OF HOUSE BILLS

H.F. Nos. 1656 and 19 were read the second time.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time.

Senator Mohamed introduced--

S.F. No. 3164: A bill for an act relating to economic development; requiring a report; appropriating money for a grant to Fortis Capital for a revolving loan fund.

Referred to the Committee on Jobs and Economic Development.

Senators Hoffman and Abeler introduced--

S.F. No. 3165: A bill for an act relating to health; appropriating money for a grant to Oromo Community of Minnesota to address cultural community mental health, violence behaviors, trauma, and drug use.

Referred to the Committee on Health and Human Services.

Senators Hawj, Cwodzinski, Putnam, and Hoffman introduced--

S.F. No. 3166: A bill for an act relating to arts and cultural heritage; appropriating money for Minnesota Urban Debate League.

Referred to the Committee on Environment, Climate, and Legacy.

Senator Mohamed introduced--

S.F. No. 3167: A bill for an act relating to economic development; requiring a report; appropriating money for a grant to Fortis Capital for a revolving loan fund.

Referred to the Committee on Jobs and Economic Development.

Senator Mohamed introduced--

S.F. No. 3168: A bill for an act relating to transportation; appropriating money for planning of Midtown Greenway bicycle and pedestrian trail expansion in the cities of Minneapolis and St. Paul.

Referred to the Committee on Transportation.

Senator Rasmusson introduced--

S.F. No. 3169: A bill for an act relating to retirement; public employees defined contribution plan; amending eligibility to permit appointed local government officials to participate; permitting retroactive participation; amending Minnesota Statutes 2022, sections 353D.01, subdivision 2, by adding a subdivision; 353D.02, subdivision 1; 353D.03, subdivision 1.

Referred to the Committee on State and Local Government and Veterans.

Senators Nelson and Boldon introduced--

S.F. No. 3170: A bill for an act relating to taxation; sales and use; providing an exemption for construction materials for a sports and recreation complex in the city of Rochester; appropriating money.

Referred to the Committee on Taxes.

Senator Rarick introduced--

S.F. No. 3171: A bill for an act relating to capital investment; appropriating money for a city hall and fire station in the city of Sturgeon Lake; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senator Green introduced--

S.F. No. 3172: A bill for an act relating to local taxes; authorizing Lake of the Woods County to impose a special lodging tax.

Referred to the Committee on Taxes.

Senators Farnsworth, Kunesh, Maye Quade, and Kreun introduced--

S.F. No. 3173: A bill for an act relating to education finance; appropriating money for onetime school capital projects.

Referred to the Committee on Education Finance.

Senators Abeler, Hoffman, Duckworth, Koran, and Housley introduced--

S.F. No. 3174: A bill for an act relating to taxation; individual income; establishing a public pension benefit subtraction; amending Minnesota Statutes 2022, sections 290.0132, subdivision 26, by adding a subdivision; 290.091, subdivision 2, as amended.

Referred to the Committee on Taxes.

Senators Abeler, Coleman, Hoffman, Duckworth, and Dornink introduced--

S.F. No. 3175: A bill for an act relating to taxation; individual income; temporarily reducing individual income tax rates by one percentage point.

Referred to the Committee on Taxes.

Senators Abeler and Hoffman introduced--

S.F. No. 3176: A bill for an act relating to employment; allowing a minor age 16 or 17 to operate certain patient lifts in certain long-term care settings; amending Minnesota Statutes 2022, section 181A.04, by adding a subdivision.

Referred to the Committee on Labor.

Senator Murphy introduced--

S.F. No. 3177: A bill for an act relating to retirement; Teachers Retirement Association; St. Paul Teachers Retirement Fund Association; modifying the retirement annuity statutes to authorize an unreduced normal retirement annuity when age and service equal at least 90; amending Minnesota Statutes 2022, sections 353.29, subdivision 3; 354.44, subdivision 6; 354A.31, subdivision 7.

Referred to the Committee on State and Local Government and Veterans.

Senator Maye Quade introduced--

S.F. No. 3178: A bill for an act relating to capital investment; appropriating money for a new fire station in the city of Apple Valley; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senators Frentz and Seeberger introduced--

S.F. No. 3179: A bill for an act relating to retirement; State Patrol retirement plan and public employees police and fire retirement plan; reducing employee contribution rates; increasing postretirement adjustments; modifying vesting and return to work requirements, decreasing the employer contribution rate, and adding a supplemental employer contribution for the public employees police and fire retirement plan; reducing the investment rate of return actuarial assumption; reducing interest rates; increasing and adding direct state aids; amending Minnesota Statutes 2022, sections 352B.02, subdivision 1a; 353.01, subdivision 47; 353.65, subdivisions 2, 3, 3b, by adding a subdivision; 356.215, subdivision 8; 356.415, subdivisions 1c, 1e; 356.59, subdivisions 2, 3; proposing coding for new law in Minnesota Statutes, chapters 352B; 353.

Referred to the Committee on State and Local Government and Veterans.

Senator Putnam introduced--

S.F. No. 3180: A bill for an act relating to taxation; local sales and use; allowing cities to impose a local sales tax if certain criteria are met; amending Minnesota Statutes 2022, sections 297A.99, subdivisions 1, 3; 477A.016; proposing coding for new law in Minnesota Statutes, chapter 297A.

Referred to the Committee on Taxes.

Senator Pappas introduced--

S.F. No. 3181: A bill for an act relating to economic development; appropriating money for a grant to YWCA St. Paul.

Referred to the Committee on Jobs and Economic Development.

Senator Maye Quade introduced--

S.F. No. 3182: A bill for an act relating to capital investment; appropriating money for a new police garage operations center in the city of Apple Valley; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senator Morrison introduced--

S.F. No. 3183: A bill for an act relating to energy; appropriating money for the solar for schools program; amending Minnesota Statutes 2022, section 216C.376, subdivision 5.

Referred to the Committee on Energy, Utilities, Environment, and Climate.

Senator Farnsworth introduced--

S.F. No. 3184: A bill for an act relating to capital investment; appropriating money for capital improvements to the Aitkin Fairgrounds; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senator Farnsworth introduced--

S.F. No. 3185: A bill for an act relating to capital investment; appropriating money for capital improvements to the Health and Human Services building in Aitkin County; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senator Champion introduced--

S.F. No. 3186: A bill for an act relating to state government; establishing a Minnesota Center for American Descendants of Slavery; requiring a report; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 138.

Referred to the Committee on State and Local Government and Veterans.

Senators Kupec, Dibble, and Dziejic introduced--

S.F. No. 3187: A bill for an act relating to transportation; rail safety; providing for emergency incident preparedness for rail transport of oil and other hazardous substances; establishing railroad training requirements; expanding training requirements to emergency managers and incident response teams; requiring incident reports; amending data provisions; modifying assessment of railroads; transferring money; appropriating money; amending Minnesota Statutes 2022, sections 13.6905, by adding a subdivision; 115E.042, subdivisions 2, 3, 4, 5, 6; 219.015, subdivision 2; 219.1651; 299A.55; proposing coding for new law in Minnesota Statutes, chapter 219.

Referred to the Committee on Transportation.

Senator Kupec introduced--

S.F. No. 3188: A bill for an act relating to capital investment; appropriating money for improvements of 5th Street and 8th Street in the city of Hawley; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senator Morrison introduced--

S.F. No. 3189: A bill for an act relating to transportation; establishing a medium- and heavy-duty zero-emission vehicle grant program; authorizing rulemaking; requiring reports; appropriating money.

Referred to the Committee on Transportation.

Senators Wesenberg, Eichorn, and Hawj introduced--

S.F. No. 3190: A bill for an act relating to natural resources; appropriating money for prescribed burning certification-related activities.

Referred to the Committee on Environment, Climate, and Legacy.

Senators McEwen and Port introduced--

S.F. No. 3191: A bill for an act relating to taxation; imposing a gross receipts tax on short-term rental lodging; proposing coding for new law in Minnesota Statutes, chapter 295.

Referred to the Committee on Taxes.

Senator McEwen introduced--

S.F. No. 3192: A bill for an act relating to capital investment; appropriating money for the Duluth Art Institute.

Referred to the Committee on Capital Investment.

Senator McEwen introduced--

S.F. No. 3193: A bill for an act relating to commerce; modifying workers' compensation self-insurance provisions; amending Minnesota Statutes 2022, sections 79A.01, subdivision 4; 79A.04, subdivisions 7, 9, 10, 16, by adding a subdivision; 79A.08; 79A.13; 79A.24, subdivision 4; 79A.25, subdivisions 1, 2, 3, by adding a subdivision.

Referred to the Committee on Commerce and Consumer Protection.

Senator Champion introduced--

S.F. No. 3194: A bill for an act relating to housing; appropriating money for a grant to Riverfront Development Partners to develop mixed-use buildings including housing units.

Referred to the Committee on Housing and Homelessness Prevention.

Senator Champion introduced--

S.F. No. 3195: A bill for an act relating to state government; appropriating money to construct the John Francis Wheaton Memorial.

Referred to the Committee on State and Local Government and Veterans.

Senator Champion introduced--

S.F. No. 3196: A bill for an act relating to health; establishing a pilot program to reduce trauma from gun violence; requiring a report; appropriating money.

Referred to the Committee on Health and Human Services.

Senators Hauschild, Frenz, Abeler, Hoffman, and Murphy introduced--

S.F. No. 3197: A bill for an act relating to labor; requiring the commissioner of labor and employment to develop a workplace poster identifying veterans' benefits and services; proposing coding for new law in Minnesota Statutes, chapter 181.

Referred to the Committee on Labor.

Senators Seeberger and Klein introduced--

S.F. No. 3198: A bill for an act relating to capital investment; appropriating money for construction of a new multiuse water, engineering, and utilities facility in the city of Cottage Grove.

Referred to the Committee on Capital Investment.

Senators Hoffman and Pha introduced--

S.F. No. 3199: A bill for an act relating to transportation; appropriating money for intersection improvements on marked U.S. Highway 169 in the cities of Brooklyn Park and Champlin; authorizing the sale and issuance of state bonds.

Referred to the Committee on Transportation.

Senators Mohamed and Oumou Verbeten introduced--

S.F. No. 3200: A bill for an act relating to workforce development; appropriating money to Greater Twin Cities United Way.

Referred to the Committee on Jobs and Economic Development.

Senators Mohamed and Oumou Verbeten introduced--

S.F. No. 3201: A bill for an act relating to housing; providing a tenant's right to organize and penalties for retaliation for tenant organizing; amending Minnesota Statutes 2022, section 504B.001, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 504B.

Referred to the Committee on Housing and Homelessness Prevention.

Senators Weber, Dornink, Dahms, and Frenz introduced--

S.F. No. 3202: A bill for an act relating to commerce; establishing a liquid fuel modernization tax credit; modifying individual income and corporate franchise taxes; requiring a report; amending Minnesota Statutes 2022, sections 239.7911, by adding a subdivision; 290.0131, by adding a subdivision; 290.0133, by adding a subdivision; 290.06, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 239.

Referred to the Committee on Commerce and Consumer Protection.

Senator Latz introduced--

S.F. No. 3203: A bill for an act relating to the attorney general; establishing a Civil Commitment Coordinating Division; establishing engagement services and outpatient civil commitment grants; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 8.

Referred to the Committee on Judiciary and Public Safety.

Senator Murphy introduced--

S.F. No. 3204: A bill for an act relating to state government; public employees insurance program modifications; creating a Minnesota insurance pool committee; requiring a report; appropriating money; amending Minnesota Statutes 2022, section 43A.316, subdivisions 5, 7.

Referred to the Committee on State and Local Government and Veterans.

Senator Mohamed introduced--

S.F. No. 3205: A bill for an act relating to capital investment; appropriating money for a grant to Agate Housing and Services for a shelter in Hennepin County.

Referred to the Committee on Capital Investment.

Senator Marty introduced--

S.F. No. 3206: A bill for an act relating to state finances; establishing a definition of transfer; clarifying the date of the annual November budget forecast; requiring a biennial budget close report; updating the budget reserve allocation number; making technical corrections; eliminating obsolete statutes; amending Minnesota Statutes 2022, sections 16A.011, by adding a subdivision; 16A.103, subdivisions 1, 1b, as amended, by adding a subdivision; 16A.152, subdivision 2; 16A.97; repealing Minnesota Statutes 2022, section 16A.98.

Referred to the Committee on Finance.

Senator Pappas introduced--

S.F. No. 3207: A bill for an act relating to taxation; providing special tax increment financing authority to the city of St. Paul; amending Laws 2008, chapter 366, article 5, section 36, subdivisions 1, 3, as amended.

Referred to the Committee on Taxes.

Senator Hauschild introduced--

S.F. No. 3208: A bill for an act relating to taxation; minerals; converting the net proceeds tax into a gross proceeds tax; modifying distributions of gross proceeds and taconite production taxes; modifying and increasing distribution of occupation tax proceeds; amending Minnesota Statutes 2022, sections 41A.21; 272.02, subdivision 73; 273.1341; 297A.68, subdivision 4; 298.015; 298.018, subdivisions 1, 1a; 298.17; 298.28, subdivisions 5, 7a; 298.296, subdivision 4.

Referred to the Committee on Taxes.

MOTIONS AND RESOLUTIONS

Senator Champion moved that the name of Senator Oumou Verbeten be added as a co-author to S.F. No. 55. The motion prevailed.

Senator Champion moved that the name of Senator Marty be added as a co-author to S.F. No. 466. The motion prevailed.

Senator Dibble moved that the name of Senator Nelson be added as a co-author to S.F. No. 1021. The motion prevailed.

Senator Dibble moved that the name of Senator Marty be added as a co-author to S.F. No. 1136. The motion prevailed.

Senator Putnam moved that the name of Senator Nelson be added as a co-author to S.F. No. 1288. The motion prevailed.

Senator Morrison moved that the name of Senator McEwen be added as a co-author to S.F. No. 1324. The motion prevailed.

Senator Latz moved that the name of Senator Oumou Verbeten be added as a co-author to S.F. No. 1325. The motion prevailed.

Senator Gustafson moved that the name of Senator Oumou Verbeten be added as a co-author to S.F. No. 1475. The motion prevailed.

Senator Nelson moved that the name of Senator Boldon be added as a co-author to S.F. No. 1757. The motion prevailed.

Senator Maye Quade moved that the name of Senator Rasmusson be added as a co-author to S.F. No. 1761. The motion prevailed.

Senator Hawj moved that the name of Senator Marty be added as a co-author to S.F. No. 1937. The motion prevailed.

Senator Pappas moved that the name of Senator Oumou Verbeten be added as a co-author to S.F. No. 1972. The motion prevailed.

Senator Kunesh moved that the name of Senator Abeler be added as a co-author to S.F. No. 2197. The motion prevailed.

Senator Mohamed moved that the name of Senator Duckworth be added as a co-author to S.F. No. 2233. The motion prevailed.

Senator Wiklund moved that the name of Senator Abeler be added as a co-author to S.F. No. 2265. The motion prevailed.

Senator Kupec moved that the name of Senator Nelson be added as a co-author to S.F. No. 2343. The motion prevailed.

Senator Murphy moved that the name of Senator Marty be added as a co-author to S.F. No. 2456. The motion prevailed.

Senator Fateh moved that his name be stricken as a co-author to S.F. No. 2634. The motion prevailed.

Senator Hoffman moved that the name of Senator McEwen be added as a co-author to S.F. No. 2634. The motion prevailed.

Senator Hauschild moved that the name of Senator Abeler be added as a co-author to S.F. No. 2699. The motion prevailed.

Senator Hauschild moved that the name of Senator Abeler be added as a co-author to S.F. No. 2700. The motion prevailed.

Senator Putnam moved that the names of Senators Gustafson, Kupec, and Miller be added as co-authors to S.F. No. 2763. The motion prevailed.

Senator Xiong moved that the name of Senator Boldon be added as a co-author to S.F. No. 2813. The motion prevailed.

Senator Latz moved that the name of Senator Oumou Verbeten be added as a co-author to S.F. No. 2908. The motion prevailed.

Senator McEwen moved that the name of Senator Kunesh be added as a co-author to S.F. No. 2940. The motion prevailed.

Senator Jasinski moved that the name of Senator Nelson be added as a co-author to S.F. No. 2964. The motion prevailed.

Senator Frenz moved that the names of Senators Hoffman and Kupec be added as co-authors to S.F. No. 3030. The motion prevailed.

Senator Dibble moved that the names of Senators Maye Quade and Mann be added as co-authors to S.F. No. 3062. The motion prevailed.

Senator Putnam moved that the name of Senator McEwen be added as a co-author to S.F. No. 3133. The motion prevailed.

Senator Hoffman moved that the name of Senator Dibble be added as a co-author to S.F. No. 3156. The motion prevailed.

Senators Pappas, Fateh, and Mohamed introduced --

Senate Resolution No. 30: A Senate resolution congratulating Abdirahman Kahin of Afro Deli and Grill on being named Minnesota Small Business Person of the Year.

Referred to the Committee on Rules and Administration.

Senators Dziezic, Johnson, and Morrison introduced --

Senate Concurrent Resolution No. 4: A Senate concurrent resolution relating to adjournment for more than three days.

BE IT RESOLVED by the Senate of the State of Minnesota, the House of Representatives concurring:

1. Upon the adjournment of the Senate on Tuesday, April 4, 2023, and the adjournment of the House of Representatives on Tuesday, April 4, 2023, the Senate and House of Representatives may each set its next day of meeting for Tuesday, April 11, 2023.

2. Each house consents to adjournment of the other house for more than three days.

Senator Morrison moved the adoption of the foregoing resolution. The motion prevailed. So the resolution was adopted.

SPECIAL ORDERS

Pursuant to Rule 26, Senator Morrison, designee of the Chair of the Committee on Rules and Administration, designated the following bills a Special Orders Calendar to be heard immediately:

S.F. No. 1213.

SPECIAL ORDER

S.F. No. 1213: A bill for an act relating to labor; modifying certain exclusions to the definition of public employee; amending Minnesota Statutes 2022, section 179A.03, subdivision 14.

Senator Oumou Verbeten moved to amend S.F. No. 1213 as follows:

Page 3, line 10, after "more" insert "credit-bearing"

Page 3, after line 10, insert:

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

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 52 and nays 12, as follows:

Those who voted in the affirmative were:

| | | | | |
|------------|------------|------------|----------|------------|
| Abeler | Dibble | Frentz | Jasinski | Mann |
| Boldon | Dornink | Gruenhagen | Johnson | Marty |
| Carlson | Draheim | Gustafson | Klein | Maye Quade |
| Champion | Drazkowski | Hauschild | Kreun | McEwen |
| Coleman | Duckworth | Hawj | Kunesh | Miller |
| Cwodzinski | Dziezic | Hoffman | Kupec | Mitchell |
| Dahms | Fatch | Housley | Limmer | Mohamed |

| | | | | |
|----------------|--------|-----------|-----------|-------|
| Morrison | Pappas | Putnam | Seeberger | Xiong |
| Murphy | Pha | Rarick | Weber | |
| Nelson | Port | Rasmusson | Westlin | |
| Oumou Verbeten | Pratt | Rest | Wiklund | |

Pursuant to Rule 40, Senator Boldon cast the affirmative vote on behalf of the following Senator: Dziedzic.

Those who voted in the negative were:

| | | | |
|----------|-------|---------|-----------|
| Anderson | Green | Lieske | Utke |
| Bahr | Howe | Lucero | Wesenberg |
| Eichorn | Koran | Mathews | Westrom |

Pursuant to Rule 40, Senator Jasinski cast the negative vote on behalf of the following Senator: Westrom.

The motion prevailed. So the amendment was adopted.

S.F. No. 1213 was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 44 and nays 20, as follows:

Those who voted in the affirmative were:

| | | | | |
|------------|-----------|------------|----------------|-----------|
| Abeler | Draheim | Housley | Miller | Port |
| Boldon | Duckworth | Klein | Mitchell | Putnam |
| Carlson | Dziedzic | Kunesh | Mohamed | Rarick |
| Champion | Fateh | Kupec | Morrison | Rest |
| Coleman | Frentz | Limmer | Murphy | Seeberger |
| Cwodzinski | Gustafson | Mann | Nelson | Westlin |
| Dahms | Hauschild | Marty | Oumou Verbeten | Wiklund |
| Dibble | Hawj | Maye Quade | Pappas | Xiong |
| Dornink | Hoffman | McEwen | Pha | |

Pursuant to Rule 40, Senator Boldon cast the affirmative vote on behalf of the following Senator: Dziedzic.

Those who voted in the negative were:

| | | | | |
|------------|------------|---------|-----------|-----------|
| Anderson | Green | Johnson | Lucero | Utke |
| Bahr | Gruenhagen | Koran | Mathews | Weber |
| Drazkowski | Howe | Kreun | Pratt | Wesenberg |
| Eichorn | Jasinski | Lieske | Rasmusson | Westrom |

Pursuant to Rule 40, Senator Jasinski cast the negative vote on behalf of the following Senator: Westrom.

So the bill, as amended, was passed and its title was agreed to.

MEMBERS EXCUSED

Senators Lang and Latz were excused from the Session of today. Senator Farnsworth was excused from the Session of today at 11:30 a.m.

ADJOURNMENT

Senator Morrison moved that the Senate do now adjourn until 12:00 noon, Monday, April 3, 2023. The motion prevailed.

Thomas S. Bottern, Secretary of the Senate