

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

S.F. No. 2909

(SENATE AUTHORS: LATZ)

DATE
03/15/2023

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Introduction and first reading
Referred to Judiciary and Public Safety

OFFICIAL STATUS

1.1 A bill for an act

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

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

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

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

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

1.7 sentencing guidelines, public safety, emergency management, criminal

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

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

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

1.11 Minnesota Statutes 2022, sections 13.072, subdivision 1; 244.03; 244.05,

1.12 subdivisions 1b, 2, 5; 297I.06, subdivision 1; 299A.38; 299A.41, subdivision 3;

1.13 299A.52; 299N.02, subdivision 3; 326.32, subdivision 10; 326.3381, subdivision

1.14 3; 363A.09, subdivisions 1, 2, by adding a subdivision; 403.02, subdivisions 7,

1.15 9a, 11b, 16a, 17, 17c, 18, 19, 19a, 20, 20a, 21, by adding subdivisions; 403.025;

1.16 403.03, subdivision 2; 403.05; 403.06; 403.07; 403.08; 403.09, subdivision 2;

1.17 403.10, subdivisions 2, 3; 403.11; 403.113; 403.15, subdivisions 1, 2, 3, 4, 5, 6,

1.18 by adding a subdivision; 611.23; 611A.211, subdivision 1; 611A.31, subdivisions

1.19 2, 3, by adding a subdivision; 611A.32; 624.712, by adding a subdivision; 624.713,

1.20 subdivision 1; 624.7131, subdivisions 4, 5, 7, 9, 11; 624.7132, subdivisions 4, 5,

1.21 8, 12, 15; proposing coding for new law in Minnesota Statutes, chapters 244; 299A;

1.22 299C; 624; 626; repealing Minnesota Statutes 2022, sections 299C.80, subdivision

1.23 7; 403.02, subdivision 13; 403.09, subdivision 3; 624.7131, subdivision 10;

1.24 624.7132, subdivisions 6, 14.

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

1.26 **ARTICLE 1**
1.27 **JUDICIARY APPROPRIATIONS**

1.28 Section 1. **APPROPRIATIONS.**

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

2.1 The figures "2024" and "2025" used in this article mean that the appropriations listed under
 2.2 them are available for the fiscal year ending June 30, 2024, or June 30, 2025, respectively.
 2.3 "The first year" is fiscal year 2024. "The second year" is fiscal year 2025. "The biennium"
 2.4 is fiscal years 2024 and 2025.

2.5		<u>APPROPRIATIONS</u>	
2.6		<u>Available for the Year</u>	
2.7		<u>Ending June 30</u>	
2.8		<u>2024</u>	<u>2025</u>

2.9 **Sec. 2. SUPREME COURT**

2.10	<u>Subdivision 1. Total Appropriation</u>	<u>\$</u>	<u>70,880,000</u>	<u>\$</u>	<u>78,371,000</u>
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2.11 The amounts that may be spent for each
 2.12 purpose are specified in the following
 2.13 subdivisions.

2.14	<u>Subd. 2. Supreme Court Operations</u>		<u>46,598,000</u>		<u>49,118,000</u>
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2.15 **(a) Contingent Account**

2.16 \$5,000 each year is for a contingent account
 2.17 for expenses necessary for the normal
 2.18 operation of the court for which no other
 2.19 reimbursement is provided.

2.20 **(b) Justices' Compensation**

2.21 Justices' compensation is increased by nine
 2.22 percent in the first year and six percent in the
 2.23 second year.

2.24	<u>Subd. 3. Civil Legal Services</u>		<u>24,282,000</u>		<u>29,253,000</u>
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2.25 The general fund base is \$33,771,000 in fiscal
 2.26 year 2026 and \$38,255,000 in fiscal year 2027.

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

2.28 **Family Law Matters**

2.29 \$1,017,000 each year is to improve the access
 2.30 of low-income clients to legal representation
 2.31 in family law matters. This appropriation must
 2.32 be distributed under Minnesota Statutes,
 2.33 section 480.242, to the qualified legal services

3.1 program described in Minnesota Statutes,
 3.2 section 480.242, subdivision 2, paragraph (a).
 3.3 Any unencumbered balance remaining in the
 3.4 first year does not cancel and is available in
 3.5 the second year.

3.6 Sec. 3. COURT OF APPEALS \$ 14,606,000 \$ 15,410,000

3.7 **Judges' Compensation**

3.8 Judges' compensation is increased by nine
 3.9 percent in the first year and six percent in the
 3.10 second year.

3.11 Sec. 4. DISTRICT COURTS \$ 377,705,000 \$ 381,994,000

3.12 **Judges' Compensation**

3.13 Judges' compensation is increased by nine
 3.14 percent in the first year and six percent in the
 3.15 second year.

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

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

3.18 Sec. 7. UNIFORM LAWS COMMISSION \$ 115,000 \$ 115,000

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

3.20 **(a) Availability of Appropriation**

3.21 If the appropriation for either year is
 3.22 insufficient, the appropriation for the other
 3.23 fiscal year is available.

3.24 **(b) Major Disciplinary Actions**

3.25 \$125,000 each year is for special investigative
 3.26 and hearing costs for major disciplinary
 3.27 actions undertaken by the board. This
 3.28 appropriation does not cancel. Any
 3.29 unencumbered and unspent balances remain
 3.30 available for these expenditures until June 30,
 3.31 2027.

4.1 Sec. 9. **BOARD OF PUBLIC DEFENSE** \$ 154,134,000 \$ 164,360,000
 4.2 Sec. 10. **HUMAN RIGHTS** \$ 8,431,000 \$ 8,823,000

4.3 The general fund base is \$9,303,000 in fiscal
 4.4 year 2026 and \$9,303,000 in fiscal year 2027.

4.5 **Mediator Payments**

4.6 \$20,000 in fiscal year 2024 and \$20,000 in
 4.7 fiscal year 2025 are to fund payments to
 4.8 mediators. This appropriation is onetime and
 4.9 is available until June 30, 2027.

4.10 **ARTICLE 2**

4.11 **PUBLIC SAFETY APPROPRIATIONS**

4.12 Section 1. **APPROPRIATIONS.**

4.13 The sums shown in the columns marked "Appropriations" are appropriated to the agencies
 4.14 and for the purposes specified in this article. The appropriations are from the general fund,
 4.15 or another named fund, and are available for the fiscal years indicated for each purpose.
 4.16 The figures "2024" and "2025" used in this article mean that the appropriations listed under
 4.17 them are available for the fiscal year ending June 30, 2024, or June 30, 2025, respectively.
 4.18 "The first year" is fiscal year 2024. "The second year" is fiscal year 2025. "The biennium"
 4.19 is fiscal years 2024 and 2025. Appropriations for the fiscal year ending June 30, 2023, are
 4.20 effective the day following final enactment.

4.21			<u>APPROPRIATIONS</u>	
4.22			<u>Available for the Year</u>	
4.23			<u>Ending June 30</u>	
4.24			<u>2024</u>	<u>2025</u>
4.25	Sec. 2. <u>SENTENCING GUIDELINES</u>	\$	<u>1,549,000</u>	\$ <u>1,488,000</u>

4.26 The general fund base is \$1,071,000 in fiscal
 4.27 year 2026 and \$1,071,000 in fiscal year 2027.

4.28 Sec. 3. **PUBLIC SAFETY**

4.29 **Subdivision 1. Total Appropriation** \$ 303,266,000 \$ 291,583,000

4.30	<u>Appropriations by Fund</u>		
4.31		<u>2024</u>	<u>2025</u>
4.32	<u>General</u>	<u>207,212,000</u>	<u>202,000,000</u>
4.33	<u>Special Revenue</u>	<u>18,074,000</u>	<u>18,327,000</u>

5.1	<u>State Government</u>		
5.2	<u>Special Revenue</u>	<u>103,000</u>	<u>103,000</u>
5.3	<u>Environmental</u>	<u>119,000</u>	<u>127,000</u>
5.4	<u>Trunk Highway</u>	<u>2,429,000</u>	<u>2,429,000</u>
5.5	<u>911 Fund</u>	<u>75,329,000</u>	<u>68,597,000</u>

5.6 The amounts that may be spent for each
5.7 purpose are specified in the following
5.8 subdivisions.

5.9	<u>Subd. 2. Public Safety Administration</u>	<u>10,862,000</u>	<u>8,683,000</u>
5.10	<u>(a) Office of Communications</u>	<u>360,000</u>	<u>690,000</u>

5.11 Of this amount, \$250,000 each year is for a
5.12 firearm safety campaign.

5.13 **(b) First Responder Wellness Office**
5.14 \$1,100,000 each year is to establish and
5.15 administer an office that would provide
5.16 leadership and resources for improving the
5.17 mental health of emergency and first
5.18 responders statewide.

5.19 **(c) Public Safety Officer Survivor Benefits**
5.20 \$1,500,000 each year is for payment of public
5.21 safety officer survivor benefits under
5.22 Minnesota Statutes, section 299A.44. If the
5.23 appropriation for either year is insufficient,
5.24 the appropriation for the other year is
5.25 available.

5.26 **(d) Soft Body Armor Reimbursements**
5.27 \$1,745,000 each year is for soft body armor
5.28 reimbursements under Minnesota Statutes,
5.29 section 299A.38.

5.30 **(e) Body-Worn Camera Grant Program**
5.31 \$4,500,000 in fiscal year 2024 and \$1,500,000
5.32 in fiscal year 2025 are for grants to local law
5.33 enforcement agencies for the purchase of

6.1 body-worn cameras. Funds may be used for
 6.2 one staff person to administer this program.

6.3 **Subd. 3. Emergency Management** 4,186,000 4,272,000

6.4 Appropriations by Fund

6.5 General 4,067,000 4,145,000

6.6 Environmental 119,000 127,000

6.7 **(a) Supplemental Nonprofit Security Grants**

6.8 \$225,000 each year is for supplemental
 6.9 nonprofit security grants under this paragraph.

6.10 Nonprofit organizations whose applications
 6.11 for funding through the Federal Emergency
 6.12 Management Agency's nonprofit security grant
 6.13 program have been approved by the Division
 6.14 of Homeland Security and Emergency
 6.15 Management are eligible for grants under this
 6.16 paragraph. No additional application shall be
 6.17 required for grants under this paragraph, and
 6.18 an application for a grant from the federal
 6.19 program is also an application for funding
 6.20 from the state supplemental program.

6.21 Eligible organizations may receive grants of
 6.22 up to \$75,000, except that the total received
 6.23 by any individual from both the federal
 6.24 nonprofit security grant program and the state
 6.25 supplemental nonprofit security grant program
 6.26 shall not exceed \$75,000. Grants shall be
 6.27 awarded in an order consistent with the
 6.28 ranking given to applicants for the federal
 6.29 nonprofit security grant program. No grants
 6.30 under the state supplemental nonprofit security
 6.31 grant program shall be awarded until the
 6.32 announcement of the recipients and the
 6.33 amount of the grants awarded under the federal
 6.34 nonprofit security grant program.

7.1 The commissioner may use up to one percent
 7.2 of the appropriation received under this
 7.3 paragraph to pay costs incurred by the
 7.4 department in administering the supplemental
 7.5 nonprofit security grant program.

7.6 **(b) School Safety Center**

7.7 \$300,000 each year is to fund two new school
 7.8 safety specialists at the Minnesota School
 7.9 Safety Center.

7.10 **Subd. 4. Criminal Apprehension** 120,026,000 115,779,000

7.11	<u>Appropriations by Fund</u>		
7.12	<u>General</u>	<u>117,590,000</u>	<u>113,343,000</u>
7.13	<u>State Government</u>		
7.14	<u>Special Revenue</u>	<u>7,000</u>	<u>7,000</u>
7.15	<u>Trunk Highway</u>	<u>2,429,000</u>	<u>2,429,000</u>

7.16 The base from the general fund is
 7.17 \$111,497,000 starting in fiscal year 2026.

7.18 **(a) DWI Lab Analysis; Trunk Highway**
 7.19 **Fund**

7.20 Notwithstanding Minnesota Statutes, section
 7.21 161.20, subdivision 3, \$2,429,000 the first
 7.22 year and \$2,429,000 the second year are from
 7.23 the trunk highway fund for staff and operating
 7.24 costs for laboratory analysis related to
 7.25 driving-while-impaired cases.

7.26 **(b) State Fraud Unit**

7.27 \$1,300,000 each year is for staff and operating
 7.28 costs to create the State Fraud Unit to
 7.29 centralize the state's response to activities of
 7.30 fraud with an estimated impact of \$100,000
 7.31 or more.

7.32 **(c) Human Trafficking Response Task**
 7.33 **Force**

8.1 \$3,304,000 the first year and \$3,304,000 the
 8.2 second year are for staff and operating costs
 8.3 to support the Bureau of Criminal
 8.4 Apprehension-led Minnesota Human
 8.5 Trafficking Investigator's Task Force.

8.6 **(d) FBI Compliance, Critical IT**
 8.7 **Infrastructure, and Cybersecurity**
 8.8 **Upgrades**

8.9 \$9,910,000 the first year and \$5,097,000 the
 8.10 second year are for cybersecurity investments,
 8.11 critical infrastructure upgrades, and Federal
 8.12 Bureau of Investigation audit compliance. Of
 8.13 this amount, \$6,643,000 the first year and
 8.14 \$1,830,000 the second year is onetime and is
 8.15 available until June 30, 2026. The base
 8.16 beginning in fiscal year 2026 is \$3,267,000.

8.17 **Subd. 5. Fire Marshal** 17,013,000 17,272,000

<u>Appropriations by Fund</u>		
8.18 <u>General</u>	<u>5,184,000</u>	<u>5,190,000</u>
8.19 <u>Special Revenue</u>	<u>11,829,000</u>	<u>12,082,000</u>

8.21 The special revenue fund appropriation is from
 8.22 the fire safety account in the special revenue
 8.23 fund and is for activities under Minnesota
 8.24 Statutes, section 299F.012. The base
 8.25 appropriation from this account is \$12,182,000
 8.26 in fiscal year 2026 and \$12,082,000 in fiscal
 8.27 year 2027.

8.28 **(a) Inspections**
 8.29 \$300,000 each year is for inspection of nursing
 8.30 homes and boarding care facilities.

8.31 **(b) Hazardous Materials and Emergency**
 8.32 **Response Teams**

9.1 \$1,695,000 the first year and \$1,595,000 the
 9.2 second year are from the fire safety account
 9.3 in the special revenue fund for hazardous
 9.4 materials and emergency response teams. The
 9.5 base for these purposes is \$1,695,000 in the
 9.6 first year of future biennia and \$1,595,000 in
 9.7 the second year of future biennia.

9.8 **(c) Bomb Squad Reimbursements**

9.9 \$300,000 each year is from the general fund
 9.10 for reimbursements to local governments for
 9.11 bomb squad services.

9.12 **(d) Hometown Heroes Assistance Program**

9.13 \$4,000,000 each year from the general fund
 9.14 is for grants to the Minnesota Firefighter
 9.15 Initiative to fund the hometown heroes
 9.16 assistance program established in Minnesota
 9.17 Statutes, section 299A.477.

9.18 **Subd. 6. Firefighter Training and Education**
 9.19 **Board**

7,175,000

7,175,000

9.20 Appropriations by Fund

9.21 <u>General</u>	<u>1,000,000</u>	<u>1,000,000</u>
9.22 <u>Special Revenue</u>	<u>6,175,000</u>	<u>6,175,000</u>

9.23 The special revenue fund appropriation is from
 9.24 the fire safety account in the special revenue
 9.25 fund and is for activities under Minnesota
 9.26 Statutes, section 299F.012.

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

9.28 \$4,500,000 each year from the special revenue
 9.29 fund and \$1,000,000 each year from the
 9.30 general fund is for firefighter training and
 9.31 education.

9.32 **(b) Task Force 1**

10.1 \$1,125,000 each year is for the Minnesota
 10.2 Task Force 1.

10.3 **(c) Task Force 2**

10.4 \$200,000 each year is for Minnesota Task
 10.5 Force 2.

10.6 **(d) Air Rescue**

10.7 \$350,000 each year is for the Minnesota Air
 10.8 Rescue Team.

10.9 **(e) Unappropriated Revenue**

10.10 Any additional unappropriated money
 10.11 collected in fiscal year 2023 is appropriated
 10.12 to the commissioner of public safety for the
 10.13 purposes of Minnesota Statutes, section
 10.14 299F.012. The commissioner may transfer
 10.15 appropriations and base amounts between
 10.16 activities in this subdivision.

10.17 **Subd. 7. Alcohol and Gambling**
 10.18 **Enforcement**

3,502,000

3,757,000

10.19 Appropriations by Fund

10.20 General 3,432,000 3,687,000

10.21 Special Revenue 70,000 70,000

10.22 \$70,000 each year is from the lawful gambling
 10.23 regulation account in the special revenue fund.

10.24 **Subd. 8. Office of Justice Programs**

65,173,000

66,048,000

10.25 Appropriations by Fund

10.26 General 65,077,000 65,952,000

10.27 State Government

10.28 Special Revenue 96,000 96,000

10.29 **(a) Minnesota Youth Justice Office**

10.30 \$5,000,000 each year is for staff and data
 10.31 analysis and evaluation, increased funding for
 10.32 youth intervention programs, disparities
 10.33 reduction and delinquency prevention

11.1 programming, and to establish a Statewide
11.2 Crossover/Dual Status Youth grant program,
11.3 justice involved youth mental health grant
11.4 program, gang prevention grant program, and
11.5 community based alternatives to incarceration
11.6 grant program.

11.7 **(b) Office of Missing and Murdered**

11.8 **Indigenous Relatives (MMIR)**

11.9 \$774,000 each year is for staff and operating
11.10 costs of the Office and MMIR Advisory
11.11 Board.

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

11.13 \$1,250,000 each year is to establish: a
11.14 Domestic Violence Housing First grant
11.15 program to provide resources for survivors of
11.16 violence to access safe and stable housing and
11.17 for staff to provide mobile advocacy and
11.18 expertise in housing resources in their
11.19 community, and a Minnesota Domestic and
11.20 Sexual Violence Transitional Housing
11.21 program to develop and support medium to
11.22 long term transitional housing for survivors
11.23 of domestic and sexual violence with
11.24 supportive services.

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

11.26 **African American Women**

11.27 \$1,248,000 each year is to establish and
11.28 maintain the Minnesota Office for Missing
11.29 and Murdered African American Women.

11.30 **(e) Administration Costs**

11.31 Up to 2.5 percent of the grant funds
11.32 appropriated in this subdivision may be used

12.1 by the commissioner to administer the grant
 12.2 program.

12.3 **Subd. 9. Emergency Communication Networks** 75,329,000 68,597,000

12.4 This appropriation is from the state
 12.5 government special revenue fund for 911
 12.6 emergency telecommunications services.

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

12.8 \$28,011,000 the first year and \$28,011,000
 12.9 the second year shall be distributed as
 12.10 provided under Minnesota Statutes, section
 12.11 403.113, subdivision 2.

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

12.13 \$7,000,000 in the first year is to support Public
 12.14 Safety Answering Points' transition to Next
 12.15 Generation 911. Funds may be used for
 12.16 planning, cybersecurity, GIS data collection
 12.17 and maintenance, 911 call processing
 12.18 equipment, and new Public Safety Answering
 12.19 Point technology to improve service delivery.
 12.20 Funds shall be distributed by October 1, 2023,
 12.21 as provided in Minnesota Statutes, section
 12.22 403.113, subdivision 2. Funds are available
 12.23 until June 30, 2025, and any unspent funds
 12.24 must be returned to the 911 emergency
 12.25 telecommunications service account. This is
 12.26 a onetime appropriation.

12.27 Each eligible entity receiving these funds must
 12.28 provide a detailed report on how the funds
 12.29 were used to the commissioner of public safety
 12.30 by August 1, 2025.

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

12.32 **Costs**

13.1 \$10,116,000 the first year and \$10,384,000
 13.2 the second year are transferred to the
 13.3 commissioner of transportation for costs of
 13.4 maintaining and operating the statewide radio
 13.5 system backbone.

13.6 **(d) Statewide Emergency Communications**

13.7 **Board**

13.8 \$1,000,000 each year is to the Statewide
 13.9 Emergency Communications Board. Funds
 13.10 may be used for operating costs, to provide
 13.11 competitive grants to local units of
 13.12 government to fund enhancements to a
 13.13 communication system, technology, or support
 13.14 activity that directly provides the ability to
 13.15 deliver the 911 call between the entry point to
 13.16 the 911 system and the first responder, and to
 13.17 further the strategic goals set forth by the
 13.18 SECB Statewide Communication
 13.19 Interoperability Plan.

13.20 **Sec. 4. DISASTER ASSISTANCE**

13.21 **CONTINGENCY ACCOUNT**

13.22 \$40,000,000 is transferred in fiscal year 2024
 13.23 from the general fund to the disaster assistance
 13.24 contingency account established under
 13.25 Minnesota Statutes, section 12.221,
 13.26 subdivision 6. This transfer must be completed
 13.27 before August 1, 2023.

13.28 **Sec. 5. PUBLIC SAFETY OFFICER**

13.29 **SURVIVOR BENEFITS DEFICIENCY**

13.30 \$1,000,000 in fiscal year 2023 is for payment
 13.31 of public safety officer survivor benefits under
 13.32 Minnesota Statutes, section 299A.44. This is
 13.33 a onetime appropriation.

13.34 **Sec. 6. PEACE OFFICER STANDARDS AND**

13.35 **TRAINING (POST) BOARD**

14.1	<u>Subdivision 1. Total Appropriation</u>	<u>\$</u>	<u>12,428,000</u>	<u>\$</u>	<u>12,282,000</u>
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14.2 The general fund base is \$6,265,000 in fiscal
 14.3 year 2026 and \$6,265,000 in fiscal year 2027.

14.4 The amounts that may be spent for each
 14.5 purpose are specified in the following
 14.6 subdivisions.

14.7 Subd. 2. **Peace Officer Training Reimbursements**

14.8 \$2,949,000 each year is for reimbursements
 14.9 to local governments for peace officer training
 14.10 costs.

14.11 Subd. 3. **Peace Officer Training Assistance**

14.12 **Philando Castile Memorial Training Fund**

14.13 \$6,000,000 in fiscal year 2024 and \$6,000,000
 14.14 in fiscal year 2025 are to support and
 14.15 strengthen law enforcement training and
 14.16 implement best practices. This funding shall
 14.17 be named the "Philando Castile Memorial
 14.18 Training Fund." Each year, if funds are
 14.19 available after reimbursing all eligible requests
 14.20 for courses approved by the board under this
 14.21 subdivision, the board may use the funds to
 14.22 reimburse law enforcement agencies for other
 14.23 board-approved law enforcement training
 14.24 courses. The base for this activity is \$0 in
 14.25 fiscal year 2026 and thereafter.

14.26 Each sponsor of a training course is required
 14.27 to include the following in the sponsor's
 14.28 application for approval submitted to the
 14.29 board: course goals and objectives; a course
 14.30 outline including at a minimum a timeline and
 14.31 teaching hours for all courses; instructor
 14.32 qualifications, including skills and concepts
 14.33 such as crisis intervention, de-escalation, and
 14.34 cultural competency that are relevant to the

16.1 **Subd. 2. Incarceration and**
 16.2 **Prerelease Services**

543,240,000

573,153,000

16.3 **(a) Healthy Start Act**

16.4 \$100,000 each year is to implement the
 16.5 healthy start act that shall create a release
 16.6 program for pregnant women and new mothers
 16.7 who are committed to the commissioner of
 16.8 corrections by providing alternatives to
 16.9 incarceration and improving parenting skills.

16.10 **(b) Prescription Medications**

16.11 \$20,000 each year is to provide a one-month
 16.12 supply of any prescribed, nonnarcotic
 16.13 medications and a prescription for a 30-day
 16.14 supply of these medications that may be
 16.15 refilled twice to inmates at the time of their
 16.16 release.

16.17 **(c) Body-worn Camera Program**

16.18 \$1,000,000 each year is to create a body-worn
 16.19 camera program for corrections officers and
 16.20 intensive supervised release agents.

16.21 **(d) Prison Rape Elimination Act**

16.22 \$1,000,000 each year is for Prison Rape
 16.23 Elimination Act (PREA) compliance.

16.24 **(e) ARMER Radio System**

16.25 \$1,500,000 each year is to upgrade and
 16.26 maintain the ARMER radio system within
 16.27 correctional facilities.

16.28 **(f) Special Investigations Office**

16.29 \$1,864,000 in fiscal year 2024 and \$1,865,000
 16.30 in fiscal year 2025 are to establish and
 16.31 maintain a special investigations office within
 16.32 the fugitive apprehension unit. The base for

17.1 this purpose in fiscal year 2026 is \$1,461,000.

17.2 Beginning in fiscal year 2027, the base for this

17.3 purpose is \$1,462,000.

17.4 **(g) Health Services**

17.5 \$3,723,000 each year is for the health services

17.6 division. Beginning in fiscal year 2026, the

17.7 base for this purpose is \$3,638,000.

17.8 **(h) Educational Programming and Support**

17.9 **Services**

17.10 \$7,631,000 each year is for educational

17.11 programming and support services. Beginning

17.12 in fiscal year 2026, the base for this purpose

17.13 is \$5,653,000.

17.14 **(i) Evidence-based Correctional Practices**

17.15 **Unit**

17.16 \$2,164,000 each year is to establish and

17.17 maintain a unit to direct and oversee the use

17.18 of evidence-based correctional practices across

17.19 the department and correctional delivery

17.20 systems.

17.21 **(j) Family Support Unit**

17.22 \$3,060,000 each year is to establish a family

17.23 support unit to help maintain meaningful

17.24 connections between incarcerated individuals

17.25 and their families. Of this amount, \$2,000,000

17.26 each year must be used to reduce or eliminate

17.27 the cost of communication for incarcerated

17.28 individuals.

17.29 **(k) Incarceration and Prerelease Services**

17.30 **Base Budget**

17.31 The general fund base for Department of

17.32 Corrections incarceration and prerelease

18.1 services is \$572,250,000 in fiscal year 2026
 18.2 and \$572,551,000 in fiscal year 2027.

18.3 **Subd. 3. Community**
 18.4 **Supervision and Postrelease**
 18.5 **Services**

213,831,000

215,070,000

18.6 **(a) Community Corrections Act**

18.7 \$32,054,000 each year is added to the
 18.8 Community Corrections Act subsidy under
 18.9 Minnesota Statutes, section 401.14.

18.10 **(b) County Probation Officer**

18.11 **Reimbursement**

18.12 \$5,370,000 each year is for county probation
 18.13 officer reimbursement under Minnesota
 18.14 Statutes, section 244.19, subdivision 6.

18.15 **(c) Tribal Nation Supervision**

18.16 \$2,750,000 each year is for grants to Tribal
 18.17 Nations to provide supervision in tandem with
 18.18 the department.

18.19 **(d) Intervention Centers**

18.20 \$1,626,000 each year is to establish statewide
 18.21 intervention centers for supervision
 18.22 revocations. Of this amount, up to five percent
 18.23 is available for administration.

18.24 **(e) Treatment and Support Grants**

18.25 \$18,535,000 each year is to provide grants to
 18.26 counties and local providers to implement
 18.27 treatment programs, support programs, and
 18.28 innovative supervision practices to reduce the
 18.29 risk of recidivism.

18.30 **(f) Alternatives to Incarceration**

18.31 \$320,000 each year is for funding to Anoka
 18.32 County, Crow Wing County, and Wright
 18.33 County to facilitate access to community

19.1 treatment options under the alternatives to
19.2 incarceration program.

19.3 **(g) Juvenile Justice Report**

19.4 \$9,000 each year is for reporting on extended
19.5 jurisdiction juveniles.

19.6 **(h) Identifying Documents**

19.7 \$28,000 each year is to assist inmates in
19.8 obtaining a copy of their birth certificates and
19.9 provide appropriate Department of Corrections
19.10 identification cards to individuals released
19.11 from prison.

19.12 **(i) Pathways from Prison to Employment**

19.13 \$3,550,000 each year is to establish an
19.14 economic opportunity and public safety unit
19.15 to support job training and connect
19.16 incarcerated individuals with public and
19.17 private employers, trade associations, and
19.18 community colleges to provide stable
19.19 employment upon release. Of this amount:

19.20 (1) \$1,300,000 each year is for the EMPLOY
19.21 program to increase employment readiness;
19.22 and

19.23 (2) \$1,000,000 each year must be used for
19.24 community-based contracted programming
19.25 and services for prerelease and postrelease
19.26 employment and vocational services.

19.27 **(j) Housing Initiatives**

19.28 \$2,130,000 each year is for housing initiatives
19.29 to support stable housing of incarcerated
19.30 individuals upon release. The base for this
19.31 purpose in fiscal year 2026 and beyond is
19.32 \$1,685,000. Of this amount:

20.1 (1) \$1,000,000 each year is for housing
 20.2 stabilization prerelease services and program
 20.3 evaluation. The base for this purpose in fiscal
 20.4 year 2026 and beyond is \$760,000;

20.5 (2) \$500,000 each year is for rental assistance
 20.6 for incarcerated individuals approaching
 20.7 release, on supervised release, or on probation
 20.8 who are at risk of homelessness;

20.9 (3) \$405,000 each year is for culturally
 20.10 responsive trauma-informed transitional
 20.11 housing. The base for this purpose in fiscal
 20.12 year 2026 and beyond is \$200,000; and

20.13 (4) \$225,000 each year is for housing
 20.14 coordination activities.

20.15 **(k) Community Supervision and Postrelease**
 20.16 **Services Base Budget**

20.17 The general fund base for Department of
 20.18 Corrections community supervision and
 20.19 postrelease services is \$213,949,000 in fiscal
 20.20 year 2026 and \$213,849,000 in fiscal year
 20.21 2027.

20.22 **Subd. 4. Organizational, Regulatory, and**
 20.23 **Administrative Services**

72,028,000

75,528,000

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

20.25 \$17,500,000 is for the development and
 20.26 management of statewide public safety
 20.27 information sharing infrastructure and
 20.28 foundation technologies. The department shall
 20.29 consult with county correctional supervision
 20.30 providers, the Judicial Branch, the Minnesota
 20.31 Sheriff's Association, the Minnesota Chiefs
 20.32 of Police Association, and the Bureau of
 20.33 Criminal Apprehension, among other public
 20.34 safety stakeholders, in the development,

- 21.1 design, and implementation of a statewide
21.2 public safety information sharing
21.3 infrastructure. The base for this purpose in
21.4 fiscal year 2026 and beyond is \$10,000,000.
- 21.5 **(b) Correctional Facilities Security Audit**
21.6 **Group**
- 21.7 \$69,000 each year is for the correctional
21.8 facilities security audit group to prepare
21.9 security audit standards, conduct security
21.10 audits, and prepare required reports.
- 21.11 **(c) Oversight**
- 21.12 \$492,000 each year is to expand and improve
21.13 oversight of jails and other state and local
21.14 correctional facilities, including the addition
21.15 of four full-time corrections detention facilities
21.16 inspectors and funds for county sheriffs who
21.17 inspect municipal lockups.
- 21.18 **(d) Staff Wellness**
- 21.19 \$2,300,000 each year is to create a pilot staff
21.20 wellness program for trauma recovery,
21.21 resiliency, and well-being and for the staff
21.22 support and wellness unit. The base for this
21.23 purpose beginning in fiscal year 2026 is
21.24 \$300,000.
- 21.25 **(e) Indeterminate Sentence Release Board**
- 21.26 \$40,000 each year is to establish an
21.27 indeterminate sentence release board to review
21.28 eligible cases and make release decisions for
21.29 persons serving indeterminate sentences under
21.30 the authority of the commissioner of
21.31 corrections.
- 21.32 **(f) Organizational, Regulatory, and**
21.33 **Administrative Services Base Budget**

22.1 The general fund base for Department of
 22.2 Corrections organizational, regulatory, and
 22.3 administrative services is \$65,288,000 in fiscal
 22.4 year 2026 and \$65,088,000 in fiscal year 2027.

22.5 **Sec. 9. OMBUDSPERSON FOR**
 22.6 **CORRECTIONS**

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

22.7 **ARTICLE 3**
 22.8 **JUDICIARY**

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

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

22.17 (b) Upon request of a body subject to chapter 13D, the commissioner may give a written
 22.18 opinion on any question relating to the body's duties under chapter 13D. Upon request of a
 22.19 person who disagrees with the manner in which members of a governing body perform their
 22.20 duties under chapter 13D, the commissioner may give a written opinion on compliance with
 22.21 chapter 13D. ~~A governing body or person requesting an opinion under this paragraph must~~
 22.22 ~~pay the commissioner a fee of \$200. Money received by the commissioner under this~~
 22.23 ~~paragraph is appropriated to the commissioner for the purposes of this section.~~

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

22.31 (d) ~~For good cause and upon written notice to the person requesting the opinion, the~~
 22.32 ~~commissioner may extend this deadline for one additional 30-day period. The notice must~~
 22.33 ~~state the reason for extending the deadline.~~ The government entity or the members of a body
 22.34 subject to chapter 13D must be provided a reasonable opportunity to explain the reasons

23.1 for its decision regarding the data or how they perform their duties under chapter 13D. The
 23.2 commissioner or the government entity or body subject to chapter 13D may choose to give
 23.3 notice to the subject of the data concerning the dispute regarding the data or compliance
 23.4 with chapter 13D.

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

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

23.9 Sec. 2. Minnesota Statutes 2022, section 611.23, is amended to read:

23.10 **611.23 OFFICE OF STATE PUBLIC DEFENDER; APPOINTMENT; SALARY.**

23.11 The state public defender is responsible to the State Board of Public Defense. The state
 23.12 public defender shall supervise the operation, activities, policies, and procedures of the
 23.13 statewide public defender system. When requested by a district public defender or appointed
 23.14 counsel, the state public defender may assist the district public defender, appointed counsel,
 23.15 or an organization designated in section 611.216 in the performance of duties, including
 23.16 trial representation in matters involving legal conflicts of interest or other special
 23.17 circumstances, and assistance with legal research and brief preparation. The state public
 23.18 defender shall be appointed by the State Board of Public Defense for a term of four years,
 23.19 except as otherwise provided in this section, and until a successor is appointed and qualified.
 23.20 The state public defender shall be a full-time qualified attorney, licensed to practice law in
 23.21 this state, serve in the unclassified service of the state, and be removed only for cause by
 23.22 the appointing authority. Vacancies in the office shall be filled by the appointing authority
 23.23 for the unexpired term. The salary of the state public defender shall be fixed by the State
 23.24 Board of Public Defense ~~but must not exceed the salary of a district court judge~~. Terms of
 23.25 the state public defender shall commence on July 1. The state public defender shall devote
 23.26 full time to the performance of duties and shall not engage in the general practice of law.

23.27 **ARTICLE 4**

23.28 **PUBLIC SAFETY**

23.29 Section 1. Minnesota Statutes 2022, section 297I.06, subdivision 1, is amended to read:

23.30 Subdivision 1. **Insurance policies surcharge.** (a) Except as otherwise provided in
 23.31 subdivision 2, each licensed insurer engaged in writing policies of homeowner's insurance
 23.32 authorized in section 60A.06, subdivision 1, clause (1)(c), or commercial fire policies or

24.1 commercial nonliability policies shall collect a surcharge as provided in this paragraph.

24.2 ~~Through June 30, 2013,~~ The surcharge is equal to 0.65 percent of the gross premiums and
 24.3 assessments, less return premiums, on direct business received by the company, or by its
 24.4 agents for it, for homeowner's insurance policies, commercial fire policies, and commercial
 24.5 nonliability insurance policies in this state. ~~Beginning July 1, 2013, the surcharge is 0.5~~
 24.6 ~~percent.~~

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

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

24.13 Sec. 2. Minnesota Statutes 2022, section 299A.38, is amended to read:

24.14 **299A.38 SOFT BODY ARMOR REIMBURSEMENT.**

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

24.16 ~~(a)~~ (1) "commissioner" means the commissioner of public safety;

24.17 (2) "firefighter" means a volunteer, paid on-call, part-time, or career firefighter serving
 24.18 a general population within the boundaries of the state;

24.19 ~~(b)~~ (3) "peace officer" means a person who is licensed under section 626.84, subdivision
 24.20 1, paragraph (c);

24.21 (3) "public safety officer" means a firefighter or qualified emergency medical service
 24.22 provider;

24.23 (4) "qualified emergency medical service provider" means a person certified under
 24.24 section 144E.101 who is actively employed by a Minnesota licensed ambulance service;
 24.25 and

24.26 ~~(e)~~ (5) "vest" means bullet-resistant soft body armor that is flexible, concealable, and
 24.27 custom fitted to the peace officer to provide ballistic and trauma protection.

24.28 Subd. 2. **State and local reimbursement.** Peace officers and heads of local law
 24.29 enforcement agencies and public safety officers and heads of agencies and entities who buy
 24.30 vests for the use of peace officer employees, public safety officer employees, or both may
 24.31 apply to the commissioner for reimbursement of funds spent to buy vests. On approving an
 24.32 application for reimbursement, the commissioner shall pay the applicant an amount equal

25.1 to the lesser of one-half of the vest's purchase price or \$600, as adjusted according to
25.2 subdivision 2a. The political subdivision, agency, or entity that employs the peace officer
25.3 or public safety officer shall pay at least the lesser of one-half of the vest's purchase price
25.4 or \$600, as adjusted according to subdivision 2a. The political subdivision, agency, or entity
25.5 may not deduct or pay its share of the vest's cost from any clothing, maintenance, or similar
25.6 allowance otherwise provided to the peace officer by the law enforcement agency or public
25.7 safety officer by the employing agency or entity.

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

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

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

25.22 (c) The requirement set forth in paragraph (b), clauses (1) and (2), shall not apply to any
25.23 peace officer who purchases a vest constructed from a zylon-based material, provided that
25.24 the peace officer provides proof of purchase or possession of the vest prior to July 1, 2005.

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

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

25.32 Subd. 6. **Right to benefits unaffected.** A peace officer or public safety officer who is
25.33 reimbursed for the purchase of a vest under this section and who suffers injury or death
25.34 because the officer failed to wear the vest, or because the officer wore a vest that was

26.1 defective or deficient, may not lose or be denied a benefit or right, including a benefit under
26.2 section 299A.44, to which the officer, or the officer's heirs, is otherwise entitled.

26.3 **Sec. 3. [299A.39] BODY-WORN CAMERA REIMBURSEMENT.**

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

26.6 (b) "Body-worn camera" means a device worn by a peace officer that is capable of both
26.7 video and audio recording of the officer's activities and interactions with others or collecting
26.8 digital multimedia evidence as part of an investigation.

26.9 (c) "Commissioner" means the commissioner of public safety.

26.10 (d) "Peace officer" means a person who is licensed under section 626.84, subdivision
26.11 1, paragraph (c).

26.12 Subd. 2. **State and local reimbursement.** Heads of local law enforcement agencies
26.13 who purchase body-worn cameras for the use of peace officer employees may submit an
26.14 application to the commissioner for reimbursement of funds spent to purchase the cameras.
26.15 Upon approval of an application for reimbursement, the commissioner must pay the applicant
26.16 the lesser of the full purchase price or \$1,000.

26.17 Subd. 3. **Eligibility requirements.** Only body-worn cameras on the Minnesota master
26.18 contract are eligible for reimbursement. Body-worn cameras are not required to be purchased
26.19 off the master contract, but the vendor must be one of the vendors listed on the master
26.20 contract. Eligibility for reimbursement is limited to body-worn cameras purchased after the
26.21 date of enactment of this section. The commissioner must give priority to law enforcement
26.22 agencies that do not currently have body-worn cameras.

26.23 **Sec. 4. Minnesota Statutes 2022, section 299A.41, subdivision 3, is amended to read:**

26.24 **Subd. 3. **Killed in the line of duty.**** "Killed in the line of duty" does not include deaths
26.25 from natural causes, except as provided in this subdivision. In the case of a public safety
26.26 officer, killed in the line of duty includes the death of a public safety officer caused by
26.27 accidental means while the public safety officer is acting in the course and scope of duties
26.28 as a public safety officer. Killed in the line of duty also means if a public safety officer dies
26.29 as the direct and proximate result of a heart attack, stroke, or vascular rupture, that officer
26.30 shall be presumed to have died as the direct and proximate result of a personal injury
26.31 sustained in the line of duty if:

26.32 (1) that officer, while on duty:

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

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

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

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

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

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

27.10 (3) that officer died as a result of a disabling cancer of a type caused by exposure to
 27.11 heat, radiation, or a known or suspected carcinogen, as defined by the International Agency
 27.12 for Research on Cancer, and the carcinogen is reasonably linked to the disabling cancer;

27.13 (4) that officer died due to suicide secondary to a diagnosis of post-traumatic stress
 27.14 disorder as described in the most recent edition of the Diagnostic and Statistical Manual of
 27.15 Mental Disorders published by the American Psychiatric Association;

27.16 (5) within 45 days of the end of exposure, while on duty, to a traumatic event. As used
 27.17 in this section, "traumatic event" means an officer exposed to an event that is:

27.18 (i) a homicide, suicide, or the violent or gruesome death of another individual, including
 27.19 but not limited to a death resulting from a mass casualty event, mass fatality event, or mass
 27.20 shooting;

27.21 (ii) a harrowing circumstance posing an extraordinary and significant danger or threat
 27.22 to the life of or of serious bodily harm to any individual, including but not limited to a death
 27.23 resulting from a mass casualty event, mass fatality event, or mass shooting; or

27.24 (iii) an act of criminal sexual violence committed against any individual; and

27.25 ~~(3)~~ (6) the presumption is not overcome by competent medical evidence to the contrary.

27.26 Sec. 5. Minnesota Statutes 2022, section 299A.52, is amended to read:

27.27 **299A.52 RESPONSIBLE PERSON PARTY.**

27.28 Subdivision 1. **Response liability.** A responsible ~~person~~ party, as described in section
 27.29 115B.03, is liable for the reasonable and necessary costs, including legal and administrative
 27.30 costs, of response to a hazardous materials incident or explosives sweep as defined in section
 27.31 299C.063 incurred by a ~~regional~~ hazardous materials response team or local unit of

28.1 government. For the purposes of this section, "hazardous substance" as used in section
28.2 115B.03 means "hazardous material" as defined in section 299A.49.

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

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

28.14 Sec. 6. **[299A.53] NONRESPONSIBLE PARTY FUND.**

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

28.23 Sec. 7. **[299A.90] OFFICE FOR MISSING AND MURDERED BLACK WOMEN**
28.24 **AND GIRLS.**

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

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

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

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

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

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

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

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

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

29.18 (5) collect data on missing person and homicide cases, Amber Alerts, and law
29.19 enforcement and medical examiner reports on missing and murdered Black women and
29.20 girls to identify patterns and gaps to inform research, reporting, training, and state and
29.21 legislative changes to end violence against Black women and girls;

29.22 (6) analyze and assess the intersection between cases involving missing and murdered
29.23 Black women and girls and labor trafficking and sex trafficking and develop
29.24 recommendations for legislative, agency, and community actions to address the intersection
29.25 between cases involving missing and murdered Black women and girls and labor trafficking
29.26 and sex trafficking;

29.27 (7) analyze and assess the intersection between cases involving murdered Black women
29.28 and girls and domestic violence, including prior instances of domestic violence within the
29.29 family or relationship, whether an offender had prior convictions for domestic assault or
29.30 related offenses, and whether the offender used a firearm in the murder or any prior instances
29.31 of domestic assault;

30.1 (8) develop recommendations for legislative, agency, and community actions to address
30.2 the intersection between cases involving murdered Black women and girls and domestic
30.3 violence;

30.4 (9) develop tools and processes to evaluate the implementation and impact of the efforts
30.5 of the office;

30.6 (10) track and collect Minnesota data on missing and murdered Black women and girls,
30.7 and provide statistics upon public or legislative inquiry;

30.8 (11) facilitate technical assistance for local and Tribal law enforcement agencies during
30.9 active cases involving missing and murdered Black women and girls;

30.10 (12) conduct case reviews and report on the results of case reviews for the following
30.11 types of cases involving missing and murdered Black women and girls: cold cases for
30.12 missing Black women and girls, and death investigation review for cases of Black women
30.13 and girls ruled as suicide or overdose under suspicious circumstances;

30.14 (13) conduct case reviews of the prosecution and sentencing for cases, as well as
30.15 Sentencing Guidelines requirements, where a perpetrator committed a violent or exploitative
30.16 crime against a Black woman or girl. These case reviews must identify those cases where
30.17 the perpetrator is a repeat offender;

30.18 (14) prepare draft legislation as necessary to allow the office access to the data necessary
30.19 for the office to conduct the reviews required in this section and advocate for passage of
30.20 that legislation;

30.21 (15) develop and maintain communication with relevant divisions in the Department of
30.22 Public Safety and law enforcement regarding any cases involving missing and murdered
30.23 Black women and girls and on procedures for investigating cases involving missing and
30.24 murdered Black women and girls;

30.25 (16) create and maintain a dashboard of available supportive services that support Black
30.26 women and girls;

30.27 (17) increase accessibility of state and local services and supports for Black women and
30.28 girls;

30.29 (18) develop ongoing trainings for the community, law enforcement, criminal justice
30.30 partners, schools, and medical facilities. Develop and administer culturally informed trauma
30.31 practices codeveloped by Black women and girls in all housing shelters and service delivery
30.32 organizations throughout the state;

31.1 (19) consult with the Council for Minnesotans of African Heritage;

31.2 (20) work in partnership with the Minnesota Council to End Homelessness and the
31.3 Interagency Council on Ending Homelessness to prioritize and invest in safe and affordable
31.4 housing for Black women and girls; and

31.5 (21) coordinate, as relevant, with federal efforts and efforts in neighboring states and
31.6 Canada to end violence against and trafficking of Black women and girls.

31.7 (b) As used in this subdivision:

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

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

31.10 Subd. 4. **Coordination with other organizations.** In fulfilling its duties, the office may
31.11 coordinate, as useful, with stakeholder groups that were represented on the Task Force on
31.12 Missing and Murdered African American Women and state agencies that are responsible
31.13 for the systems that play a role in investigating, prosecuting, and adjudicating cases involving
31.14 violence committed against Black women and girls; those who have a role in supporting or
31.15 advocating for missing or murdered Black women and girls and the people who seek justice
31.16 for them; and those who represent the interests of Black people. This includes the following
31.17 entities: Minnesota Chiefs of Police Association; Minnesota Sheriffs' Association; Bureau
31.18 of Criminal Apprehension; Minnesota Police and Peace Officers Association; Tribal law
31.19 enforcement; Minnesota County Attorneys Association; United States Attorney's Office;
31.20 juvenile courts; Minnesota Coroners' and Medical Examiners' Association; United States
31.21 Coast Guard; state agencies, including the Departments of Health, Human Services,
31.22 Education, Corrections, and Public Safety; service providers who offer legal services,
31.23 advocacy, and other services to Black women and girls; Black women and girls who are
31.24 survivors; and organizations and leadership from urban and statewide Black communities
31.25 to guide the development of the office and training protocols and curriculum. Advisory
31.26 group participants are eligible for compensation for participation.

31.27 Subd. 5. **Reports.** The office must report on measurable outcomes achieved to meet its
31.28 statutory duties, along with specific objectives and outcome measures proposed for the
31.29 following year. The report must include data and statistics on missing and murdered Black
31.30 women and girls in Minnesota. The office must submit the report by January 15 each year
31.31 to the chairs and ranking minority members of the legislative committees with primary
31.32 jurisdiction over public safety.

32.1 Subd. 6. Funds. The office may accept any funds contributed by individuals and may
32.2 apply for and receive grants from public and private entities. The funds accepted or received
32.3 must be for the authorized use by the office.

32.4 Subd. 7. Grants to organizations. (a) The office shall issue grants to community-based
32.5 organizations that provide services designed to prevent or end the targeting of Black women
32.6 or girls, or to provide assistance to victims of offenses that targeted Black women or girls.

32.7 (b) Grant recipients must use money to:

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

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

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

32.16 (4) provide services and resources that support the success and safety of Black women
32.17 and girls.

32.18 (c) Applicants must apply in a form and manner established by the office.

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

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

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

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

32.23 (e) On or before February 1 of each year, the office shall report to the legislative
32.24 committees and divisions with jurisdiction over public safety on the work of grant recipients,
32.25 including but not limited to a description of the number of entities awarded grants, the
32.26 amount of those grants, and the number of individuals served by the grantees.

32.27 (f) The office must follow all state grant requirements and guidelines established by the
32.28 Minnesota Office of Grants Management. The office may enter into agreements with the
32.29 Office of Justice Programs for the administration of grants under this subdivision.

33.1 Subd. 8. **Missing persons.** The office must work closely with the Bureau of Criminal
33.2 Apprehension in protocol and training around missing persons alerts involving Black women
33.3 and girls.

33.4 Sec. 8. [299C.061] STATE FRAUD UNIT.

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

33.7 (1) "Fraud" includes any violation of sections 609.466, 609.611, 609.651, 609.7475, or
33.8 609.821.

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

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

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

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

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

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

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

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

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

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

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

34.8 (1) the number of investigations initiated;

34.9 (2) the number of allegations investigated;

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

34.11 (4) the charging decisions made by the prosecuting authority of incidents investigated
34.12 by the unit;

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

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

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

34.16 EFFECTIVE DATE. Referrals to the unit under subdivisions 3 and 4 may begin on
34.17 January 1, 2024.

34.18 Sec. 9. Minnesota Statutes 2022, section 299N.02, subdivision 3, is amended to read:

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

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

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

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

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

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

34.29 (b) The board may:

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

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

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

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

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

35.12 ~~(5)~~ (6) set guidelines regarding how the allocated reimbursement funds must be disbursed;

35.13 ~~(6)~~ (7) set and make available to the fire service standards governing the use of funds
35.14 reimbursed under this section;

35.15 ~~(7)~~ (8) make recommendations to the legislature to improve the quality of firefighter
35.16 training;

35.17 ~~(8)~~ (9) collect and provide data, subject to section 13.03;

35.18 ~~(9)~~ (10) conduct studies and surveys and make reports; and

35.19 ~~(10)~~ (11) conduct other activities necessary to carry out its duties.

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

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

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

35.25 Sec. 11. Minnesota Statutes 2022, section 326.3381, subdivision 3, is amended to read:

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

35.27 (1) been convicted of (i) a felony by the courts of this or any other state or of the United
35.28 States; (ii) acts which, if done in Minnesota, would be criminal sexual conduct; assault;
35.29 theft; larceny; burglary; robbery; unlawful entry; extortion; defamation; buying or receiving
35.30 stolen property; using, possessing, manufacturing, or carrying weapons unlawfully; using,

36.1 possessing, or carrying burglary tools unlawfully; escape; possession, production, sale, or
 36.2 distribution of narcotics unlawfully; or (iii) in any other country of acts which, if done in
 36.3 Minnesota, would be a felony or would be any of the other offenses provided in this clause
 36.4 and for which a full pardon or similar relief has not been granted;

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

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

36.8 (b) Upon application for a license, the applicant shall submit, as part of the application,
 36.9 a full set of fingerprints and the applicant's written consent that their fingerprints shall be
 36.10 submitted to the Bureau of Criminal Apprehension (BCA) and the Federal Bureau of
 36.11 Investigation (FBI) to determine whether that person has a criminal record. The BCA shall
 36.12 promptly forward the fingerprints to the FBI and request that the FBI conduct a criminal
 36.13 history check of each prospective licensee. The Minnesota Board of Private Detective and
 36.14 Protective Agents Services shall determine if the FBI report indicates that the prospective
 36.15 licensee or licensee was convicted of a disqualifying offense. The submission to the FBI
 36.16 shall be coordinated through the BCA. The results of the criminal record check shall be
 36.17 provided to the board who will determine if the applicant is disqualified from holding a
 36.18 license under this subdivision.

36.19 Sec. 12. Minnesota Statutes 2022, section 611A.211, subdivision 1, is amended to read:

36.20 Subdivision 1. **Grants.** The commissioner of public safety shall award grants to programs
 36.21 which provide support services or emergency shelter and housing supports as defined by
 36.22 section 611A.31 to victims of sexual assault. The commissioner shall also award grants for
 36.23 training, technical assistance, and the development and implementation of education programs
 36.24 to increase public awareness of the causes of sexual assault, the solutions to preventing and
 36.25 ending sexual assault, and the problems faced by sexual assault victims.

36.26 Sec. 13. Minnesota Statutes 2022, section 611A.31, subdivision 2, is amended to read:

36.27 Subd. 2. ~~**Battered woman Domestic abuse victim.**~~ "Battered woman" "Domestic abuse
 36.28 victim" means a ~~woman~~ person who is being or has been victimized by domestic abuse as
 36.29 defined in section 518B.01, subdivision 2.

37.1 Sec. 14. Minnesota Statutes 2022, section 611A.31, subdivision 3, is amended to read:

37.2 Subd. 3. **Emergency shelter services.** "Emergency shelter services" include, but are
 37.3 not limited to, secure crisis shelters for ~~battered women~~ domestic abuse victims and housing
 37.4 networks for ~~battered women~~ domestic abuse victims.

37.5 Sec. 15. Minnesota Statutes 2022, section 611A.31, is amended by adding a subdivision
 37.6 to read:

37.7 Subd. 3a. **Housing supports.** "Housing supports" means services and supports used to
 37.8 enable victims to secure and maintain transitional and permanent housing placement. Housing
 37.9 supports include but are not limited to rental assistance and financial assistance to maintain
 37.10 housing stability. Transitional housing placements may take place in communal living,
 37.11 clustered site or scattered site programs, or other transitional housing models.

37.12 Sec. 16. Minnesota Statutes 2022, section 611A.32, is amended to read:

37.13 **611A.32 ~~BATTERED WOMEN~~ DOMESTIC ABUSE PROGRAMS.**

37.14 Subdivision 1. **Grants awarded.** The commissioner shall award grants to programs
 37.15 which provide emergency shelter services to ~~battered women~~, housing supports, and support
 37.16 services to ~~battered women~~ and domestic abuse victims and their children. The commissioner
 37.17 shall also award grants for training, technical assistance, and for the development and
 37.18 implementation of education programs to increase public awareness of the causes of ~~battering~~
 37.19 domestic abuse, the solutions to preventing and ending domestic violence, and the problems
 37.20 faced by ~~battered women~~ and domestic abuse victims. Grants shall be awarded in a manner
 37.21 that ensures that they are equitably distributed to programs serving metropolitan and
 37.22 nonmetropolitan populations. ~~By July 1, 1995, community-based domestic abuse advocacy~~
 37.23 ~~and support services programs must be established in every judicial assignment district.~~

37.24 Subd. 1a. **Program for American Indian ~~women~~ domestic abuse victims.** The
 37.25 commissioner shall establish at least one program under this section to provide emergency
 37.26 shelter services and support services to ~~battered~~ American Indian ~~women~~ domestic abuse
 37.27 victims and their children. The commissioner shall grant continuing operating expenses to
 37.28 the program established under this subdivision in the same manner as operating expenses
 37.29 are granted to programs established under subdivision 1.

37.30 Subd. 2. **Applications.** Any public or private nonprofit agency may apply to the
 37.31 commissioner for a grant to provide emergency shelter services to ~~battered women~~, housing
 37.32 supports, support services, and one or more of these services and supports to domestic abuse

38.1 victims, ~~or both, to battered women~~ and their children. The application shall be submitted
38.2 in a form approved by the commissioner by rule adopted under chapter 14 and shall include:

38.3 (1) a proposal for the provision of emergency shelter services ~~for battered women,~~
38.4 housing supports, support services, and one or more of these services and supports for
38.5 domestic abuse victims, ~~or both, for battered women~~ and their children;

38.6 (2) a proposed budget;

38.7 (3) the agency's overall operating budget, including documentation on the retention of
38.8 financial reserves and availability of additional funding sources;

38.9 (4) evidence of an ability to integrate into the proposed program the uniform method of
38.10 data collection and program evaluation established under section 611A.33;

38.11 (5) evidence of an ability to represent the interests of ~~battered women and~~ domestic
38.12 abuse victims and their children to local law enforcement agencies and courts, county welfare
38.13 agencies, and local boards or departments of health;

38.14 (6) evidence of an ability to do outreach to unserved and underserved populations and
38.15 to provide culturally and linguistically appropriate services; and

38.16 (7) any other content the commissioner may require by rule adopted under chapter 14;
38.17 ~~after considering the recommendations of the advisory council.~~

38.18 Programs which have been approved for grants in prior years may submit materials
38.19 which indicate changes in items listed in clauses (1) to (7), in order to qualify for renewal
38.20 funding. Nothing in this subdivision may be construed to require programs to submit
38.21 complete applications for each year of renewal funding.

38.22 Subd. 3. **Duties of grantees.** Every public or private nonprofit agency which receives
38.23 a grant to provide emergency shelter services ~~to battered women and,~~ housing supports, or
38.24 support services to ~~battered women and~~ domestic abuse victims shall comply with all rules
38.25 of the commissioner related to the administration of the ~~pilot~~ programs.

38.26 Subd. 5. **Classification of data collected by grantees.** Personal history information and
38.27 other information collected, used or maintained by a grantee from which the identity or
38.28 location of any victim of domestic abuse may be determined is private data on individuals,
38.29 as defined in section 13.02, subdivision 12, and the grantee shall maintain the data in
38.30 accordance with the provisions of chapter 13.

39.1 **Sec. 17. RULES; SOFT BODY ARMOR REIMBURSEMENT.**

39.2 The commissioner of public safety shall amend rules adopted under Minnesota Statutes,
39.3 section 299A.38, subdivision 4, to reflect the soft body armor reimbursement for public
39.4 safety officers under that section.

39.5 **Sec. 18. REPEALER.**

39.6 Minnesota Statutes 2022, section 299C.80, subdivision 7, is repealed.

39.7 **ARTICLE 5**

39.8 **CORRECTIONS**

39.9 **Section 1. [244.049] INDETERMINATE SENTENCE RELEASE BOARD.**

39.10 Subdivision 1. **Establishment; membership.** (a) The Indeterminate Sentence Release
39.11 Board is established to review eligible cases and make release and final discharge decisions
39.12 for:

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

39.15 (2) inmates serving indeterminate sentences for crimes committed on or before April
39.16 30, 1980.

39.17 (b) The authority to grant discretionary release and final discharge previously vested in
39.18 the commissioner under sections 243.05, subdivisions 1, paragraph (a), and 3; 244.08; and
39.19 609.12 is transferred to the board.

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

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

39.24 (2) the commissioner, who serves as chair.

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

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

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

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

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

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

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

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

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

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

40.10 (b) An appointed board member must visit at least one state correctional facility every
40.11 12 months.

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

40.15 Subd. 4. **Limitation.** Nothing in this section:

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

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

40.20 Subd. 5. **Report.** (a) On or before February 15 each year, the board must submit to the
40.21 legislative committees with jurisdiction over criminal justice policy a written report that:

40.22 (1) details the number of inmates reviewed;

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

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

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

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

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

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

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

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

41.10 Sec. 3. Minnesota Statutes 2022, section 244.05, subdivision 5, is amended to read:

41.11 Subd. 5. **Supervised release; life sentence and indeterminate sentences.** (a) **Granting**
 41.12 **supervised release.** ~~The commissioner of corrections board~~ may, under rules ~~promulgated~~
 41.13 ~~adopted~~ by the commissioner, ~~give grant~~ supervised release or parole to an inmate serving
 41.14 a mandatory life sentence ~~under section 609.185, paragraph (a), clause (3), (5), or (6);~~
 41.15 ~~609.3455, subdivision 3 or 4; 609.385; or Minnesota Statutes 2004, section 609.109,~~
 41.16 ~~subdivision 3;~~

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

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

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

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

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

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

41.31 (c) The commissioner ~~shall~~ must make reasonable efforts to notify the victim, in advance,
 41.32 of the time and place of the inmate's ~~supervised~~ release review hearing. The victim has a

42.1 right to submit an oral or written statement at the review hearing. The statement may
 42.2 summarize the harm suffered by the victim as a result of the crime and give the victim's
 42.3 recommendation on whether the inmate should be given supervised release or parole at this
 42.4 time. ~~The commissioner must consider the victim's statement when making the supervised~~
 42.5 ~~release decision.~~

42.6 (d) Supervised release or parole must be granted with a majority vote of the board
 42.7 members.

42.8 When considering whether to give grant supervised release or parole to an inmate serving
 42.9 a life ~~sentence under section 609.3455, subdivision 3 or 4~~ or indeterminate sentence, the
 42.10 ~~commissioner shall~~ board must consider, at a minimum, the following:

42.11 (1) the risk the inmate poses to the community if released;

42.12 (2) the inmate's progress in treatment;

42.13 (3) the inmate's behavior while incarcerated;

42.14 (4) psychological or other diagnostic evaluations of the inmate;

42.15 (5) the inmate's criminal history;

42.16 (6) a victim statement under paragraph (c), if submitted; and

42.17 (7) any other relevant conduct of the inmate while incarcerated or before incarceration.

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

42.20 (1) while in prison:

42.21 (i) the inmate has successfully completed appropriate sex offender treatment, if applicable;

42.22 (ii) the inmate has been assessed for substance use disorder needs and, if appropriate,
 42.23 has successfully completed substance use disorder treatment; and

42.24 (iii) the inmate has been assessed for mental health needs and, if appropriate, has
 42.25 successfully completed mental health treatment; and

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

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

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

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

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

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

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

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

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

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

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

43.22 ~~As used in~~ (j) For purposes of this subdivision;

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

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

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

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

44.1 Sec. 4. Minnesota Statutes 2022, section 244.03, is amended to read:

44.2 **244.03 REHABILITATIVE PROGRAMS.**

44.3 Subdivision 1. Commissioner responsibility. (a) For individuals committed to the
 44.4 commissioner's authority, the commissioner shall provide appropriate mental health programs
 44.5 and vocational and educational programs with employment-related goals for inmates. The
 44.6 selection, design and implementation of programs under this section shall be the sole
 44.7 responsibility of the commissioner, acting within the limitations imposed by the funds
 44.8 appropriated for such programs. must develop, implement, and provide, as appropriate:

44.9 (1) substance use disorder treatment programs;

44.10 (2) sexual offender treatment programming;

44.11 (3) domestic abuse programming;

44.12 (4) medical and mental health services;

44.13 (5) spiritual and faith-based programming;

44.14 (6) culturally responsive programming;

44.15 (7) vocational, employment and career, and educational programming; and

44.16 (8) other rehabilitative programs.

44.17 (b) While evidence-based programs must be prioritized, selecting, designing, and
 44.18 implementing programs under this section are the sole responsibility of the commissioner,
 44.19 acting within the limitations imposed by the funds appropriated for the programs under this
 44.20 section.

44.21 Subd. 2. Challenge prohibited. No action challenging the level of expenditures for
 44.22 rehabilitative programs authorized under this section, nor any action challenging the selection,
 44.23 design, or implementation of these programs, including employee assignments, may be
 44.24 maintained by an inmate in any court in this state.

44.25 Subd. 3. Disciplinary sanctions. The commissioner may impose disciplinary sanctions
 44.26 upon on any inmate who refuses to participate in rehabilitative programs.

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

44.28 Sec. 5. Minnesota Statutes 2022, section 244.05, subdivision 1b, is amended to read:

44.29 Subd. 1b. **Supervised release; offenders inmates who commit crimes on or after**
 44.30 **August 1, 1993.** (a) Except as provided in subdivisions 4 and 5, every inmate sentenced to

45.1 prison for a felony offense committed on or after August 1, 1993, shall serve a supervised
 45.2 release term upon completion of the inmate's term of imprisonment and any disciplinary
 45.3 confinement period imposed by the commissioner due to the inmate's violation of any
 45.4 disciplinary rule adopted by the commissioner or refusal to participate in a rehabilitative
 45.5 program required under section 244.03. The amount of time the inmate serves on supervised
 45.6 release ~~shall be~~ is equal in length to the amount of time remaining in to one-third of the
 45.7 inmate's fixed executed sentence ~~after the inmate has served the term of imprisonment and~~
 45.8 ~~any disciplinary confinement period imposed by the commissioner,~~ less any disciplinary
 45.9 confinement period imposed by the commissioner and regardless of any earned incentive
 45.10 release credit applied toward the individual's term of imprisonment under section 244.44.

45.11 (b) No inmate who violates a disciplinary rule or refuses to participate in a rehabilitative
 45.12 program as required under section 244.03 shall be placed on supervised release until the
 45.13 inmate has served the disciplinary confinement period for that disciplinary sanction or until
 45.14 the inmate is discharged or released from punitive ~~segregation~~ restrictive-housing
 45.15 confinement, whichever is later. The imposition of a disciplinary confinement period shall
 45.16 be considered to be a disciplinary sanction imposed upon an inmate, and the procedure for
 45.17 imposing the disciplinary confinement period and the rights of the inmate in the procedure
 45.18 shall be those in effect for the imposition of other disciplinary sanctions at each state
 45.19 correctional institution.

45.20 (c) For purposes of this subdivision, "earned incentive release credit" has the meaning
 45.21 given in section 244.41, subdivision 7.

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

45.23 Sec. 6. **[244.40] MINNESOTA REHABILITATION AND REINVESTMENT ACT.**

45.24 Sections 244.40 to 244.51 may be cited as the "Minnesota Rehabilitation and
 45.25 Reinvestment Act."

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

45.27 Sec. 7. **[244.41] DEFINITIONS.**

45.28 Subdivision 1. **Scope.** For purposes of sections 244.40 to 244.51, the terms defined in
 45.29 this section have the meanings given.

45.30 Subd. 2. **Commissioner.** "Commissioner" means the commissioner of corrections.

46.1 Subd. 3. **Correctional facility.** "Correctional facility" means a state facility under the
46.2 direct operational authority of the commissioner but does not include a commissioner-licensed
46.3 local detention facility.

46.4 Subd. 4. **Direct-cost per diem.** "Direct-cost per diem" means the actual nonsalary
46.5 expenditures, including encumbrances as of July 31 following the end of the fiscal year,
46.6 from the Department of Corrections expense budgets for food preparation; food provisions;
46.7 personal support for incarcerated persons, including clothing, linen, and other personal
46.8 supplies; transportation; and professional technical contracted health care services.

46.9 Subd. 5. **Earned compliance credit.** "Earned compliance credit" means a one-month
46.10 reduction from the period during active supervision of the supervised release term for every
46.11 two months that a supervised individual exhibits compliance with the conditions and goals
46.12 of the individual's supervision plan.

46.13 Subd. 6. **Earned incentive release credit.** "Earned incentive release credit" means credit
46.14 that is earned and included in calculating an incarcerated person's term of imprisonment for
46.15 completing objectives established by their individualized rehabilitation plan under section
46.16 244.42.

46.17 Subd. 7. **Earned incentive release savings.** "Earned incentive release savings" means
46.18 the calculation of the direct-cost per diem multiplied by the number of incarcerated days
46.19 saved for the period of one fiscal year.

46.20 Subd. 8. **Executed sentence.** "Executed sentence" means the total period for which an
46.21 incarcerated person is committed to the custody of the commissioner.

46.22 Subd. 9. **Incarcerated days saved.** "Incarcerated days saved" means the number of days
46.23 of an incarcerated person's original term of imprisonment minus the number of actual days
46.24 served, excluding days not served due to death or as a result of time earned in the challenge
46.25 incarceration program under sections 244.17 to 244.173.

46.26 Subd. 10. **Incarcerated person.** "Incarcerated person" has the meaning given "inmate"
46.27 in section 244.01, subdivision 2.

46.28 Subd. 11. **Supervised release.** "Supervised release" means the release of an incarcerated
46.29 person according to section 244.05.

46.30 Subd. 12. **Supervised release term.** "Supervised release term" means the period equal
46.31 to one-third of the individual's fixed executed sentence, less any disciplinary confinement
46.32 period or punitive restrictive-housing confinement imposed under section 244.05, subdivision
46.33 1b.

47.1 Subd. 13. **Supervision abatement status.** "Supervision abatement status" means an end
47.2 to active correctional supervision of a supervised individual without effect on the legal
47.3 expiration date of the individual's executed sentence less any earned incentive release credit.

47.4 Subd. 14. **Term of imprisonment.** "Term of imprisonment" has the meaning given in
47.5 section 244.01, subdivision 8.

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

47.7 Sec. 8. **[244.42] COMPREHENSIVE ASSESSMENT AND INDIVIDUALIZED**
47.8 **REHABILITATION PLAN REQUIRED.**

47.9 Subdivision 1. **Comprehensive assessment.** (a) The commissioner must develop a
47.10 comprehensive assessment process for each person who:

47.11 (1) is committed to the commissioner's custody and confined in a state correctional
47.12 facility on or after January 1, 2025; and

47.13 (2) has 365 or more days remaining until the person's scheduled supervised release date
47.14 or parole eligibility date.

47.15 (b) As part of the assessment process, the commissioner must take into account
47.16 appropriate rehabilitative programs under section 244.03.

47.17 Subd. 2. **Individualized rehabilitation plan.** After completing the assessment process,
47.18 the commissioner must ensure the development of an individualized rehabilitation plan,
47.19 along with identified goals, for every person committed to the commissioner's custody. The
47.20 individualized rehabilitation plan must be holistic in nature by identifying intended outcomes
47.21 for addressing:

47.22 (1) the incarcerated person's needs and risk factors;

47.23 (2) the person's identified strengths; and

47.24 (3) available and needed community supports, including victim safety considerations
47.25 as required under section 244.47, if applicable.

47.26 Subd. 3. **Victim input.** (a) If an individual is committed to the commissioner's custody
47.27 for a crime listed in section 609.02, subdivision 16, the commissioner must make reasonable
47.28 efforts to notify a victim of the opportunity to provide input during the assessment and
47.29 rehabilitation plan process. Victim input may include:

47.30 (1) a summary of victim concerns relative to release;

48.1 (2) concerns related to victim safety during the committed individual's term of
48.2 imprisonment; or

48.3 (3) requests for imposing victim safety protocols as additional conditions of imprisonment
48.4 or supervised release.

48.5 (b) The commissioner must consider all victim input statements when developing an
48.6 individualized rehabilitation plan and establishing conditions governing confinement or
48.7 release.

48.8 Subd. 4. **Transition and release plan.** For an incarcerated person with less than 365
48.9 days remaining until the person's supervised release date, the commissioner, in consultation
48.10 with the incarcerated person, must develop a transition and release plan.

48.11 Subd. 5. **Scope of act.** Sections 244.42 to 244.51 are separate and distinct from other
48.12 legislatively authorized release programs, including the challenge incarceration program,
48.13 work release, conditional medical release, or the program for the conditional release of
48.14 nonviolent controlled substance offenders.

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

48.16 Sec. 9. **[244.43] EARNED INCENTIVE RELEASE CREDIT.**

48.17 Subdivision 1. **Policy for earned incentive release credit; stakeholder consultation.** (a)
48.18 To encourage and support rehabilitation when consistent with the public interest and public
48.19 safety, the commissioner must establish a policy providing for earned incentive release
48.20 credit as a part of the term of imprisonment. The policy must be established in consultation
48.21 with the following organizations:

48.22 (1) Minnesota County Attorneys Association;

48.23 (2) Minnesota Board of Public Defense;

48.24 (3) Minnesota Association of Community Corrections Act Counties;

48.25 (4) Minnesota Indian Women's Sexual Assault Coalition;

48.26 (5) Violence Free Minnesota;

48.27 (6) Minnesota Coalition Against Sexual Assault;

48.28 (7) Minnesota Alliance on Crime;

48.29 (8) Minnesota Sheriffs' Association;

48.30 (9) Minnesota Chiefs of Police Association;

49.1 (10) Minnesota Police and Peace Officers Association; and

49.2 (11) faith-based organizations that reflect the demographics of the incarcerated population.

49.3 (b) The policy must:

49.4 (1) provide circumstances upon which an incarcerated person may receive earned
49.5 incentive release credits, including participation in rehabilitative programming under section
49.6 244.03; and

49.7 (2) address circumstances where:

49.8 (i) the capacity to provide rehabilitative programming in the correctional facility is
49.9 diminished but the programming is available in the community; and

49.10 (ii) the conditions under which the incarcerated person could be released to the
49.11 community-based resource but remain subject to commitment to the commissioner and
49.12 could be considered for earned incentive release credit.

49.13 Subd. 2. **Policy on disparities.** The commissioner must develop a policy establishing a
49.14 process for assessing and addressing any systemic and programmatic gender and racial
49.15 disparities that may be identified when awarding earned incentive release credits.

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

49.17 Sec. 10. **[244.44] APPLYING EARNED INCENTIVE RELEASE CREDIT.**

49.18 Earned incentive release credits are included in calculating the term of imprisonment
49.19 but are not added to the person's supervised release term, the total length of which remains
49.20 unchanged. The maximum amount of earned incentive release credit that can be earned and
49.21 subtracted from the term of imprisonment is 17 percent of the total executed sentence.

49.22 Earned credit cannot reduce the term of imprisonment to less than one-half of the incarcerated
49.23 person's executed sentence. Once earned, earned incentive release credits are nonrevocable.

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

49.25 Sec. 11. **[244.45] INELIGIBILITY FOR EARNED INCENTIVE RELEASE CREDIT.**

49.26 The following individuals are ineligible for earned incentive release credit:

49.27 (1) those serving life sentences;

49.28 (2) those given indeterminate sentences for crimes committed on or before April 30,
49.29 1980; or

49.30 (3) those subject to good time under section 244.04 or similar laws.

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

50.2 Sec. 12. **[244.46] EARNED COMPLIANCE CREDIT AND SUPERVISION**
 50.3 **ABATEMENT STATUS.**

50.4 Subdivision 1. **Adopting policy for earned compliance credit; supervision abatement**
 50.5 **status.** (a) The commissioner must adopt a policy providing for earned compliance credit.

50.6 (b) Except as otherwise provided in the act, once the time served on active supervision
 50.7 plus earned compliance credits equals the total length of the supervised release term, the
 50.8 commissioner must place the individual on supervision abatement status for the remainder
 50.9 of the supervised release term.

50.10 Subd. 2. **Violating conditions of release; commissioner action.** If an individual violates
 50.11 the conditions of release while on supervision abatement status, the commissioner may:

50.12 (1) return the individual to active supervision for the remainder of the supervised release
 50.13 term, with or without modifying the conditions of release; or

50.14 (2) revoke the individual's supervised release in accordance with section 244.05,
 50.15 subdivision 3.

50.16 Subd. 3. **Supervision abatement status; requirements.** A person who is placed on
 50.17 supervision abatement status under this section must not be required to regularly report to
 50.18 a supervised release agent or pay a supervision fee but must continue to:

50.19 (1) obey all laws;

50.20 (2) report any new criminal charges; and

50.21 (3) abide by section 243.1605 before seeking written authorization to relocate to another
 50.22 state.

50.23 Subd. 4. **Applicability.** This section does not apply to individuals:

50.24 (1) serving life sentences;

50.25 (2) given indeterminate sentences for crimes committed on or before April 30, 1980; or

50.26 (3) subject to good time under section 244.04 or similar laws.

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

51.1 **Sec. 13. [244.47] VICTIM INPUT.**

51.2 Subdivision 1. **Notifying victim; victim input.** (a) If an individual is committed to the
51.3 custody of the commissioner for a crime listed in section 609.02, subdivision 16, and is
51.4 eligible for earned incentive release credit, the commissioner must make reasonable efforts
51.5 to notify the victim that the committed individual is eligible for earned incentive release
51.6 credit.

51.7 (b) Victim input may include:

51.8 (1) a summary of victim concerns relative to eligibility of earned incentive release credit;

51.9 (2) concerns related to victim safety during the committed individual's term of
51.10 imprisonment; or

51.11 (3) requests for imposing victim safety protocols as additional conditions of imprisonment
51.12 or supervised release.

51.13 Subd. 2. **Victim input statements.** The commissioner must consider victim input
51.14 statements when establishing requirements governing conditions of release. The
51.15 commissioner must provide the name and telephone number of the local victim agency
51.16 serving the jurisdiction of release to any victim providing input on earned incentive release
51.17 credit.

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

51.19 **Sec. 14. [244.48] VICTIM NOTIFICATION.**

51.20 Nothing in sections 244.42 to 244.51 limit any victim notification obligations of the
51.21 commissioner required by statute related to a change in custody status, committing offense,
51.22 end-of-confinement review, or notification registration.

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

51.24 **Sec. 15. [244.49] INTERSTATE COMPACT.**

51.25 (a) This section applies to a person serving a Minnesota sentence while being supervised
51.26 in another state according to the Interstate Compact for Adult Supervision.

51.27 (b) As may be allowed under section 243.1605, a person may be eligible for supervision
51.28 abatement status according to the act only if they meet eligibility criteria for earned
51.29 compliance credit as established under section 244.46.

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

52.1 **Sec. 16. [244.50] REALLOCATING EARNED INCENTIVE RELEASE SAVINGS.**

52.2 **Subdivision 1. Establishing reallocation revenue account.** The reallocation of earned
52.3 incentive release savings account is established in the special revenue fund in the state
52.4 treasury. Funds in the account are appropriated to the commissioner and must be expended
52.5 in accordance with the allocation established in subdivision 4 after the requirements of
52.6 subdivision 2 are met. Funds in the account are available until expended.

52.7 **Subd. 2. Certifying earned incentive release savings.** On or before the final closeout
52.8 date of each fiscal year, the commissioner must certify to Minnesota Management and
52.9 Budget the earned incentive release savings from the previous fiscal year. The commissioner
52.10 must provide the detailed calculation substantiating the savings amount, including
52.11 accounting-system-generated data where possible, supporting the direct-cost per diem and
52.12 the incarcerated days saved.

52.13 **Subd. 3. Savings to be transferred to reallocation revenue account.** After the
52.14 certification in subdivision 2 is completed, the commissioner must transfer funds from the
52.15 appropriation from which the savings occurred to the reallocation revenue account according
52.16 to the allocation in subdivision 4. Transfers must occur by September 1 each year.

52.17 **Subd. 4. Distributing reallocation funds.** The commissioner must distribute funds as
52.18 follows:

52.19 (1) 25 percent must be transferred to the Office of Justice Programs in the Department
52.20 of Public Safety for crime victim services;

52.21 (2) 25 percent must be transferred to the Community Corrections Act subsidy
52.22 appropriation and to the Department of Corrections for supervised release and intensive
52.23 supervision services, based upon a three-year average of the release jurisdiction of supervised
52.24 releasees and intensive supervised releasees across the state;

52.25 (3) 25 percent must be transferred to the Department of Corrections for:

52.26 (i) grants to develop and invest in community-based services that support the identified
52.27 needs of correctionally involved individuals or individuals at risk of becoming involved in
52.28 the criminal justice system; and

52.29 (ii) sustaining the operation of evidence-based programming in state and local correctional
52.30 facilities; and

52.31 (4) 25 percent must be transferred to the general fund.

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

53.1 Sec. 17. **[244.51] REPORTING REQUIRED.**

53.2 Subdivision 1. Annual report required. (a) Beginning January 15, 2026, and by January
53.3 15 each year thereafter for ten years, the commissioner must provide a report to the chairs
53.4 and ranking minority members of the house of representatives and senate committees and
53.5 divisions with jurisdiction over public safety and judiciary.

53.6 (b) For the 2026 report, the commissioner must report on implementing the requirements
53.7 of sections 244.40 to 244.51. Starting with the 2027 report, the commissioner must report
53.8 on the status of the requirements in sections 244.40 to 244.51 for the previous fiscal year.

53.9 (c) Each report must be provided to the sitting president of the Minnesota Association
53.10 of Community Corrections Act Counties and the executive directors of the Minnesota
53.11 Sentencing Guidelines Commission, the Minnesota Indian Women's Sexual Assault Coalition,
53.12 the Minnesota Alliance on Crime, Violence Free Minnesota, the Minnesota Coalition Against
53.13 Sexual Assault, and the Minnesota County Attorneys Association.

53.14 (d) The report must include but not be limited to:

53.15 (1) a qualitative description of policy development; implementation status; identified
53.16 implementation or operational challenges; strategies identified to mitigate and ensure that
53.17 the act does not create or exacerbate gender, racial, and ethnic disparities; and proposed
53.18 mechanisms for projecting future savings and reallocation of savings;

53.19 (2) the number of persons who were granted earned incentive release credit, the total
53.20 number of days of incentive release earned, a summary of committing offenses for those
53.21 persons who earned incentive release credit, a summary of earned incentive release savings,
53.22 and the demographic data for all persons eligible for earned incentive release credit and the
53.23 reasons and demographic data of those eligible persons for whom earned incentive release
53.24 credit was unearned or denied;

53.25 (3) the number of persons who earned supervision abatement status, the total number
53.26 of days of supervision abatement earned, the committing offenses for those persons granted
53.27 supervision abatement status, the number of revocations for reoffense while on supervision
53.28 abatement status, and the demographic data for all persons eligible for, considered for,
53.29 granted, or denied supervision abatement status and the reasons supervision abatement status
53.30 was unearned or denied;

53.31 (4) the number of persons deemed ineligible to receive earned incentive release credits
53.32 and supervise abatement and the demographic data for the persons; and

54.1 (5) the number of victims who submitted input, the number of referrals to local
 54.2 victim-serving agencies, and a summary of the kinds of victim services requested.

54.3 Subd. 2. **Soliciting feedback.** (a) The commissioner must solicit feedback on
 54.4 victim-related operational concerns from the Minnesota Indian Women's Sexual Assault
 54.5 Coalition, Minnesota Alliance on Crime, Minnesota Coalition Against Sexual Assault, and
 54.6 Violence Free Minnesota.

54.7 (b) The feedback should relate to applying earned incentive release credit and supervision
 54.8 abatement status options. A summary of the feedback from the organizations must be
 54.9 included in the annual report.

54.10 Subd. 3. **Evaluating earned incentive release credit and act.** The commissioner must
 54.11 direct the Department of Corrections' research unit to regularly evaluate earned incentive
 54.12 release credits and other provisions of the act. The findings must be published on the
 54.13 Department of Corrections' website and in the annual report.

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

54.15 Sec. 18. **REVISOR INSTRUCTION.**

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

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

54.22 **ARTICLE 6**

54.23 **HUMAN RIGHTS**

54.24 Section 1. Minnesota Statutes 2022, section 363A.09, subdivision 1, is amended to read:

54.25 Subdivision 1. **Real property interest; action by owner, lessee, and others.** It is an
 54.26 unfair discriminatory practice for an owner, lessee, sublessee, assignee, or managing agent
 54.27 of, or other person having the right to sell, rent or lease any real property, or any agent of
 54.28 any of these:

54.29 (1) to refuse to sell, rent, or lease or otherwise deny to or withhold from any person or
 54.30 group of persons any real property because of race, color, creed, religion, national origin,

55.1 sex, marital status, status with regard to public assistance, participation in or requirements
 55.2 of a public assistance program, disability, sexual orientation, or familial status; or

55.3 (2) to discriminate against any person or group of persons because of race, color, creed,
 55.4 religion, national origin, sex, marital status, status with regard to public assistance,
 55.5 participation in or requirements of a public assistance program, disability, sexual orientation,
 55.6 or familial status in the terms, conditions or privileges of the sale, rental or lease of any real
 55.7 property or in the furnishing of facilities or services in connection therewith, except that
 55.8 nothing in this clause shall be construed to prohibit the adoption of reasonable rules intended
 55.9 to protect the safety of minors in their use of the real property or any facilities or services
 55.10 furnished in connection therewith; or

55.11 (3) in any transaction involving real property, to print, circulate or post or cause to be
 55.12 printed, circulated, or posted any advertisement or sign, or use any form of application for
 55.13 the purchase, rental or lease of real property, or make any record or inquiry in connection
 55.14 with the prospective purchase, rental, or lease of real property which expresses, directly or
 55.15 indirectly, any limitation, specification, or discrimination as to race, color, creed, religion,
 55.16 national origin, sex, marital status, status with regard to public assistance, participation in
 55.17 or requirements of a public assistance program, disability, sexual orientation, or familial
 55.18 status, or any intent to make any such limitation, specification, or discrimination except that
 55.19 nothing in this clause shall be construed to prohibit the advertisement of a dwelling unit as
 55.20 available to adults-only if the person placing the advertisement reasonably believes that the
 55.21 provisions of this section prohibiting discrimination because of familial status do not apply
 55.22 to the dwelling unit.

55.23 Sec. 2. Minnesota Statutes 2022, section 363A.09, subdivision 2, is amended to read:

55.24 Subd. 2. **Real property interest; action by brokers, agents, and others.** It is an unfair
 55.25 discriminatory practice for a real estate broker, real estate salesperson, or employee, or agent
 55.26 thereof:

55.27 (1) to refuse to sell, rent, or lease or to offer for sale, rental, or lease any real property
 55.28 to any person or group of persons or to negotiate for the sale, rental, or lease of any real
 55.29 property to any person or group of persons because of race, color, creed, religion, national
 55.30 origin, sex, marital status, status with regard to public assistance, participation in or
 55.31 requirements of a public assistance program, disability, sexual orientation, or familial status
 55.32 or represent that real property is not available for inspection, sale, rental, or lease when in
 55.33 fact it is so available, or otherwise deny or withhold any real property or any facilities of
 55.34 real property to or from any person or group of persons because of race, color, creed, religion,

56.1 national origin, sex, marital status, status with regard to public assistance, participation in
 56.2 or requirements of a public assistance program, disability, sexual orientation, or familial
 56.3 status; or

56.4 (2) to discriminate against any person because of race, color, creed, religion, national
 56.5 origin, sex, marital status, status with regard to public assistance, participation in or
 56.6 requirements of a public assistance program, disability, sexual orientation, or familial status
 56.7 in the terms, conditions or privileges of the sale, rental or lease of real property or in the
 56.8 furnishing of facilities or services in connection therewith; or

56.9 (3) to print, circulate, or post or cause to be printed, circulated, or posted any
 56.10 advertisement or sign, or use any form of application for the purchase, rental, or lease of
 56.11 any real property or make any record or inquiry in connection with the prospective purchase,
 56.12 rental or lease of any real property, which expresses directly or indirectly, any limitation,
 56.13 specification or discrimination as to race, color, creed, religion, national origin, sex, marital
 56.14 status, status with regard to public assistance, participation in or requirements of a public
 56.15 assistance program, disability, sexual orientation, or familial status or any intent to make
 56.16 any such limitation, specification, or discrimination except that nothing in this clause shall
 56.17 be construed to prohibit the advertisement of a dwelling unit as available to adults-only if
 56.18 the person placing the advertisement reasonably believes that the provisions of this section
 56.19 prohibiting discrimination because of familial status do not apply to the dwelling unit.

56.20 Sec. 3. Minnesota Statutes 2022, section 363A.09, is amended by adding a subdivision to
 56.21 read:

56.22 Subd. 2a. **Definition; public assistance program.** For the purposes of this section,
 56.23 "public assistance program" means federal, state, or local assistance, including but not
 56.24 limited to rental assistance, rent supplements, and housing choice vouchers.

56.25 ARTICLE 7

56.26 FIREARMS POLICY

56.27 Section 1. Minnesota Statutes 2022, section 624.712, is amended by adding a subdivision
 56.28 to read:

56.29 Subd. 13. **Large-capacity magazine.** "Large-capacity magazine" means any ammunition
 56.30 feeding device with the capacity to accept more than ten rounds, or any conversion kit, part,
 56.31 or combination of parts from which this type of device can be assembled if those parts are
 56.32 in the possession or under the control of the same person. Large-capacity magazine does
 56.33 not mean any of the following:

57.1 (1) a feeding device that has been permanently altered so that it cannot accommodate
57.2 more than ten rounds;

57.3 (2) a .22 caliber tube ammunition feeding device; or

57.4 (3) a tubular magazine that is contained in a lever-action firearm.

57.5 Sec. 2. Minnesota Statutes 2022, section 624.713, subdivision 1, is amended to read:

57.6 Subdivision 1. **Ineligible persons.** The following persons shall not be entitled to possess
57.7 ammunition or a pistol or semiautomatic military-style assault weapon or, except for clause
57.8 (1), any other firearm:

57.9 (1) a person under the age of ~~18~~ 21 years except that a person under ~~18~~ 21 may possess
57.10 ammunition designed for use in a firearm that the person may lawfully possess and may
57.11 carry or possess a pistol or semiautomatic military-style assault weapon (i) in the actual
57.12 presence or under the direct supervision of the person's parent or guardian, (ii) for the
57.13 purpose of military drill under the auspices of a legally recognized military organization
57.14 and under competent supervision, (iii) for the purpose of instruction, competition, or target
57.15 practice on a firing range approved by the chief of police or county sheriff in whose
57.16 jurisdiction the range is located and under direct supervision; or (iv) if the person has
57.17 successfully completed a course designed to teach marksmanship and safety with a pistol
57.18 or semiautomatic military-style assault weapon and approved by the commissioner of natural
57.19 resources;

57.20 (2) except as otherwise provided in clause (9), a person who has been convicted of, or
57.21 adjudicated delinquent or convicted as an extended jurisdiction juvenile for committing, in
57.22 this state or elsewhere, a crime of violence. For purposes of this section, crime of violence
57.23 includes crimes in other states or jurisdictions which would have been crimes of violence
57.24 as herein defined if they had been committed in this state;

57.25 (3) a person who is or has ever been committed in Minnesota or elsewhere by a judicial
57.26 determination that the person is mentally ill, developmentally disabled, or mentally ill and
57.27 dangerous to the public, as defined in section 253B.02, to a treatment facility, or who has
57.28 ever been found incompetent to stand trial or not guilty by reason of mental illness, unless
57.29 the person's ability to possess a firearm and ammunition has been restored under subdivision
57.30 4;

57.31 (4) a person who has been convicted in Minnesota or elsewhere of a misdemeanor or
57.32 gross misdemeanor violation of chapter 152, unless three years have elapsed since the date
57.33 of conviction and, during that time, the person has not been convicted of any other such

58.1 violation of chapter 152 or a similar law of another state; or a person who is or has ever
58.2 been committed by a judicial determination for treatment for the habitual use of a controlled
58.3 substance or marijuana, as defined in sections 152.01 and 152.02, unless the person's ability
58.4 to possess a firearm and ammunition has been restored under subdivision 4;

58.5 (5) a person who has been committed to a treatment facility in Minnesota or elsewhere
58.6 by a judicial determination that the person is chemically dependent as defined in section
58.7 253B.02, unless the person has completed treatment or the person's ability to possess a
58.8 firearm and ammunition has been restored under subdivision 4. Property rights may not be
58.9 abated but access may be restricted by the courts;

58.10 (6) a peace officer who is informally admitted to a treatment facility pursuant to section
58.11 253B.04 for chemical dependency, unless the officer possesses a certificate from the head
58.12 of the treatment facility discharging or provisionally discharging the officer from the
58.13 treatment facility. Property rights may not be abated but access may be restricted by the
58.14 courts;

58.15 (7) a person, including a person under the jurisdiction of the juvenile court, who has
58.16 been charged with committing a crime of violence and has been placed in a pretrial diversion
58.17 program by the court before disposition, until the person has completed the diversion program
58.18 and the charge of committing the crime of violence has been dismissed;

58.19 (8) except as otherwise provided in clause (9), a person who has been convicted in
58.20 another state of committing an offense similar to the offense described in section 609.224,
58.21 subdivision 3, against a family or household member or section 609.2242, subdivision 3,
58.22 unless three years have elapsed since the date of conviction and, during that time, the person
58.23 has not been convicted of any other violation of section 609.224, subdivision 3, or 609.2242,
58.24 subdivision 3, or a similar law of another state;

58.25 (9) a person who has been convicted in this state or elsewhere of assaulting a family or
58.26 household member and who was found by the court to have used a firearm in any way
58.27 during commission of the assault is prohibited from possessing any type of firearm or
58.28 ammunition for the period determined by the sentencing court;

58.29 (10) a person who:

58.30 (i) has been convicted in any court of a crime punishable by imprisonment for a term
58.31 exceeding one year;

58.32 (ii) is a fugitive from justice as a result of having fled from any state to avoid prosecution
58.33 for a crime or to avoid giving testimony in any criminal proceeding;

59.1 (iii) is an unlawful user of any controlled substance as defined in chapter 152;

59.2 (iv) has been judicially committed to a treatment facility in Minnesota or elsewhere as
59.3 a person who is mentally ill, developmentally disabled, or mentally ill and dangerous to the
59.4 public, as defined in section 253B.02;

59.5 (v) is an alien who is illegally or unlawfully in the United States;

59.6 (vi) has been discharged from the armed forces of the United States under dishonorable
59.7 conditions;

59.8 (vii) has renounced the person's citizenship having been a citizen of the United States;

59.9 or

59.10 (viii) is disqualified from possessing a firearm under United States Code, title 18, section
59.11 922(g)(8) or (9), as amended through March 1, 2014;

59.12 (11) a person who has been convicted of the following offenses at the gross misdemeanor
59.13 level, unless three years have elapsed since the date of conviction and, during that time, the
59.14 person has not been convicted of any other violation of these sections: section 609.229
59.15 (crimes committed for the benefit of a gang); 609.2231, subdivision 4 (assaults motivated
59.16 by bias); 609.255 (false imprisonment); 609.378 (neglect or endangerment of a child);
59.17 609.582, subdivision 4 (burglary in the fourth degree); 609.665 (setting a spring gun); 609.71
59.18 (riot); or 609.749 (harassment or stalking). For purposes of this paragraph, the specified
59.19 gross misdemeanor convictions include crimes committed in other states or jurisdictions
59.20 which would have been gross misdemeanors if conviction occurred in this state;

59.21 (12) a person who has been convicted of a violation of section 609.224 if the court
59.22 determined that the assault was against a family or household member in accordance with
59.23 section 609.2242, subdivision 3 (domestic assault), unless three years have elapsed since
59.24 the date of conviction and, during that time, the person has not been convicted of another
59.25 violation of section 609.224 or a violation of a section listed in clause (11); ~~or~~

59.26 (13) a person who is subject to an order for protection as described in section 260C.201,
59.27 subdivision 3, paragraph (d), or 518B.01, subdivision 6, paragraph (g); or

59.28 (14) a person who is subject to an extreme risk protection order as described in section
59.29 624.7172 or 624.7174.

59.30 A person who issues a certificate pursuant to this section in good faith is not liable for
59.31 damages resulting or arising from the actions or misconduct with a firearm or ammunition
59.32 committed by the individual who is the subject of the certificate.

60.1 The prohibition in this subdivision relating to the possession of firearms other than
60.2 pistols and semiautomatic military-style assault weapons does not apply retroactively to
60.3 persons who are prohibited from possessing a pistol or semiautomatic military-style assault
60.4 weapon under this subdivision before August 1, 1994.

60.5 The lifetime prohibition on possessing, receiving, shipping, or transporting firearms and
60.6 ammunition for persons convicted or adjudicated delinquent of a crime of violence in clause
60.7 (2), applies only to offenders who are discharged from sentence or court supervision for a
60.8 crime of violence on or after August 1, 1993.

60.9 For purposes of this section, "judicial determination" means a court proceeding pursuant
60.10 to sections 253B.07 to 253B.09 or a comparable law from another state.

60.11 Sec. 3. Minnesota Statutes 2022, section 624.7131, subdivision 4, is amended to read:

60.12 Subd. 4. **Grounds for disqualification.** ~~A determination by~~

60.13 (a) The chief of police or sheriff that shall refuse to grant a transferee permit if the
60.14 applicant is prohibited by section 624.713 state or federal law from possessing a pistol or
60.15 semiautomatic military-style assault weapon shall be the only basis for refusal to grant a
60.16 transferee permit or is determined to be a danger to self or others under paragraph (b).

60.17 (b) A chief of police or sheriff shall refuse to grant a permit to a person who poses a
60.18 danger to self or others. The decision of the chief of police or sheriff must be based on
60.19 documented past contact with law enforcement. A notice of disqualification issued pursuant
60.20 to this paragraph must describe and document the specific law enforcement contact or
60.21 contacts relied upon to deny the permit.

60.22 (c) A person is not eligible to submit a permit application under this section if the person
60.23 has had an application denied pursuant to paragraph (b) and less than six months have
60.24 elapsed since the date the denial was issued or the date the person's appeal under subdivision
60.25 8 was denied, whichever is later.

60.26 (d) A chief or police or sheriff who denies a permit application pursuant to paragraph
60.27 (b) must provide a copy of the notice of disqualification to the chief of police or sheriff with
60.28 joint jurisdiction over the proposed transferee's residence.

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

61.1 Sec. 4. Minnesota Statutes 2022, section 624.7131, subdivision 5, is amended to read:

61.2 Subd. 5. **Granting of permits.** The chief of police or sheriff shall issue a transferee
61.3 permit or deny the application within seven days of application for the permit. In case of a
61.4 denial, the chief of police or sheriff shall provide an applicant with written notification of
61.5 a denial and the specific reason for the denial. The permits and their renewal shall be granted
61.6 free of charge.

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

61.9 Sec. 5. Minnesota Statutes 2022, section 624.7131, subdivision 7, is amended to read:

61.10 Subd. 7. **Permit voided; revocation.** (a) The transferee permit shall be void at the time
61.11 that the holder becomes prohibited from possessing or receiving a pistol under section
61.12 624.713, in which event the holder shall return the permit within five days to the issuing
61.13 authority. If the chief law enforcement officer who issued the permit has knowledge that
61.14 the permit holder is ineligible to possess firearms, the chief law enforcement officer must
61.15 revoke the permit and give notice to the holder in writing. Failure of the holder to return
61.16 the permit within the five days of learning that the permit is void or revoked is a gross
61.17 misdemeanor unless the court finds that the circumstances or the physical or mental condition
61.18 of the permit holder prevented the holder from complying with the return requirement.

61.19 (b) When a permit holder receives a court disposition that prohibits the permit holder
61.20 from possessing a firearm, the court must take possession of the permit, if it is available,
61.21 and send it to the issuing law enforcement agency. If the permit holder does not have the
61.22 permit when the court imposes a firearm prohibition, the permit holder must surrender the
61.23 permit to the assigned probation officer, if applicable. When a probation officer is assigned
61.24 upon disposition of the case, the court shall inform the probation agent of the permit holder's
61.25 obligation to surrender the permit. Upon surrender, the probation officer must send the
61.26 permit to the issuing law enforcement agency. If a probation officer is not assigned to the
61.27 permit holder, the holder shall surrender the permit as provided for in paragraph (a).

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

62.1 Sec. 6. Minnesota Statutes 2022, section 624.7131, subdivision 9, is amended to read:

62.2 Subd. 9. **Permit to carry.** A valid permit to carry issued pursuant to section 624.714
62.3 constitutes a transferee permit for the purposes of this section and ~~section~~ sections 624.7132
62.4 and 624.7134.

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

62.7 Sec. 7. Minnesota Statutes 2022, section 624.7131, subdivision 11, is amended to read:

62.8 Subd. 11. **Penalty.** A person who makes a false statement in order to obtain a transferee
62.9 permit knowing or having reason to know the statement is false is guilty of a ~~gross~~
62.10 ~~misdemeanor~~ felony.

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

62.13 Sec. 8. Minnesota Statutes 2022, section 624.7132, subdivision 4, is amended to read:

62.14 Subd. 4. **Delivery.** Except as otherwise provided in subdivision 7 or 8, no person shall
62.15 deliver a pistol or semiautomatic military-style assault weapon to a proposed transferee
62.16 until five business days after the date the agreement to transfer is delivered to a chief of
62.17 police or sheriff in accordance with subdivision 1 unless the chief of police or sheriff waives
62.18 all or a portion of the ~~seven-day~~ waiting period. The chief of police or sheriff may waive
62.19 all or a portion of the ~~five-business-day~~ waiting period in writing if the chief of police or
62.20 sheriff finds that the transferee requires access to a pistol or semiautomatic military-style
62.21 assault weapon because of a threat to the life of the transferee or of any member of the
62.22 household of the transferee.

62.23 No person shall deliver a ~~pistol or semiautomatic military-style assault weapon~~ firearm
62.24 to a proposed transferee after receiving a written notification that the chief of police or
62.25 sheriff has determined that the proposed transferee is prohibited by section 624.713 from
62.26 possessing a ~~pistol or semiautomatic military-style assault weapon~~ firearm.

62.27 If the transferor makes a report of transfer and receives no written notification of
62.28 disqualification of the proposed transferee within five business days after delivery of the
62.29 agreement to transfer, the ~~pistol or semiautomatic military-style assault weapon~~ firearm
62.30 may be delivered to the transferee.

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

63.1 Sec. 9. Minnesota Statutes 2022, section 624.7132, subdivision 5, is amended to read:

63.2 Subd. 5. **Grounds for disqualification.** ~~A determination by~~

63.3 (a) The chief of police or sheriff that shall deny an application if the proposed transferee
63.4 is prohibited by section 624.713 state or federal law from possessing a pistol or semiautomatic
63.5 military-style assault weapon shall be the sole basis for a notification of disqualification
63.6 under this section or is determined to be a danger to self or others under paragraph (b).

63.7 (b) A chief of police or sheriff shall deny an application if the person poses a danger to
63.8 self or others. The decision of the chief of police or sheriff must be based on documented
63.9 past contact with law enforcement. A notice of disqualification issued pursuant to this
63.10 paragraph must describe and document the specific law enforcement contact or contacts
63.11 relied upon to deny the application.

63.12 (c) A chief of police or sheriff need not process an application under this section if the
63.13 person has had an application denied pursuant to paragraph (b) and less than six months
63.14 have elapsed since the denial was issued or the person's appeal under subdivision 13 was
63.15 denied, whichever is later.

63.16 (d) A chief of police or sheriff who denies an application pursuant to paragraph (b) must
63.17 provide a copy of the notice of disqualification to the chief of police or sheriff with joint
63.18 jurisdiction over the proposed applicant's residence.

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

63.21 Sec. 10. Minnesota Statutes 2022, section 624.7132, subdivision 8, is amended to read:

63.22 Subd. 8. **Report not required.** If the proposed transferee presents ~~a valid transferee~~
63.23 ~~permit issued under section 624.7131~~ or a valid permit to carry issued under section 624.714,
63.24 the transferor need not file a transfer report.

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

63.27 Sec. 11. Minnesota Statutes 2022, section 624.7132, subdivision 12, is amended to read:

63.28 Subd. 12. **Exclusions.** Except as otherwise provided in section 609.66, subdivision 1f,
63.29 this section shall not apply to transfers of antique firearms as curiosities or for their historical
63.30 significance or value, transfers to or between federally licensed firearms dealers, transfers
63.31 by order of court, involuntary transfers, transfers at death or the following transfers:

- 64.1 ~~(1) a transfer by a person other than a federally licensed firearms dealer;~~
- 64.2 ~~(2) a loan to a prospective transferee if the loan is intended for a period of no more than~~
- 64.3 ~~one day;~~
- 64.4 ~~(3)~~ (1) the delivery of a pistol or semiautomatic military-style assault weapon to a person
- 64.5 for the purpose of repair, reconditioning or remodeling;
- 64.6 ~~(4)~~ (2) a loan by a teacher to a student in a course designed to teach marksmanship or
- 64.7 safety with a pistol and approved by the commissioner of natural resources;
- 64.8 ~~(5) a loan between persons at a firearms collectors exhibition;~~
- 64.9 ~~(6)~~ (3) a loan between persons lawfully engaged in hunting or target shooting if the loan
- 64.10 is intended for a period of no more than 12 hours;
- 64.11 ~~(7)~~ (4) a loan between law enforcement officers who have the power to make arrests
- 64.12 other than citizen arrests; and
- 64.13 ~~(8)~~ (5) a loan between employees or between the employer and an employee in a business
- 64.14 if the employee is required to carry a pistol or semiautomatic military-style assault weapon
- 64.15 by reason of employment and is the holder of a valid permit to carry a pistol.

64.16 **EFFECTIVE DATE.** This section is effective August 1, 2023, and applies to crimes

64.17 committed on or after that date.

64.18 Sec. 12. Minnesota Statutes 2022, section 624.7132, subdivision 15, is amended to read:

64.19 Subd. 15. **Penalties.** (a) Except as otherwise provided in paragraph (b), a person who

64.20 does any of the following is guilty of a gross misdemeanor:

64.21 (1) transfers a pistol or semiautomatic military-style assault weapon in violation of

64.22 subdivisions 1 to 13;

64.23 (2) transfers a pistol or semiautomatic military-style assault weapon to a person who

64.24 has made a false statement in order to become a transferee, if the transferor knows or has

64.25 reason to know the transferee has made the false statement;

64.26 (3) knowingly becomes a transferee in violation of subdivisions 1 to 13; or

64.27 (4) makes a false statement in order to become a transferee of a pistol or semiautomatic

64.28 military-style assault weapon knowing or having reason to know the statement is false.

64.29 (b) A person who does either of the following is guilty of a felony:

65.1 (1) transfers a pistol or semiautomatic military-style assault weapon to a person under
65.2 the age of ~~18~~ 21 in violation of subdivisions 1 to 13; or

65.3 (2) transfers a pistol or semiautomatic military-style assault weapon to a person under
65.4 the age of ~~18~~ 21 who has made a false statement in order to become a transferee, if the
65.5 transferor knows or has reason to know the transferee has made the false statement.

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

65.8 Sec. 13. **[624.7134] PRIVATE PARTY TRANSFERS; BACKGROUND CHECK**
65.9 **REQUIRED.**

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

65.12 (b) "Firearms dealer" means a person who is licensed by the United States Department
65.13 of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives, under United States Code,
65.14 title 18, section 923(a).

65.15 (c) "State or federally issued identification" means a document or card made or issued
65.16 by or under the authority of the United States government or the state that contains the
65.17 person's name, residence address, date of birth, and photograph and is of a type commonly
65.18 accepted for the purpose of identification of individuals.

65.19 **Subd. 2. Background check and evidence of identity.** A person who is not a firearms
65.20 dealer is prohibited from transferring possession or ownership of a pistol or semiautomatic
65.21 military-style assault weapon to any other person who is not a firearms dealer, unless the
65.22 transferee presents a valid transferee permit issued under section 624.7131 and a current
65.23 state or federally issued identification.

65.24 **Subd. 3. Record of transfer; required information.** (a) When two parties complete
65.25 the transfer of a pistol or semiautomatic military-style assault weapon under subdivision 2,
65.26 the transferor and transferee must complete a record of transfer on a form designed and
65.27 made publicly available without fee for this purpose by the superintendent of the Bureau
65.28 of Criminal Apprehension. Each page of the record of transfer must be signed and dated by
65.29 the transferor and the transferee and contain the serial number of the pistol or semiautomatic
65.30 military-style assault weapon.

65.31 (b) The record of transfer must contain the following information:

65.32 (1) a clear copy of each person's current state or federally issued identification;

66.1 (2) a clear copy of the transferee permit presented by the transferee; and

66.2 (3) a signed statement by the transferee swearing that the transferee is not currently
66.3 prohibited by state or federal law from possessing a firearm.

66.4 (c) The record of transfer must also contain the following information regarding the
66.5 transferred pistol or semiautomatic military-style assault weapon:

66.6 (1) the type of pistol or semiautomatic military-style assault weapon;

66.7 (2) the manufacturer, make, and model of the pistol or semiautomatic military-style
66.8 assault weapon; and

66.9 (3) the pistol or semiautomatic military-style assault weapon's manufacturer-assigned
66.10 serial number.

66.11 (d) Both the transferor and the transferee must retain a copy of the record of transfer
66.12 and any attachments to the record of transfer for 20 years from the date of the transfer. A
66.13 copy in digital form shall be acceptable for the purposes of this paragraph.

66.14 **Subd. 4. Compulsory production of a record of transfer; gross misdemeanor**

66.15 **penalty.** (a) The transferor and transferee of a pistol or semiautomatic military-style assault
66.16 weapon transferred under this section must produce the record of transfer when a peace
66.17 officer requests the record as part of a criminal investigation.

66.18 (b) A person who refuses or is unable to produce a record of transfer for a firearm
66.19 transferred under this section in response to a request for production made by a peace officer
66.20 pursuant to paragraph (a) is guilty of a gross misdemeanor. A prosecution or conviction for
66.21 violation of this subdivision is not a bar to conviction of, or punishment for, any other crime
66.22 committed involving the transferred firearm.

66.23 **Subd. 5. Immunity.** A person is immune to a charge of violating this section if the person
66.24 presents a record of transfer that satisfies the requirements of subdivision 3.

66.25 **Subd. 6. Exclusions.** (a) This section shall not apply to the following transfers:

66.26 (1) a transfer by or to a federally licensed firearms dealer;

66.27 (2) a transfer by or to any law enforcement agency;

66.28 (3) to the extent the transferee is acting within the course and scope of employment and
66.29 official duties, a transfer to:

66.30 (i) a peace officer, as defined in section 626.84, subdivision 1, paragraph (c);

- 67.1 (ii) a member of the United States armed forces, the National Guard, or the Reserves of
67.2 the United States armed forces;
- 67.3 (iii) a federal law enforcement officer; or
- 67.4 (iv) a security guard employed by a protective agent licensed pursuant to chapter 326;
- 67.5 (4) a transfer of an antique firearm as defined in section 624.712, subdivision 3;
- 67.6 (5) a transfer of a curio or relic, as defined in Code of Federal Regulations, title 27,
67.7 section 478.11, if the transfer is between collectors of firearms as curios or relics as defined
67.8 by United States Code, title 18, section 921(a)(13), who each have in their possession a
67.9 valid collector of curio and relics license issued by the United States Department of Justice,
67.10 Bureau of Alcohol, Tobacco, Firearms and Explosives;
- 67.11 (6) the temporary transfer of a firearm if:
- 67.12 (i) the transfer is necessary to prevent imminent death or great bodily harm; and
- 67.13 (ii) the person's possession lasts only as long as immediately necessary to prevent such
67.14 imminent death or great bodily harm;
- 67.15 (7) transfers by or to an auctioneer who is in compliance with chapter 330 and acting in
67.16 the person's official role as an auctioneer to facilitate or conduct an auction of the firearm;
67.17 and
- 67.18 (8) a temporary transfer if the transferee's possession of the firearm following the transfer
67.19 is only:
- 67.20 (i) at a shooting range that operates in compliance with the performance standards under
67.21 chapter 87A or is a nonconforming use under section 87A.03, subdivision 2, or, if compliance
67.22 is not required by the governing body of the jurisdiction, at an established shooting range
67.23 operated consistently with local law in the jurisdiction;
- 67.24 (ii) at a lawfully organized competition involving the use of a firearm, or while
67.25 participating in or practicing for a performance by an organized group that uses firearms as
67.26 part of the performance;
- 67.27 (iii) at a lawfully organized educational or instructional course and under the direct
67.28 supervision of a certified instructor, as that term is defined in section 624.714, subdivision
67.29 2a, paragraph (d); or
- 67.30 (iv) while in the actual presence of the transferor.

68.1 (b) A transfer under this subdivision is permitted only if the transferor has no reason to
68.2 believe:

68.3 (1) that the transferee is prohibited by federal law from buying or possessing firearms
68.4 or not entitled under state law to possess firearms; and

68.5 (2) that the transferee will use or intends to use the firearm in the commission of a crime.

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

68.8 Sec. 14. **[624.7135] LARGE-CAPACITY MAGAZINES PROHIBITED.**

68.9 Subdivision 1. **Definitions.** (a) As used in this section, "transfer" means a sale, gift, loan,
68.10 assignment, or other delivery to another, whether or not for consideration, of a large-capacity
68.11 magazine.

68.12 (b) As used in this section, "handgun" means a weapon originally designed, made, and
68.13 intended to fire a projectile, including but not limited to a bullet, from one or more barrels
68.14 when held in one hand, and having:

68.15 (1) one or more chambers as one or more integral parts or permanently aligned with one
68.16 or more bores;

68.17 (2) and a short stock designed to be gripped by one hand at an angle to and extending
68.18 below the line of one or more bores.

68.19 (c) As used in this section, "rifle" means a weapon designed or redesigned, made or
68.20 remade, and intended to be fired from the shoulder, and designed or redesigned and made
68.21 or remade to use the energy of the explosive in a fixed metallic cartridge to fire only a single
68.22 projectile through a rifled bore for each single pull of the trigger.

68.23 Subd. 2. **Prohibition.** It is unlawful for a person to manufacture, import, or transfer a
68.24 large-capacity magazine.

68.25 If in possession of a large-capacity magazine before the effective date of this section, a
68.26 person is prohibited from loading the magazine above the large-capacity limit.

68.27 It is unlawful for a person to manufacture, import, or transfer a handgun with a magazine
68.28 limit of over 15 rounds.

68.29 If in possession of a handgun with higher capacity than 15 rounds before the effective
68.30 date of this section, a person is prohibited from loading the handgun above the 15-round
68.31 limit.

69.1 It is unlawful for a person to manufacture, import, or transfer a rifle with a magazine
69.2 limit of over ten rounds.

69.3 If in possession of a rifle with higher capacity than ten rounds before the effective date
69.4 of this section, a person is prohibited from loading the rifle above the ten-round limit.

69.5 Subd. 3. **Exceptions.** Subdivision 2 does not apply to:

69.6 (1) any government officer, agent, or employee; member of the armed forces of the
69.7 United States; or peace officer, to the extent that the person is otherwise authorized to acquire
69.8 or possess a large-capacity magazine, handgun, or rifle with round capacity over the noted
69.9 limitations and does so while acting within the scope of the person's duties;

69.10 (2) the manufacture of a large-capacity magazine, handgun, or rifle with round capacity
69.11 over the noted limitations by a firearms manufacturer for the purpose of sale to any branch
69.12 of the armed forces of the United States, or to a law enforcement agency within Minnesota
69.13 for use by that agency or its employees, provided the manufacturer is properly licensed
69.14 under applicable laws; or

69.15 (3) the transfer of a large-capacity magazine, handgun, or rifle with round capacity over
69.16 the noted limitations by a dealer that is properly licensed under applicable laws to any branch
69.17 of the armed forces of the United States, or to a law enforcement agency within Minnesota
69.18 for use by that agency or its employees for law enforcement purposes.

69.19 Subd. 4. **Penalty.** (a) A person who violates subdivision 2 is guilty of a misdemeanor.
69.20 The fine imposed for a violation of this paragraph may not exceed \$250.

69.21 (b) A person who was previously convicted of a crime of violence, as that term is defined
69.22 in section 624.712, subdivision 5, who violates subdivision 2, is guilty of a felony.

69.23 **EFFECTIVE DATE.** This section is effective August 1, 2022, and applies to crimes
69.24 committed on or after that date.

69.25 Sec. 15. **[624.7139] LOST OR STOLEN FIREARMS.**

69.26 Subdivision 1. **Duty to report.** A person who owns, possesses, or controls a firearm
69.27 shall report the loss or theft of the firearm to a law enforcement agency in the jurisdiction
69.28 in which the loss or theft occurred as soon as practicable but not later than within 48 hours
69.29 of the time the person knew or reasonably should have known of the loss or theft.

69.30 Subd. 2. **Penalty.** (a) A person who violates this section is guilty of a petty misdemeanor.

69.31 (b) A person who violates this section a second time is guilty of a misdemeanor.

70.1 (c) A person who violates this section a third or subsequent time is guilty of a gross
70.2 misdemeanor.

70.3 Subd. 3. **Immunity.** A person who reports a lost or stolen firearm in compliance with
70.4 the requirements of subdivision 1 is immune from criminal prosecution for an offense
70.5 pursuant to state law related to the storage of firearms.

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

70.8 Sec. 16. **[624.7171] EXTREME RISK PROTECTION ORDERS.**

70.9 Subdivision 1. **Definitions.** As used in sections 624.7171 to 624.7178, the term "firearm"
70.10 has the meaning given in section 609.666, subdivision 1, paragraph (a).

70.11 Subd. 2. **Court jurisdiction.** An application for relief under this section shall be filed
70.12 in the county of residence of the respondent. Actions under this section shall be given docket
70.13 priorities by the court.

70.14 Subd. 3. **Generally.** (a) There shall exist an action known as a petition for an extreme
70.15 risk protection order, which order shall enjoin and prohibit the respondent from possessing
70.16 firearms for a fixed period.

70.17 (b) A petition for relief under sections 624.7171 to 624.7178 may be made by the chief
70.18 law enforcement officer, a designee or a city or county attorney.

70.19 (c) A petition for relief shall allege that the respondent poses a significant danger of
70.20 bodily harm to self or to other persons by possessing a firearm. The petition shall be
70.21 accompanied by an affidavit made under oath stating specific facts and circumstances
70.22 forming a basis to allege that an extreme risk protection order should be granted. The affidavit
70.23 may include but is not limited to evidence showing any of the factors described in section
70.24 624.7172, subdivision 2.

70.25 (d) A petition for emergency relief under section 624.7174 shall additionally allege that
70.26 the respondent presents an immediate and present danger of bodily harm.

70.27 (e) A petition for relief must describe, to the best of the petitioner's knowledge, the types
70.28 and location of any firearms believed by the petitioner to be possessed by the respondent.

70.29 (f) The state court administrator shall create all forms necessary under sections 624.7171
70.30 to 624.7178.

70.31 (g) The filing fees for an extreme risk protection order under this section are waived for
70.32 the petitioner and respondent.

71.1 (h) An extreme risk protection order issued under sections 624.7171 to 624.7178 applies
71.2 throughout the state.

71.3 (i) Any proceeding under sections 624.7171 to 624.7178 shall be in addition to other
71.4 civil or criminal remedies.

71.5 (j) All health records and other health information provided in a petition or considered
71.6 as evidence in a proceeding under sections 624.7171 to 624.7178 shall be protected from
71.7 public disclosure but may be provided to law enforcement agencies as described in this
71.8 section.

71.9 (k) Any extreme risk protection order or subsequent extension issued under sections
71.10 624.7171 to 624.7178 shall be forwarded by the court administrator within 24 hours to the
71.11 local law enforcement agency with jurisdiction over the residence of the respondent. Each
71.12 appropriate law enforcement agency shall make available to other law enforcement officers,
71.13 through a system for verification, information as to the existence and status of any extreme
71.14 risk protection order issued under sections 624.7171 to 624.7178.

71.15 Sec. 17. **[624.7172] EXTREME RISK PROTECTION ORDERS ISSUED AFTER**
71.16 **HEARING.**

71.17 Subdivision 1. **Hearing.** (a) Upon receipt of the petition for an order after a hearing, the
71.18 court shall order a hearing which shall be held not later than 14 days from the date of the
71.19 order for hearing.

71.20 (b) The petitioning agency shall be responsible for service of an extreme risk protection
71.21 order issued by the court and shall further be the agency responsible for the execution of
71.22 any legal process required for the seizure and storage of firearms subject to the order. Nothing
71.23 in this provision limits the ability of the law enforcement agency of record from cooperating
71.24 with other law enforcement entities.

71.25 (c) Personal service of notice for the hearing may be made upon the respondent at any
71.26 time up to 12 hours prior to the time set for the hearing, provided that the respondent at the
71.27 hearing may request a continuance of up to five days if the respondent is served less than
71.28 five days prior to the hearing, which continuance shall be granted unless there are compelling
71.29 reasons not to do so. If the court grants the requested continuance, and an existing emergency
71.30 order under section 624.7174 will expire due to the continuance, the court shall also issue
71.31 a written order continuing the emergency order pending the new time set for the hearing.

71.32 (d) If personal service cannot be made, the court may order service of the petition and
71.33 any order issued under this section by alternate means. The application for alternate service

72.1 must include the last known location of the respondent; the petitioner's most recent contacts
72.2 with the respondent; the last known location of the respondent's employment; the names
72.3 and locations of the respondent's parents, siblings, children, and other close relatives; the
72.4 names and locations of other persons who are likely to know the respondent's whereabouts;
72.5 and a description of efforts to locate those persons. The court shall consider the length of
72.6 time the respondent's location has been unknown, the likelihood that the respondent's location
72.7 will become known, the nature of the relief sought, and the nature of efforts made to locate
72.8 the respondent. The court shall order service by first class mail, forwarding address requested,
72.9 to any addresses where there is a reasonable possibility that mail or information will be
72.10 forwarded or communicated to the respondent. The court may also order publication, within
72.11 or without the state, but only if it might reasonably succeed in notifying the respondent of
72.12 the proceeding. Service shall be deemed complete 14 days after mailing or 14 days after
72.13 court-ordered publication.

72.14 Subd. 2. **Relief by court.** (a) At the hearing, the petitioner must prove by a preponderance
72.15 of the evidence that the respondent poses a significant danger of bodily harm to self or other
72.16 persons by possessing a firearm.

72.17 (b) In determining whether to grant the order after a hearing, the court shall consider
72.18 evidence of the following, whether or not the petitioner has provided evidence of the same:

72.19 (1) a history of threats or acts of violence by the respondent directed toward another
72.20 person;

72.21 (2) the history of use, attempted use, or threatened use of physical force by the respondent
72.22 against another person;

72.23 (3) a violation of any court order, including but not limited to orders issued under sections
72.24 624.7171 to 624.7178 or chapter 260C or 518B;

72.25 (4) a prior arrest for a felony offense;

72.26 (5) a conviction or prior arrest for a violent misdemeanor offense, for a stalking offense
72.27 under section 609.749, or for domestic assault under section 609.2242;

72.28 (6) a conviction for an offense of cruelty to animals under chapter 343;

72.29 (7) the unlawful and reckless use, display, or brandishing of a firearm by the respondent;

72.30 (8) a history of self-harm by the respondent; and

73.1 (9) whether the respondent is named in an existing order in effect under sections 624.7171
73.2 to 624.7178 or chapter 260C or 518B, or party to a pending lawsuit, complaint, petition, or
73.3 other action under sections 624.7171 to 624.7178 or chapter 518B.

73.4 (c) In determining whether to grant the order after a hearing, the court may consider any
73.5 other evidence that bears on whether the respondent poses a danger to the respondent's self
73.6 or others.

73.7 (d) If the court finds there is a preponderance of the evidence to issue an extreme risk
73.8 protection order, the court shall issue the order prohibiting the person from possessing a
73.9 firearm for the duration of the order. The court shall inform the respondent that the respondent
73.10 is prohibited from possessing firearms and shall issue a transfer order under section 624.7175.
73.11 The court shall also give notice to the county attorney's office, which may take action as it
73.12 deems appropriate.

73.13 (e) The order shall have a fixed period, to be determined by the court, of not less than
73.14 six months and not more than two years, subject to renewal or extension under section
73.15 624.7173.

73.16 (f) If there is no existing emergency order under section 624.7174 at the time an order
73.17 is granted under this section, the court shall determine by a preponderance of the evidence
73.18 whether the respondent presents an immediate and present danger of bodily harm. If the
73.19 court so determines, the transfer order shall include the provisions described in section
73.20 624.7175, paragraph (c).

73.21 (g) If, after a hearing, the court does not issue an order of protection, the court shall
73.22 vacate any emergency extreme risk protection order currently in effect.

73.23 (h) A respondent may waive the respondent's right to contest the hearing and consent
73.24 to the court's imposition of an extreme risk protection order. The court shall seal the petition
73.25 filed under this section and section 624.7144 if a respondent who consents to imposition of
73.26 an extreme risk protection order requests that the petition be sealed, unless the court finds
73.27 that there is clear and convincing evidence that the interests of the public and public safety
73.28 outweigh the disadvantages to the respondent of not sealing the petition. All extreme risk
73.29 protection orders shall remain public.

73.30 **Sec. 18. [624.7173] SUBSEQUENT EXTENSIONS AND TERMINATION.**

73.31 (a) Upon application by any party entitled to petition for an order under section 624.7172,
73.32 and after notice to the respondent and a hearing, the court may extend the relief granted in
73.33 an existing order granted after a hearing under section 624.7172. Application for an extension

74.1 may be made any time within the three months before the expiration of the existing order.
74.2 The order may be extended for a fixed period of at least six months and not to exceed two
74.3 years, if the court makes the same findings by a preponderance of the evidence as required
74.4 for granting an initial order under section 624.7172, subdivision 2, paragraph (d). The court
74.5 shall consider the same types of evidence as required for the initial order under section
74.6 624.7172, subdivision 2, paragraphs (b) and (c).

74.7 (b) Upon application by the respondent to an order issued under section 624.7172, the
74.8 court may terminate an order after a hearing at which the respondent shall bear the burden
74.9 of proving by a preponderance of the evidence that the respondent does not pose a significant
74.10 danger of bodily harm to the respondent's self or to other persons by possessing a firearm.
74.11 Application for termination may be made one time for each year an order is in effect. If an
74.12 order has been issued for a period of six months, the respondent may apply for termination
74.13 one time.

74.14 **Sec. 19. [624.7174] EMERGENCY ISSUANCE OF EXTREME RISK PROTECTION**
74.15 **ORDER.**

74.16 (a) In determining whether to grant an emergency extreme risk protection order, the
74.17 court shall consider evidence of all facts identified in section 624.7172, subdivision 2,
74.18 paragraphs (b) and (c).

74.19 (b) If the court finds there is reasonable grounds that (1) the respondent poses a significant
74.20 danger of bodily harm to the respondent's self or to other persons by possessing a firearm,
74.21 and (2) the respondent presents an immediate and present danger of bodily harm, the court
74.22 shall issue an ex parte emergency order prohibiting the respondent from possessing a firearm
74.23 for the duration of the order. The order shall inform the respondent that the respondent is
74.24 prohibited from possessing firearms and shall issue a transfer order under section 624.7175,
74.25 paragraph (c).

74.26 (c) A finding by the court that there is a basis for issuing an emergency extreme risk
74.27 protection order constitutes a finding that sufficient reasons exist not to require notice under
74.28 applicable court rules governing applications for ex parte relief.

74.29 (d) The emergency order shall have a fixed period of 14 days unless a hearing is set
74.30 under section 624.7172 on an earlier date, in which case the order shall expire upon a judge's
74.31 finding that no order is issued under section 624.7172.

74.32 (e) Except as provided in paragraph (f), the respondent shall be personally served
74.33 immediately with a copy of the emergency order and a copy of the petition and, if a hearing

75.1 is requested by the petitioner under section 624.7172, notice of the date set for the hearing.
75.2 If the petitioner does not request a hearing under section 624.7172, an order served on a
75.3 respondent under this section must include a notice advising the respondent of the right to
75.4 request a hearing challenging the issuance of the emergency order, and must be accompanied
75.5 by a form that can be used by the respondent to request a hearing.

75.6 (f) Service of the emergency order may be made by alternate service as provided under
75.7 section 624.7172, subdivision 1, paragraph (d), provided that the petitioner files the
75.8 application required under that subdivision. If the petitioner does not request a hearing under
75.9 section 624.7172, the petition mailed to the respondent's residence, if known, must be
75.10 accompanied by the form for requesting a hearing described in paragraph (e).

75.11 **Sec. 20. [624.7175] TRANSFER OF FIREARMS.**

75.12 (a) Except as provided in paragraph (b), upon issuance of an extreme risk protection
75.13 order, the court shall direct the respondent to transfer any firearms the person possesses as
75.14 soon as reasonably practicable, but in no case later than 24 hours, to a federally licensed
75.15 firearms dealer or a law enforcement agency. If the respondent elects to transfer the
75.16 respondent's firearms to a law enforcement agency, the agency must accept the transfer.
75.17 The transfer may be permanent or temporary. A temporary firearm transfer only entitles
75.18 the receiving party to possess the firearm and does not transfer ownership or title. If the
75.19 respondent makes a temporary transfer, a federally licensed firearms dealer or law
75.20 enforcement agency may charge the respondent a reasonable fee to store the firearms and
75.21 may establish policies for disposal of abandoned firearms, provided these policies require
75.22 that the respondent be notified prior to disposal of abandoned firearms. If a respondent
75.23 permanently transfers the respondent's firearms to a law enforcement agency, the agency
75.24 is not required to compensate the respondent and may charge the respondent a reasonable
75.25 processing fee.

75.26 (b) A person directed to transfer any firearms pursuant to paragraph (a) may transfer
75.27 any antique firearm, as defined in United States Code, title 18, section 921, paragraph (a),
75.28 clause (16), as amended, or a curio or relic as defined in Code of Federal Regulations, title
75.29 27, section 478.11, as amended, to a relative who does not live with the respondent after
75.30 confirming that the relative may lawfully own or possess a firearm.

75.31 (c) The respondent must file proof of transfer as provided in this paragraph.

75.32 (1) A law enforcement agency or federally licensed firearms dealer accepting transfer
75.33 of a firearm pursuant to this section shall provide proof of transfer to the respondent. The
75.34 proof of transfer must specify whether the firearms were permanently or temporarily

76.1 transferred and must include the name of the respondent, date of transfer, and the serial
76.2 number, manufacturer, and model of all transferred firearms. If transfer is made to a federally
76.3 licensed firearms dealer, the respondent shall, within two business days after being served
76.4 with the order, file a copy of proof of transfer with the law enforcement agency and attest
76.5 that all firearms owned or possessed at the time of the order have been transferred in
76.6 accordance with this section and that the person currently does not possess any firearms. If
76.7 the respondent claims not to own or possess firearms, the respondent shall file a declaration
76.8 of nonpossession with the law enforcement agency attesting that, at the time of the order,
76.9 the respondent neither owned nor possessed any firearms, and that the respondent currently
76.10 neither owns nor possesses any firearms. If the transfer is made to a relative pursuant to
76.11 paragraph (b), the relative must sign an affidavit under oath before a notary public either
76.12 acknowledging that the respondent permanently transferred the respondent's antique firearms,
76.13 curios, or relics to the relative or agreeing to temporarily store the respondent's antique
76.14 firearms, curios, or relics until such time as the respondent is legally permitted to possess
76.15 firearms. To the extent possible, the affidavit shall indicate the serial number, make, and
76.16 model of all antique firearms, curios, or relics transferred by the respondent to the relative.

76.17 (2) The court shall seal affidavits, proofs of transfer, and declarations of nonpossession
76.18 filed pursuant to this paragraph.

76.19 (d) If a court issues an emergency order under section 624.7174, or makes a finding of
76.20 immediate and present danger under section 624.7172, subdivision 2, paragraph (f), and
76.21 there is probable cause to believe the respondent possesses firearms, the court shall issue a
76.22 search warrant to the local law enforcement agency to take possession of all firearms in the
76.23 respondent's possession as soon as practicable. The local law enforcement agency shall,
76.24 upon written notice from the respondent, transfer the firearms to a federally licensed firearms
76.25 dealer. Before a local law enforcement agency transfers a firearm under this paragraph, the
76.26 agency shall require the federally licensed firearms dealer receiving the firearm to submit
76.27 a proof of transfer that complies with the requirements for proofs of transfer established in
76.28 paragraph (c). The agency shall file all proofs of transfer received by the court within two
76.29 business days of the transfer. A federally licensed firearms dealer who accepts a firearm
76.30 transfer pursuant to this paragraph shall comply with paragraphs (a) and (c) as if accepting
76.31 transfer directly from the respondent. If the law enforcement agency does not receive written
76.32 notice from the respondent within three business days, the agency may charge a reasonable
76.33 fee to store the respondent's firearms. A law enforcement agency may establish policies for
76.34 disposal of abandoned firearms, provided these policies require that the respondent be
76.35 notified prior to disposal of abandoned firearms.

77.1 Sec. 21. **[624.7176] RETURN OF FIREARMS.**

77.2 Subdivision 1. **Law enforcement.** A local law enforcement agency that accepted
77.3 temporary transfer of firearms under section 624.7175 shall return the firearms to the
77.4 respondent upon request after the expiration of the order, provided the respondent is not
77.5 otherwise prohibited from possessing firearms under state or federal law.

77.6 Subd. 2. **Firearms dealer.** A federally licensed firearms dealer that accepted temporary
77.7 transfer of firearms under section 624.7175 shall return the transferred firearms to the
77.8 respondent upon request after the expiration of the order, provided the respondent is not
77.9 otherwise prohibited from possessing firearms under state or federal law. A federally licensed
77.10 firearms dealer returning firearms shall comply with state and federal law as though
77.11 transferring a firearm from the dealer's own inventory.

77.12 Sec. 22. **[624.7177] OFFENSES.**

77.13 Subdivision 1. **False information or harassment.** A person who petitions for an extreme
77.14 risk protection order under section 624.7172 or 624.7174, knowing any information in the
77.15 petition to be materially false or with the intent to harass, abuse, or threaten, is guilty of a
77.16 misdemeanor.

77.17 Subd. 2. **Violation of order.** A person who possesses a firearm and knows or should
77.18 have known that the person is prohibited from doing so by an extreme risk protection order
77.19 under section 624.7172 or 624.7174, or by an order of protection granted by a judge or
77.20 referee pursuant to a substantially similar law of another state, is guilty of a misdemeanor
77.21 and shall be prohibited from possessing firearms for a period of five years. Each extreme
77.22 risk protection order granted under this chapter must contain a conspicuous notice to the
77.23 respondent regarding the penalty for violation of the order.

77.24 Sec. 23. **[624.7178] LIABILITY PROTECTION.**

77.25 Subdivision 1. **Liability protection for petition.** A chief law enforcement officer, or a
77.26 designee, or a city or county attorney, who, in good faith, decides not to petition for an
77.27 extreme risk protection order or emergency extreme risk protection order shall be immune
77.28 from criminal or civil liability.

77.29 Subd. 2. **Liability protection for storage of firearms.** A law enforcement agency shall
77.30 be immune from civil or criminal liability for any damage or deterioration of firearms,
77.31 ammunition, or weapons stored or transported pursuant to section 624.7175. This subdivision

78.1 shall not apply if the damage or deterioration occurred as a result of recklessness, gross
 78.2 negligence, or intentional misconduct by the law enforcement agency.

78.3 Subd. 3. **Liability protection for harm following service of an order or execution of**
 78.4 **a search warrant.** A peace officer, law enforcement agency, and the state or a political
 78.5 subdivision by which a peace officer is employed has immunity from any liability, civil or
 78.6 criminal, for harm caused by a person who is the subject of an extreme risk protection order,
 78.7 a search warrant issued pursuant to section 624.7175, paragraph (d), or both, after service
 78.8 of the order or execution of the warrant, whichever comes first, if the peace officer acts in
 78.9 good faith in serving the order or executing the warrant.

78.10 Sec. 24. **[626.8478] EXTREME RISK PROTECTION ORDER; DEVELOPMENT**
 78.11 **OF MODEL PROCEDURES.**

78.12 By December 1, 2023, the Peace Officer Standards and Training Board, after consulting
 78.13 with the Minnesota County Attorneys Association, the Minnesota Sheriffs' Association, the
 78.14 Minnesota Chiefs of Police Association, and the Minnesota Police and Peace Officers
 78.15 Association, shall develop model procedures and standards for the storage of firearms
 78.16 transferred to law enforcement under section 624.7175.

78.17 Sec. 25. **REPEALER.**

78.18 Minnesota Statutes 2022, sections 624.7131, subdivision 10; and 624.7132, subdivisions
 78.19 6 and 14, are repealed.

78.20 **ARTICLE 8**

78.21 **911 EMERGENCY COMMUNICATION SYSTEM**

78.22 Section 1. Minnesota Statutes 2022, section 403.02, subdivision 7, is amended to read:

78.23 Subd. 7. **Automatic location identification.** "Automatic location identification" means
 78.24 the process of electronically identifying and displaying ~~the name of the subscriber and the~~
 78.25 ~~location, where available, of the calling telephone number~~ the name of the subscriber, the
 78.26 communications device's current location, and the callback number to a person public safety
 78.27 telecommunicator answering a 911 emergency call.

78.28 Sec. 2. Minnesota Statutes 2022, section 403.02, subdivision 9a, is amended to read:

78.29 Subd. 9a. **Callback number.** "Callback number" means a telephone number or
 78.30 functionally equivalent Internet address or device identification number used by the public

79.1 safety answering point to ~~recontact~~ contact the ~~location~~ device from which the 911 call was
79.2 placed.

79.3 Sec. 3. Minnesota Statutes 2022, section 403.02, is amended by adding a subdivision to
79.4 read:

79.5 Subd. 10a. **Cost recovery.** "Cost recovery" means costs incurred by
79.6 commissioner-approved originating service providers specifically for the purpose of providing
79.7 access to the 911 network for their subscribers or maintenance of 911 customer databases.
79.8 These costs may be reimbursed to the requesting originating service provider. Recoverable
79.9 costs include only those costs that the requesting provider would avoid if the provider were
79.10 not providing access to the 911 network or maintenance of 911 customer databases.

79.11 Sec. 4. Minnesota Statutes 2022, section 403.02, is amended by adding a subdivision to
79.12 read:

79.13 Subd. 10b. **Cybersecurity.** "Cybersecurity" means the prevention of damage to,
79.14 unauthorized use of, exploitation of, and if needed, the restoration of, electronic information
79.15 and communications systems and services and the information contained therein to ensure
79.16 confidentiality, integrity, and availability.

79.17 Sec. 5. Minnesota Statutes 2022, section 403.02, is amended by adding a subdivision to
79.18 read:

79.19 Subd. 10c. **Emergency communications network service provider**
79.20 (ECNSP). "Emergency communications network service provider" or "ECNSP" means a
79.21 service provider, determined by the commissioner to be capable of providing effective and
79.22 efficient components of the 911 network or its management that provides or manages all
79.23 or portions of the statewide 911 emergency communications network. The ECNSP is the
79.24 entity or entities that the state contracts with to provide facilities and services associated
79.25 with operating and maintaining the Minnesota statewide 911 network.

79.26 Sec. 6. Minnesota Statutes 2022, section 403.02, subdivision 11b, is amended to read:

79.27 Subd. 11b. **Emergency response location.** "Emergency response location" means a
79.28 location to which a 911 ~~emergency response team~~ services may be dispatched. The location
79.29 must be specific enough to provide a reasonable opportunity for ~~the emergency response~~
79.30 ~~team to locate~~ a caller to be located anywhere within it.

80.1 Sec. 7. Minnesota Statutes 2022, section 403.02, is amended by adding a subdivision to
80.2 read:

80.3 Subd. 11c. **Emergency services.** "Emergency services" includes but is not limited to
80.4 firefighting, police, ambulance, medical, or other mobile services dispatched, monitored,
80.5 or controlled by a public safety answering point.

80.6 Sec. 8. Minnesota Statutes 2022, section 403.02, is amended by adding a subdivision to
80.7 read:

80.8 Subd. 11d. **Emergency Services Internet (ESI**net). "Emergency Services Internet" or
80.9 "ESInet" means an Internet protocol-based and multipurpose network supporting local,
80.10 regional, and national public safety communications services in addition to 911 services.
80.11 The ESInet is comprised of three network components, including ingress network, next
80.12 generation core services, and egress network.

80.13 Sec. 9. Minnesota Statutes 2022, section 403.02, is amended by adding a subdivision to
80.14 read:

80.15 Subd. 12a. **End user equipment.** "End user equipment" means any device held or
80.16 operated by an employee of a public safety agency, except for public safety
80.17 telecommunicators, for the purpose of receiving voice or data communications outside of
80.18 a public safety answering point. This includes but is not limited to mobile radios, portable
80.19 radios, pagers, mobile computers, tablets, and cellular telephones.

80.20 Sec. 10. Minnesota Statutes 2022, section 403.02, is amended by adding a subdivision to
80.21 read:

80.22 Subd. 13a. **Geographical Information System (GIS).** "Geographical Information
80.23 System" or "GIS" means a system for capturing, storing, displaying, analyzing, and managing
80.24 data and associated attributes that are spatially referenced.

80.25 Sec. 11. Minnesota Statutes 2022, section 403.02, is amended by adding a subdivision to
80.26 read:

80.27 Subd. 14a. **Internet protocol (IP).** "Internet protocol" or "IP" means the method by
80.28 which data are sent from one computer to another on the Internet or other networks.

81.1 Sec. 12. Minnesota Statutes 2022, section 403.02, subdivision 16a, is amended to read:

81.2 Subd. 16a. **Multiline telephone system (MLTS).** "Multiline telephone system" or
81.3 "MLTS" means a private telephone system comprised of common control units, telephones,
81.4 and telephone sets, control hardware and, software that share a common interface to the
81.5 public switched telephone network, and adjunct systems used to support the capabilities
81.6 outlined in this chapter. This includes network and premises-based systems such as Centrex,
81.7 VoIP, PBX, Hybrid, and Key Telephone Systems, as classified by the Federal
81.8 Communications Commission requirements under Code of Federal Regulations, title 47,
81.9 part 68, and systems owned or leased by governmental agencies and, nonprofit entities, as
81.10 well as and for-profit businesses.

81.11 Sec. 13. Minnesota Statutes 2022, section 403.02, is amended by adding a subdivision to
81.12 read:

81.13 Subd. 16c. **Next generation core services (NGCS).** "Next generation core services" or
81.14 "NGCS" means the base set of services needed to process a 911 call on an ESInet. These
81.15 services include but are not limited to the Emergency Services Routing Proxy, Emergency
81.16 Call Routing Function, Location Validation Function, Border Control Function, Bridge,
81.17 Policy Store, Logging Services, and typical IP services such as DNS and DHCP. Next
81.18 generation core services includes only the services and not the network on which they
81.19 operate.

81.20 Sec. 14. Minnesota Statutes 2022, section 403.02, is amended by adding a subdivision to
81.21 read:

81.22 Subd. 16d. **Next generation 911 (NG911).** "Next generation 911" or "NG911" means
81.23 an Internet protocol-based system comprised of managed Emergency Services IP networks,
81.24 functional elements and applications, and databases that replicate the traditional E911
81.25 features and functions and that also provides additional capabilities based on industry
81.26 standards. NG911 is designed to provide access to emergency services from all connected
81.27 communications services and provide multimedia data capabilities for public safety answering
81.28 points and other emergency services organizations.

81.29 Sec. 15. Minnesota Statutes 2022, section 403.02, is amended by adding a subdivision to
81.30 read:

81.31 Subd. 16e. **911 call.** "911 call" means any form of communication requesting any type
81.32 of emergency services by contacting a public safety answering point, including voice or

82.1 nonvoice communications, as well as transmission of any analog or digital data. 911 call
 82.2 includes a voice call, video call, text message, or data-only call.

82.3 Sec. 16. Minnesota Statutes 2022, section 403.02, is amended by adding a subdivision to
 82.4 read:

82.5 Subd. 16f. **911 network.** "911 network" means:

82.6 (1) a legacy telecommunications network that supports basic and enhanced 911 service;
 82.7 or

82.8 (2) the ESInet that is used for 911 calls that can be shared by all public safety answering
 82.9 points and that provides the IP transport infrastructure upon which independent public safety
 82.10 application platforms and core functional processes can be deployed, including but not
 82.11 limited to those necessary for providing next generation 911 service capability.

82.12 A network may be constructed from a mix of dedicated and shared facilities and may be
 82.13 interconnected at local, regional, state, national, and international levels.

82.14 Sec. 17. Minnesota Statutes 2022, section 403.02, is amended by adding a subdivision to
 82.15 read:

82.16 Subd. 16g. **911 system.** "911 system" means a coordinated system of technologies,
 82.17 networks, hardware, and software applications that a public safety answering point must
 82.18 procure and maintain in order to connect to the state 911 network and provide 911 services.

82.19 Sec. 18. Minnesota Statutes 2022, section 403.02, is amended by adding a subdivision to
 82.20 read:

82.21 Subd. 16h. **Originating service provider (OSP).** "Originating service provider" or
 82.22 "OSP" means an entity that provides the capability for customers to originate 911 calls to
 82.23 public safety answering points, including wire-line communications service providers, Voice
 82.24 over Internet Protocol service providers, and wireless communications service providers.

82.25 Sec. 19. Minnesota Statutes 2022, section 403.02, subdivision 17, is amended to read:

82.26 Subd. 17. **911 service.** "911 service" means ~~a telecommunications service that~~
 82.27 ~~automatically connects a person dialing the digits 911 to an established public safety~~
 82.28 ~~answering point. 911 service includes:~~ the emergency response service a public safety
 82.29 answering point provides as a result of processing 911 calls through its 911 system.

83.1 ~~(1) customer data and network components connecting to the common 911 network and~~
 83.2 ~~database;~~

83.3 ~~(2) common 911 network and database equipment, as appropriate, for automatically~~
 83.4 ~~selectively routing 911 calls to the public safety answering point serving the caller's~~
 83.5 ~~jurisdiction; and~~

83.6 ~~(3) provision of automatic location identification if the public safety answering point~~
 83.7 ~~has the capability of providing that service.~~

83.8 Sec. 20. Minnesota Statutes 2022, section 403.02, subdivision 17c, is amended to read:

83.9 Subd. 17c. **911 Public safety telecommunicator.** "911 Public safety telecommunicator"
 83.10 means a person employed by a public safety answering point, an emergency medical dispatch
 83.11 service provider, or both, who is qualified to answer incoming emergency telephone calls,
 83.12 text messages, and computer notifications or provide for the appropriate emergency response
 83.13 either directly or through communication with the appropriate public safety answering point.

83.14 Sec. 21. Minnesota Statutes 2022, section 403.02, is amended by adding a subdivision to
 83.15 read:

83.16 Subd. 17e. **Point of interconnection (POI).** "Point of interconnection" or "POI" means
 83.17 the location or locations within the 911 network where OSPs deliver 911 calls on behalf of
 83.18 their users or subscribers for delivery to the appropriate public service answering point.

83.19 Sec. 22. Minnesota Statutes 2022, section 403.02, subdivision 18, is amended to read:

83.20 Subd. 18. **Public safety agency.** "Public safety agency" means a functional division of
 83.21 a public agency which provides firefighting, police, medical, or other emergency services,
 83.22 or a private entity which provides emergency medical or ambulance services an agency that
 83.23 provides emergency services to the public.

83.24 Sec. 23. Minnesota Statutes 2022, section 403.02, subdivision 19, is amended to read:

83.25 Subd. 19. **Public safety answering point (PSAP).** "Public safety answering point" or
 83.26 "PSAP" means a governmental agency operating a 24-hour communications facility operated
 83.27 on a 24-hour basis which that first receives 911 and other emergency calls from persons in
 83.28 a 911 service area and which may, as appropriate, central station notifications, text messages,
 83.29 and computer notifications and directly dispatch public safety dispatches emergency response
 83.30 services or extend, transfer, or relay 911 calls relays communications to appropriate public
 83.31 safety agencies according to a specific operational policy.

84.1 Sec. 24. Minnesota Statutes 2022, section 403.02, subdivision 19a, is amended to read:

84.2 Subd. 19a. **Secondary public safety answering point.** "Secondary public safety
84.3 answering point" means a communications facility that: ~~(1) is operated on a 24-hour basis,~~
84.4 ~~in which a minimum of three public safety answering points (PSAPs) route calls for~~
84.5 ~~postdispatch or prearrival instructions; (2) receives calls directly from medical facilities to~~
84.6 ~~reduce call volume at the PSAPs; and (3) is able to receive 911 calls routed to it from a~~
84.7 ~~PSAP when the PSAP is unable to receive or answer 911 calls~~ receives calls transferred
84.8 from a public safety answering point and is connected to the 911 network.

84.9 Sec. 25. Minnesota Statutes 2022, section 403.02, is amended by adding a subdivision to
84.10 read:

84.11 Subd. 19c. **Public Utilities Commission (PUC).** "Public Utilities Commission" or
84.12 "PUC" means the Minnesota state commission defined in section 216A.03.

84.13 Sec. 26. Minnesota Statutes 2022, section 403.02, is amended by adding a subdivision to
84.14 read:

84.15 Subd. 19d. **Regional board.** "Regional board" means one of the seven emergency
84.16 services and emergency communications boards in this state.

84.17 Sec. 27. Minnesota Statutes 2022, section 403.02, is amended by adding a subdivision to
84.18 read:

84.19 Subd. 19e. **Service user.** "Service user" means any person who initiates a 911 call to
84.20 receive emergency services.

84.21 Sec. 28. Minnesota Statutes 2022, section 403.02, is amended by adding a subdivision to
84.22 read:

84.23 Subd. 19f. **Voice over Internet Protocol (VoIP) service provider.** "Voice over Internet
84.24 Protocol service provider" or "VoIP service provider" means an entity that provides distinct
84.25 packetized voice information in a digital format using the Internet protocol directly or
84.26 through a third party, marketed or sold as either a telephone service or an information service
84.27 interconnected with the PSTN, including both facilities-based service providers and resellers
84.28 of such services.

85.1 Sec. 29. Minnesota Statutes 2022, section 403.02, subdivision 20, is amended to read:

85.2 Subd. 20. **Wire-line ~~telecommunications~~ communications service provider.** "Wire-line
85.3 ~~telecommunications~~ communications service provider" means a person, firm, association,
85.4 corporation, or other legal entity, however organized, or combination of them, authorized
85.5 by state or federal regulatory agencies to furnish ~~telecommunications~~ communications
85.6 service, including local service, over wire-line facilities.

85.7 Sec. 30. Minnesota Statutes 2022, section 403.02, subdivision 20a, is amended to read:

85.8 Subd. 20a. **Wireless ~~telecommunications~~ communications service.** "Wireless
85.9 ~~telecommunications~~ communications service" means a commercial mobile radio service,
85.10 as that term is defined in Code of Federal Regulations, title 47, section 20.3, including all
85.11 broadband personal communication services, wireless radio telephone services, and
85.12 geographic area specialized mobile radio licensees, that offer real-time, two-way voice
85.13 service interconnected with the public switched telephone network.

85.14 Sec. 31. Minnesota Statutes 2022, section 403.02, subdivision 21, is amended to read:

85.15 Subd. 21. **Wireless ~~telecommunications~~ communications service provider.** "Wireless
85.16 ~~telecommunications~~ communications service provider" means a provider of wireless
85.17 ~~telecommunications~~ communications service.

85.18 Sec. 32. Minnesota Statutes 2022, section 403.025, is amended to read:

85.19 **403.025 911 EMERGENCY ~~TELECOMMUNICATIONS~~ COMMUNICATIONS**
85.20 **SYSTEM AND SERVICES REQUIRED.**

85.21 ~~Subdivision 1. **General requirement.** Each county shall operate and maintain a 911~~
85.22 ~~emergency telecommunications system.~~

85.23 Subd. 1a. **Emergency telephone number 911.** The digits 911, so designated by the
85.24 Federal Communications Commission, must be the primary emergency telephone number
85.25 within the ~~system~~ 911 network. A public safety agency may maintain a separate secondary
85.26 backup number for emergency calls and ~~shall~~ must maintain a separate number for
85.27 nonemergency telephone calls.

85.28 Subd. 1b. **State requirements.** The commissioner must establish, maintain, and make
85.29 available to all counties a statewide interoperable ESInet backbone 911 network that ensures
85.30 interoperability between all public safety answering points connected to the network and

86.1 meets the requirements of counties operating 911 systems that have an approved update to
86.2 their 911 plans.

86.3 Subd. 1c. **Contractual requirements.** (a) The commissioner must contract with one or
86.4 more ECNSPs to deliver the 911 network.

86.5 (b) The contract language or subsequent amendments to the contracts between the parties
86.6 must contain provisions on how the 911 call routing and location validation data provided
86.7 by the counties will be utilized by the ECNSPs, including how data coordination and quality
86.8 assurance with the counties will be conducted.

86.9 (c) The contract language or subsequent amendments to contracts between the parties
86.10 must contain provisions for resolving disputes.

86.11 (d) All data required under this chapter or Minnesota Rules, chapter 7580, to route 911
86.12 calls, provide caller location, or validate possible 911 caller location information that is
86.13 utilized or intended to be utilized by the 911 system must be provided by the counties and
86.14 the state without cost and may be utilized by ECNSPs and OSPs for purposes of performing
86.15 location data quality assurance, ensuring 911 system performance and statutory compliance.
86.16 Use of the data is governed by section 403.07 and Minnesota Rules, chapter 7580.

86.17 Subd. 1d. **Intergovernmental agreements.** Intergovernmental agreements may be
86.18 implemented between the commissioner and counties or regional boards to support 911
86.19 system plan changes, communicate the network design, and specify cybersecurity standards.
86.20 The commissioner must develop the master agreement in collaboration with the governmental
86.21 entity.

86.22 Subd. 1e. **County requirements.** (a) Each county must operate and maintain a 911
86.23 system and provide 911 services.

86.24 (b) Each county is responsible for creating and maintaining a master street address guide
86.25 and Geographical Information Systems data necessary to support accurate 911 call routing
86.26 and location validation required to support the 911 network.

86.27 Subd. 1f. **911 plans.** Each participating county, federal, Tribal, or other organization
86.28 must maintain and update a 911 plan that accurately documents current operations and 911
86.29 system configurations within the public safety answering point in accordance with Minnesota
86.30 Rules, chapter 7580. The commissioner must review 911 system plans for compliance with
86.31 911 network and cybersecurity standards required under Minnesota Rules, chapter 7580.

87.1 Subd. 1g. **Secondary public safety answering point requirements.** Secondary public
 87.2 safety answering points may be required to engage in agreements with the commissioner
 87.3 regarding network design standards, cybersecurity standards, and 911 fee audits.

87.4 Subd. 2. **Multijurisdictional system.** The 911 network, 911 services, and 911 systems
 87.5 may be multijurisdictional and regional in character provided that design and implementation
 87.6 are preceded by cooperative planning on a county-by-county basis with local public safety
 87.7 agencies. An intergovernmental agreement must be in place between the participating
 87.8 government entities in a multijurisdictional or regional system, and the commissioner must
 87.9 be notified of the 911 plan change in accordance with Minnesota Rules, chapter 7580.

87.10 Subd. 3. **Connected telecommunications originating service provider**
 87.11 **requirements.** ~~Every owner and operator of a wire-line or wireless circuit-switched or~~
 87.12 ~~packet-based telecommunications system connected to the public-switched telephone network~~
 87.13 ~~shall design and maintain the system to dial the 911 number without charge to the caller.~~
 87.14 Every OSP must allow Minnesota customers to access 911 without charge and deliver the
 87.15 request for emergency assistance to the 911 network at a state-designated POI and provide
 87.16 caller location information unless there are circumstances beyond the control of the provider
 87.17 to define a valid caller address, geographic location, and primary place of address.

87.18 Subd. 3a. **Originating service provider contractual requirements.** (a) The state may
 87.19 contract with the appropriate wire-line telecommunications service providers or other entities
 87.20 determined by the commissioner to be eligible for cost recovery for providing access to the
 87.21 911 network for their subscribers.

87.22 (b) The contract language or subsequent amendments to the contract must include a
 87.23 description of the costs that are being reimbursed. The contract language or subsequent
 87.24 amendments must include the terms of compensation based on the effective tariff or price
 87.25 list filed with the Public Utilities Commission or the prices agreed to by the parties.

87.26 (c) The contract language or subsequent amendments to contracts between the parties
 87.27 must contain a provision for resolving disputes.

87.28 Subd. 4. **Wireless requirements.** ~~Every owner and operator of a wireless~~
 87.29 ~~telecommunications system shall design and maintain the system to dial the 911 number~~
 87.30 ~~without charge to the caller.~~

87.31 Subd. 5. **Pay phone requirements.** Every pay phone owner and operator ~~shall~~ must
 87.32 permit dialing of the 911 number without coin and without charge to the caller.

88.1 Subd. 6. **Multistation or PBX system.** Every owner and operator of a multistation or
 88.2 private branch exchange (PBX) multiline telephone system ~~shall~~ must design and maintain
 88.3 the system to dial the 911 number without charge to the caller.

88.4 ~~Subd. 7. **Contractual requirements.** (a) The state shall contract with the county or other~~
 88.5 ~~governmental agencies operating public safety answering points and with the appropriate~~
 88.6 ~~wire-line telecommunications service providers or other entities determined by the~~
 88.7 ~~commissioner to be capable of providing effective and efficient components of the 911~~
 88.8 ~~system for the operation, maintenance, enhancement, and expansion of the 911 system.~~

88.9 ~~(b) The contract language or subsequent amendments to the contract must include a~~
 88.10 ~~description of the services to be furnished to the county or other governmental agencies~~
 88.11 ~~operating public safety answering points. The contract language or subsequent amendments~~
 88.12 ~~must include the terms of compensation based on the effective tariff or price list filed with~~
 88.13 ~~the Public Utilities Commission or the prices agreed to by the parties.~~

88.14 ~~(c) The contract language or subsequent amendments to contracts between the parties~~
 88.15 ~~must contain a provision for resolving disputes.~~

88.16 Sec. 33. Minnesota Statutes 2022, section 403.03, subdivision 2, is amended to read:

88.17 Subd. 2. **Telephone cardiopulmonary resuscitation program.** (a) ~~On or before July~~
 88.18 ~~1, 2021,~~ Every public safety answering point must maintain a telephone cardiopulmonary
 88.19 resuscitation program by either:

88.20 (1) providing each 911 telecommunicator with training in cardiopulmonary resuscitation;
 88.21 or

88.22 (2) transferring callers to another public safety answering point with 911
 88.23 telecommunicators that have received training in cardiopulmonary resuscitation.

88.24 (b) Training in cardiopulmonary resuscitation must, at a minimum, include:

88.25 (1) use of an evidence-based protocol or script for providing cardiopulmonary
 88.26 resuscitation instruction that has been recommended by an academic institution or a nationally
 88.27 recognized organization specializing in medical dispatch and, if the public safety answering
 88.28 point has a medical director, approved by that medical director; and

88.29 (2) appropriate continuing education, as determined by the evidence-based protocol for
 88.30 providing cardiopulmonary resuscitation instruction and, if the public safety answering
 88.31 point has a medical director, approved by that medical director.

89.1 (c) A public safety answering point that transfers callers to another public safety
89.2 answering point must, at a minimum:

89.3 (1) use an evidence-based protocol for the identification of a person in need of
89.4 cardiopulmonary resuscitation;

89.5 (2) provide each 911 telecommunicator with appropriate training and continuing education
89.6 to identify a person in need of cardiopulmonary resuscitation through the use of an
89.7 evidence-based protocol; and

89.8 (3) ensure that any public safety answering point to which calls are transferred uses 911
89.9 telecommunicators who meet the training requirements under paragraph (b).

89.10 (d) Each public safety answering point shall conduct ongoing quality assurance of its
89.11 telephone cardiopulmonary resuscitation program.

89.12 Sec. 34. Minnesota Statutes 2022, section 403.05, is amended to read:

89.13 **403.05 911 ~~SYSTEM~~ NETWORK OPERATION AND MAINTENANCE.**

89.14 Subdivision 1. **Operate and maintain.** ~~Each county or any other governmental agency~~
89.15 ~~shall~~ The commissioner must operate and maintain its a statewide 911 system to meet
89.16 network meeting the requirements of governmental agencies whose services are available
89.17 through the 911 system and to permit future expansion or enhancement of the system. set
89.18 forth by the commissioner through rules established under chapter 14, including but not
89.19 limited to network and data performance measures, diversity, redundancy, interoperability,
89.20 and cybersecurity. Each county, federal, Tribal, or other organization connected to the
89.21 statewide 911 network must operate and maintain a 911 system that meets the requirements
89.22 of governmental agencies whose services are available through the 911 network.

89.23 Subd. 1a. **GIS validation and aggregation.** The commissioner must provide geospatial
89.24 data validation and aggregation tools that counties need in order to share the GIS data
89.25 required for the 911 network.

89.26 Subd. 2. **Rule requirements for 911 system plans.** ~~Each county or any other~~
89.27 ~~governmental agency shall maintain and update its 911 system plans as required under~~
89.28 ~~Minnesota Rules, chapter 7580.~~

89.29 Subd. 2a. **Responsibilities of PSAPs.** (a) Each PSAP connecting to the statewide 911
89.30 network must comply with state and, where applicable, regional 911 plans. Federal, Tribal,
89.31 or other governmental organizations operating their own 911 systems must be approved by
89.32 the commissioner.

90.1 (b) Any PSAP not connected to the state 911 network that desires to interact with a 911
 90.2 system or has an agreement for shared 911 services must be interoperable with the state
 90.3 911 network.

90.4 ~~Subd. 3. **Agreements for service.** Each county or any other governmental agency shall~~
 90.5 ~~contract with the state for the recurring and nonrecurring costs associated with operating~~
 90.6 ~~and maintaining 911 emergency communications systems. If requested by the county or~~
 90.7 ~~other governmental agency, the county or agency is entitled to be a party to any contract~~
 90.8 ~~between the state and any wire-line telecommunications service provider or 911 emergency~~
 90.9 ~~telecommunications service provider providing components of the 911 system within the~~
 90.10 ~~county. The state must contract for facilities and services associated with the operation and~~
 90.11 ~~maintenance of the statewide 911 network and ESInet. The contract and any subsequent~~
 90.12 ~~amendments must include a description of the services to be provided and the terms of~~
 90.13 ~~compensation based on the prices agreed to by the parties.~~

90.14 Sec. 35. Minnesota Statutes 2022, section 403.06, is amended to read:

90.15 **403.06 COMMISSIONER'S DUTIES.**

90.16 Subdivision 1. **System coordination, improvements, variations, and agreements.** The
 90.17 commissioner ~~shall~~ may coordinate with counties on the management and maintenance of
 90.18 their 911 systems. If requested, the commissioner shall must aid counties in the formulation
 90.19 of ~~concepts, methods,~~ their public safety answering point plans, system design plans,
 90.20 performance and operational requirements, and procedures which will improve the operation
 90.21 and maintenance of their 911 systems. ~~The commissioner shall establish procedures for~~
 90.22 ~~determining and evaluating requests for variations from the established design standards.~~
 90.23 ~~The commissioner shall respond to requests by wireless or wire-line telecommunications~~
 90.24 ~~service providers or by counties or other governmental agencies for system agreements,~~
 90.25 ~~contracts, and tariff language promptly and no later than within 45 days of the request unless~~
 90.26 ~~otherwise mutually agreed to by the parties.~~

90.27 Subd. 1a. **Biennial budget; annual financial report.** The commissioner ~~shall~~ must
 90.28 prepare a biennial budget ~~for maintaining the 911 system.~~ by December 15 of each year;
 90.29 The commissioner ~~shall~~ must submit a report to the legislature detailing the expenditures
 90.30 for maintaining the 911 ~~system~~ network, the 911 fees collected, the balance of the 911 fund,
 90.31 ~~the~~ 911-related administrative expenses of the commissioner, and the most recent forecast
 90.32 of revenues and expenditures for the 911 emergency telecommunications service account,
 90.33 including a separate projection of ~~E911~~ 911 fees from prepaid wireless customers and
 90.34 projections of year-end fund balances. The commissioner is authorized to expend money

91.1 that has been appropriated to pay for the maintenance, enhancements, and expansion of the
91.2 911 system network.

91.3 **Subd. 1b. Connection plan required; commissioner review and enforcement. (a)**

91.4 The commissioner must respond to network and database change requests by OSPs promptly
91.5 and no later than 45 days after the request unless otherwise mutually agreed to by the parties.

91.6 All network and location database variances requested by OSPs connecting to the ESInet
91.7 must comply with Minnesota Rules.

91.8 (b) All OSPs must submit and maintain a plan for connection to the 911 network POIs
91.9 in accordance with the requirements set forth in Minnesota Rules. The commissioner must
91.10 review all connection plans to ensure compliance with all 911 network and database design
91.11 and performance requirements.

91.12 **Subd. 2. Waiver.** Any county, ~~other governmental agency, wireless telecommunications~~
91.13 ~~service provider, or wire-line telecommunications service provider~~ federal, Tribal, or other
91.14 organization connected to the statewide 911 network or OSP may petition the commissioner
91.15 for a waiver of all or portions of the requirements. A waiver may be granted upon a
91.16 demonstration by the petitioner that the requirement is economically infeasible.

91.17 Sec. 36. Minnesota Statutes 2022, section 403.07, is amended to read:

91.18 **403.07 NETWORK STANDARDS ESTABLISHED; DATA PRIVACY.**

91.19 Subdivision 1. **Rules.** The commissioner ~~shall~~ must establish and adopt in accordance
91.20 with chapter 14, rules for the administration of this chapter and for the development of 911
91.21 ~~systems~~ network in the state including:

91.22 (1) design and performance standards for the 911 systems ~~incorporating the standards~~
91.23 ~~adopted pursuant to subdivision 2 for the seven-county metropolitan area network, including~~
91.24 but not limited to network, routing, and database standards for counties, OSPs, and ECNSPs;
91.25 and

91.26 (2) ~~a procedure for determining and evaluating requests for variations from the established~~
91.27 ~~design standards~~ design and performance standards for the ten-county metropolitan area,
91.28 incorporating the standards adopted pursuant to subdivision 2.

91.29 Subd. 2. **Design standards for metropolitan area.** The Metropolitan Emergency
91.30 Services Board ~~shall~~ must establish and adopt design and performance standards for the
91.31 ~~metropolitan area 911 system and transmit them to the commissioner for incorporation into~~
91.32 ~~the rules adopted pursuant to this section.~~ 911 network for the ten-county metropolitan area,
91.33 including but not limited to network design, routing, and database standards for counties,

92.1 OSP, and ECNSPs operating in the ten-county metropolitan area and provide them to the
 92.2 commissioner in accordance with chapter 14 for incorporation into the rules adopted pursuant
 92.3 to this section. The standards must be interoperable with the statewide 911 network and
 92.4 data standards.

92.5 Subd. 3. **Database Location data.** ~~In 911 systems that have been approved by the~~
 92.6 ~~commissioner for a local location identification database, each wire-line telecommunications~~
 92.7 ~~service provider shall provide current customer names, service addresses, and telephone~~
 92.8 ~~numbers to each public safety answering point within the 911 system and shall update the~~
 92.9 ~~information according to a schedule prescribed by the county 911 plan. Information provided~~
 92.10 ~~under this subdivision must be provided in accordance with the transactional record disclosure~~
 92.11 ~~requirements of the federal Communications Act of 1934, United States Code, title 47,~~
 92.12 ~~section 222, subsection (g).~~ All OSPs must provide to the 911 network, at the time of each
 92.13 911 call, the location of the device making the 911 call, unless there are circumstances
 92.14 beyond the control of the provider that prevents the OSP from sharing the location data.
 92.15 Any OSP supplying the location of 911 calls in civic address form must prevalidate the
 92.16 address to location data supplied by the county accessible through the NGCS.

92.17 Subd. 3a. **Access to data for accuracy.** (a) OSPs must, upon request of the state, a
 92.18 region, the ECNSP, or a PSAP, provide a description or copy of subscriber address location
 92.19 information or GIS data used by the OSP that is necessary to verify location and routing
 92.20 accuracy of 911 calls. Any ECNSP routing 911 calls must, upon request of the state, provide
 92.21 a copy of routing files used in determining PSAP selection for the purpose of verifying
 92.22 routing accuracy.

92.23 (b) OSPs must, upon request of the state, a region, the ECNSP, or a PSAP, provide a
 92.24 copy of subscriber address location information for uses specific to 911 systems. This request
 92.25 may carry a cost to the requester.

92.26 Subd. 3b. **Database standards in metropolitan area.** The Metropolitan Emergency
 92.27 Services Board must establish and adopt 911 database standards for OSPs operating in the
 92.28 ten-county metropolitan area 911 system and provide them to the commissioner for
 92.29 incorporation in accordance with chapter 14 into the rules adopted pursuant to this section.

92.30 Subd. 4. **Use of furnished information.** (a) Names, addresses, and telephone numbers
 92.31 provided to a 911 system under subdivision 3 are private data and may be used only:

92.32 (1) to identify the location or identity, or both, of a person calling a 911 public safety
 92.33 answering point PSAP; or

92.34 (2) by a public safety answering point PSAP to notify the public of an emergency.

93.1 (b) The information furnished under ~~subdivision 3~~ this chapter and the rules adopted
 93.2 pursuant to subdivision 1 may not be used or disclosed by 911 system agencies, their agents,
 93.3 or their employees for any other purpose except under a court order.

93.4 ~~(b)~~ (c) For purposes of this subdivision, "emergency" means a situation in which property
 93.5 or human life is in jeopardy and the prompt notification of the public by the public safety
 93.6 answering point is essential.

93.7 Subd. 5. **Liability.** ~~(a) A wire-line telecommunications service provider~~ An OSP, its
 93.8 employees, or its agents are not liable to any person who uses ~~enhanced 911~~
 93.9 ~~telecommunications service~~ NG911 services for release of subscriber information required
 93.10 under this chapter to any ~~public safety answering point~~ PSAP.

93.11 ~~(b) A wire-line telecommunications service provider~~ An OSP is not liable to any person
 93.12 for the good-faith release to emergency communications personnel of information not in
 93.13 the public record, including, but not limited to, nonpublished or nonlisted telephone numbers,
 93.14 except for willful or wanton misconduct.

93.15 ~~(e) A wire-line telecommunications service provider, its employees, or its agents are not~~
 93.16 ~~liable to any person for civil damages resulting from or caused by any act or omission in~~
 93.17 ~~the development, design, installation, operation, maintenance, performance, or provision~~
 93.18 ~~of enhanced 911 telecommunications service, except for willful or wanton misconduct.~~

93.19 ~~(d) A multiline telephone system manufacturer, provider, or operator is not liable for~~
 93.20 ~~any civil damages or penalties as a result of any act or omission, except willful or wanton~~
 93.21 ~~misconduct, in connection with developing, designing, installing, maintaining, performing,~~
 93.22 ~~provisioning, adopting, operating, or implementing any plan or system required by section~~
 93.23 ~~403.15.~~

93.24 ~~(e) A telecommunications service provider~~ (c) An OSP that participates in or cooperates
 93.25 with the public safety answering point in notifying the public of an emergency, as authorized
 93.26 under subdivision 4, is immune from liability arising out of the notification except for willful
 93.27 or wanton misconduct.

93.28 Sec. 37. Minnesota Statutes 2022, section 403.08, is amended to read:

93.29 **403.08 WIRELESS TELECOMMUNICATIONS ORIGINATING SERVICE**
 93.30 **PROVIDER PROVIDERS.**

93.31 Subd. 7. **Duties.** ~~Each wireless telecommunications service provider shall cooperate in~~
 93.32 ~~planning and implementing integration with enhanced 911 systems operating in their service~~
 93.33 ~~territories to meet Federal Communications Commission enhanced 911 standards. Each~~

94.1 ~~wireless telecommunications service provider shall annually develop and provide to the~~
 94.2 ~~commissioner good faith estimates of installation and recurring expenses to integrate wireless~~
 94.3 ~~911 service into the enhanced 911 networks to meet Federal Communications Commission~~
 94.4 ~~phase one wireless enhanced 911 standards. The commissioner shall coordinate with counties~~
 94.5 ~~and affected public safety agency representatives in developing a statewide design and plan~~
 94.6 ~~for implementation. Each originating service provider (OSP) must cooperate in planning~~
 94.7 ~~and implementing integration with the statewide 911 network to meet Federal~~
 94.8 ~~Communications Commission and Public Utilities Commission 911 requirements, as~~
 94.9 ~~applicable.~~

94.10 Subd. 9. **Scope.** ~~Planning considerations must include cost, degree of integration into~~
 94.11 ~~existing 911 systems, the retention of existing 911 infrastructure, and the potential~~
 94.12 ~~implications of phase 2 of the Federal Communications Commission wireless enhanced~~
 94.13 ~~911 standards a plan to interconnect to the 911 network POIs, the retention and reuse of~~
 94.14 ~~existing 911 infrastructure, and the implications of the Federal Communications~~
 94.15 ~~Commission's wireless location accuracy requirements.~~

94.16 Subd. 10. **Plan integration.** ~~Counties shall incorporate the statewide design when~~
 94.17 ~~modifying county 911 plans to provide for integrating wireless 911 service into existing~~
 94.18 ~~county 911 systems. An OSP must annually submit plans to the commissioner detailing~~
 94.19 ~~how they will connect, or confirming how they already connect, to the statewide 911 network.~~

94.20 Subd. 11. **Liability.** (a) ~~No wireless enhanced 911 emergency telecommunications~~
 94.21 ~~service provider OSP, its employees, or its agents are liable to any person for civil damages~~
 94.22 ~~resulting from or caused by any act or omission in the development, design, installation,~~
 94.23 ~~operation, maintenance, performance, or provision of enhanced 911 wireless service, except~~
 94.24 ~~for willful or wanton misconduct.~~

94.25 ~~(b) No wireless carrier, its employees, or its agents are liable to any person who uses~~
 94.26 ~~enhanced 911 wireless service for release of subscriber information required under this~~
 94.27 ~~chapter to any public safety answering point.~~

94.28 ~~(b) A multiline telephone system manufacturer, provider, or operator is not liable for~~
 94.29 ~~any civil damages or penalties as a result of any act or omission, except willful or wanton~~
 94.30 ~~misconduct, in connection with developing, designing, installing, maintaining, performing,~~
 94.31 ~~provisioning, adopting, operating, or implementing any plan or system required by section~~
 94.32 ~~403.15.~~

94.33 Subd. 12. **Notification of subscriber.** ~~A provider of wireless telecommunications services~~
 94.34 ~~shall notify its subscribers at the time of initial subscription and four times per year thereafter~~

95.1 ~~that a 911 emergency call made from a wireless telephone is not always answered by a local~~
95.2 ~~public safety answering point but may be routed to a State Patrol dispatcher and that,~~
95.3 ~~accordingly, the caller must provide specific information regarding the caller's location.~~

95.4 Sec. 38. Minnesota Statutes 2022, section 403.09, subdivision 2, is amended to read:

95.5 Subd. 2. **Commission authority.** At the request of the public utilities commission, the
95.6 attorney general may commence proceedings before the district court pursuant to section
95.7 237.27, against any ~~wire-line telecommunications~~ originating service provider that falls
95.8 under the commission's authority and refuses to comply with this chapter.

95.9 Sec. 39. Minnesota Statutes 2022, section 403.10, subdivision 2, is amended to read:

95.10 Subd. 2. **Notice to ~~public safety~~ government agency.** ~~Public safety~~ Government agencies
95.11 with jurisdictional responsibilities ~~shall~~ must in all cases be notified by the public safety
95.12 answering point of a request for service in their jurisdiction.

95.13 Sec. 40. Minnesota Statutes 2022, section 403.10, subdivision 3, is amended to read:

95.14 Subd. 3. **Allocating costs.** Counties, public agencies, operating public safety answering
95.15 points, and other local governmental units may enter into cooperative agreements under
95.16 section 471.59 for the allocation of operational and capital costs attributable to the 911
95.17 system and 911 services.

95.18 Sec. 41. Minnesota Statutes 2022, section 403.11, is amended to read:

95.19 **403.11 911 SYSTEM COST ACCOUNTING REQUIREMENTS; FEE.**

95.20 Subdivision 1. **Emergency telecommunications service fee; account.** (a) Each customer
95.21 ~~of a wireless or wire-line switched or packet-based telecommunications~~ an originating
95.22 service provider connected to the public switched telephone network that furnishes service
95.23 capable of originating a 911 emergency telephone call is assessed a fee based upon the
95.24 number of wired or wireless telephone lines, or their equivalent, to provide access to the
95.25 911 network and maintenance of the 911 customer database, or when the only option, to
95.26 cover the costs of ongoing maintenance and related improvements for trunking and central
95.27 office switching equipment and maintenance of 911 customer databases for 911 emergency
95.28 telecommunications service, to offset administrative and staffing costs of the commissioner
95.29 related to managing the 911 emergency telecommunications service program, to make
95.30 distributions provided for in section 403.113, and to offset the costs, including administrative

96.1 and staffing costs, incurred by the State Patrol Division of the Department of Public Safety
96.2 in handling 911 emergency calls made from wireless phones.

96.3 (b) Money remaining in the 911 emergency telecommunications service account after
96.4 all other obligations are paid and defined reserves are met must not cancel and is carried
96.5 forward to subsequent years and may be appropriated ~~from time to time~~ to the commissioner
96.6 to provide financial assistance to ~~counties~~ eligible entities for the improvement of ~~local~~
96.7 ~~emergency telecommunications services~~ 911 systems in compliance with use as designated
96.8 in section 403.113, subdivision 3.

96.9 (c) The fee may not be more than 95 cents a month on or after July 1, 2010, for each
96.10 customer access line or other basic access service, including trunk equivalents as designated
96.11 by the Public Utilities Commission for access charge purposes and including wireless
96.12 telecommunications services. With the approval of the commissioner of management and
96.13 budget, the commissioner of public safety ~~shall~~ must establish the amount of the fee within
96.14 the limits specified and inform the companies and carriers of the amount to be collected.
96.15 ~~When the revenue bonds authorized under section 403.27, subdivision 1, have been fully~~
96.16 ~~paid or defeased, the commissioner shall reduce the fee to reflect that debt service on the~~
96.17 ~~bonds is no longer needed.~~ The commissioner ~~shall~~ must provide companies and carriers a
96.18 minimum of 45 days' notice of each fee change. The fee must be the same for all customers,
96.19 except that the fee imposed under this subdivision does not apply to prepaid wireless
96.20 telecommunications service, which is instead subject to the fee imposed under section
96.21 403.161, subdivision 1, paragraph (a).

96.22 (d) The fee must be collected by each ~~wireless or wire-line telecommunications~~
96.23 originating service provider subject to the fee. Fees are payable to and must be submitted
96.24 to the commissioner monthly before the 25th of each month following the month of
96.25 collection, except that fees may be submitted quarterly if less than \$250 a month is due, or
96.26 annually if less than \$25 a month is due. Receipts must be deposited in the state treasury
96.27 and credited to a 911 emergency telecommunications service account in the special revenue
96.28 fund. The money in the account may only be used for 911 telecommunications services.
96.29 The money in the account may only be used for costs outlined in section 403.113.

96.30 (e) Competitive local exchanges carriers holding certificates of authority from the Public
96.31 Utilities Commission are eligible to receive payment for recurring 911 services.

96.32 Subd. 1a. **Fee collection declaration.** If the commissioner disputes the accuracy of a
96.33 fee submission or if no fees are submitted by a ~~wireless, wire-line, or packet-based~~
96.34 ~~telecommunications service provider, the wireless, wire-line, or packet-based~~

97.1 ~~telecommunications~~ an originating service provider shall, the OSP must submit a sworn
 97.2 declaration signed by an officer of the company certifying, under penalty of perjury, that
 97.3 the information provided with the fee submission is true and correct. The sworn declaration
 97.4 must specifically describe and affirm that the 911 fee computation is complete and accurate.
 97.5 ~~When a wireless, wire-line, or packet-based telecommunications service provider~~ an OSP
 97.6 fails to provide a sworn declaration within 90 days of notice by the commissioner that the
 97.7 fee submission is disputed, the commissioner may estimate the amount due from the ~~wireless,~~
 97.8 ~~wire-line, or packet-based telecommunications service provider~~ OSP and refer that amount
 97.9 for collection under section 16D.04.

97.10 Subd. 1b. **Examination of fees.** If the commissioner determines that an examination is
 97.11 necessary to document the fee submission and sworn declaration in subdivision 1a, the
 97.12 ~~wireless, wire-line, or packet-based telecommunications service provider~~ OSP must contract
 97.13 with an independent certified public accountant to conduct an examination of fees. The
 97.14 examination must be conducted in accordance with attestation audit standards.

97.15 Subd. 3. **Method of payment.** (a) Any wireless or wire-line telecommunications service
 97.16 provider incurring reimbursable costs under subdivision 1 ~~shall submit an invoice itemizing~~
 97.17 ~~rate elements by county or service area to the commissioner for 911 services furnished under~~
 97.18 ~~contract. Any wireless or wire-line telecommunications service provider is eligible to receive~~
 97.19 ~~payment for 911 services rendered according to the terms and conditions specified in the~~
 97.20 ~~contract. The commissioner shall pay the invoice within 30 days following receipt of the~~
 97.21 ~~invoice unless the commissioner notifies the service provider that the commissioner disputes~~
 97.22 ~~the invoice~~ must be paid in accordance with the amount and terms of their valid cost recovery
 97.23 contract as described in section 403.025, subdivision 3a.

97.24 (b) The commissioner ~~shall~~ must estimate the amount required to reimburse ~~911~~
 97.25 ~~emergency telecommunications service providers and wireless and wire-line~~
 97.26 ~~telecommunications service providers~~ the OSP for the state's obligations under subdivision
 97.27 1 and the governor ~~shall~~ must include the estimated amount in the biennial budget request.

97.28 Subd. 3a. **Timely invoices.** ~~An invoice for services provided for in the contract with a~~
 97.29 ~~wireless or wire-line telecommunications service provider must be submitted to the~~
 97.30 ~~commissioner no later than 90 days after commencing a new or additional eligible 911~~
 97.31 ~~service. Each applicable contract must provide that, if certified expenses under the contract~~
 97.32 ~~deviate from estimates in the contract by more than ten percent, the commissioner may~~
 97.33 ~~reduce the level of service without incurring any termination fees.~~

98.1 ~~Subd. 3b. **Declaration.** If the commissioner disputes an invoice, the wireless and~~
98.2 ~~wire-line telecommunications service providers shall submit a declaration under section~~
98.3 ~~16A.41 signed by an officer of the company with the invoices for payment of service~~
98.4 ~~described in the service provider's 911 contract. The sworn declaration must specifically~~
98.5 ~~describe and affirm that the 911 service contracted for is being provided and the costs~~
98.6 ~~invoiced for the service are true and correct. When a wireless or wire-line telecommunications~~
98.7 ~~service provider fails to provide a sworn declaration within 90 days of notice by the~~
98.8 ~~commissioner that the invoice is disputed, the disputed amount of the invoice must be~~
98.9 ~~disallowed.~~

98.10 Subd. 3c. **Audit.** If the commissioner determines that an audit is necessary to document
98.11 ~~the invoice and sworn declaration in subdivision 3b~~ costs eligible for recovery as detailed
98.12 in subdivision 1, the ~~wireless or wire-line telecommunications service provider~~ OSP must
98.13 contract with an independent certified public accountant to conduct the audit. The audit
98.14 must be conducted according to generally accepted accounting principles. The ~~wireless or~~
98.15 ~~wire-line telecommunications service provider~~ OSP is responsible for any costs associated
98.16 with the audit.

98.17 Subd. 3d. **Eligible telecommunications carrier; requirement.** No ~~wireless~~
98.18 ~~communications provider~~ OSP may provide telecommunications services under a designation
98.19 of eligible telecommunications carrier, as provided under Minnesota Rules, part 7811.1400,
98.20 until and unless the commissioner of public safety certifies to the chair of the public utilities
98.21 commission that the wireless telecommunications provider is not in arrears in amounts owed
98.22 to the 911 emergency telecommunications service account in the special revenue fund.

98.23 Subd. 4. **Local recurring costs.** Recurring costs ~~of~~ not covered as part of the state 911
98.24 network contracts for telecommunications equipment and services at public safety answering
98.25 points must be borne by the local governmental agency operating the public safety answering
98.26 point or allocated pursuant to section 403.10, subdivision 3. Costs attributable to local
98.27 government electives for services not otherwise addressed under section 403.11 or 403.113
98.28 must be borne by the governmental agency requesting the elective service.

98.29 Subd. 5. **Tariff notification.** Wire-line telecommunications service providers or wireless
98.30 telecommunications service providers holding eligible telecommunications carrier status
98.31 ~~shall~~ must give notice to the commissioner and any other affected governmental agency of
98.32 tariff or price list changes related to 911 service at the same time that the filing is made with
98.33 the public utilities commission.

99.1 Subd. 6. **OSP report.** (a) ~~Beginning Each~~ September 1, 2013, and continuing
 99.2 ~~semiannually thereafter and March 1~~, each ~~wireless telecommunications service provider~~
 99.3 ~~shall~~ OSP must report to the commissioner, based on the ~~mobile~~ subscriber's telephone
 99.4 number, ~~both~~. Wireless communication providers must include the total number of prepaid
 99.5 wireless telecommunications subscribers sourced to Minnesota and the total number of
 99.6 wireless telecommunications subscribers sourced to Minnesota. The report must be filed
 99.7 on the same schedule as Federal Communications Commission Form 477.

99.8 (b) The commissioner ~~shall~~ must make a standard form available to all wireless
 99.9 telecommunications service providers for submitting information required to compile the
 99.10 report required under this subdivision.

99.11 (c) The information provided to the commissioner under this subdivision is considered
 99.12 trade secret information under section 13.37 and may only be used for purposes of
 99.13 administering this chapter.

99.14 Sec. 42. Minnesota Statutes 2022, section 403.113, is amended to read:

99.15 **403.113 ENHANCED 911 SERVICE COSTS; FEE.**

99.16 Subdivision 1. **Fee.** A portion of the fee collected under section 403.11 must be used to
 99.17 fund implementation, operation, maintenance, enhancement, and expansion of ~~enhanced~~
 99.18 the 911 service network, including acquisition of necessary equipment and the costs of the
 99.19 commissioner to administer the program in accordance with Federal Communications
 99.20 Commission rules.

99.21 Subd. 2. **Distribution of money.** (a) After payment of the costs of the commissioner to
 99.22 administer the program, the commissioner ~~shall~~ must distribute the money collected under
 99.23 this section as follows:

99.24 (1) one-half of the amount equally to all qualified counties, and after October 1, 1997,
 99.25 to all qualified counties, existing ten public safety answering points operated by the
 99.26 Minnesota State Patrol, and each governmental entity operating the individual public safety
 99.27 answering points serving the Metropolitan Airports Commission, the Red Lake Indian
 99.28 Reservation, and the University of Minnesota Police Department; and

99.29 (2) the remaining one-half to qualified (2) counties and cities with existing 911 systems
 99.30 based on each county's or city's percentage of the total population of qualified counties and
 99.31 cities. The population of a qualified city with an existing system must be deducted from its
 99.32 county's population when calculating the county's share under this clause if the city seeks
 99.33 direct distribution of its share.

100.1 (b) A county's share under subdivision 1 must be shared pro rata between the county
 100.2 and existing city systems in the county. A county or city or other governmental entity as
 100.3 described in paragraph (a), clause (1), ~~shall~~ must deposit money received under this
 100.4 subdivision in an interest-bearing fund or account separate from the governmental entity's
 100.5 general fund and may use money in the fund or account only for the purposes specified in
 100.6 subdivision 3.

100.7 (c) A county or city or other governmental entity as described in paragraph (a), clause
 100.8 (1), is not qualified to share in the distribution of money for ~~enhanced~~ 911 service if it has
 100.9 not implemented enhanced 911 service before December 31, 1998.

100.10 (d) For the purposes of this subdivision, "existing city system" means a city 911 system
 100.11 that provides at least basic 911 service and that was implemented on or before April 1, 1993.

100.12 Subd. 3. **Local expenditures.** (a) Money distributed under subdivision 2 for ~~enhanced~~
 100.13 911 service systems or services may be spent on ~~enhanced~~ 911 system costs for the purposes
 100.14 stated in subdivision 1. ~~In addition, money may be spent to lease, purchase, lease-purchase,~~
 100.15 ~~or maintain enhanced 911 equipment, including telephone equipment; recording equipment;~~
 100.16 ~~computer hardware; computer software for database provisioning, addressing, mapping,~~
 100.17 ~~and any other software necessary for automatic location identification or local location~~
 100.18 ~~identification; trunk lines; selective routing equipment; the master street address guide;~~
 100.19 ~~dispatcher public safety answering point equipment proficiency and operational skills; pay~~
 100.20 ~~for long-distance charges incurred due to transferring 911 calls to other jurisdictions; and~~
 100.21 ~~the equipment necessary within the public safety answering point for community alert~~
 100.22 ~~systems and to notify and communicate with the emergency services requested by the 911~~
 100.23 ~~caller. as well as expenses deemed allowable in accordance with Code of Federal Regulations,~~
 100.24 title 47, section 9.2.

100.25 (b) Money distributed for ~~enhanced~~ 911 service systems or services may not be spent
 100.26 on:

100.27 (1) purchasing or leasing of real estate or cosmetic additions to or remodeling of
 100.28 ~~communications centers~~ public safety answering points;

100.29 (2) ~~mobile communications vehicles~~, fire engines, ambulances, law enforcement vehicles,
 100.30 or other emergency vehicles;

100.31 (3) signs, posts, or other markers related to addressing or any costs associated with the
 100.32 installation or maintenance of signs, posts, or markers;₂

100.33 (4) any purposes prohibited by the Federal Communications Commission;

101.1 (5) the transfer of 911 fees into a state or other jurisdiction's general fund or other fund
 101.2 for non-911 purposes;

101.3 (6) public safety telecommunicator salaries unless associated with training functions;
 101.4 and

101.5 (7) the leasing or purchase of end user equipment.

101.6 Subd. 4. **Audits.** (a) Each county and city or ~~other governmental entity~~ federal, Tribal,
 101.7 or other organization connected to the statewide 911 network as described in subdivision
 101.8 2, paragraph (a), clause (1), ~~shall~~ or secondary public safety answering point must conduct
 101.9 an annual audit a compliance report in accordance with Minnesota Rules, chapter 7580, and
 101.10 Code of Federal Regulations, title 47, section 9.25, on the use of funds distributed to it for
 101.11 enhanced 911 service systems or services to ensure the distribution is spent according to
 101.12 subdivision 3. A copy of each ~~audit~~ compliance report must be submitted to the
 101.13 commissioner.

101.14 (b) The commissioner may request a state audit of a county, federal, Tribal, or other
 101.15 organization connected to the statewide 911 network which receives 911 funds from the
 101.16 state to operate its 911 system or service to ensure compliance with subdivision 3.

101.17 (c) Failure to submit a compliance report may result in a disruption of 911 fee distribution
 101.18 until the compliance report is submitted.

101.19 Sec. 43. Minnesota Statutes 2022, section 403.15, subdivision 1, is amended to read:

101.20 Subdivision 1. **Multistation or PBX system.** Except as otherwise provided in this
 101.21 section, every owner and operator of a new multistation or private branch exchange (PBX)
 101.22 multiline telephone system purchased or upgraded after December 31, 2004, ~~shall~~ must
 101.23 design and maintain the system to provide a callback number or ten-digit caller ID and
 101.24 emergency response location.

101.25 Sec. 44. Minnesota Statutes 2022, section 403.15, subdivision 2, is amended to read:

101.26 Subd. 2. **Multiline telephone system user dialing instructions.** (a) Each multiline
 101.27 telephone system (MLTS) operator must demonstrate or otherwise inform each new telephone
 101.28 system user how to call for emergency assistance from that particular multiline telephone
 101.29 system.

101.30 (b) MLTS platforms that are manufactured, imported, offered for first sale or lease, first
 101.31 sold or leased, or installed after February 16, 2020, must enable users to directly initiate a
 101.32 call to 911 from any station equipped with dialing facilities without dialing any additional

102.1 digit, code, prefix, or postfix, including any trunk-access code such as the digit nine,
102.2 regardless of whether the user is required to dial such a digit, code, prefix, or postfix for
102.3 other calls.

102.4 (c) MLTSs that are manufactured, imported, offered for first sale or lease, first sold or
102.5 leased, or installed after February 16, 2020, must be configured so that upon an occurrence
102.6 of a 911 call it will provide a notification that a 911 call has been made to a central location
102.7 at the facility where the system is installed or to another person or organization, regardless
102.8 of location, if the system is able to be configured to provide the notification without an
102.9 improvement to the hardware or software of the system.

102.10 Sec. 45. Minnesota Statutes 2022, section 403.15, subdivision 3, is amended to read:

102.11 Subd. 3. **Shared residential multiline telephone system.** On and after January 1, 2005,
102.12 operators of shared multiline telephone systems, whenever installed, serving residential
102.13 customers ~~shall~~ must ensure that the shared multiline telephone system is connected to the
102.14 public switched network and that 911 calls from the system result in at least one distinctive
102.15 automatic number identification and automatic location identification for each residential
102.16 unit, except those requirements do not apply if the residential facility maintains one of the
102.17 following:

102.18 (1) automatic location identification for each respective emergency response location;

102.19 (2) the ability to direct emergency responders to the 911 caller's location through an
102.20 alternative and adequate means, such as the establishment of a 24-hour private answering
102.21 point operated by the facility; or

102.22 (3) a connection to a switchboard operator, attendant, or other designated on-site
102.23 individual.

102.24 Sec. 46. Minnesota Statutes 2022, section 403.15, subdivision 4, is amended to read:

102.25 Subd. 4. **Hotel or motel multiline telephone system.** Operators of hotel and motel
102.26 multiline telephone systems ~~shall~~ must permit the dialing of 911 and ~~shall~~ must ensure that
102.27 911 calls originating from hotel or motel multiline telephone systems allow the 911 system
102.28 to clearly identify the address and specific location of the 911 caller.

102.29 Sec. 47. Minnesota Statutes 2022, section 403.15, subdivision 5, is amended to read:

102.30 Subd. 5. **Business multiline telephone system.** (a) An operator of business multiline
102.31 telephone systems connected to the public switched telephone network and serving business

103.1 locations of one employer ~~shall~~ must ensure that calls to 911 from any telephone on the
103.2 system result in one of the following:

103.3 (1) automatic location identification for each respective emergency response location;

103.4 (2) an ability to direct emergency responders to the 911 caller's location through an
103.5 alternative and adequate means, such as the establishment of a 24-hour private answering
103.6 point operated by the employer; or

103.7 (3) a connection to a switchboard operator, attendant, or other designated on-site
103.8 individual.

103.9 (b) Except as provided in paragraph (c), providers of multiline telephone systems serving
103.10 multiple employers' business locations ~~shall~~ must ensure that calls to 911 from any telephone
103.11 result in automatic location identification for the respective emergency response location
103.12 of each business location sharing the system.

103.13 (c) Only one emergency response location is required in the following circumstances:

103.14 (1) an employer's work space is less than 40,000 square feet, located on a single floor
103.15 and on a single contiguous property;

103.16 (2) an employer's work space is less than 7,000 square feet, located on multiple floors
103.17 and on a single contiguous property; or

103.18 (3) an employer's work space is a single public entrance, single floor facility on a single
103.19 contiguous property.

103.20 Sec. 48. Minnesota Statutes 2022, section 403.15, subdivision 6, is amended to read:

103.21 Subd. 6. **Schools.** A multiline telephone system operated by a public or private
103.22 educational institution, including a system serving dormitories and other residential
103.23 customers, is subject to this subdivision and is not subject to subdivision 3. The operator
103.24 of the education institution multiline system connected to the public switched network must
103.25 ensure that calls to 911 from any telephone on the system result in one of the following:

103.26 (1) automatic location identification for each respective emergency response location;

103.27 (2) an ability to direct emergency responders to the 911 caller's location through an
103.28 alternative and adequate means, such as the establishment of a 24-hour private answering
103.29 point operated by the educational institution; or

103.30 (3) a connection to a switchboard operator, attendant, or other designated on-site
103.31 individual.

104.1 Sec. 49. Minnesota Statutes 2022, section 403.15, is amended by adding a subdivision to
104.2 read:

104.3 Subd. 9. **MLTS location compliance notification.** Beginning July 1, 2023, all vendors
104.4 of MLTSs or hosted MLTS services in Minnesota must disclose to their customers the 911
104.5 location requirements in this chapter and include 911 location compliant capabilities in the
104.6 systems or services they sell.

104.7 Sec. 50. **RENUMBERING.**

104.8 In Minnesota Statutes, the revisor of statutes shall renumber the subdivisions of Minnesota
104.9 Statutes, section 403.02.

104.10 Sec. 51. **REPEALER.**

104.11 Minnesota Statutes 2022, sections 403.02, subdivision 13; and 403.09, subdivision 3,
104.12 are repealed.

299C.80 INDEPENDENT USE OF FORCE INVESTIGATIONS UNIT.

Subd. 7. **Expiration.** The independent Use of Force Investigations Unit expires August 1, 2024.

403.02 DEFINITIONS.

Subd. 13. **Enhanced 911 service.** "Enhanced 911 service" means the use of automatic location identification or local location identification as part of local 911 service provided by an enhanced 911 system consisting of a common 911 network and database and customer data and network components connecting to the common 911 network and database.

403.09 ENFORCEMENT.

Subd. 3. **Dispute resolution.** Disputes between parties must be resolved pursuant to section 403.025, subdivision 7, paragraph (c).

624.7131 TRANSFEREE PERMIT; PENALTY.

Subd. 10. **Transfer report not required.** A person who transfers a pistol or semiautomatic military-style assault weapon to a person exhibiting a valid transferee permit issued pursuant to this section or a valid permit to carry issued pursuant to section 624.714 is not required to file a transfer report pursuant to section 624.7132, subdivision 1.

624.7132 REPORT OF TRANSFER.

Subd. 6. **Transferee permit.** If a chief of police or sheriff determines that a transferee is not a person prohibited by section 624.713 from possessing a pistol or semiautomatic military-style assault weapon, the transferee may, within 30 days after the determination, apply to that chief of police or sheriff for a transferee permit, and the permit shall be issued.

Subd. 14. **Transfer to unknown party.** (a) No person shall transfer a pistol or semiautomatic military-style assault weapon to another who is not personally known to the transferor unless the proposed transferee presents evidence of identity to the transferor.

(b) No person who is not personally known to the transferor shall become a transferee of a pistol or semiautomatic military-style assault weapon unless the person presents evidence of identity to the transferor.

(c) The evidence of identity shall contain the name, residence address, date of birth, and photograph of the proposed transferee; must be made or issued by or under the authority of the United States government, a state, a political subdivision of a state, a foreign government, a political subdivision of a foreign government, an international governmental or an international quasi-governmental organization; and must be of a type commonly accepted for the purpose of identification of individuals.

(d) A person who becomes a transferee of a pistol or semiautomatic military-style assault weapon in violation of this subdivision is guilty of a misdemeanor.