

STATE OF MINNESOTA

NINETY-THIRD SESSION — 2024

NINETY-SIXTH DAY

SAINT PAUL, MINNESOTA, MONDAY, MARCH 25, 2024

The House of Representatives convened at 3:30 p.m. and was called to order by Melissa Hortman, Speaker of the House.

Prayer was offered by Pastor Jason Steffenhagen, Peace, A United Methodist Community, Shoreview, Minnesota.

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

The roll was called and the following members were present:

Acomb	Demuth	Hemmingsen-Jaeger	Kotzya-Witthuhn	Norris	Sencer-Mura
Agbaje	Dotseth	Her	Kozlowski	Novotny	Skraba
Altendorf	Edelson	Hicks	Koznick	O'Driscoll	Smith
Anderson, P. E.	Elkins	Hill	Kraft	Olson, B.	Stephenson
Anderson, P. H.	Engen	Hollins	Lee, F.	Olson, L.	Swedzinski
Bahner	Feist	Hornstein	Lee, K.	Pelowski	Tabke
Baker	Finke	Howard	Lillie	Pérez-Vega	Torkelson
Becker-Finn	Fischer	Hudella	Lislegard	Perryman	Urdahl
Bennett	Fogelman	Hudson	Long	Petersburg	Vang
Berg	Franson	Huot	McDonald	Pfarr	Virnig
Bierman	Frederick	Hussein	Moller	Pinto	West
Brand	Freiberg	Igo	Mueller	Pryor	Wiens
Burkel	Garofalo	Jacob	Murphy	Pursell	Witte
Carroll	Gomez	Johnson	Myers	Quam	Wolgamott
Cha	Greenman	Jordan	Nadeau	Rarick	Xiong
Clardy	Grossell	Joy	Nash	Rehm	Youakim
Coulter	Hansen, R.	Keeler	Nelson, M.	Reyer	Zelevnikar
Curran	Hanson, J.	Kiel	Neu Brindley	Robbins	Spk. Hortman
Daniels	Harder	Klevorn	Newton	Schomacker	
Davids	Hassan	Knudsen	Niska	Schultz	
Davis	Heintzeman	Koegel	Noor	Scott	

A quorum was present.

Backer; Bakeberg; Bliss; Frazier; Gillman; Kresha; Liebling; Mekeland; Nelson, N., and Wiener were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. There being no objection, further reading of the Journal was dispensed with and the Journal was approved as corrected by the Chief Clerk.

REPORTS OF STANDING COMMITTEES AND DIVISIONS

Pinto from the Committee on Children and Families Finance and Policy to which was referred:

H. F. No. 367, A bill for an act relating to early childhood; allowing a child care center and a family child care provider to adopt a policy regarding immunizations; amending Minnesota Statutes 2022, section 121A.15, subdivision 3.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2022, section 121A.15, subdivision 3, is amended to read:

Subd. 3. **Exemptions from immunizations.** (a) If a person is at least seven years old and has not been immunized against pertussis, the person must not be required to be immunized against pertussis.

(b) If a person is at least 18 years old and has not completed a series of immunizations against poliomyelitis, the person must not be required to be immunized against poliomyelitis.

(c) If a statement, signed by a physician, is submitted to the administrator or other person having general control and supervision of the school or child care facility stating that an immunization is contraindicated for medical reasons or that laboratory confirmation of the presence of adequate immunity exists, the immunization specified in the statement need not be required.

(d) If a notarized statement signed by the minor child's parent or guardian or by the emancipated person is submitted to the administrator or other person having general control and supervision of the school or child care facility stating that the person has not been immunized as prescribed in subdivision 1 because of the conscientiously held beliefs of the parent or guardian of the minor child or of the emancipated person, the immunizations specified in the statement shall not be required. This statement must also be forwarded to the commissioner of the Department of Health. This paragraph does not apply to a child enrolling or enrolled in a child care center or family child care program that adopts a policy under subdivision 3b.

(e) If the person is under 15 months, the person is not required to be immunized against measles, rubella, or mumps.

(f) If a person is at least five years old and has not been immunized against haemophilus influenzae type b, the person is not required to be immunized against haemophilus influenzae type b.

(g) If a person who is not a Minnesota resident enrolls in a Minnesota school online learning course or program that delivers instruction to the person only by computer and does not provide any teacher or instructor contact time or require classroom attendance, the person is not subject to the immunization, statement, and other requirements of this section.

Sec. 2. Minnesota Statutes 2022, section 121A.15, is amended by adding a subdivision to read:

Subd. 3b. **Child care programs.** A child care center licensed under chapter 245A and Minnesota Rules, chapter 9503, and a family child care provider licensed under chapter 245A and Minnesota Rules, chapter 9502, may adopt a policy prohibiting a child over two months of age from enrolling or remaining enrolled in the child care

center or family child care program if the child: (1) has not been immunized in accordance with subdivision 1 or 2 and in accordance with Minnesota Rules, chapter 4604; and (2) is not exempt from immunizations under subdivision 3, paragraph (a), (c), (e), or (f)."

Correct the title numbers accordingly

With the recommendation that when so amended the bill be placed on the General Register.

The report was adopted.

Pelowski from the Committee on Higher Education Finance and Policy to which was referred:

H. F. No. 1630, A bill for an act relating to capital investment; eliminating the one-third user financing requirement for future capital improvement projects at public postsecondary institutions; amending Minnesota Statutes 2022, section 16A.662, subdivision 5.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. **[16A.865] HIGHER EDUCATION CAPITAL PROJECTS; FULL FUNDING REQUIRED.**

It is the policy of the legislature that:

(1) an appropriation from the bond proceeds fund to either the Board of Regents of the University of Minnesota or the Board of Trustees of the Minnesota State Colleges and Universities for a capital project shall fund the full cost of the project benefiting an institution within those public postsecondary systems; and

(2) neither the Board of Regents of the University of Minnesota nor the Board of Trustees of the Minnesota State Colleges and Universities shall be obligated to pay debt service on the principal amount of state bonds sold to finance projects benefiting institutions within those public postsecondary systems or cover the cost of a portion of a capital project from public postsecondary system sources.

EFFECTIVE DATE. This section is effective the day following final enactment and applies to appropriations of bond proceeds on or after that date."

Delete the title and insert:

"A bill for an act relating to capital investment; requiring full funding for capital projects at public postsecondary institutions; proposing coding for new law in Minnesota Statutes, chapter 16A."

With the recommendation that when so amended the bill be re-referred to the Committee on Capital Investment.

The report was adopted.

Moller from the Committee on Public Safety Finance and Policy to which was referred:

H. F. No. 2319, A bill for an act relating to judiciary; prohibiting admission in judicial proceeding of certain custodial statements; proposing coding for new law in Minnesota Statutes, chapter 634.

Reported the same back with the recommendation that the bill be placed on the General Register.

The report was adopted.

Hassan from the Committee on Economic Development Finance and Policy to which was referred:

H. F. No. 2821, A bill for an act relating to economic development; equity; establishing a process for requesting a racial equity impact note for legislation; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 3.

Reported the same back with the recommendation that the bill be re-referred to the Committee on State and Local Government Finance and Policy.

The report was adopted.

Klevorn from the Committee on State and Local Government Finance and Policy to which was referred:

H. F. No. 3182, A bill for an act relating to state government; public employees insurance program modifications; creating a Minnesota insurance pool committee; requiring a report; appropriating money; amending Minnesota Statutes 2022, section 43A.316, subdivisions 5, 7.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2022, section 43A.316, subdivision 5, is amended to read:

Subd. 5. **Public employee participation.** (a) Participation in the program is subject to the conditions in this subdivision.

(b) Each exclusive representative for an eligible employer determines whether the employees it represents will participate in the program. The exclusive representative shall give the employer notice of intent to participate at least 30 days before the expiration date of the collective bargaining agreement preceding the collective bargaining agreement that covers the date of entry into the program. The exclusive representative and the eligible employer shall give notice to the commissioner of the determination to participate in the program at least 30 days before entry into the program. Entry into the program is governed by a schedule established by the commissioner.

(c) Employees not represented by exclusive representatives may become members of the program upon a determination of an eligible employer to include these employees in the program. Either all or none of the employer's unrepresented employees must participate. The eligible employer shall give at least 30 days' notice to the commissioner before entering the program. Entry into the program is governed by a schedule established by the commissioner.

(d) Participation in the program is for a ~~two-year~~ four-year term. Participation is automatically renewed for an additional ~~two-year~~ four-year term unless the exclusive representative, or the employer for unrepresented employees, gives the commissioner notice of withdrawal at least 30 days before expiration of the participation period. A group that withdraws must wait two years before rejoining. An exclusive representative, or employer for unrepresented employees, may also withdraw if premiums increase ~~50~~ 20 percent or more from one insurance year to the next.

(e) The exclusive representative shall give the employer notice of intent to withdraw to the commissioner at least 30 days before the expiration date of a collective bargaining agreement that includes the date on which the term of participation expires.

(f) Each participating eligible employer shall notify the commissioner of names of individuals who will be participating within two weeks of the commissioner receiving notice of the parties' intent to participate. The employer shall also submit other information as required by the commissioner for administration of the program.

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

Delete the title and insert:

"A bill for an act relating to state government; public employees insurance program modifications; amending Minnesota Statutes 2022, section 43A.316, subdivision 5."

With the recommendation that when so amended the bill be placed on the General Register.

The report was adopted.

Hornstein from the Committee on Transportation Finance and Policy to which was referred:

H. F. No. 3436, A bill for an act relating to transportation; modifying various policies, including but not limited to legislative routes, driving rules, small business contract preferences, nondivisible loads, and greater Minnesota transit programs; making technical corrections; appropriating money; amending Minnesota Statutes 2022, sections 161.115, subdivisions 116, 117, by adding a subdivision; 161.321, subdivisions 2, 2b; 169.19, subdivision 2; 169.34, subdivision 1; 169.444, subdivision 4; 169.80, by adding a subdivision; 174.03, subdivision 12; 174.22, subdivisions 2b, 7, 12, 14, by adding subdivisions; 174.23, subdivision 2; 174.24, subdivisions 1a, 3b, 3c; 174.247; 473.121, subdivision 19; Minnesota Statutes 2023 Supplement, sections 4.076, subdivision 3; 161.045, subdivision 3; 168.1259, subdivision 5; 174.40, subdivision 4a; 256B.0625, subdivision 17; 609.855, subdivision 7; Laws 2021, First Special Session chapter 5, article 4, section 114; Laws 2023, chapter 68, article 1, section 2, subdivision 4; article 2, section 2, subdivisions 3, 4, 5, 7, 9; proposing coding for new law in Minnesota Statutes, chapter 174; repealing Minnesota Statutes 2022, sections 169.011, subdivision 70; 169.25; 174.22, subdivisions 5, 15; 174.23, subdivision 7; Minnesota Rules, parts 8835.0110, subparts 1, 1a, 6, 7, 10, 11a, 12a, 12b, 13a, 14a, 15, 15a, 16, 17, 18, 19; 8835.0210; 8835.0220; 8835.0230; 8835.0240; 8835.0250; 8835.0260; 8835.0265; 8835.0270; 8835.0275; 8835.0280; 8835.0290; 8835.0310; 8835.0320; 8835.0330, subparts 1, 3, 4; 8835.0350, subparts 1, 3, 4, 5.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"ARTICLE 1
TRANSPORTATION POLICY

Section 1. Minnesota Statutes 2023 Supplement, section 4.076, subdivision 3, is amended to read:

Subd. 3. **Membership; chair.** (a) The advisory council consists of the following members:

(1) the chair, which is filled on a two-year rotating basis by a designee from:

(i) the Office of Traffic Safety in the Department of Public Safety;

(ii) the Office of Traffic Engineering in the Department of Transportation; and

(iii) the Injury and Violence Prevention Section in the Department of Health;

(2) two vice chairs, which must be filled by the two designees who are not currently serving as chair of the advisory council under clause (1);

(3) the statewide Toward Zero Deaths coordinator;

(4) a regional coordinator from the Toward Zero Deaths program;

(5) the chief of the State Patrol or a designee;

(6) the state traffic safety engineer in the Department of Transportation or a designee;

(7) a law enforcement liaison from the Department of Public Safety;

(8) a representative from the Department of Human Services;

(9) a representative from the Department of Education;

(10) a representative from the Council on Disability;

(11) a representative for Tribal governments;

(12) a representative from the Center for Transportation Studies at the University of Minnesota;

(13) a representative from the Minnesota Chiefs of Police Association;

(14) a representative from the Minnesota Sheriffs' Association;

(15) a representative from the Minnesota Safety Council;

(16) a representative from AAA Minnesota;

(17) a representative from the Minnesota Trucking Association;

- (18) a representative from the Insurance Federation of Minnesota;
 - (19) a representative from the Association of Minnesota Counties;
 - (20) a representative from the League of Minnesota Cities;
 - (21) the American Bar Association State Judicial Outreach Liaison;
 - (22) a representative from the City Engineers Association of Minnesota;
 - (23) a representative from the Minnesota County Engineers Association;
 - (24) a representative from the Bicycle Alliance of Minnesota;
 - (25) two individuals representing vulnerable road users, including pedestrians, bicyclists, and other operators of a personal conveyance;
 - (26) a representative from Minnesota Operation Lifesaver;
 - (27) a representative from the Minnesota Driver and Traffic Safety Education Association;
 - (28) a representative from the Minnesota Association for Pupil Transportation;
 - (29) a representative from the State Trauma Advisory Council;
 - (30) a person representing metropolitan planning organizations; ~~and~~
 - (31) a person representing contractors engaged in construction and maintenance of highways and other infrastructure;
 - (32) the director of the Minnesota Emergency Medical Services Regulatory Board; and
 - (33) a person representing a victims advocacy organization.
- (b) The commissioners of public safety and transportation must jointly appoint the advisory council members under paragraph (a), clauses (11), (25), (30), ~~and~~ (31), and (33).

Sec. 2. Minnesota Statutes 2022, section 43A.17, is amended by adding a subdivision to read:

Subd. 13. **Compensation for law enforcement officers.** (a) For purposes of this subdivision, the term "law enforcement officers" means all licensed peace officers employed by the state who are included in the state units under section 179A.10, subdivision 2, including without limitation: Minnesota State Patrol troopers, Bureau of Criminal Apprehension agents, and Alcohol and Gambling Enforcement agents, in the Department of Public Safety; Department of Natural Resources conservation officers; Department of Corrections Fugitive Apprehension Unit members; and Commerce Fraud Bureau agents in the Department of Commerce.

(b) When the commissioner of management and budget negotiates a collective bargaining agreement establishing compensation for law enforcement officers, the commissioner must use compensation and benefit data from the most recent salary and benefits survey conducted pursuant to section 299D.03, subdivision 2a, to compare salaries to ensure appropriate increases are made to law enforcement officer salaries and benefits.

EFFECTIVE DATE; APPLICATION. This section is effective the day following final enactment and expires January 1, 2032. This section applies to contracts entered into on or after the effective date but before January 1, 2032.

Sec. 3. Minnesota Statutes 2022, section 65B.28, subdivision 2, is amended to read:

Subd. 2. **Accident prevention course; rules.** (a) The commissioner of public safety shall adopt rules establishing and regulating a motor vehicle accident prevention course for persons 55 years old and older.

(b) The rules must, at a minimum, include provisions:

(1) establishing curriculum requirements; and

~~(2) establishing the number of hours required for successful completion of the course; and~~

~~(3)~~ (2) providing for the issuance of a course completion certification and requiring its submission to an insured as evidence of completion of the course.

(c) The accident prevention course must be a total of four hours.

EFFECTIVE DATE. This section is effective July 1, 2024, and applies to accident prevention courses held on or after that date.

Sec. 4. Minnesota Statutes 2023 Supplement, section 115E.042, subdivision 4, is amended to read:

Subd. 4. **Response capabilities; time limits.** (a) Following confirmation of a discharge, a railroad must deliver and deploy sufficient equipment and trained personnel to (1) contain and recover discharged oil or other hazardous substances, (2) protect the environment, and (3) assist local public safety officials. Within 15 minutes of a rail incident involving a confirmed discharge or release of oil or other hazardous substances, a railroad must contact the applicable emergency manager and applicable fire ~~chief~~ department, through the local public safety answering point, having jurisdiction along the route where the incident occurred. After learning of the rail incident involving oil or other hazardous substances, the applicable emergency manager and applicable fire ~~chief~~ department must, as soon as practicable, identify and provide contact information of the responsible incident commander to the reporting railroad.

(b) Within 15 minutes of local emergency responder arrival on the scene of a rail incident involving oil or other hazardous substances, a railroad must assist the incident commander to determine the nature of any hazardous substance known to have been released and hazardous substance cargo transported on the train. Assistance must include providing information that identifies the chemical content of the hazardous substance, contact information for the shipper, and instructions for dealing with the release of the material. A railroad may provide information on the hazardous substances transported on the train through the train orders on board the train or by facsimile or electronic transmission.

(c) Within one hour of confirmation of a discharge, a railroad must provide a qualified company representative to advise the incident commander, assist in assessing the situation, initiate railroad response actions as needed, and provide advice and recommendations to the incident commander regarding the response. The representative may be made available by telephone, and must be authorized to deploy all necessary response resources of the railroad.

(d) Within three hours of confirmation of a discharge, a railroad must be capable of delivering monitoring equipment and a trained operator to assist in protection of responder and public safety. A plan to ensure delivery of monitoring equipment and an operator to a discharge site must be provided each year to the commissioner of public safety.

(e) Within three hours of confirmation of a discharge, a railroad must provide (1) qualified personnel at a discharge site to assess the discharge and to advise the incident commander, and (2) resources to assist the incident commander with ongoing public safety and scene stabilization.

(f) A railroad must be capable of deploying containment boom from land across sewer outfalls, creeks, ditches, and other places where oil or other hazardous substances may drain, in order to contain leaked material before it reaches those resources. The arrangement to provide containment boom and staff may be made by:

- (1) training and caching equipment with local jurisdictions;
- (2) training and caching equipment with a fire mutual-aid group;
- (3) means of an industry cooperative or mutual-aid group;
- (4) deployment of a contractor;
- (5) deployment of a response organization under state contract; or
- (6) other dependable means acceptable to the Pollution Control Agency.

(g) Each arrangement under paragraph (f) must be confirmed each year. Each arrangement must be tested by drill at least once every five years.

(h) Within eight hours of confirmation of a discharge, a railroad must be capable of delivering and deploying containment boom, boats, oil recovery equipment, trained staff, and all other materials needed to provide:

(1) on-site containment and recovery of a volume of oil equal to ten percent of the calculated worst case discharge at any location along the route; and

(2) protection of listed sensitive areas and potable water intakes within one mile of a discharge site and within eight hours of water travel time downstream in any river or stream that the right-of-way intersects.

(i) Within 60 hours of confirmation of a discharge, a railroad must be capable of delivering and deploying additional containment boom, boats, oil recovery equipment, trained staff, and all other materials needed to provide containment and recovery of a worst case discharge and to protect listed sensitive areas and potable water intakes at any location along the route.

Sec. 5. Minnesota Statutes 2023 Supplement, section 161.045, subdivision 3, is amended to read:

Subd. 3. **Limitations on spending.** (a) A commissioner must not pay for any of the following with funds from the highway user tax distribution fund or the trunk highway fund:

- (1) Bureau of Criminal Apprehension laboratory;
- (2) Explore Minnesota Tourism kiosks;
- (3) Minnesota Safety Council;
- (4) driver education programs;
- (5) Emergency Medical Services Regulatory Board;
- (6) Mississippi River Parkway Commission;

(7) payments to the Department of Information Technology Services in excess of actual costs incurred for trunk highway purposes;

(8) personnel costs incurred on behalf of the governor's office;

(9) the Office of Aeronautics within the Department of Transportation;

(10) the Office of Transit and Active Transportation within the Department of Transportation;

(11) the Office of Passenger Rail;

(12) purchase and maintenance of soft body armor under section 299A.38;

(13) tourist information centers;

(14) parades, events, or sponsorships of events;

~~(15) the installation, construction, expansion, or maintenance of public electric vehicle infrastructure;~~

~~(46)~~ (15) the statewide notification center for excavation services pursuant to chapter 216D; and

~~(47)~~ (16) manufacturing license plates.

(b) The prohibition in paragraph (a) includes all expenses for the named entity or program, including but not limited to payroll, purchased services, supplies, repairs, and equipment. This prohibition on spending applies to any successor entities or programs that are substantially similar to the entity or program named in this subdivision.

Sec. 6. Minnesota Statutes 2022, section 161.115, subdivision 116, is amended to read:

Subd. 116. **Route No. 185.** Beginning at a point on Route No. 1 ~~at Sandstone~~ and Route No. 390, thence extending in a northeasterly direction to a point on Route No. 103 as herein established in Duluth.

EFFECTIVE DATE. This section is effective the day after the commissioner of transportation receives a copy of the agreement between the commissioner and the governing body of Pine County to transfer jurisdiction of a portion of Legislative Route No. 185 and notifies the revisor of statutes electronically or in writing that the conditions required to transfer the route have been satisfied.

Sec. 7. Minnesota Statutes 2022, section 161.115, subdivision 117, is amended to read:

Subd. 117. **Route No. 186.** Beginning at a point on Route No. 110 as herein established, thence extending in an easterly direction to a point on Route No. ~~185 as herein established at or near Askov~~ 1 and Route No. 390; affording Isle, ~~and~~ Finlayson, and Askov, a reasonable means of communication each with the other and other places within the state.

EFFECTIVE DATE. This section is effective the day after the commissioner of transportation notifies the revisor of statutes electronically or in writing of the effective date.

Sec. 8. Minnesota Statutes 2022, section 161.115, is amended by adding a subdivision to read:

Subd. 272. **Route No. 341.** Beginning at a point on Route No. 1 at Sandstone, thence extending in a generally easterly direction to a point at or near the east bank of the Kettle River.

EFFECTIVE DATE. This section is effective the day after the commissioner of transportation notifies the revisor of statutes electronically or in writing of the effective date.

Sec. 9. Minnesota Statutes 2022, section 161.321, subdivision 2, is amended to read:

Subd. 2. **Small targeted group business, small business; contract preferences.** (a) The commissioner may award up to a ~~six~~ 12 percent preference in the amount bid for specified construction work to small targeted group businesses.

(b) The commissioner may designate a contract for construction work for award only to small targeted group businesses if the commissioner determines that at least three small targeted group businesses are likely to bid.

(c) The commissioner may award up to a four percent preference in the amount bid for specified construction work to small businesses located in an economically disadvantaged area as defined in section 16C.16, subdivision 7.

Sec. 10. Minnesota Statutes 2022, section 161.321, subdivision 2b, is amended to read:

Subd. 2b. **Veteran-owned small business; contract preferences.** (a) The commissioner may award up to a ~~six~~ 12 percent preference in the amount bid for specified construction work to veteran-owned small businesses, except when prohibited by the federal government as a condition of receiving federal funds. When a bid preference is provided under this section, the percentage of preference in bid amount under this subdivision may not be less than the percentage of bid preference provided to any small targeted group business under subdivision 2.

(b) When a bid preference is provided under this subdivision, the commissioner must be as inclusive as possible in specifying contracts for construction work, as well as for construction-related professional and technical services, available under this bid preference program for veteran-owned small businesses. The term "construction" must be given broad meaning for purposes of specifying and letting contracts for veteran-owned small businesses and must include, but is not limited to, preplanning, planning, and all other construction-related professional and technical services.

(c) When a bid preference is provided under this subdivision, the commissioner must strive to ensure that contracts will be awarded on a proportional basis with contracts awarded under subdivision 2.

(d) The commissioner may designate a contract for construction work for award only to veteran-owned small businesses, if the commissioner determines that at least three veteran-owned small businesses are likely to bid.

Sec. 11. Minnesota Statutes 2022, section 168.002, subdivision 18, is amended to read:

Subd. 18. **Motor vehicle.** (a) "Motor vehicle" means any self-propelled vehicle designed and originally manufactured to operate primarily on highways, and not operated exclusively upon railroad tracks. It includes any vehicle propelled or drawn by a self-propelled vehicle and includes vehicles known as trackless trolleys that are propelled by electric power obtained from overhead trolley wires but not operated upon rails.

(b) "Motor vehicle" includes an all-terrain vehicle only if the all-terrain vehicle (1) has at least four wheels, (2) is owned and operated by a physically disabled person, and (3) displays both disability plates and a physically disabled certificate issued under section 169.345.

(c) "Motor vehicle" does not include an all-terrain vehicle except (1) an all-terrain vehicle described in paragraph (b), or (2) an all-terrain vehicle licensed as a motor vehicle before August 1, 1985. The owner may continue to license an all-terrain vehicle described in clause (2) as a motor vehicle until it is conveyed or otherwise transferred to another owner, is destroyed, or fails to comply with the registration and licensing requirements of this chapter.

(d) "Motor vehicle" does not include a snowmobile; a manufactured home; a park trailer; an electric personal assistive mobility device as defined in section 169.011, subdivision 26; a motorized foot scooter as defined in section 169.011, subdivision 46; or an electric-assisted bicycle as defined in section 169.011, subdivision 27.

(e) "Motor vehicle" includes an off-highway motorcycle modified to meet the requirements of chapter 169 according to section 84.788, subdivision 12.

(f) "Motor vehicle" includes a roadable aircraft as defined in section 169.011, subdivision 67a.

Sec. 12. Minnesota Statutes 2022, section 168.002, subdivision 24, is amended to read:

Subd. 24. **Passenger automobile.** (a) "Passenger automobile" means any motor vehicle designed and used for carrying not more than 15 individuals, including the driver.

(b) "Passenger automobile" does not include motorcycles, motor scooters, buses, school buses, or commuter vans as defined in section 168.126.

(c) "Passenger automobile" includes; but is not limited to:

(1) a vehicle that is a pickup truck or a van as defined in subdivisions 26 and 40;

(2) neighborhood electric vehicles, as defined in section 169.011, subdivision 47; ~~and~~

(3) medium-speed electric vehicles, as defined in section 169.011, subdivision 39; and

(4) roadable aircraft, as defined in section 169.011, subdivision 67a.

Sec. 13. Minnesota Statutes 2022, section 168.002, subdivision 26, is amended to read:

Subd. 26. **Pickup truck.** "Pickup truck" means any truck with a manufacturer's nominal rated carrying capacity of three-fourths ton or less and commonly known as a pickup truck. If the manufacturer's nominal rated carrying capacity is not provided or cannot be determined, then the value specified by the manufacturer as the gross vehicle weight as indicated on the manufacturer's certification label must be ~~less than~~ 10,000 pounds or less.

Sec. 14. Minnesota Statutes 2022, section 168.002, subdivision 27, is amended to read:

Subd. 27. **Recreational vehicle.** (a) "Recreational vehicle" means travel trailers including those that telescope or fold down, chassis-mounted campers, motor homes, tent trailers, teardrop trailers, and converted buses that provide temporary human living quarters.

(b) "Recreational vehicle" is a vehicle that:

(1) is not used as the residence of the owner or occupant;

(2) is used while engaged in recreational or vacation activities; and

(3) is either self-propelled or towed on the highways incidental to the recreational or vacation activities.

Sec. 15. Minnesota Statutes 2022, section 168.013, subdivision 1d, is amended to read:

Subd. 1d. **Trailer.** (a) On trailers registered at a gross vehicle weight of greater than 3,000 pounds, the annual tax is based on total gross weight and is 30 percent of the Minnesota base rate prescribed in subdivision 1e, when the gross weight is 15,000 pounds or less, and when the gross weight of a trailer is more than 15,000 pounds, the tax for the first eight years of vehicle life is 100 percent of the tax imposed in the Minnesota base rate schedule, and during the ninth and succeeding years of vehicle life the tax is 75 percent of the Minnesota base rate prescribed by

subdivision 1e. A trailer registered at a gross vehicle weight greater than 3,000 pounds but no greater than 7,200 pounds may be taxed either: (1) annually as provided in this paragraph; or (2) once every three years on the basis of total gross weight and is 90 percent of the Minnesota base rate prescribed in subdivision 1e, provided that the filing fee under section 168.33, subdivision 7, paragraph (a), is multiplied by three, with funds collected by the commissioner allocated proportionally in the same manner as provided in section 168.33, subdivision 7, paragraph (e).

(b) Farm trailers with a gross weight in excess of 10,000 pounds and as described in section 168.002, subdivision 8, are taxed as farm trucks as prescribed in subdivision 1c.

(c) Effective on and after July 1, 2001, trailers registered at a gross vehicle weight of 3,000 pounds or less, excluding recreational vehicles, must display a distinctive plate. The registration on the license plate is valid for the life of the trailer only if it remains registered at the same gross vehicle weight. The onetime registration tax for trailers registered for the first time in Minnesota is \$55. For trailers registered in Minnesota before July 1, 2001, and for which:

(1) registration is desired for the remaining life of the trailer, the registration tax is \$25; or

(2) permanent registration is not desired, the biennial registration tax is \$10 for the first renewal if registration is renewed between and including July 1, 2001, and June 30, 2003. These trailers must be issued permanent registration at the first renewal on or after July 1, 2003, and the registration tax is \$20.

For trailers registered at a gross weight of 3,000 pounds or less before July 1, 2001, but not renewed until on or after July 1, 2003, the registration tax is \$20 and permanent registration must be issued.

Sec. 16. Minnesota Statutes 2022, section 168.0135, is amended by adding a subdivision to read:

Subd. 2a. **Limitations.** (a) A vendor must not have an ownership interest with a deputy registrar or a driver's license agent.

(b) A vendor is not eligible to be appointed by the commissioner as a deputy registrar or a driver's license agent.

(c) An entity that owns, leases, or otherwise provides a location where a self-service kiosk is placed is not eligible to be appointed by the commissioner as a deputy registrar or a driver's license agent. This paragraph does not apply to a deputy registrar or a driver's license agent appointed prior to placement of a self-service kiosk within the office of the deputy registrar or driver's license agent.

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

Sec. 17. Minnesota Statutes 2022, section 168.12, subdivision 1, is amended to read:

Subdivision 1. **Plates; design, visibility, periods of issuance.** (a) The commissioner, upon approval and payment, shall issue to the applicant the plates required by this chapter, bearing the state name and an assigned vehicle registration number. The number assigned by the commissioner may be a combination of a letter or sign with figures. The color of the plates and the color of the abbreviation of the state name and the number assigned must be in marked contrast. The plates must be lettered, spaced, or distinguished to suitably indicate the registration of the vehicle according to the rules of the commissioner.

(b) When a vehicle is registered on the basis of total gross weight, the plates issued must clearly indicate by letters or other suitable insignia the maximum gross weight for which the tax has been paid.

(c) Plates issued to a noncommercial vehicle must bear the inscription "noncommercial" unless the vehicle is displaying a special plate authorized and issued under this chapter.

(d) A one-ton pickup truck that is used for commercial purposes and is subject to section 168.185, is eligible to display special plates as authorized and issued under this chapter.

(e) The plates must be so treated as to be at least 100 times brighter than the conventional painted number plates. When properly mounted on an unlighted vehicle, the plates, when viewed from a vehicle equipped with standard headlights, must be visible for a distance of not less than 1,500 feet and readable for a distance of not less than 110 feet.

(f) The commissioner shall issue plates for the following periods:

(1) New plates issued pursuant to section 168.012, subdivision 1, must be issued to a vehicle for as long as the vehicle is owned by the exempt agency and the plate shall not be transferable from one vehicle to another but the plate may be transferred with the vehicle from one tax-exempt agency to another.

(2) Plates issued for passenger automobiles must be issued for a seven-year period. All plates issued under this paragraph must be replaced if they are seven years old or older at the time of registration renewal or will become so during the registration period.

(3) Plates issued under sections 168.053 and 168.27, subdivisions 16 and 17, must be for a seven-year period.

(4) Plates issued under subdivisions 2c and 2d and sections 168.123, 168.1235, and 168.1255 must be issued for the life of the veteran under section 169.79.

(5) Plates for any vehicle not specified in clauses (1) to (3) must be issued for the life of the vehicle.

(g) In a year in which plates are not issued, the commissioner shall issue for each registration a sticker to designate the year of registration. This sticker must show the year or years for which the sticker is issued, and is valid only for that period. The plates and stickers issued for a vehicle may not be transferred to another vehicle during the period for which the sticker is issued, except when issued for a vehicle registered under section 168.187.

(h) Despite any other provision of this subdivision, plates issued to a vehicle used for behind-the-wheel instruction in a driver education course in a public school may be transferred to another vehicle used for the same purpose without payment of any additional fee. The public school shall notify the commissioner of each transfer of plates under this paragraph. The commissioner may prescribe a format for notification.

(i) In lieu of plates required under this section, the commissioner must issue a registration number identical to the federally issued tail number assigned to a roadable aircraft.

Sec. 18. Minnesota Statutes 2023 Supplement, section 168.1235, subdivision 1, is amended to read:

Subdivision 1. **General requirements; fees.** (a) The commissioner shall issue a special plate emblem for each plate to an applicant who:

(1) is a member of a congressionally chartered veterans service organization and is a registered owner of a passenger automobile, pickup truck, van, or self-propelled recreational vehicle, or is a congressionally chartered veterans service organization that is the registered owner of a passenger automobile, pickup truck, van, or self-propelled recreational vehicle;

(2) pays the registration tax required by law;

(3) pays a fee in the amount specified for special plates under section 168.12, subdivision 5, for each set of two plates, and any other fees required by this chapter; and

(4) complies with this chapter and rules governing the registration of motor vehicles and licensing of drivers.

(b) The additional fee is payable at the time of initial application for the special plate emblem and when the plates must be replaced or renewed. ~~An applicant must not be issued more than two sets of special plate emblems for motor vehicles listed in paragraph (a) and registered to the applicant.~~

(c) The applicant must present a valid card indicating membership in the American Legion, Veterans of Foreign Wars, or Disabled American Veterans.

Sec. 19. Minnesota Statutes 2023 Supplement, section 168.1259, subdivision 5, is amended to read:

Subd. 5. **Contributions; account; appropriation.** Contributions collected under subdivision 2, paragraph (a), clause (5), must be deposited in the Minnesota professional sports team foundations account, which is established in the special revenue fund. Money in the account is annually appropriated to the commissioner of public safety. This appropriation is first for the annual cost of administering the account funds, and the remaining funds are for distribution to the foundations in proportion to the total number of Minnesota professional sports team foundation plates issued for that year. Proceeds from a plate that includes the marks and colors of all foundations must be divided evenly between all foundations. The foundations must only use the proceeds for philanthropic or charitable purposes.

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

Sec. 20. **[168.24] ROADABLE AIRCRAFT REGISTRATION.**

(a) For purposes of this section, "roadable aircraft" has the meaning given in section 169.011, subdivision 67a.

(b) An owner of a roadable aircraft must comply with all rules and requirements of this chapter and chapter 168A governing the titling, registration, taxation, and insurance of motor vehicles.

(c) A person who seeks to register a roadable aircraft for operation as a motor vehicle on public roadways in Minnesota must apply to the commissioner. The application must contain:

(1) the name and address of the owner of the roadable aircraft;

(2) the federally issued tail number assigned to the aircraft;

(3) the make and model of the roadable aircraft; and

(4) any other information the commissioner may require.

(d) Upon receipt of a valid and complete application for registration of a roadable aircraft, the commissioner must issue a certificate of registration.

(e) A valid registration certificate issued under this section must be located inside the roadable aircraft when the aircraft is in operation on a public highway.

(f) A roadable aircraft registered as a motor vehicle under this section must also be registered as an aircraft as provided in section 360.60.

Sec. 21. Minnesota Statutes 2022, section 168.33, subdivision 8a, is amended to read:

Subd. 8a. **Electronic transmission.** (a) If the commissioner accepts electronic transmission of a motor vehicle transfer and registration by a new or used motor vehicle dealer, a deputy registrar who is equipped with electronic transmission technology and trained in its use ~~shall~~ must receive the filing fee provided for in subdivision 7 and review the transfer of each new or used motor vehicle to determine its genuineness and regularity before issuance of a certificate of title, and ~~shall~~ must receive and retain the filing fee under subdivision 7, paragraph (a), clause (2).

(b) The commissioner must establish reasonable performance, security, technical, and financial standards to approve companies that provide computer software and services to motor vehicle dealers to electronically transmit vehicle title transfer and registration information. An approved company must be offered access to department facilities, staff, and technology on a fair and reasonable basis. An approved company must not have an ownership interest with a deputy registrar or a driver's license agent. An approved company is not eligible to be appointed by the commissioner as a deputy registrar or a driver's license agent.

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

Sec. 22. Minnesota Statutes 2023 Supplement, section 168.345, subdivision 2, is amended to read:

Subd. 2. **Lessees; information.** (a) The commissioner may not furnish information about ~~registered owners of~~ passenger automobiles who are automobile lessees under a lease for a term of 180 days or more to any person except:

- (1) the owner of the vehicle;
- (2) the lessee;
- (3) personnel of law enforcement agencies ~~and~~;
- (4) trade associations performing a member service under section 604.15, subdivision 4a, ~~and~~;
- (5) licensed dealers in connection with a vehicle sale or lease;
- (6) federal, state, and local governmental units; ~~and~~;
- (7) at the commissioner's discretion, to persons who use the information to notify lessees of automobile recalls.

(b) The commissioner may release information about passenger automobile lessees in the form of summary data, as defined in section 13.02, to persons who use the information in conducting statistical analysis and market research.

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

Sec. 23. Minnesota Statutes 2022, section 168A.085, is amended by adding a subdivision to read:

Subd. 4. **Foreign passport.** A valid and unexpired passport issued to the applicant by a recognized foreign government is a primary document for purposes of Minnesota Rules, part 7410.0400, and successor rules, when the applicant is an individual who is applying as the owner for a vehicle title or registration.

Sec. 24. Minnesota Statutes 2022, section 168B.035, subdivision 3, is amended to read:

Subd. 3. **Towing prohibited.** (a) A towing authority may not tow a motor vehicle because:

(1) the vehicle ~~has expired~~ displays registration ~~tags~~ validation stickers that have been expired for less than 90 days; or

(2) the vehicle is at a parking meter on which the time has expired ~~and the vehicle has fewer than five unpaid parking tickets.~~

(b) A towing authority may tow a motor vehicle, notwithstanding paragraph (a), if:

(1) the vehicle is parked in violation of snow emergency regulations;

(2) the vehicle is parked in a rush-hour restricted parking area;

(3) the vehicle is blocking a driveway, alley, or fire hydrant;

(4) the vehicle is parked in a bus lane, or at a bus stop, during hours when parking is prohibited;

(5) the vehicle is parked within 30 feet of a stop sign and visually blocking the stop sign;

(6) the vehicle is parked in a disability transfer zone or disability parking space without a disability parking certificate or disability license plates;

(7) the vehicle is parked in an area that has been posted for temporary restricted parking (i) at least 12 hours in advance in a home rule charter or statutory city having a population under 50,000, or (ii) at least 24 hours in advance in another political subdivision;

(8) the vehicle is parked within the right-of-way of a controlled-access highway or within the traveled portion of a public street when travel is allowed there;

(9) the vehicle is unlawfully parked in a zone that is restricted by posted signs to use by fire, police, public safety, or emergency vehicles;

(10) the vehicle is unlawfully parked on property at the Minneapolis-St. Paul International Airport owned by the Metropolitan Airports Commission;

(11) a law enforcement official has probable cause to believe that the vehicle is stolen, or that the vehicle constitutes or contains evidence of a crime and impoundment is reasonably necessary to obtain or preserve the evidence;

(12) the driver, operator, or person in physical control of the vehicle is taken into custody and the vehicle is impounded for safekeeping;

(13) a law enforcement official has probable cause to believe that the owner, operator, or person in physical control of the vehicle has failed to respond to five or more citations for parking or traffic offenses;

(14) the vehicle is unlawfully parked in a zone that is restricted by posted signs to use by taxicabs;

(15) the vehicle is unlawfully parked and prevents egress by a lawfully parked vehicle;

(16) the vehicle is parked, on a school day during prohibited hours, in a school zone on a public street where official signs prohibit parking; or

(17) the vehicle is a junk, abandoned, or unauthorized vehicle, as defined in section 168B.011, and subject to immediate removal under this chapter.

Sec. 25. Minnesota Statutes 2022, section 169.011, subdivision 3a, is amended to read:

Subd. 3a. **Autocycle.** (a) "Autocycle" means a motorcycle that:

(1) has three wheels in contact with the ground;

(2) is designed with seating that does not require operators or any occupants to straddle or sit astride it;

(3) has a steering wheel;

(4) is equipped with antilock brakes; and

(5) is originally manufactured to meet federal motor vehicle safety standards for motorcycles in Code of Federal Regulations, title 49, part 571, and successor requirements.

(b) An autocycle does not include a roadable aircraft as defined in subdivision 67a.

Sec. 26. Minnesota Statutes 2022, section 169.011, subdivision 44, is amended to read:

Subd. 44. **Motorcycle.** "Motorcycle" means every motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground, including motor scooters and autocycles. Motorcycle does not include (1) motorized bicycles as defined in subdivision 45, (2) electric-assisted bicycles as defined in subdivision 27, ~~or~~ (3) a tractor, or (4) roadable aircraft.

Sec. 27. Minnesota Statutes 2022, section 169.011, is amended by adding a subdivision to read:

Subd. 48a. **Nondivisible load or vehicle.** "Nondivisible load" or "nondivisible vehicle" means any load or vehicle exceeding the applicable length, width, height, or weight limits set forth in this chapter which, if separated into smaller loads or vehicles, would:

(1) compromise the intended use of the load or vehicle;

(2) destroy the value of the load or vehicle; or

(3) require more than eight work hours to dismantle using appropriate equipment.

Sec. 28. Minnesota Statutes 2022, section 169.011, is amended by adding a subdivision to read:

Subd. 67a. **Roadable aircraft.** "Roadable aircraft" means any aircraft capable of taking off and landing from a suitable airfield and that is also designed to be operated on a public highway as a motor vehicle.

Sec. 29. Minnesota Statutes 2022, section 169.09, subdivision 5, is amended to read:

Subd. 5. **Notify owner of damaged property.** If the driver of any vehicle involved in a collision knows or has reason to know the collision resulted only in damage to fixtures legally upon or adjacent to a highway, the driver ~~shall~~ must:

(1) take reasonable steps to locate and notify the owner or person in charge of the property of ~~that fact~~ the collision, of the driver's name and address, and of the ~~registration~~ license plate number of the vehicle being driven and ~~shall~~ must, upon request and if available, exhibit the driver's license, and make an accident report in every case; and

(2) report the information required in clause (1) to a peace officer.

Sec. 30. Minnesota Statutes 2023 Supplement, section 169.09, subdivision 8, is amended to read:

Subd. 8. **Officer to report accident to commissioner.** A peace officer who, in the regular course of duty, investigates an accident that must be reported under this section shall, within ten days after the date of the accident, forward an electronic or written report of the accident as prescribed by the commissioner of public safety. Within two business days after identification of a fatality that resulted from an accident, the reporting agency must notify the commissioner of the basic circumstances of the accident using an electronic format as prescribed by the commissioner. Accidents involving the following occurrences must be reported under this subdivision if they occur on a trafficway, a traffic right-of-way, public lands, or trail systems:

(1) a fatality;

(2) bodily injury to a person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident;

(3) one or more motor vehicles incurs disabling damage as a result of the accident, requiring the motor vehicle to be transported away from the scene of the accident by a tow truck or other motor vehicle;

(4) property damage to state-owned highway infrastructure; or

(5) any accident involving a school bus or commercial motor vehicle that must be reported under sections 169.4511 and 169.783.

Sec. 31. Minnesota Statutes 2022, section 169.09, subdivision 14a, is amended to read:

Subd. 14a. **Suspension of license for failure to report accident.** The commissioner may suspend the license, or any nonresident's operating privilege, of any ~~person~~ driver who willfully fails, refuses, or neglects to make report of a traffic accident as required by the laws of this state. A license suspension under this section is subject to the notice requirements of section 171.18, subdivision 2.

Sec. 32. Minnesota Statutes 2022, section 169.09, subdivision 19, is amended to read:

Subd. 19. **Terminology.** (a) The provisions of this section apply equally whether the term "accident" or "collision" is used. The term "accident" or "collision" does not include:

(1) an occurrence involving only boarding and alighting from a stationary motor vehicle;

(2) an occurrence involving only the loading or unloading of cargo; or

(3) intentional vehicle-to-vehicle contact when initiated by a peace officer:

(i) to stop a perpetrator from fleeing in a motor vehicle, as defined in section 609.487, subdivision 3; or

(ii) as an authorized use of force, as defined in section 609.06, subdivision 1; 609.065; or 609.066.

(b) For purposes of this section, "disabling damage" means damage that prevents a motor vehicle from departing the scene of an accident in its usual manner in daylight after simple repairs. Disabling damage includes damage to a motor vehicle that could be driven from the scene of an accident but would be further damaged if so driven. Disabling damage does not include:

(1) damage that can be remedied temporarily at the scene of an accident without special tools or parts;

(2) tire disablement without other damage, even if no spare tire is available;

(3) headlamp or taillight damage; or

(4) damage that makes the turn signals, horn, or windshield wipers inoperable.

(c) For purposes of this section, motor vehicle includes the various off-road vehicles defined in section 84.771, 84.787, 84.797, 84.81, or 84.92.

Sec. 33. Minnesota Statutes 2022, section 169.19, subdivision 2, is amended to read:

Subd. 2. **U-turn.** ~~No vehicle shall be turned~~ The operator of a vehicle must not turn to proceed in the opposite direction upon any curve, or upon the approach to or near the crest of a grade, where the vehicle cannot be seen by the ~~driver~~ operator of any other vehicle approaching from either direction within 1,000 feet, ~~nor shall the driver.~~ The operator of a vehicle must not turn the vehicle to proceed in the opposite direction unless the movement can be made safely and without interfering with other traffic. When necessary to accommodate vehicle configuration on The operator of a vehicle is permitted to make a right-hand turn into the farthest lane of a roadway with two or more lanes in the same direction, a driver may turn the vehicle into the farthest lane and temporarily use the shoulder to make a U-turn in order to make a U-turn at a reduced-conflict intersection if it is safe to do so.

Sec. 34. Minnesota Statutes 2022, section 169.224, subdivision 3, is amended to read:

Subd. 3. **Operation.** (a) A neighborhood electric vehicle or a medium-speed electric vehicle may not be operated on a street or highway with a speed limit greater than 35 miles per hour, except to make a direct crossing of that street or highway.

(b) A person may operate a three-wheeled neighborhood electric vehicle without a ~~two-wheeled vehicle motorcycle~~ endorsement, ~~provided~~ if the person has a valid driver's license issued under chapter 171.

Sec. 35. Minnesota Statutes 2022, section 169.34, subdivision 1, is amended to read:

Subdivision 1. **Prohibitions.** (a) ~~No person shall~~ A person must not stop, stand, or park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic-control device, in any of the following places:

(1) on a sidewalk;

(2) in front of a public or private driveway;

- (3) within an intersection;
 - (4) within ten feet of a fire hydrant;
 - (5) on a crosswalk;
 - (6) within 20 feet of a crosswalk at an intersection;
 - (7) within 30 feet upon the approach to any flashing beacon, stop sign, or traffic-control signal located at the side of a roadway;
 - ~~(8) between a safety zone and the adjacent curb or within 30 feet of points on the curb immediately opposite the ends of a safety zone, unless a different length is indicated by signs or markings;~~
 - ~~(9)~~ (8) within 50 feet of the nearest rail of a railroad crossing;
 - ~~(10)~~ (9) within 20 feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within 75 feet of said entrance when properly signposted;
 - ~~(11)~~ (10) alongside or opposite any street excavation or obstruction when such stopping, standing, or parking would obstruct traffic;
 - ~~(12)~~ (11) on the roadway side of any vehicle stopped or parked at the edge or curb of a street;
 - ~~(13)~~ (12) upon any bridge or other elevated structure upon a highway or within a highway tunnel, except as otherwise provided by ordinance;
 - ~~(14)~~ (13) within a bicycle lane, except when posted signs permit parking; or
 - ~~(15)~~ (14) at any place where official signs prohibit stopping.
- (b) No person shall move a vehicle not owned by such person into any prohibited area or away from a curb such distance as is unlawful.
- (c) ~~No person shall~~ A person must not, for camping purposes, leave or park a travel trailer on or within the limits of any highway or on any highway right-of-way, except where signs are erected designating the place as a campsite.
- (d) ~~No person shall~~ A person must not stop or park a vehicle on a street or highway when directed or ordered to proceed by any peace officer invested by law with authority to direct, control, or regulate traffic.

Sec. 36. Minnesota Statutes 2022, section 169.444, subdivision 4, is amended to read:

Subd. 4. **Exception for separated roadway.** (a) A person driving a vehicle on a street or highway with separated roadways is not required to stop the vehicle when approaching or meeting a school bus that is on a different roadway.

(b) "Separated roadway" means a road that is separated from a parallel road by a ~~safety isle or safety zone~~ physical barrier, raised median, or depressed median.

Sec. 37. Minnesota Statutes 2022, section 169.685, is amended by adding a subdivision to read:

Subd. 3a. **Definitions.** (a) For purposes of this section, the following terms have the meanings given.

(b) "Booster seat" means a child passenger restraint system that meets applicable federal motor vehicle safety standards and is designed to provide belt-positioning that elevates a child to be properly seated with a safety belt.

(c) "Child passenger restraint system" means a device that:

(1) meets applicable federal motor vehicle safety standards of the United States Department of Transportation and complies with any other applicable federal regulations;

(2) is designed to restrain, seat, or position children; and

(3) is appropriate to the age of the child being restrained.

Child passenger restraint system includes a booster seat.

(d) "Properly restrained" means restrained or secured according to the instructions of both the motor vehicle manufacturer and the child passenger restraint system manufacturer.

(e) "Secured with a safety belt" means restrained or secured by a seat belt that (1) meets applicable federal motor vehicle safety standards, and (2) is properly adjusted and fastened, including both the shoulder and lap straps when equipped in the vehicle.

Sec. 38. Minnesota Statutes 2022, section 169.685, subdivision 4, is amended to read:

Subd. 4. **Admissibility into evidence.** (a) Except as provided in paragraph (b), proof of the use or failure to use seat belts or a child passenger restraint system as described in subdivision ~~5~~ 4a, or proof of the installation or failure of installation of seat belts or a child passenger restraint system as described in subdivision ~~5~~ shall not be 4a is not admissible in evidence in any litigation involving personal injuries or property damage resulting from the use or operation of any motor vehicle.

(b) Paragraph (a) does not affect the right of a person to bring an action for damages arising out of an incident that involves a defectively designed, manufactured, installed, or operating seat belt or child passenger restraint system. Paragraph (a) does not prohibit the introduction of evidence pertaining to the use of a seat belt or child passenger restraint system in an action described in this paragraph.

Sec. 39. Minnesota Statutes 2022, section 169.685, is amended by adding a subdivision to read:

Subd. 4a. **Child passenger restraint systems.** (a) Except as provided in paragraph (c), every driver in this state who transports a child or children under the age of 18 years in a motor vehicle that is in motion or a part of traffic and is required under federal motor vehicle safety standards to be equipped with a safety belt or lower anchors and tethers for children in a passenger seating position must have the child or children secured as follows:

(1) a child who is younger than two years of age must be properly restrained in a rear-facing child passenger restraint system with an internal harness, until the child reaches the weight or height limit of the child passenger restraint system;

(2) a child who is at least two years of age and exceeds the rear-facing weight or height limit of the child passenger restraint system must be properly restrained in a forward-facing child passenger restraint system with an internal harness, until the child reaches the weight or height limit of the child passenger restraint system;

(3) a child who is at least four years of age and exceeds the weight or height limit of the forward-facing child passenger restraint system must be properly restrained in a booster seat and secured with a safety belt;

(4) a child who is at least nine years of age or exceeds the weight or height limit of the child passenger restraint system or the booster seat must be secured with a safety belt adjusted and fastened around the child's body to fit correctly. The safety belt fits correctly when the child sits all the way back against the vehicle seat, the child's knees bend over the edge of the vehicle seat, the lap strap fits snugly across the child's thighs and lower hips and not the child's abdomen, and the shoulder strap snugly crosses the center of the child's chest and not the child's neck;

(5) a child who is younger than 13 years of age must be transported in the rear seat of a motor vehicle, when available, and must be properly restrained in a child passenger restraint system or booster seat or secured with a safety belt; and

(6) a child who, because of age or weight, can be placed in more than one category under this paragraph must be placed in the more protective category, where clause (1) provides for the most protective and clause (5) provides for the least protective.

(b) The driver of a motor vehicle transporting a child who is younger than six years of age or weighs less than 60 pounds must transport the child in a rear seat if:

(1) the vehicle is equipped with a passenger side air bag supplemental restraint system;

(2) the air bag system is activated; and

(3) a rear seat is available.

(c) When the number of children in the motor vehicle under 13 years of age exceeds the number of age- or size-appropriate child passenger restraint systems and safety belts available in the motor vehicle, the unrestrained children must be seated in a rear seat, if rear seats are available.

(d) The weight and height limits of a child passenger restraint system under this subdivision are as established by the child passenger restraint system manufacturer.

EFFECTIVE DATE. This section is effective August 1, 2024, and applies to violations committed on or after that date.

Sec. 40. Minnesota Statutes 2022, section 169.685, subdivision 5, is amended to read:

Subd. 5. **Violation; petty misdemeanor.** ~~(a) Every motor vehicle operator, when transporting a child who is both under the age of eight and shorter than four feet nine inches on the streets and highways of this state in a motor vehicle equipped with factory installed seat belts, shall equip and install for use in the motor vehicle, according to the manufacturer's instructions, a child passenger restraint system meeting federal motor vehicle safety standards.~~

~~(b) No motor vehicle operator who is operating a motor vehicle on the streets and highways of this state may transport a child who is both under the age of eight and shorter than four feet nine inches in a seat of a motor vehicle equipped with a factory installed seat belt, unless the child is properly fastened in the child passenger restraint system.~~ Any motor vehicle operator who violates this subdivision ~~4a~~ is guilty of a petty misdemeanor and may be

sentenced to pay a fine of not more than \$50. The fine may be waived or the amount reduced if the motor vehicle operator produces evidence that within 14 days after the date of the violation a child passenger restraint system meeting federal motor vehicle safety standards was purchased or obtained for the exclusive use of the operator.

~~(e)~~ (b) At the time of issuance of a citation under this subdivision, a peace officer may provide to the violator information on obtaining a free or low-cost child passenger restraint system.

~~(d)~~ (c) The fines collected for violations of this subdivision must be deposited in the ~~state treasury and credited to a special account to be known as the~~ Minnesota child passenger restraint and education account.

~~(e) For the purposes of this section, "child passenger restraint system" means any device that meets the standards of the United States Department of Transportation; is designed to restrain, seat, or position children; and includes a booster seat.~~

EFFECTIVE DATE. This section is effective August 1, 2024, and applies to violations committed on or after that date.

Sec. 41. Minnesota Statutes 2022, section 169.79, is amended by adding a subdivision to read:

Subd. 3b. **Roadable aircraft.** Notwithstanding subdivision 1 and section 168.09, subdivision 1, a roadable aircraft is not required to display a license plate.

Sec. 42. Minnesota Statutes 2022, section 169.80, is amended by adding a subdivision to read:

Subd. 4. **Divisible load.** (a) A load that is not a nondivisible load on a vehicle or combination of vehicles must be transported:

(1) with the load reduced or positioned in a manner so that the transportation does not exceed the size and weight limits of vehicles under this chapter; or

(2) under a special permit authorized in this chapter for which the transportation qualifies.

(b) The applicant for a special permit related to a nondivisible load has the burden of proof as to the number of work hours required to dismantle the load.

Sec. 43. Minnesota Statutes 2022, section 169.974, subdivision 2, is amended to read:

Subd. 2. **License endorsement and permit requirements.** (a) ~~No person shall~~ A person must not operate a motorcycle on any street or highway without having a valid driver's license with a ~~two-wheeled vehicle~~ motorcycle endorsement as provided by law. A person may operate an autocycle without a ~~two-wheeled vehicle~~ motorcycle endorsement, ~~provided if~~ provided if the person has a valid driver's license issued under section 171.02.

(b) The commissioner of public safety ~~shall~~ must issue a ~~two-wheeled vehicle~~ motorcycle endorsement only if the applicant (1) has in possession a valid ~~two-wheeled vehicle~~ motorcycle instruction permit as provided in paragraph (c), (2) has passed a written examination and road test administered by the Department of Public Safety for the endorsement, and (3) in the case of applicants under 18 years of age, presents a certificate or other evidence of having successfully completed an approved ~~two-wheeled vehicle~~ motorcycle driver's safety course in this or another state, in accordance with rules adopted by the commissioner of public safety for courses offered by a public, private, or commercial school or institute. The commissioner of public safety may waive the road test for any applicant on determining that the applicant possesses a valid license to operate a ~~two-wheeled vehicle~~ motorcycle issued by a jurisdiction that requires a comparable road test for license issuance.

(c) The commissioner of public safety ~~shall~~ must issue a ~~two-wheeled-vehicle~~ motorcycle instruction permit to any person over 16 years of age who (1) is in possession of a valid driver's license, (2) is enrolled in an approved ~~two-wheeled-vehicle~~ motorcycle driver's safety course, and (3) has passed a written examination for the permit and paid a fee prescribed by the commissioner of public safety. A ~~two-wheeled-vehicle~~ motorcycle instruction permit is effective for one year and may be renewed under rules prescribed by the commissioner of public safety.

(d) ~~No~~ A person who is operating by virtue of a ~~two-wheeled-vehicle~~ motorcycle instruction permit ~~shall~~ must not:

(1) carry any passengers on the streets and highways of this state on the motorcycle while the person is operating the motorcycle;

(2) drive the motorcycle at night; or

(3) drive the motorcycle without wearing protective headgear that complies with standards established by the commissioner of public safety.

(e) Notwithstanding paragraphs (a) to (d), the commissioner of public safety may issue a special motorcycle permit, restricted or qualified as the commissioner of public safety deems proper, to any person demonstrating a need for the permit and unable to qualify for a driver's license.

Sec. 44. **[169.975] OPERATION OF ROADABLE AIRCRAFT.**

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

(b) "Aircraft" has the meaning given in section 360.013, subdivision 37.

(c) "Airport" has the meaning given in section 360.013, subdivision 39, and includes a personal-use airport as defined in Minnesota Rules, part 8800.0100, subpart 22a.

(d) "Restricted landing area" has the meaning given in section 360.013, subdivision 57.

(e) "Unlicensed landing area" has the meaning given in Minnesota Rules, part 8800.0100, subpart 32a.

Subd. 2. Operation. (a) A roadable aircraft is considered a motor vehicle when in operation, including on a public highway, except when the vehicle is (1) at an airport, (2) on a restricted landing area, (3) on an unlicensed landing area, or (4) in flight. When operating a roadable aircraft as a motor vehicle, an operator must comply with all rules and requirements set forth in this chapter governing the operation and insurance of a motor vehicle.

(b) When in operation at an airport, a restricted landing area, an unlicensed landing area, or in flight, a roadable aircraft is considered an aircraft and the operator must comply with all rules and requirements set forth in chapter 360. An owner of a roadable aircraft registered in Minnesota must comply with all rules and requirements of chapter 360 governing the registration, taxation, and insurance of aircraft.

(c) A roadable aircraft may only take off or land at an airport, unlicensed landing area, or restricted landing area.

Sec. 45. Minnesota Statutes 2022, section 169A.52, subdivision 7, is amended to read:

Subd. 7. **Test refusal; driving privilege lost.** (a) On behalf of the commissioner, a peace officer requiring a test or directing the administration of a chemical test shall serve immediate notice of intention to revoke and of revocation on a person who refuses to permit a test or on a person who submits to a test the results of which indicate an alcohol concentration of 0.08 or more.

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

(c) The officer shall:

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

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

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

Sec. 46. Minnesota Statutes 2022, section 171.01, subdivision 40, is amended to read:

Subd. 40. **Motorcycle.** "Motorcycle" means every motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground, ~~including. Motorcycle includes~~ motor scooters and bicycles with motor attached, ~~but excluding.~~

(b) Motorcycle excludes tractors and, motorized bicycles, and roadable aircraft, as defined in section 169.011, subdivision 67a.

Sec. 47. Minnesota Statutes 2022, section 171.01, subdivision 41a, is amended to read:

Subd. 41a. **Noncompliant license; noncompliant identification card.** "Noncompliant license," "noncompliant identification card," or "noncompliant license or identification card," means a driver's license or a Minnesota identification card issued under section 171.019, subdivision 2, paragraph (b). Unless provided otherwise, noncompliant license includes an appropriate instruction permit, provisional license, limited license, and restricted license.

Sec. 48. Minnesota Statutes 2022, section 171.01, is amended by adding a subdivision to read:

Subd. 45c. **REAL ID compliant license; REAL ID compliant identification card.** "REAL ID compliant license," "REAL ID compliant identification card," or "REAL ID compliant license or identification card" means a driver's license or a Minnesota identification card issued under section 171.019, subdivision 2, paragraph (a). Unless provided otherwise, REAL ID compliant license includes an appropriate instruction permit, provisional license, limited license, and restricted license.

Sec. 49. Minnesota Statutes 2022, section 171.01, subdivision 47, is amended to read:

Subd. 47. **State.** "State" means a state of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands, or any territory or insular possession subject to the jurisdiction of the United States, including a United States military base located on foreign soil.

Sec. 50. Minnesota Statutes 2022, section 171.06, subdivision 2a, is amended to read:

Subd. 2a. ~~Two-wheeled vehicle~~ **Motorcycle endorsement fee.** (a) In addition to the appropriate fee under subdivision 2, the fee for a ~~two-wheeled vehicle~~ motorcycle endorsement on a driver's license is:

(1) \$26.50 for an initial endorsement or a duplicate license obtained for the purpose of adding the endorsement; and

(2) \$17 for each license renewal with the endorsement.

(b) The additional fee must be paid into the state treasury and credited as follows:

(1) \$19 of the additional fee under paragraph (a), clause (1), and \$11 of the additional fee under paragraph (a), clause (2), to the motorcycle safety fund, which is hereby created; and

(2) the remainder to the general fund.

(c) All application forms prepared by the commissioner for ~~two-wheeled vehicle~~ motorcycle endorsements must clearly state the amount of the total fee that is dedicated to the motorcycle safety fund.

Sec. 51. Minnesota Statutes 2023 Supplement, section 171.06, subdivision 3, is amended to read:

Subd. 3. **Contents of application; other information.** (a) An application must:

(1) state the full name, date of birth, sex, and either (i) the residence address of the applicant, or (ii) designated address under section 5B.05;

(2) ~~as may be required by the commissioner, contain a description of the applicant and any other facts pertaining to the applicant, including the applicant's height in feet and inches, weight in pounds, eye color, and sex; the applicant's driving privileges; and the applicant's ability to operate a motor vehicle with safety;~~

(3) state:

(i) the applicant's Social Security number; or

(ii) if the applicant does not have a Social Security number and is applying for a Minnesota identification card, instruction permit, or class D provisional or driver's license, that the applicant elects not to specify a Social Security number;

(4) contain a notification to the applicant of the availability of a living will/health care directive designation on the license under section 171.07, subdivision 7;

(5) include a method for the applicant to:

(i) request a veteran designation on the license under section 171.07, subdivision 15, and the driving record under section 171.12, subdivision 5a;

(ii) indicate a desire to make an anatomical gift under subdivision 3b, paragraph (e);

(iii) as applicable, designate document retention as provided under section 171.12, subdivision 3c;

(iv) indicate emergency contacts as provided under section 171.12, subdivision 5b;

(v) indicate the applicant's race and ethnicity; and

(vi) indicate caretaker information as provided under section 171.12, subdivision 5c; and

(6) meet the requirements under section 201.161, subdivision 3.

(b) Applications must be accompanied by satisfactory evidence demonstrating:

(1) identity, date of birth, and any legal name change if applicable; and

(2) for ~~driver's~~ drivers' licenses and Minnesota identification cards that meet all requirements of the REAL ID Act:

(i) principal residence address in Minnesota, including application for a change of address, unless the applicant provides a designated address under section 5B.05;

(ii) Social Security number, or related documentation as applicable; and

(iii) lawful status, as defined in Code of Federal Regulations, title 6, section 37.3.

(c) An application for an enhanced driver's license or enhanced identification card must be accompanied by:

(1) satisfactory evidence demonstrating the applicant's full legal name and United States citizenship; and

(2) a photographic identity document.

~~(d) A valid Department of Corrections or Federal Bureau of Prisons identification card containing the applicant's full name, date of birth, and photograph issued to the applicant is an acceptable form of proof of identity in an application for an identification card, instruction permit, or driver's license as a secondary document for purposes of Minnesota Rules, part 7410.0400, and successor rules.~~

~~(e)~~ (d) An application form must not provide for identification of (1) the accompanying documents used by an applicant to demonstrate identity, or (2) except as provided in paragraphs (b) and (c), the applicant's citizenship, immigration status, or lawful presence in the United States. The commissioner and a driver's license agent must not inquire about an applicant's citizenship, immigration status, or lawful presence in the United States, except as provided in paragraphs (b) and (c).

(e) A Minnesota driver's license or identification card must be issued only to an individual who has a residence address in the state at the time of the application. Applications for an enhanced driver's license or enhanced identification card must include proof of residency in accordance with section 171.063, subdivision 6. An individual may only have one residence address where the individual is domiciled at any particular time. The residence address of the individual is presumed to continue until the contrary is shown. The applicant must provide the following information about the residence address: residence number, street name, street type, directional, city or town, state, and zip code.

Sec. 52. Minnesota Statutes 2022, section 171.0605, subdivision 2, is amended to read:

Subd. 2. **Evidence; identity; date of birth.** (a) Only the following is satisfactory evidence of an applicant's identity and date of birth under section 171.06, subdivision 3, paragraph (b):

(1) a driver's license or identification card that:

(i) complies with all requirements of the REAL ID Act;

(ii) is not designated as temporary or limited term; and

(iii) is current or has been expired for five years or less;

(2) a valid, unexpired United States passport, including a passport booklet or passport card, issued by the United States Department of State;

(3) a certified copy of a birth certificate issued by a government bureau of vital statistics or equivalent agency in the applicant's state of birth, which must bear the raised or authorized seal of the issuing government entity;

(4) a consular report of birth abroad, certification of report of birth, or certification of birth abroad, issued by the United States Department of State, Form FS-240, Form DS-1350, or Form FS-545;

(5) a valid, unexpired permanent resident card issued by the United States Department of Homeland Security or the former Immigration and Naturalization Service of the United States Department of Justice, Form I-551. If the Form I-551 validity period has been automatically extended by the United States Department of Homeland Security, it is deemed unexpired, regardless of the expiration date listed;

(6) a foreign passport with an unexpired temporary I-551 stamp or a temporary I-551 printed notation on a machine-readable immigrant visa with a United States Department of Homeland Security admission stamp within the validity period;

(7) a United States Department of Homeland Security Form I-94 or Form I-94A with a photograph and an unexpired temporary I-551 stamp;

(8) a United States Department of State Form DS-232 with a United States Department of Homeland Security admission stamp and validity period;

~~(6)~~ (9) a certificate of naturalization issued by the United States Department of Homeland Security, Form N-550 or Form N-570;

~~(7)~~ (10) a certificate of citizenship issued by the United States Department of Homeland Security, Form N-560 or Form N-561;

~~(8)~~ (11) an unexpired employment authorization document issued by the United States Department of Homeland Security, Form I-766 or Form I-688B. If the Form I-766 validity period has been automatically extended by the United States Department of Homeland Security, it is deemed unexpired, regardless of the expiration date listed;

~~(9)~~ (12) a valid, unexpired passport issued by a foreign country and a valid, unexpired United States visa accompanied by documentation of the applicant's most recent lawful admittance into the United States;

~~(10)~~ (13) a document as designated by the United States Department of Homeland Security under Code of Federal Regulations, title 6, part 37.11 (c)(1)(x);

~~(11)~~ (14) a copy of the applicant's certificate of marriage certified by the issuing government jurisdiction;

~~(12)~~ (15) a certified copy of a court order that specifies the applicant's name change; or

~~(13)~~ (16) a certified copy of a divorce decree or dissolution of marriage that specifies the applicant's name change, issued by a court.

(b) A document under paragraph (a) must be legible and unaltered.

Sec. 53. Minnesota Statutes 2023 Supplement, section 171.0605, subdivision 5, is amended to read:

Subd. 5. **Evidence; residence in Minnesota.** (a) Submission of two forms of documentation from the following is satisfactory evidence of an applicant's principal residence address in Minnesota under section 171.06, subdivision 3, paragraph (b):

- (1) a home utility services bill issued no more than 12 months before the application;
- (2) a home utility services hook-up work order issued no more than 12 months before the application;
- (3) United States bank or financial information issued no more than 12 months before the application, with account numbers redacted, including:
 - (i) a bank account statement;
 - (ii) a credit card or debit card statement;
 - (iii) a brokerage account statement;
 - (iv) a money market account statement;
 - (v) a Health Savings Account statement; or
 - (vi) a retirement account statement;
- (4) a certified transcript from a United States high school, if issued no more than 180 days before the application;
- (5) a certified transcript from a Minnesota college or university, if issued no more than 180 days before the application;
- (6) a student summary report from a United States high school signed by a school principal or designated authority and issued no more than 180 days before the application;
- (7) an employment pay stub issued no more than 12 months before the application that lists the employer's name and address;
- (8) a Minnesota unemployment insurance benefit statement issued no more than 12 months before the application;
- (9) a statement from an assisted living facility licensed under chapter 144G, nursing home licensed under chapter 144A, or a boarding care facility licensed under sections 144.50 to 144.56, that was issued no more than 12 months before the application;
- (10) a current policy or card for health, automobile, homeowner's, or renter's insurance;
- (11) a federal or state income tax return for the most recent tax filing year;
- (12) a Minnesota property tax statement for the current or prior calendar year or a proposed Minnesota property tax notice for the current year that shows the applicant's principal residential address both on the mailing portion and the portion stating what property is being taxed;

- (13) a Minnesota vehicle certificate of title;
- (14) a filed property deed or title for current residence;
- (15) a Supplemental Security Income award statement issued no more than 12 months before the application;
- (16) mortgage documents for the applicant's principal residence;
- (17) a residential lease agreement for the applicant's principal residence issued no more than 12 months before the application;
- (18) an affidavit of residence for an applicant whose principal residence is a group home, communal living arrangement, cooperative, or a religious order issued no more than 90 days before the application;
- (19) an assisted living or nursing home statement issued no more than 90 days before the application;
- (20) a valid driver's license, including an instruction permit, issued under this chapter;
- (21) a valid Minnesota identification card;
- (22) an unexpired Minnesota professional license;
- (23) an unexpired Selective Service card;
- (24) military orders that are still in effect at the time of application;
- (25) a cellular phone bill issued no more than 12 months before the application; or
- (26) a valid license issued pursuant to the game and fish laws.

(b) In lieu of one of the two documents required by paragraph (a), an applicant under the age of 18 may use a parent or guardian's proof of principal residence as provided in this paragraph. The parent or guardian of the applicant must provide a document listed under paragraph (a) that includes the parent or guardian's name and the same address as the address on the document provided by the applicant. The parent or guardian must also certify that the applicant is the child of the parent or guardian and lives at that address.

(c) A document under paragraph (a) must include the applicant's name and principal residence address in Minnesota.

(d) For purposes of this ~~section subdivision~~, Internet service and cable service are utilities ~~under this section and Minnesota Rules, part 7410.0410, subpart 4a.~~

Sec. 54. **[171.062] EVIDENCE OF IDENTITY; NONCOMPLIANT CREDENTIALS.**

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

(b) "Court" includes a foreign court of competent jurisdiction.

(c) "Foreign" means a jurisdiction that is not, and is not within, the United States, the Commonwealth of the Northern Mariana Islands, the Commonwealth of Puerto Rico, Guam, the United States Virgin Islands, or a territory of the United States.

Subd. 2. **Evidence of identity.** For a noncompliant license or identification card, an applicant must submit:

(1) a Minnesota driver's license or identification card that is current or has been expired;

(i) for five years or less with a color photograph or electronically produced or digitized image; or

(ii) for one year or less without a color photograph or electronically produced or digitized image; or

(2) if the applicant cannot present a credential under clause (1), either:

(i) one primary document under subdivision 4 and one secondary document under subdivision 5; or

(ii) two primary documents under subdivision 4.

Subd. 3. **General requirements.** (a) A document submitted under this section must include the applicant's name and must be:

(1) issued to or provided for the applicant;

(2) legible and unaltered;

(3) an original or a copy certified by the issuing agency or by a court; and

(4) accompanied by a certified translation or an affidavit of translation into English, if the document is not in English.

(b) If the applicant's current legal name is different from the name on a document submitted under subdivision 4 or 5, the applicant must submit:

(1) a certified copy of a court order that specifies the applicant's name change;

(2) a certified copy of the applicant's certificate of marriage;

(3) a certified copy of a divorce decree or dissolution of marriage that specifies the applicant's name change, issued by a court; or

(4) similar documentation of a lawful change of name, as determined by the commissioner.

(c) A form issued by a federal agency that is specified under this section includes any subsequent form or version.

(d) The commissioner must establish a process to grant a waiver from the requirements under this section.

(e) The same document must not be submitted as both a primary document and a secondary document.

Subd. 4. **Primary documents.** (a) For purposes of a noncompliant driver's license or identification card, a primary document includes:

(1) a copy of the applicant's record of birth, or an original certificate of birth that is in the files of the applicable bureau or board under item (iii) and can be readily viewed by the official accepting the application, certified by the issuing state that:

(i) is not issued by a hospital and is not a baptismal certificate;

(ii) bears the raised or authorized seal of the issuing government jurisdiction or a protective equivalent; and

(iii) is issued by:

(A) a government bureau of vital statistics or community health board;

(B) the United States Department of State as a Record of Birth Abroad, Form FS-545 or Form DS-1350; or

(C) a United States embassy as a Consular Report of Birth Abroad, Form FS-240;

(2) a certified copy of an adoption certificate with the applicant's full name and date of birth from a United States court of competent jurisdiction that bears the raised court seal or other court certification;

(3) an unexpired identification card issued to the applicant by the United States Department of Defense for active duty, reserve, or retired military personnel, Form DD-2 or Common Access Card;

(4) a valid, unexpired passport issued to the applicant by the United States Department of State;

(5) a Canadian birth certificate or Canadian naturalization certificate;

(6) one of the following documents issued by the United States Department of Justice or the United States Department of Homeland Security or any subsequent form or version of the documents:

(i) Certificate of Naturalization, Form N-550, Form N-570, or Form N-578;

(ii) Certificate of Citizenship, Form N-560, Form N-561, or Form N-645;

(iii) United States Citizen Identification card, Form I-179 or Form I-197;

(iv) valid, unexpired Permanent Resident or Resident Alien card, Form I-551 or Form I-151;

(v) Northern Mariana card, Form I-873, with "Northern Mariana" imprinted instead of "Resident Alien";

(vi) American Indian card, Form I-872, with "American Indian" imprinted instead of "Resident Alien";

(vii) unexpired employment authorization document with a photograph, Form I-688, Form I-688A, Form I-688B, or Form I-766; or

(viii) unexpired Re-entry Permit/Refugee Travel Document, Form I-571;

(7) an unexpired passport or a consular identification document that bears a photograph of the applicant;

(8) a certified birth certificate issued by a foreign jurisdiction; and

(9) a certified adoption certificate issued by a foreign jurisdiction that includes the applicant's name and date of birth.

(b) A document submitted under this subdivision must contain security features that make the document as impervious to alteration as is reasonably practicable in its design and quality of material and technology.

(c) Submission of more than one primary document is not required under this subdivision.

Subd. 5. **Secondary documents.** (a) For purposes of a noncompliant driver's license or identification card, a secondary document includes:

- (1) a second primary document listed under subdivision 4, paragraph (a);
- (2) a driver's license, identification card, or permit, with a photograph or digitized image, issued by a United States state other than Minnesota or a foreign jurisdiction and that is current or has expired no more than five years before the application;
- (3) a certified copy of a court order or judgment from a United States or Canadian court of competent jurisdiction containing the applicant's full name and date of birth and bearing the raised court seal or other court certification;
- (4) a current United States or Canadian government jurisdiction employee photo identification card;
- (5) a certified copy of a record of birth issued by a government jurisdiction other than one in the United States, the District of Columbia, Guam, Puerto Rico, or the United States Virgin Islands;
- (6) a current identification card or document issued to the applicant by the United States Department of Defense, described as:
 - (i) DD Form 1173 series, for dependents of active duty personnel; or
 - (ii) DD Form 214, Certificate of Release or Discharge from Active Duty;
- (7) a copy of a marriage certificate certified by the issuing government jurisdiction or the original certificate only if it is in the files of the issuing jurisdiction and can be readily viewed by the official accepting the application;
- (8) an unexpired permit to carry a firearm or concealed weapon bearing a color photo of the applicant issued by a chief of police in an organized, full-time United States police department or by a United States county sheriff;
- (9) a current pilot's license issued by the United States Department of Transportation, Federal Aviation Administration;
- (10) a copy of a transcript containing the applicant's full legal name and date of birth certified by the issuing secondary or postsecondary school;
- (11) a United States nonmetal Social Security card or a Canadian social insurance card;
- (12) a current secondary school student identification card with the student's name, a photograph or electronically produced image of the student, and the student's date of birth or unique student identification number;
- (13) a notice of action on or proof of submission of a completed Application for Asylum and for Withholding of Removal issued by the United States Department of Homeland Security, Form I-589;
- (14) a Certificate of Eligibility for Nonimmigrant Student Status issued by the United States Department of Homeland Security, Form I-20;
- (15) a Certificate of Eligibility for Exchange Visitor (J-1) Status issued by the United States Department of State, Form DS-2019;

(16) a Deferred Action for Childhood Arrival approval notice issued by the United States Department of Homeland Security;

(17) an employment authorization document issued by the United States Department of Homeland Security, Form I-688, Form I-688A, Form I-688B, or Form I-766;

(18) a document issued by the Internal Revenue Service with an individual taxpayer identification number;

(19) a Social Security card;

(20) a Supplemental Security Income award statement;

(21) a Selective Service card;

(22) military orders that are still in effect at the time of the application with a copy of a DD Form 2058 State of Legal Residence Certificate;

(23) a Minnesota unemployment insurance benefit statement;

(24) a valid identification card for health benefits or an assistance or social services program;

(25) a Minnesota vehicle certificate of title;

(26) mortgage documents for the applicant's residence;

(27) a filed property deed or title for the applicant's residence;

(28) a Minnesota property tax statement or a proposed Minnesota property tax notice;

(29) a certified copy of a divorce decree or dissolution of marriage issued by a court that specifies the applicant's name or name change;

(30) a valid Department of Corrections or Federal Bureau of Prisons identification card containing the applicant's full name, date of birth, and photograph; and

(31) any of the following documents issued by a foreign jurisdiction:

(i) a driver's license that is current or has been expired for no more than five years before the application;

(ii) a high school, college, or university student identification card with a certified transcript from the school;

(iii) an official high school, college, or university transcript that includes the applicant's date of birth and a photograph of the applicant at the age the record was issued;

(iv) a federal electoral card that contains the applicant's photograph issued on or after January 1, 1991;

(v) a certified copy of the applicant's certificate of marriage; and

(vi) a certified copy of a court order or judgment from a court of competent jurisdiction that contains the applicant's name and date of birth.

(b) Submission of more than one secondary document is not required under this subdivision.

Subd. 6. **Verification.** The department must be able to verify with the issuing jurisdiction the issuance and authenticity of the primary or secondary documents submitted under this section. Verification is required if:

- (1) the document provided by the applicant is inconsistent with the department record;
- (2) the document provided by the applicant appears to be altered or fraudulent; or
- (3) there is reason to believe the applicant is not who the applicant claims to be.

Sec. 55. **[171.063] EVIDENCE OF IDENTITY FOR ENHANCED CREDENTIALS.**

Subdivision 1. **Date of birth.** As satisfactory evidence of date of birth, an applicant for an enhanced driver's license or an enhanced identification card must present one of the following documents:

- (1) original or certified copy of a United States or United States territory birth certificate that bears the raised or authorized seal of the issuing jurisdiction or a protective equivalent;
- (2) United States Department of State Consular Report of Birth Abroad, Form FS-240, Form DS-1350, or Form FS-545;
- (3) valid, unexpired United States passport or United States passport card;
- (4) Certificate of Naturalization, Form N-550 or Form N-570;
- (5) Certificate of Citizenship, Form N-560 or Form N-561;
- (6) American Indian card, Form I-872, or Minnesota tribal identification card that meets the requirements of section 171.072; or
- (7) United States military photo identification card issued to active duty, reserve, or retired military personnel.

Subd. 2. **Full legal name.** As satisfactory evidence of full legal name, an applicant for an enhanced driver's license or enhanced identification card must present one of the following documents that was not also presented for proof of photographic identity under subdivision 4:

- (1) original or certified copy of a United States or United States territory birth certificate that bears the raised or authorized seal of the issuing jurisdiction or a protective equivalent;
- (2) United States Department of State Consular Report of Birth Abroad, Form FS-240, Form DS-1350, or Form FS-545;
- (3) valid, unexpired United States passport or United States passport card;
- (4) Certificate of Naturalization, Form N-550 or Form N-570;
- (5) Certificate of Citizenship, Form N-560 or Form N-561;
- (6) American Indian card, Form I-872, or Minnesota tribal identification card that meets the requirements of section 171.072;
- (7) United States military photo identification card issued to active duty, reserve, or retired military personnel;

- (8) federal or Minnesota income tax form W-2;
 - (9) federal or Minnesota income tax form SSA-1099;
 - (10) non-SSA federal or Minnesota income tax form 1099;
 - (11) United States high school identification card with a certified transcript from the same school if issued no more than 180 days before the application;
 - (12) United States college or university identification card with a certified transcript from the same college or university if issued no more than 180 days before the application;
 - (13) Minnesota unemployment insurance benefit statement issued no more than 90 days before the application;
 - (14) life, health, automobile, homeowner's, or renter's insurance policy that is issued no more than 90 days before the application. The commissioner must not accept a proof of insurance card;
 - (15) federal or state income tax return or statement for the most recent tax filing year;
 - (16) Minnesota property tax statement for the current year that reflects the applicant's principal residential address both on the mailing portion and the portion stating what property is being taxed;
 - (17) Minnesota vehicle certificate of title if issued no more than 12 months before the application;
 - (18) filed property deed or title for the applicant's current residence if issued no more than 12 months before the application;
 - (19) Supplemental Security Income award statement that is issued no more than 12 months before the application;
 - (20) valid Minnesota driver's license, valid Minnesota identification card, or valid permit;
 - (21) unexpired Minnesota professional license;
 - (22) unexpired Selective Service card;
 - (23) military orders that are still in effect at the time of the application;
 - (24) copy of the applicant's certificate of marriage certified by the issuing government jurisdiction;
 - (25) certified copy of a court order specifying a name change; or
 - (26) certified copy of a divorce decree or dissolution of marriage granted to the applicant that specifies a name change requested from a court of competent jurisdiction.
- Subd. 3. **Social Security number.** As satisfactory evidence of Social Security number, an applicant for an enhanced driver's license or an enhanced identification card must present the applicant's original Social Security card or one of the following:

- (1) federal or Minnesota income tax form W-2;
- (2) federal or Minnesota income tax form SSA-1099;

(3) non-SSA federal or Minnesota income tax form 1099; or

(4) United States employment computer-printed pay stub containing the applicant's name, address, and full Social Security number.

Subd. 4. **Photographic identity.** As satisfactory evidence of photographic identity, an applicant for an enhanced driver's license or an enhanced identification card must present one of the following documents:

(1) valid Minnesota driver's license, identification card, or permit;

(2) valid driver's license, identification card, or permit issued by another United States state, including the District of Columbia and any United States territory;

(3) United States military identification card issued to active duty, reserve, or retired military personnel;

(4) United States military dependent identification card;

(5) valid, unexpired United States passport or United States passport card;

(6) American Indian card, Form I-872, or Minnesota tribal identification card that meets the requirements under section 171.072;

(7) valid city, county, state, or federal employee identification card;

(8) United States high school identification card with a certified transcript from the same school, both issued no more than 180 days before the application;

(9) United States college or university identification card with a certified transcript from the same college or university, both issued no more than 180 days before the application; or

(10) veterans universal access identification card.

Subd. 5. **United States citizenship.** As satisfactory evidence of United States citizenship, an applicant for an enhanced driver's license or enhanced identification card must present one of the following documents:

(1) original or certified copy of a United States or United States territory birth certificate that bears the raised or authorized seal of the issuing jurisdiction or a protective equivalent;

(2) United States Department of State Consular Report of Birth Abroad, Form FS-240, Form DS-1350, or Form FS-545;

(3) valid, unexpired United States passport or United States passport card;

(4) Certificate of Naturalization, Form N-550 or Form N-570; or

(5) Certificate of Citizenship, Form N-560 or Form N-561.

Subd. 6. **Residency.** (a) As satisfactory evidence of residency, an applicant for an enhanced driver's license or enhanced identification card must present two different forms of the following documents that list the applicant's name and address:

(1) United States home utility services bill that is issued no more than 90 days before the application. The commissioner must not accept a United States home utility bill if two unrelated people are listed on the bill;

(2) United States home utility services hook-up work order that is issued no more than 90 days before the application. The commissioner must not accept a United States home utility services hook-up work order if two unrelated people are listed on the work order;

(3) United States financial information with account numbers redacted that is issued no more than 90 days before the application, including a:

(i) bank account statement;

(ii) canceled check; or

(iii) credit card statement;

(4) United States high school identification card with a certified transcript from the same school if issued no more than 180 days before the application;

(5) United States college or university identification card with a certified transcript from the same college or university if issued no more than 180 days before the application;

(6) United States employment pay stub that lists the employer's name, address, and telephone number that is issued no more than 90 days before the application;

(7) Minnesota unemployment insurance benefit statement issued no more than 90 days before the application;

(8) assisted living or nursing home statement that is issued no more than 90 days before the application;

(9) life, health, automobile, homeowner's, or renter's insurance policy that is issued no more than 90 days before the application. The commissioner must not accept a proof of insurance card;

(10) federal or state income tax return or statement for the most recent tax filing year;

(11) Minnesota property tax statement for the current year that reflects the applicant's principal residential address both on the mailing portion and the portion stating what property is being taxed;

(12) Minnesota vehicle certificate of title if issued no more than 12 months before the application;

(13) filed property deed or title for the applicant's current residence if issued no more than 12 months before the application;

(14) Supplemental Security Income award statement that is issued no more than 12 months before the application;

(15) mortgage documents for the applicant's principal residence;

(16) residential lease agreement for the applicant's principal residence that is issued no more than 12 months before the application;

(17) valid Minnesota driver's license, identification card, or permit;

(18) unexpired Minnesota professional license;

(19) unexpired Selective Service card; or

(20) military orders that are still in effect at the time of the application with a copy of a DD Form 2058 State of Legal Residence Certificate.

(b) For purposes of this subdivision, Internet service and cable service are utilities.

(c) The commissioner must verify with the United States Postal Service the address information provided under this subdivision.

Subd. 7. **Verification.** The department must be able to verify with the issuing jurisdiction the issuance and authenticity of the documents submitted under this section. Verification is required if:

(1) the document provided by the applicant is inconsistent with the department record;

(2) the document provided by the applicant appears to be altered or fraudulent; or

(3) there is reason to believe the applicant is not who the applicant claims to be.

Sec. 56. **[171.069] TRANSLATIONS.**

For any document submitted to the commissioner under this chapter in a language other than English:

(1) the document must be accompanied by a translation of that document into the English language;

(2) the translation must be sworn to by the translator as being a true and accurate translation;

(3) the translator must not be related by blood or marriage to the applicant; and

(4) the translator must be:

(i) accredited by the American Translators Association;

(ii) certified by a court of competent jurisdiction;

(iii) approved by an embassy or consulate of the United States or diplomatic or consular official of a foreign country assigned or accredited to the United States;

(iv) affiliated with or approved by the United States Citizenship and Immigration Services or a government jurisdiction within the United States;

(v) an attorney licensed to practice in the United States or affiliated with that attorney;

(vi) a vendor listed to provide translation services for the state of Minnesota; or

(vii) a qualified individual who certifies the individual is competent to translate the document into English.

Sec. 57. Minnesota Statutes 2022, section 171.072, is amended to read:

171.072 TRIBAL IDENTIFICATION CARD.

(a) If a Minnesota identification card is deemed an acceptable form of identification in Minnesota Statutes or Rules, a tribal identification card is also an acceptable form of identification. A tribal identification card is a primary document for purposes of ~~Minnesota Rules, part 7410.0400, and successor rules, section 171.062~~ when an applicant applies for a noncompliant license or identification card.

(b) For purposes of this section, "tribal identification card" means an unexpired identification card issued by a ~~Minnesota~~ tribal government of a tribe recognized by the Bureau of Indian Affairs, United States Department of the Interior, that contains the legal name, date of birth, signature, and picture of the enrolled tribal member.

(c) The tribal identification card must contain security features that make it as impervious to alteration as is reasonably practicable in its design and quality of material and technology. The security features must use materials that are not readily available to the general public. The tribal identification card must not be susceptible to reproduction by photocopying or simulation and must be highly resistant to data or photograph substitution and other tampering.

(d) The requirements of this section do not apply: (1) except as provided in paragraph (a), to an application for a driver's license or Minnesota identification card under this chapter; or (2) to tribal identification cards used to prove an individual's residence for purposes of section 201.061, subdivision 3.

Sec. 58. Minnesota Statutes 2023 Supplement, section 171.12, subdivision 5c, is amended to read:

Subd. 5c. **Caretaker information.** (a) Upon request by an applicant for a driver's license, instruction permit, or Minnesota identification card under section 171.06, subdivision 3, the commissioner must maintain electronic records of names and contact information for ~~up to three~~ individuals receiving exclusive care from the applicant. The request must be made on a form prescribed by the commissioner. The commissioner must make the form available on the department's website. The form must include a notice as described in section 13.04, subdivision 2.

(b) A person who has provided caretaker information under this subdivision may change, add, or delete the information at any time. Notwithstanding sections 171.06, subdivision 2; and 171.061, the commissioner or a driver's license agent must not charge a fee for a transaction described in this paragraph.

(c) Caretaker data are classified as private data on individuals, as defined in section 13.02, subdivision 12, except that the commissioner may share caretaker information with law enforcement agencies to notify the cared-for individuals regarding an emergency.

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

Sec. 59. Minnesota Statutes 2023 Supplement, section 171.12, subdivision 11, is amended to read:

Subd. 11. **Certain data on noncompliant license or identification card; department and agents.** (a) For purposes of this section, "immigration status data" means data on individuals who have applied for or been issued a noncompliant driver's license or identification card and that indicate or otherwise have the effect of identifying (1) whether the individual has demonstrated United States citizenship, or (2) whether the individual has demonstrated lawful presence in the United States. Immigration status data include but are not limited to any documents specified under section ~~171.06, subdivision 9, 10, or 11~~ 171.062; immigration status data contained in those documents; or the applicant's submission of the documents.

(b) Immigration status data are classified as private data on individuals, as defined in section 13.02, subdivision 12. Notwithstanding any law to the contrary, the commissioner or a driver's license agent must not share or disseminate immigration status data except to or within the division of the department that administers driver licensing and to the secretary of state for purposes of improving the accuracy of voter registration records under subdivision 7a.

(c) As authorized or required by state or federal law, the commissioner or a driver's license agent may share or disseminate data on individuals who have applied for or been issued a noncompliant driver's license or identification card that are not immigration status data to a government entity, as defined in section 13.02, subdivision 7a, or to a federal government entity that does not enforce immigration law, provided that the receiving entity must not use the data for civil immigration enforcement purposes or further disclose the data to a state or federal government entity that primarily enforces immigration law or to any employee or agent of any such government entity.

(d) Notwithstanding any law to the contrary, the commissioner or a driver's license agent must not share or disseminate any data on individuals who have applied for or been issued a noncompliant driver's license or identification card to any federal government entity that primarily enforces immigration law, except pursuant to a valid search warrant or court order issued by a state or federal judge.

(e) Violation of this subdivision by the commissioner, a driver's license agent, a government entity, or an employee or agent thereof constitutes a violation of the Minnesota Government Data Practices Act and may be subject to penalties and remedies applicable under that chapter.

Sec. 60. Minnesota Statutes 2023 Supplement, section 171.13, subdivision 1a, is amended to read:

Subd. 1a. **Waiver when license issued by another jurisdiction.** (a) If the commissioner determines that an applicant for a driver's license is 21 years of age or older and possesses a valid driver's license issued by another state or jurisdiction that requires a comparable examination to obtain a driver's license, the commissioner must waive the requirements that the applicant pass a knowledge examination and demonstrate ability to exercise ordinary and reasonable control in the operation of a motor vehicle.

(b) If the commissioner determines that an applicant for a ~~two-wheeled vehicle~~ motorcycle endorsement is 21 years of age or older and possesses a valid driver's license with a ~~two-wheeled vehicle~~ motorcycle endorsement issued by another state or jurisdiction that requires a comparable examination to obtain an endorsement, the commissioner must waive the requirements with respect to the endorsement that the applicant pass a knowledge examination and demonstrate the ability to exercise ordinary and reasonable control in the operation of a motor vehicle.

(c) For purposes of this subdivision, "jurisdiction" includes, but is not limited to, both the active and reserve components of any branch or unit of the United States armed forces, and "valid driver's license" includes any driver's license that is recognized by that branch or unit as currently being valid, or as having been valid at the time of the applicant's separation or discharge from the military within a period of time deemed reasonable and fair by the commissioner, up to and including one year past the date of the applicant's separation or discharge.

Sec. 61. Minnesota Statutes 2022, section 171.13, subdivision 6, is amended to read:

Subd. 6. ~~Two-wheeled vehicle~~ **Motorcycle endorsement examination fee.** A person applying for an initial ~~two-wheeled vehicle~~ motorcycle endorsement on a driver's license ~~shall~~ must pay at the place of examination a \$2.50 examination fee, an endorsement fee as prescribed in section 171.06, subdivision 2a, and the appropriate driver's license fee as prescribed in section 171.06, subdivision 2.

Sec. 62. Minnesota Statutes 2022, section 171.30, subdivision 2a, is amended to read:

Subd. 2a. **Other waiting periods.** Notwithstanding subdivision 2, a limited license ~~shall~~ must not be issued for a period of:

(1) 15 days, to a person whose license or privilege has been revoked or suspended for a first violation of section 169A.20, sections 169A.50 to 169A.53, section 171.177, or a statute or ordinance from another state in conformity with either of those sections; or

(2) one year, to a person whose license or privilege has been revoked or suspended for:

~~(i) committing manslaughter resulting from the operation of a motor vehicle, committing criminal vehicular homicide or injury under section 609.2112, subdivision 1, clause (1), (2), item (ii), (5), (6), (7), or (8), committing criminal vehicular homicide under section 609.2112, subdivision 1, clause (2), item (i) or (iii), (3), or (4), or violating a statute or ordinance from another state in conformity with either of those offenses; or~~

(ii) committing criminal vehicular operation under section:

(A) 609.2113, subdivision 1, 2, or 3; or

(B) 609.2114, subdivision 2.

Sec. 63. Minnesota Statutes 2022, section 171.30, subdivision 5, is amended to read:

Subd. 5. **Exception; criminal vehicular ~~operation~~ homicide.** Notwithstanding subdivision 1, the commissioner may not issue a limited license to a person whose driver's license has been suspended or revoked due to:

(1) a violation of under section:

~~(i) 609.2112, subdivision 1, clause (2), item (i) or (iii), (3), or (4), resulting in bodily harm, substantial bodily harm, or great bodily harm paragraph (a); or~~

(ii) 609.2114, subdivision 1, paragraph (a); or

(2) a statute or ordinance from another state in conformity with the offenses under clause (1).

Sec. 64. Minnesota Statutes 2023 Supplement, section 171.395, subdivision 1, is amended to read:

Subdivision 1. **Authorization.** A licensed or approved driver education program that provides both classroom and behind-the-wheel instruction may offer teleconference driver education as provided in this section. For purposes of this section, the driver education program must offer both classroom and behind-the-wheel instruction. ~~If a program partners or contracts with a second program to provide any portion of classroom or behind-the-wheel instruction, the first program is not eligible to offer teleconference driver education instruction.~~

Sec. 65. Minnesota Statutes 2023 Supplement, section 171.396, is amended to read:

171.396 ONLINE DRIVER EDUCATION PROGRAM.

(a) A licensed or approved driver education program may offer online driver education as provided in this section. The online driver education program must satisfy the requirements for classroom driver education as provided in section 171.0701, subdivision 1, and Minnesota Rules, chapter 7411. In addition, an online driver education program must:

(1) include a means for the student to measure performance outcomes;

- (2) use a pool of rotating quiz questions;
 - (3) incorporate accountability features to ensure the identity of the student while engaged in the course of online study;
 - (4) measure the amount of time that the student spends in the course;
 - (5) provide technical support to customers that is available 24 hours per day, seven days per week;
 - (6) require a licensed Minnesota driver education instructor to monitor each student's progress and be available to answer questions in a timely manner, provided that the instructor is not required to monitor progress or answer questions in real time;
 - (7) store course content and student data on a secure server that is protected against data breaches and is regularly backed up;
 - (8) incorporate preventive measures in place to protect against the access of private information;
 - (9) include the ability to update course content uniformly throughout the state; and
 - (10) provide online interactive supplemental parental curriculum consistent with section 171.0701, subdivision 1a.
- (b) Except as required by this section, the commissioner is prohibited from imposing requirements on online driver education programs that are not equally applicable to classroom driver education programs.

Sec. 66. Minnesota Statutes 2022, section 174.03, subdivision 12, is amended to read:

Subd. 12. **Trunk highway performance, resiliency, and sustainability.** (a) The commissioner must implement performance measures and ~~annual~~ targets for the trunk highway system in order to construct resilient infrastructure, enhance the project selection for all transportation modes, improve economic security, and achieve the state transportation goals established in section 174.01.

(b) At a minimum, the transportation planning process must include:

- (1) an inventory of transportation assets, including but not limited to bridge, pavement, geotechnical, pedestrian, bicycle, and transit asset categories;
- (2) ~~lag (resulting), and where practicable lead (predictive), establishment of statewide performance measures and annual targets, reporting of performance measure results, and where possible, performance forecasts~~ establishment of statewide performance measures and annual targets, reporting of performance measure results, and where possible, performance forecasts that are:
 - (i) statewide and, where data allow, district-specific;
 - (ii) for assets in each asset category specified in clause (1) ~~for a period of up to 60 years~~; and
 - (iii) identified in collaboration with the public;
- (3) gap identification and an explanation of the difference between performance targets and current status; and
- (4) life cycle assessment and corridor risk assessment as part of asset management programs in each district of the department.

(c) At a minimum, the ten-year capital highway investment plan in each district of the department must:

(1) be based on expected funding during the plan period and, to the extent feasible, maximize long-term benefits;

(2) estimate the funding necessary to make optimal life cycle investments;

(2) (3) identify investments within each of the asset categories specified in paragraph (b), clause (1), that are funded through the trunk highway capital program;

(3) (4) ~~recommend~~ identify specific trunk highway segments programmed to be removed from the trunk highway system; and

(4) (5) deliver annual progress toward achieving the state transportation goals established in section 174.01.

(d) Annually by December 15, the commissioner must report trunk highway performance measures and ~~annual~~ targets and identify gaps, including information detailing the department's progress on achieving the state transportation goals, to the chairs and ranking minority members of the legislative committees having jurisdiction over transportation policy and finance. The report must be signed by the ~~department's chief engineer~~ commissioner.

Sec. 67. Minnesota Statutes 2023 Supplement, section 174.40, subdivision 4a, is amended to read:

Subd. 4a. **Eligibility.** A statutory or home rule charter city, county, town, or federally recognized Indian Tribe is eligible to receive funding under this section. A statutory or home rule charter city, county, or town is eligible to receive funding for infrastructure projects under this section only if it has adopted subdivision regulations that require safe routes to school infrastructure in developments authorized on or after June 1, 2016.

Sec. 68. **[174.595] TRANSPORTATION FACILITIES CAPITAL PROGRAM.**

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

(b) "Capital building asset" includes but is not limited to district headquarters buildings, truck stations, salt storage or other unheated storage buildings, deicing and anti-icing facilities, fuel dispensing facilities, highway rest areas, and vehicle weigh and inspection stations.

(c) "Commissioner" means the commissioner of transportation.

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

(e) "Program" means the transportation facilities capital program established in this section.

Subd. 2. **Program established.** The commissioner must establish a transportation facilities capital program in conformance with this section to provide for capital building asset projects related to buildings and other capital facilities of the department.

Subd. 3. **Transportation facilities capital accounts.** (a) A transportation facilities capital account is established in the trunk highway fund. The account consists of money appropriated from the trunk highway fund for the purposes of the program and any other money donated, allotted, transferred, or otherwise provided to the account by law.

(b) A transportation facilities capital subaccount is established in the bond proceeds account in the trunk highway fund. The subaccount consists of trunk highway bond proceeds appropriated to the commissioner for the purposes of the program. Money in the subaccount may only be expended on trunk highway purposes, including the purposes specified in this section.

Subd. 4. **Implementation standards.** The commissioner must establish a process to implement the program that includes allocation of funding based on review of eligible projects as provided under subdivision 5 and prioritization as provided under subdivision 6. The process must be in conformance with trunk highway fund uses for the purposes of constructing, improving, and maintaining the trunk highway system in the state pursuant to Minnesota Constitution, article XIV.

Subd. 5. **Eligible expenditures.** A project is eligible under this section only if the project:

(1) involves the construction, improvement, or maintenance of a capital building asset that is part of the trunk highway system; and

(2) accomplishes at least one of the following:

(i) supports the programmatic mission of the department;

(ii) extends the useful life of existing buildings; or

(iii) renovates or constructs facilities to meet the department's current and future operational needs.

Subd. 6. **Prioritization.** In prioritizing funding allocation among projects under the program, the commissioner must consider:

(1) whether a project ensures the effective and efficient condition and operation of the facility;

(2) the urgency in ensuring the safe use of existing buildings;

(3) the project's total life-cycle cost;

(4) additional criteria for priorities otherwise specified in law that apply to a category listed in the act making an appropriation for the program; and

(5) any other criteria the commissioner deems necessary.

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

Sec. 69. Minnesota Statutes 2022, section 174.632, subdivision 2, is amended to read:

Subd. 2. **Responsibilities.** (a) The planning, design, development, construction, operation, and maintenance of passenger rail track, facilities, and services are governmental functions, serve a public purpose, and are a matter of public necessity.

(b) The commissioner is responsible for all aspects of planning, designing, developing, constructing, equipping, operating, promoting, and maintaining passenger rail, including system planning, alternatives analysis, environmental studies, preliminary engineering, final design, construction, negotiating with railroads, and developing financial and operating plans.

(c) The commissioner may enter into a memorandum of understanding or agreement with a public or private entity, including Amtrak, a regional railroad authority, a joint powers board, and a railroad, to carry out these activities.

Sec. 70. Minnesota Statutes 2022, section 174.636, subdivision 1, is amended to read:

Subdivision 1. **Powers.** The commissioner has all powers necessary to carry out the duties specified in section 174.632. In the exercise of those powers, the commissioner may:

(1) acquire by purchase, gift, or by eminent domain proceedings as provided by law, all land and property necessary to preserve future passenger rail corridors or to construct, maintain, and improve passenger rail corridors;

(2) conduct and engage in promotional and marketing research, campaigns, outreach, and other activities to increase awareness, education, and ridership of passenger rail in Minnesota;

~~(2)~~ (3) let all necessary contracts as provided by law; and

~~(3)~~ (4) make agreements with and cooperate with any public or private entity, including Amtrak, to carry out statutory duties related to passenger rail.

Sec. 71. Minnesota Statutes 2022, section 221.033, subdivision 1, is amended to read:

Subdivision 1. **Requirements.** Except as provided in ~~subdivisions 2 to 2d~~ this section, no person may transport or offer or accept for transportation within the state of Minnesota a hazardous material, hazardous substance, or hazardous waste except in compliance with United States Code, title 49, sections 5101 to 5126 and the provisions of Code of Federal Regulations, title 49, parts 171 to 199, which are incorporated by reference. Those provisions apply to transportation in intrastate commerce to the same extent they apply to transportation in interstate commerce.

Sec. 72. Minnesota Statutes 2022, section 221.033, is amended by adding a subdivision to read:

Subd. 2e. **Transportation of specific petroleum products; driver requirements.** (a) This subdivision applies to intrastate commerce.

(b) A driver who operates a motorized tank truck vehicle with a capacity of less than 3,500 gallons that is used to transport petroleum products must have a valid commercial driver's license with endorsements for hazardous materials and tank vehicles and be at least 18 years of age.

(c) A driver who operates a vehicle that is used to transport liquefied petroleum gases in nonbulk or bulk packaging as defined in Code of Federal Regulations, title 49, section 171.8, including the transportation of consumer storage tanks in compliance with Code of Federal Regulations, title 49, section 173.315(j), must have a valid commercial driver's license with a hazardous materials endorsement and be at least 18 years of age.

(d) A driver who operates a vehicle under paragraph (c) must also have a tank vehicle endorsement if the aggregate capacity of the bulk packaging being transported is 1,000 gallons or more.

(e) Nonbulk or bulk packaging transported under paragraph (c) must have an aggregate capacity of less than 3,500 gallons.

Sec. 73. Minnesota Statutes 2022, section 360.013, is amended by adding a subdivision to read:

Subd. 57c. **Roadable aircraft.** "Roadable aircraft" has the meaning given in section 169.011, subdivision 67a.

Sec. 74. Minnesota Statutes 2022, section 360.075, subdivision 1, is amended to read:

Subdivision 1. **Misdemeanor.** Every person who:

(1) operates an aircraft either on or over land or water in this state without the consent of the owner of such aircraft;

(2) operates aircraft while in the possession of any federal license, certificate, or permit or any certificate of registration issued by the Transportation Department of this state, or displays, or causes or permits to be displayed, such federal license, certificate, or permit or such state certificate of registration, knowing either to have been canceled, revoked, suspended, or altered;

(3) lends to, or knowingly permits the use of by, one not entitled thereto of any federal airman's or aircraft license, certificate, or permit, or any state airman's or aircraft certificate of registration issued to that person;

(4) displays or represents as the person's own any federal airman's or aircraft license, certificate, or permit or any state airman's or aircraft certificate of registration not issued to that person;

(5) tampers with, climbs upon or into, makes use of, or navigates any aircraft without the knowledge or consent of the owner or person having control thereof, whether while the same is in motion or at rest, or hurls stones or any other missiles at aircraft, or the occupants thereof, or otherwise damages or interferes with the same, or places upon any portion of any airport any object, obstruction, or other device tending to injure aircraft or parts thereof;

(6) uses a false or fictitious name, gives a false or fictitious address, knowingly makes any false statement or report, or knowingly conceals a material fact, or otherwise commits a fraud in any application or form required under the provisions of sections 360.011 to 360.076, or by any rules or orders of the commissioner;

(7) operates any aircraft in such a manner as to indicate either a willful or a wanton disregard for the safety of persons or property;

(8) carries on or over land or water in this state in an aircraft other than a public aircraft any explosive substance except as permitted by the Federal Explosives Act, as amended by Public Law 77-775;

(9) discharges a gun, pistol, or other weapon in or from any aircraft in this state except as the hunting of certain wild animals from aircraft may be permitted by other laws of this state, or unless the person is the pilot or officer in command of the aircraft or a peace officer or a member of the military or naval forces of the United States, engaged in the performance of duty;

(10) carries in any aircraft, other than a public aircraft, any shotgun, rifle, pistol, or small arms ammunition except in the manner in which such articles may be lawfully carried in motor vehicles in this state, or is a person excepted from the provisions of clause (9);

(11) engages in acrobatic or stunt flying without being equipped with a parachute and without providing any other occupants of the aircraft with parachutes and requiring that they be worn;

(12) while in flying over a thickly inhabited area or over a public gathering in this state, engages in trick or acrobatic flying or in any acrobatic feat;

(13) except while in landing or taking off, flies at such low levels as to endanger persons on the surface beneath, or engages in advertising through the playing of music or transcribed or oral announcements, or makes any noise with any siren, horn, whistle, or other audible device which is not necessary for the normal operation of the aircraft, except that sound amplifying devices may be used in aircraft when operated by or under the authority of any agency of the state or federal government for the purpose of giving warning or instructions to persons on the ground;

(14) drops any object, except loose water, loose fuel, or loose sand ballast, without the prior written consent of the commissioner of transportation and the prior written consent of the municipality or property owner where objects may land; drops objects from an aircraft that endanger person or property on the ground, or drops leaflets for any purpose whatsoever; ~~or~~

(15) while in flight in an aircraft, whether as a pilot, passenger, or otherwise, endangers, kills, or attempts to kill any birds or animals or uses any aircraft for the purpose of concentrating, driving, rallying, or stirring up migratory waterfowl; or

(16) while operating an aircraft, takes off or lands the aircraft on a public road without consent of the landowner unless under conditions of an emergency;

except as may be permitted by other laws of this state, shall be guilty of a misdemeanor.

EFFECTIVE DATE. This section is effective August 1, 2024, and applies to crimes committed on or after that date.

Sec. 75. Laws 2021, First Special Session chapter 5, article 2, section 3, is amended to read:

Sec. 3. **BOND SALE EXPENSES**

\$413,000

(a) This appropriation is to the commissioner of management and budget for bond sale expenses under Minnesota Statutes, sections 16A.641, subdivision 8, and 167.50, subdivision 4.

(b) This appropriation is available in the amounts of:

(1) \$213,000 in fiscal year 2022;

(2) \$100,000 in fiscal year 2024; and

(3) \$100,000 in fiscal year 2025.

(c) The appropriation in this section cancels as specified under Minnesota Statutes, section 16A.642, except that the commissioner of management and budget must count the start of authorization for issuance of state bonds as the first day of the fiscal year during which the bonds are available to be issued as specified under paragraph (b), and not as the date of enactment of this section.

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

Sec. 76. Laws 2023, chapter 68, article 1, section 2, subdivision 4, is amended to read:

Subd. 4. **Local Roads**

(a) **County State-Aid Highways**

917,782,000

991,615,000

This appropriation is from the county state-aid highway fund under Minnesota Statutes, sections 161.081, 174.49, and 297A.815, subdivision 3, and chapter 162, and is available until June 30, 2033.

If the commissioner of transportation determines that a balance remains in the county state-aid highway fund following the appropriations and transfers made in this paragraph and that the appropriations made are insufficient for advancing county state-aid highway projects, an amount necessary to advance the projects, not to exceed the balance in the county state-aid highway fund, is appropriated in each year to the commissioner. Within two weeks of a determination under this contingent appropriation, the commissioner of transportation must notify the commissioner of management and budget and the chairs, ranking minority members, and staff of the legislative committees with jurisdiction over transportation finance concerning funds appropriated. The governor must identify in the next budget submission to the legislature under Minnesota Statutes, section 16A.11, any amount that is appropriated under this paragraph.

(b) Municipal State-Aid Streets

236,360,000

251,748,000

This appropriation is from the municipal state-aid street fund under Minnesota Statutes, chapter 162, and is available until June 30, 2033.

If the commissioner of transportation determines that a balance remains in the municipal state-aid street fund following the appropriations and transfers made in this paragraph and that the appropriations made are insufficient for advancing municipal state-aid street projects, an amount necessary to advance the projects, not to exceed the balance in the municipal state-aid street fund, is appropriated in each year to the commissioner. Within two weeks of a determination under this contingent appropriation, the commissioner of transportation must notify the commissioner of management and budget and the chairs, ranking minority members, and staff of the legislative committees with jurisdiction over transportation finance concerning funds appropriated. The governor must identify in the next budget submission to the legislature under Minnesota Statutes, section 16A.11, any amount that is appropriated under this paragraph.

(c) Other Local Roads

(1) Local Bridges

18,013,000

-0-

This appropriation is from the general fund to replace or rehabilitate local deficient bridges under Minnesota Statutes, section 174.50. This is a onetime appropriation and is available until June 30, 2027.

(2) Local Road Improvement

18,013,000

-0-

This appropriation is from the general fund for construction and reconstruction of local roads under Minnesota Statutes, section 174.52. This is a onetime appropriation and is available until June 30, 2027.

(3) Local Transportation Disaster Support

4,300,000

1,000,000

This appropriation is from the general fund to provide:

(i) a cost-share for federal assistance from the Federal Highway Administration for the emergency relief program under United States Code, title 23, section 125; and

(ii) assistance for roadway damage on the state-aid or federal-aid system associated with state or federally declared disasters ineligible for assistance from existing state and federal disaster programs.

Of the appropriation in fiscal year 2024, \$3,300,000 is onetime and is available until June 30, 2027.

(4) Metropolitan Counties

20,000,000

-0-

This appropriation is from the general fund for distribution to metropolitan counties as provided under Minnesota Statutes, section 174.49, subdivision 5, for use in conformance with the requirements under Minnesota Statutes, section 174.49, subdivision 6.

Sec. 77. Laws 2023, chapter 68, article 2, section 2, subdivision 3, is amended to read:

Subd. 3. Transportation Facilities Capital Improvements

87,440,000

This appropriation is for ~~capital improvements to Department of Transportation facilities. The improvements must: (1) support the programmatic mission of the department; (2) extend the useful life of existing buildings; or (3) renovate or construct facilities to meet the department's current and future operational needs.~~ the transportation facilities capital program under Minnesota Statutes, section 174.595.

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

Sec. 78. Laws 2023, chapter 68, article 2, section 2, subdivision 4, is amended to read:

Subd. 4. Trunk Highway 65; Anoka County

68,750,000

This appropriation is for ~~one or more grants to the city of Blaine, Anoka County, or both for the~~ predesign, right-of-way acquisition, design, engineering, and construction of intersection improvements along Trunk Highway 65 at 99th Avenue Northeast; 105th Avenue Northeast; Anoka County State-Aid Highway 12; 109th Avenue Northeast; 117th Avenue Northeast; and the associated frontage roads and backage roads within the trunk highway system.

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

Sec. 79. Laws 2023, chapter 68, article 2, section 2, subdivision 5, is amended to read:

Subd. 5. U.S. Highway 10; Coon Rapids

30,000,000

This appropriation is for ~~a grant to Anoka County~~ for preliminary engineering, environmental analysis, final design, right-of-way acquisition, construction, and construction administration of a third travel lane in each direction of marked U.S. Highway 10 from east of the interchange with Hanson Boulevard to Round Lake Boulevard in the city of Coon Rapids.

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

Sec. 80. Laws 2023, chapter 68, article 2, section 2, subdivision 7, is amended to read:

Subd. 7. U.S. Highway 169 Interchange; Scott County

4,200,000

This appropriation is for ~~a grant to Scott County~~ to design and construct trunk highway improvements associated with an interchange at U.S. Highway 169, marked Trunk Highway 282, and Scott County State-Aid Highway 9 in the city of Jordan, including accommodations for bicycles and pedestrians and for bridge and road construction.

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

Sec. 81. Laws 2023, chapter 68, article 2, section 2, subdivision 9, is amended to read:

Subd. 9. U.S. Highway 8; Chisago County

42,000,000

This appropriation is for ~~a grant to Chisago County~~ for predesign, design, engineering, and reconstruction of marked U.S. Highway 8 from Karmel Avenue in Chisago City to marked Interstate Highway 35, including pedestrian and bike trails along and crossings of this segment of marked U.S. Highway 8. The reconstruction project may include expanding segments of marked U.S. Highway 8 to four lanes, constructing or reconstructing frontage roads and backage roads, and realigning local roads to consolidate, remove, and relocate access onto and off of U.S. Highway 8. This appropriation is for the portion of the project that is eligible for use of proceeds of trunk highway bonds. ~~This appropriation is not available until the commissioner of management and budget determines that sufficient resources have been committed from nonstate sources to complete the project.~~

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

Sec. 82. Laws 2023, chapter 68, article 2, section 3, is amended to read:

Sec. 3. **BOND SALE EXPENSES**

\$610,000

(a) This appropriation is to the commissioner of management and budget for bond sale expenses under Minnesota Statutes, sections 16A.641, subdivision 8, and 167.50, subdivision 4.

(b) This appropriation is available in the amounts of:

(1) \$330,000 in fiscal year 2024;

(2) \$140,000 in fiscal year 2025; and

(3) \$140,000 in fiscal year 2026.

(c) The appropriation in this section cancels as specified under Minnesota Statutes, section 16A.642, except that the commissioner of management and budget must count the start of authorization for issuance of state bonds as the first day of the fiscal year during which the bonds are available to be issued as specified under paragraph (b), and not as the date of enactment of this section.

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

Sec. 83. **TRAFFIC ENGINEERING STUDIES AND INVESTIGATIONS.**

(a) Notwithstanding the requirements of the Minnesota Manual on Uniform Traffic Control Devices established by the commissioner of transportation under Minnesota Statutes, section 169.06, subdivision 2, by July 1, 2024, the commissioner must implement section 2B.21 of the Manual on Uniform Traffic Control Devices for Streets and Highways, 11th Edition, as incorporated by the United States Department of Transportation, pertaining to traffic engineering studies and investigations for establishing or reevaluating speed limits within speed zones.

(b) This section expires upon adoption of relevant revisions to the Minnesota Manual on Uniform Traffic Control Devices that pertain to traffic engineering studies and investigations for speed zones. The commissioner must notify the revisor of statutes, whether electronically or in writing, of the expiration.

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

Sec. 84. **FULL-SERVICE PROVIDER.**

(a) For purposes of this section, the following terms have the meanings given:

(1) "commissioner" means the commissioner of public safety; and

(2) "full-service provider" has the meaning given in Minnesota Statutes, section 168.002, subdivision 12a.

(b) A driver's license agent under Minnesota Statutes, section 171.061, who was appointed before January 1, 2024, and is recognized by the commissioner as a limited licensing agent under Minnesota Rules, part 7404.0340, may apply to the commissioner to become a full-service provider at the agent's current office location. A driver's license agent must submit an application on or before June 1, 2025. By June 30, 2025, an applicant under this section must satisfactorily complete any additional staff training required by the commissioner to offer expanded services as a full-service provider.

(c) The commissioner may appoint an applicant who meets the requirements under this section as a full-service provider.

(d) Minnesota Rules, chapter 7404, applies to an appointment under this section, except that this section applies notwithstanding Minnesota Rules, parts 7404.0300, subparts 4, 5, and 6; 7404.0305, subpart 1, item B; 7404.0345, item D; 7404.0350; 7404.0360, subpart 2; and 7404.0400, subpart 4, item B.

Sec. 85. **MINNESOTA STATE FAIR TRANSPORTATION PLANNING.**

(a) By August 1, 2024, the board of managers of the State Agricultural Society, in consultation with the Metropolitan Council, must develop a multimodal Minnesota State Fair transportation plan for implementation at the 2024 Minnesota State Fair and must submit a copy of the plan to the chairs and ranking minority members of the legislative committees with jurisdiction over agriculture and transportation policy and finance.

(b) At a minimum, the plan must:

(1) determine methods to reduce motor vehicle traffic, congestion, and parking in the area of the Minnesota State Fairgrounds;

(2) identify improvements to the transportation experience for attendees at the Minnesota State Fair;

(3) expand bicycle access and secure storage, including at park-and-ride locations;

(4) improve support for ride hailing and transportation network companies; and

(5) specify public distribution of information on transportation options and services.

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

Sec. 86. **REPEALER.**

(a) Minnesota Statutes 2022, sections 169.011, subdivision 70; 169.25; 171.0605, subdivision 4; and 221.033, subdivision 2c, are repealed.

(b) Minnesota Statutes 2023 Supplement, section 171.06, subdivisions 9, 10, and 11, are repealed.

(c) Minnesota Rules, part 7411.7600, subpart 3, is repealed.

EFFECTIVE DATE. Paragraph (c) is effective July 1, 2024.

ARTICLE 2
GREATER MINNESOTA TRANSIT PROGRAM

Section 1. Minnesota Statutes 2022, section 174.22, is amended by adding a subdivision to read:

Subd. 1a. **Complementary paratransit service (ADA).** "Complementary paratransit service (ADA)" means public transportation service provided on a regular basis where fixed route public transit service exists and is designed exclusively or primarily to serve individuals who are elderly or disabled and unable to use regular means of public transportation.

Sec. 2. Minnesota Statutes 2022, section 174.22, subdivision 2b, is amended to read:

Subd. 2b. **Elderly and disabled service.** "Elderly and disabled service" means transportation service provided on a regular basis in small urbanized or large urbanized areas and designed exclusively or primarily to serve individuals who are elderly or disabled and unable to use regular means of public transportation.

Sec. 3. Minnesota Statutes 2022, section 174.22, is amended by adding a subdivision to read:

Subd. 3a. **Large urbanized area service.** "Large urbanized area service" means a public transportation service operated in areas located outside the metropolitan area with a population greater than 200,000 that is designated by the United States Census Bureau. Large urbanized area service does not include complementary paratransit service (ADA), as defined in subdivision 1a.

Sec. 4. Minnesota Statutes 2022, section 174.22, subdivision 7, is amended to read:

Subd. 7. **Public transit or transit transportation.** "Public transit" or "transit" means general or specific transportation service provided to the public on a regular and continuing basis. "Public transit" or "transit" includes paratransit and regular route transit. "Public transportation" means regular, continuing shared-ride surface transportation services that are open to the general public or open to a segment of the general public defined by age, disability, or low income. Public transportation does not include:

(1) intercity passenger rail transportation provided by the entity described in United States Code, title 49, section 243, or a successor entity;

(2) intercity bus service;

(3) charter bus service;

(4) school bus service;

(5) sightseeing service;

(6) courtesy shuttle service for patrons of one or more specific establishments; or

(7) intraterminal or intrafacility shuttle services.

Sec. 5. Minnesota Statutes 2022, section 174.22, subdivision 12, is amended to read:

Subd. 12. **Rural area service.** "Rural area service" means a public transportation service ~~primarily~~ operated in ~~an area having population centers of less than 2,500 persons~~ rural areas that have not been designated in the most recent decennial census as an urbanized area by the United States Census Bureau.

Sec. 6. Minnesota Statutes 2022, section 174.22, subdivision 14, is amended to read:

Subd. 14. **Small urban urbanized area service.** "Small ~~urban~~ urbanized area service" means a public transportation service ~~operating in an area with a population between 2,500 and 50,000~~ operated in areas located outside the metropolitan area with a population of at least 50,000 but less than 200,000 that is designated by the United States Census Bureau. Small urbanized area service does not include complementary paratransit service (ADA), as defined in subdivision 1a.

Sec. 7. Minnesota Statutes 2022, section 174.23, subdivision 2, is amended to read:

Subd. 2. **Financial assistance; application, approval.** (a) The commissioner ~~shall~~ must seek out and select eligible recipients of financial assistance under sections 174.21 to 174.27.

(b) The commissioner ~~shall~~ must establish ~~by rule the~~ procedures and standards for review and approval of applications for financial assistance submitted to the commissioner pursuant to sections 174.21 to 174.27. Any applicant ~~shall~~ must provide to the commissioner any financial or other information required by the commissioner to carry out the commissioner's duties. The commissioner may require local contributions from applicants as a condition for receiving financial assistance.

~~(c) Before the commissioner approves any grant, the application for the grant may be reviewed by the appropriate regional development commission only for consistency with regional transportation plans and development guides. If an applicant proposes a project within the jurisdiction of a transit authority or commission or a transit system assisted or operated by a city or county, the application shall also be reviewed by that commission, authority, or political subdivision for consistency with its transit programs, policies, and plans.~~

Sec. 8. Minnesota Statutes 2022, section 174.24, subdivision 1a, is amended to read:

Subd. 1a. **Greater Minnesota transit investment plan.** (a) The commissioner ~~shall~~ must develop a greater Minnesota transit investment plan that contains a goal of meeting at least 80 percent of total transit service needs in greater Minnesota by July 1, 2015, and meeting at least 90 percent of total transit service needs in greater Minnesota by July 1, 2025.

(b) The plan must include, but is not limited to, the following:

(1) an analysis of ridership and total transit service needs throughout greater Minnesota;

(2) a calculation of the level and type of service required to meet total transit service needs, for the transit system classifications as provided under subdivision 3b, paragraph (c), of large urbanized area, small urban urbanized area, rural area, and elderly and disabled service, and complementary paratransit service (ADA);

(3) an analysis of costs and revenue options;

(4) a plan to reduce total transit service needs as specified in this subdivision; and

(5) identification of the operating and capital costs necessary to meet 100 percent of the greater Minnesota transit targeted and projected bus service hours, as identified in the greater Minnesota transit plan, for 2010, 2015, 2020, 2025, and 2030.

(c) The plan must specifically address special transportation service ridership and needs. The plan must also provide that recipients of operating assistance under this section provide fixed route public transit service without charge for disabled veterans in accordance with subdivision 7.

Sec. 9. Minnesota Statutes 2022, section 174.24, subdivision 3b, is amended to read:

Subd. 3b. **Operating assistance; recipient classifications.** ~~(a) The commissioner shall determine the total operating cost of any public transit system receiving or applying for assistance in accordance with generally accepted accounting principles. To be eligible for financial assistance, an applicant or recipient shall provide to the commissioner all financial records and other information and shall permit any inspection reasonably necessary to~~

~~determine total operating cost and correspondingly the amount of assistance that may be paid to the applicant or recipient. Where more than one county or municipality contributes assistance to the operation of a public transit system, the commissioner shall identify one as lead agency for the purpose of receiving money under this section.~~

~~(b)~~ (a) Prior to distributing operating assistance to eligible recipients for any contract period, the commissioner ~~shall~~ must place all recipients into one of the following classifications: large urbanized area service, small ~~urban~~ urbanized area service, rural area service, ~~and~~ elderly and disabled service, and complementary paratransit service (ADA).

~~(c)~~ (b) The commissioner ~~shall~~ must distribute ~~funds~~ the operating assistance amount under this section so that the percentage of ~~total contracted operating cost~~ from local sources paid by any recipient ~~from local sources~~ will not exceed the following percentage for that recipient's classification, except as provided in this subdivision. ~~The percentages must be:~~

- (1) for urbanized area service and small urban area service, 20 percent;
- (2) for rural area service, 15 percent; and
- (3) for elderly and disabled service and complementary paratransit service (ADA), 15 percent.

~~Except as provided in a United States Department of Transportation program allowing or requiring a lower percentage to be paid from local sources, the remainder of the recipient's total contracted operating cost will be paid from state sources of funds less any assistance received by the recipient from the United States Department of Transportation.~~

~~(d)~~ (c) For purposes of this subdivision, "local sources" means all local sources of funds and includes all operating revenue, tax levies, and contributions from public funds, ~~except that the commissioner may exclude from the total assistance contract revenues derived from operations the cost of which is excluded from the computation of total operating cost.~~

~~(e)~~ (d) If a recipient informs the commissioner in writing after the establishment of these percentages but prior to the distribution of financial assistance for any year that paying its designated percentage of ~~total operating cost~~ the operating assistance amount from local sources will cause undue hardship, the commissioner may reduce the percentage to be paid from local sources by the recipient and increase the percentage to be paid from local sources by one or more other recipients inside or outside the classification. However, the commissioner may not reduce or increase any recipient's percentage under this paragraph for more than two years successively. If for any year the funds appropriated to the commissioner to carry out the purposes of this section are insufficient to allow the commissioner to pay the state share of ~~total operating cost~~ the operating assistance amount as provided in this paragraph, the commissioner ~~shall~~ must reduce the state share in each classification to the extent necessary.

Sec. 10. Minnesota Statutes 2022, section 174.24, subdivision 3c, is amended to read:

Subd. 3c. **Nonoperating assistance.** The commissioner ~~shall~~ must determine the total cost of any planning and engineering design, capital assistance, other capital expenditures, and other assistance for public transit services that furthers the purposes of section 174.21 for any public transit system receiving or applying for the assistance in accordance with generally accepted accounting principles. The percentage of local sources paid by any recipient must not exceed 20 percent of the awarded amount. To be eligible for non-operating-cost financial assistance, an applicant or recipient ~~shall~~ must provide to the commissioner all financial records and other information and ~~shall~~ must permit any inspection reasonably necessary to determine total cost and the amount of assistance that may be paid to the applicant or recipient. When more than one county or municipality contributes assistance to the operation of a public transit system, the commissioner ~~shall~~ must identify one as a lead agency for the purpose of receiving money under this section. The commissioner has the sole discretion to determine the amount of state funds distributed to any recipient for non-operating-cost assistance.

Sec. 11. Minnesota Statutes 2022, section 174.247, is amended to read:

174.247 ANNUAL TRANSIT REPORT.

(a) By February 15 annually, the commissioner ~~shall~~ must submit a report to the legislature on transit services outside the metropolitan area. ~~The Metropolitan Council and~~ Any public transit system receiving assistance under section 174.24 ~~shall~~ must provide assistance in creating the report, as requested by the commissioner.

(b) The report must include, at a minimum, the following:

(1) a descriptive overview of public transit in Minnesota;

(2) a descriptive summary of funding sources and assistance programs;

(3) a summary of each public transit system receiving assistance under section 174.24;

(4) data that identifies use of volunteers in providing transit service;

(5) financial data that identifies for each public transit system and for each transit system classification under section 174.24, subdivision 3b:

(i) the operating and capital costs;

(ii) each of the funding sources used to provide financial assistance; and

(iii) for federal funds, the amount from each specific federal program under which funding is provided;

(6) a summary of the differences in program implementation requirements and aid recipient eligibility between federal aid and state sources of funds; and

(7) ~~in each odd-numbered year,~~ an analysis of public transit system needs and operating expenditures on an annual basis, which must include a methodology for identifying monetary needs, and calculations of:

(i) the total monetary needs for all public transit systems, for the year of the report and the ensuing five years;

(ii) the total expenditures from local sources for each transit system classification;

(iii) the comprehensive transit assistance percentage for each transit system classification, which equals (A) the expenditures identified under item (ii), for a transit system classification, divided by (B) the amounts identified under subitem (A), plus the sum of state sources of funds plus federal funds provided to all transit systems in that classification; and

(iv) the amount of surplus or insufficient funds available for paying capital and operating costs to fully implement the greater Minnesota transit investment plan under section 174.24, subdivision 1a.

Sec. 12. **REPEALER.**

(a) Minnesota Statutes 2022, sections 174.22, subdivisions 5 and 15; and 174.23, subdivision 7, are repealed.

(b) Minnesota Rules, parts 8835.0110, subparts 1, 1a, 6, 7, 10, 11a, 12a, 12b, 13a, 14a, 15, 15a, 16, 17, 18, and 19; 8835.0210; 8835.0220; 8835.0230; 8835.0240; 8835.0250; 8835.0260; 8835.0265; 8835.0270; 8835.0275; 8835.0280; 8835.0290; 8835.0310; 8835.0320; 8835.0330, subparts 1, 3, and 4; and 8835.0350, subparts 1, 3, 4, and 5, are repealed.

ARTICLE 3
CONFORMING CHANGES

Section 1. Minnesota Statutes 2023 Supplement, section 256B.0625, subdivision 17, is amended to read:

Subd. 17. **Transportation costs.** (a) "Nonemergency medical transportation service" means motor vehicle transportation provided by a public or private person that serves Minnesota health care program beneficiaries who do not require emergency ambulance service, as defined in section 144E.001, subdivision 3, to obtain covered medical services.

(b) For purposes of this subdivision, "rural urban commuting area" or "RUCA" means a census-tract based classification system under which a geographical area is determined to be urban, rural, or super rural.

(c) Medical assistance covers medical transportation costs incurred solely for obtaining emergency medical care or transportation costs incurred by eligible persons in obtaining emergency or nonemergency medical care when paid directly to an ambulance company, nonemergency medical transportation company, or other recognized providers of transportation services. Medical transportation must be provided by:

- (1) nonemergency medical transportation providers who meet the requirements of this subdivision;
- (2) ambulances, as defined in section 144E.001, subdivision 2;
- (3) taxicabs that meet the requirements of this subdivision;
- (4) public transit, within the meaning of "public transportation" as defined in section 174.22, subdivision 7; or
- (5) not-for-hire vehicles, including volunteer drivers, as defined in section 65B.472, subdivision 1, paragraph (h).

(d) Medical assistance covers nonemergency medical transportation provided by nonemergency medical transportation providers enrolled in the Minnesota health care programs. All nonemergency medical transportation providers must comply with the operating standards for special transportation service as defined in sections 174.29 to 174.30 and Minnesota Rules, chapter 8840, and all drivers must be individually enrolled with the commissioner and reported on the claim as the individual who provided the service. All nonemergency medical transportation providers shall bill for nonemergency medical transportation services in accordance with Minnesota health care programs criteria. Publicly operated transit systems, volunteers, and not-for-hire vehicles are exempt from the requirements outlined in this paragraph.

(e) An organization may be terminated, denied, or suspended from enrollment if:

(1) the provider has not initiated background studies on the individuals specified in section 174.30, subdivision 10, paragraph (a), clauses (1) to (3); or

(2) the provider has initiated background studies on the individuals specified in section 174.30, subdivision 10, paragraph (a), clauses (1) to (3), and:

(i) the commissioner has sent the provider a notice that the individual has been disqualified under section 245C.14; and

(ii) the individual has not received a disqualification set-aside specific to the special transportation services provider under sections 245C.22 and 245C.23.

(f) The administrative agency of nonemergency medical transportation must:

(1) adhere to the policies defined by the commissioner;

(2) pay nonemergency medical transportation providers for services provided to Minnesota health care programs beneficiaries to obtain covered medical services;

(3) provide data monthly to the commissioner on appeals, complaints, no-shows, canceled trips, and number of trips by mode; and

(4) by July 1, 2016, in accordance with subdivision 18e, utilize a web-based single administrative structure assessment tool that meets the technical requirements established by the commissioner, reconciles trip information with claims being submitted by providers, and ensures prompt payment for nonemergency medical transportation services.

(g) Until the commissioner implements the single administrative structure and delivery system under subdivision 18e, clients shall obtain their level-of-service certificate from the commissioner or an entity approved by the commissioner that does not dispatch rides for clients using modes of transportation under paragraph (1), clauses (4), (5), (6), and (7).

(h) The commissioner may use an order by the recipient's attending physician, advanced practice registered nurse, physician assistant, or a medical or mental health professional to certify that the recipient requires nonemergency medical transportation services. Nonemergency medical transportation providers shall perform driver-assisted services for eligible individuals, when appropriate. Driver-assisted service includes passenger pickup at and return to the individual's residence or place of business, assistance with admittance of the individual to the medical facility, and assistance in passenger securement or in securing of wheelchairs, child seats, or stretchers in the vehicle.

(i) Nonemergency medical transportation providers must take clients to the health care provider using the most direct route, and must not exceed 30 miles for a trip to a primary care provider or 60 miles for a trip to a specialty care provider, unless the client receives authorization from the local agency.

(j) Nonemergency medical transportation providers may not bill for separate base rates for the continuation of a trip beyond the original destination. Nonemergency medical transportation providers must maintain trip logs, which include pickup and drop-off times, signed by the medical provider or client, whichever is deemed most appropriate, attesting to mileage traveled to obtain covered medical services. Clients requesting client mileage reimbursement must sign the trip log attesting mileage traveled to obtain covered medical services.

(k) The administrative agency shall use the level of service process established by the commissioner to determine the client's most appropriate mode of transportation. If public transit or a certified transportation provider is not available to provide the appropriate service mode for the client, the client may receive a onetime service upgrade.

(l) The covered modes of transportation are:

(1) client reimbursement, which includes client mileage reimbursement provided to clients who have their own transportation, or to family or an acquaintance who provides transportation to the client;

(2) volunteer transport, which includes transportation by volunteers using their own vehicle;

(3) unassisted transport, which includes transportation provided to a client by a taxicab or public transit. If a taxicab or public transit is not available, the client can receive transportation from another nonemergency medical transportation provider;

(4) assisted transport, which includes transport provided to clients who require assistance by a nonemergency medical transportation provider;

(5) lift-equipped/ramp transport, which includes transport provided to a client who is dependent on a device and requires a nonemergency medical transportation provider with a vehicle containing a lift or ramp;

(6) protected transport, which includes transport provided to a client who has received a prescreening that has deemed other forms of transportation inappropriate and who requires a provider: (i) with a protected vehicle that is not an ambulance or police car and has safety locks, a video recorder, and a transparent thermoplastic partition between the passenger and the vehicle driver; and (ii) who is certified as a protected transport provider; and

(7) stretcher transport, which includes transport for a client in a prone or supine position and requires a nonemergency medical transportation provider with a vehicle that can transport a client in a prone or supine position.

(m) The local agency shall be the single administrative agency and shall administer and reimburse for modes defined in paragraph (l) according to paragraphs (p) and (q) when the commissioner has developed, made available, and funded the web-based single administrative structure, assessment tool, and level of need assessment under subdivision 18e. The local agency's financial obligation is limited to funds provided by the state or federal government.

(n) The commissioner shall:

(1) verify that the mode and use of nonemergency medical transportation is appropriate;

(2) verify that the client is going to an approved medical appointment; and

(3) investigate all complaints and appeals.

(o) The administrative agency shall pay for the services provided in this subdivision and seek reimbursement from the commissioner, if appropriate. As vendors of medical care, local agencies are subject to the provisions in section 256B.041, the sanctions and monetary recovery actions in section 256B.064, and Minnesota Rules, parts 9505.2160 to 9505.2245.

(p) Payments for nonemergency medical transportation must be paid based on the client's assessed mode under paragraph (k), not the type of vehicle used to provide the service. The medical assistance reimbursement rates for nonemergency medical transportation services that are payable by or on behalf of the commissioner for nonemergency medical transportation services are:

(1) \$0.22 per mile for client reimbursement;

(2) up to 100 percent of the Internal Revenue Service business deduction rate for volunteer transport;

(3) equivalent to the standard fare for unassisted transport when provided by public transit, and \$12.10 for the base rate and \$1.43 per mile when provided by a nonemergency medical transportation provider;

(4) \$14.30 for the base rate and \$1.43 per mile for assisted transport;

(5) \$19.80 for the base rate and \$1.70 per mile for lift-equipped/ramp transport;

(6) \$75 for the base rate and \$2.40 per mile for protected transport; and

(7) \$60 for the base rate and \$2.40 per mile for stretcher transport, and \$9 per trip for an additional attendant if deemed medically necessary.

(q) The base rate for nonemergency medical transportation services in areas defined under RUCA to be super rural is equal to 111.3 percent of the respective base rate in paragraph (p), clauses (1) to (7). The mileage rate for nonemergency medical transportation services in areas defined under RUCA to be rural or super rural areas is:

(1) for a trip equal to 17 miles or less, equal to 125 percent of the respective mileage rate in paragraph (p), clauses (1) to (7); and

(2) for a trip between 18 and 50 miles, equal to 112.5 percent of the respective mileage rate in paragraph (p), clauses (1) to (7).

(r) For purposes of reimbursement rates for nonemergency medical transportation services under paragraphs (p) and (q), the zip code of the recipient's place of residence shall determine whether the urban, rural, or super rural reimbursement rate applies.

(s) The commissioner, when determining reimbursement rates for nonemergency medical transportation under paragraphs (p) and (q), shall exempt all modes of transportation listed under paragraph (l) from Minnesota Rules, part 9505.0445, item R, subitem (2).

(t) Effective for the first day of each calendar quarter in which the price of gasoline as posted publicly by the United States Energy Information Administration exceeds \$3.00 per gallon, the commissioner shall adjust the rate paid per mile in paragraph (p) by one percent up or down for every increase or decrease of ten cents for the price of gasoline. The increase or decrease must be calculated using a base gasoline price of \$3.00. The percentage increase or decrease must be calculated using the average of the most recently available price of all grades of gasoline for Minnesota as posted publicly by the United States Energy Information Administration.

Sec. 2. Minnesota Statutes 2022, section 473.121, subdivision 19, is amended to read:

Subd. 19. **Public transit or transit.** "Public transit" or "transit" has the meaning given to "public transportation" in section 174.22, subdivision 7.

Sec. 3. Minnesota Statutes 2023 Supplement, section 609.855, subdivision 7, is amended to read:

Subd. 7. **Definitions.** (a) The definitions in this subdivision apply in this section.

(b) "Public transit" or "transit" has the meaning given to "public transportation" in section 174.22, subdivision 7.

(c) "Public transit vehicle" or "transit vehicle" means any vehicle used for the purpose of providing public transit, whether or not the vehicle is owned or operated by a public entity.

(d) "Public transit facilities" or "transit facilities" means any vehicles, equipment, property, structures, stations, improvements, plants, parking or other facilities, or rights that are owned, leased, held, or used for the purpose of providing public transit, whether or not the facility is owned or operated by a public entity.

(e) "Fare medium" means a ticket, smart card, pass, coupon, token, transfer, or other medium sold or distributed by a public transit provider, or its authorized agents, for use in gaining entry to or use of the public transit facilities or vehicles of the provider.

(f) "Proof of fare payment" means a fare medium valid for the place or time at, or the manner in, which it is used. If using a reduced-fare medium, proof of fare payment also includes proper identification demonstrating a person's eligibility for the reduced fare. If using a fare medium issued solely for the use of a particular individual, proof of fare payment also includes an identification document bearing a photographic likeness of the individual and demonstrating that the individual is the person to whom the fare medium is issued.

(g) "Authorized transit representative" means the person authorized by the transit provider to operate the transit vehicle, a peace officer, a transit official under section 473.4075, subdivision 1, or any other person designated by the transit provider as an authorized transit representative under this section.

Sec. 4. **REVISOR INSTRUCTION.**

(a) The revisor of statutes must renumber the subdivisions in Minnesota Statutes, section 174.22, in alphabetical order and correct any cross-reference changes that result.

(b) The revisor of statutes must change the term "public transit" to "public transportation" wherever the term appears in Minnesota Statutes, sections 174.21 to 174.27.

(c) Except as otherwise provided in this article, the revisor of statutes must change the term "public transit" to "public transportation" wherever the term appears in Minnesota Statutes in conjunction with a specific reference to Minnesota Statutes, section 174.22, subdivision 7."

Delete the title and insert:

"A bill for an act relating to transportation; modifying various transportation-related provisions, including but not limited to motor vehicles, driving rules, accident reporting requirements, child passenger restraint requirements, roadable aircraft, legislative routes, drivers' licenses, and greater Minnesota transit; establishing criminal penalties; modifying prior appropriations; making technical changes; appropriating money; amending Minnesota Statutes 2022, sections 43A.17, by adding a subdivision; 65B.28, subdivision 2; 161.115, subdivisions 116, 117, by adding a subdivision; 161.321, subdivisions 2, 2b; 168.002, subdivisions 18, 24, 26, 27; 168.013, subdivision 1d; 168.0135, by adding a subdivision; 168.12, subdivision 1; 168.33, subdivision 8a; 168A.085, by adding a subdivision; 168B.035, subdivision 3; 169.011, subdivisions 3a, 44, by adding subdivisions; 169.09, subdivisions 5, 14a, 19; 169.19, subdivision 2; 169.224, subdivision 3; 169.34, subdivision 1; 169.444, subdivision 4; 169.685, subdivisions 4, 5, by adding subdivisions; 169.79, by adding a subdivision; 169.80, by adding a subdivision; 169.974, subdivision 2; 169A.52, subdivision 7; 171.01, subdivisions 40, 41a, 47, by adding a subdivision; 171.06, subdivision 2a; 171.0605, subdivision 2; 171.072; 171.13, subdivision 6; 171.30, subdivisions 2a, 5; 174.03, subdivision 12; 174.22, subdivisions 2b, 7, 12, 14, by adding subdivisions; 174.23, subdivision 2; 174.24, subdivisions 1a, 3b, 3c; 174.247; 174.632, subdivision 2; 174.636, subdivision 1; 221.033, subdivision 1, by adding a subdivision; 360.013, by adding a subdivision; 360.075, subdivision 1; 473.121, subdivision 19; Minnesota Statutes 2023 Supplement, sections 4.076, subdivision 3; 115E.042, subdivision 4; 161.045, subdivision 3; 168.1235, subdivision 1; 168.1259, subdivision 5; 168.345, subdivision 2; 169.09, subdivision 8; 171.06, subdivision 3; 171.0605, subdivision 5; 171.12, subdivisions 5c, 11; 171.13, subdivision 1a; 171.395, subdivision 1; 171.396; 174.40, subdivision 4a; 256B.0625, subdivision 17; 609.855, subdivision 7; Laws 2021, First Special Session chapter 5, article 2, section 3; Laws 2023, chapter 68, article 1, section 2, subdivision 4; article 2, sections 2, subdivisions 3, 4, 5, 7, 9; 3; proposing coding for new law in Minnesota Statutes, chapters 168; 169; 171; 174; repealing Minnesota Statutes 2022, sections 169.011, subdivision 70; 169.25; 171.0605, subdivision 4; 174.22, subdivisions 5, 15; 174.23,

subdivision 7; 221.033, subdivision 2c; Minnesota Statutes 2023 Supplement, section 171.06, subdivisions 9, 10, 11; Minnesota Rules, parts 7411.7600, subpart 3; 8835.0110, subparts 1, 1a, 6, 7, 10, 11a, 12a, 12b, 13a, 14a, 15, 15a, 16, 17, 18, 19; 8835.0210; 8835.0220; 8835.0230; 8835.0240; 8835.0250; 8835.0260; 8835.0265; 8835.0270; 8835.0275; 8835.0280; 8835.0290; 8835.0310; 8835.0320; 8835.0330, subparts 1, 3, 4; 8835.0350, subparts 1, 3, 4, 5."

With the recommendation that when so amended the bill be placed on the General Register.

The report was adopted.

Becker-Finn from the Committee on Judiciary Finance and Civil Law to which was referred:

H. F. No. 3443, A bill for an act relating to health; modifying requirements for the release of patient health records; amending Minnesota Statutes 2022, section 144.293, subdivisions 2, 4, 9, 10; proposing coding for new law in Minnesota Statutes, chapter 144.

Reported the same back with the following amendments:

Page 1, line 7, delete "144.293 to 144.297" and insert "144.291 to 144.298"

With the recommendation that when so amended the bill be placed on the General Register.

The report was adopted.

Hassan from the Committee on Economic Development Finance and Policy to which was referred:

H. F. No. 3448, A bill for an act relating to economic development; modifying the membership of the energy transition advisory committee; amending Minnesota Statutes 2022, section 116J.5492, subdivision 2.

Reported the same back with the recommendation that the bill be placed on the General Register.

The report was adopted.

Stephenson from the Committee on Commerce Finance and Policy to which was referred:

H. F. No. 3529, A bill for an act relating to health care; requiring health maintenance organizations to be nonprofit corporations organized under chapter 317A; amending Minnesota Statutes 2022, sections 62D.02, subdivision 4; 62D.03, subdivision 1; 62D.05, subdivision 1; 62D.06, subdivision 1; 62D.19; 62E.02, subdivision 3.

Reported the same back with the recommendation that the bill be placed on the General Register.

The report was adopted.

Becker-Finn from the Committee on Judiciary Finance and Civil Law to which was referred:

H. F. No. 3577, A bill for an act relating to solid waste; establishing Packaging Waste and Cost Reduction Act; authorizing rulemaking; proposing coding for new law in Minnesota Statutes, chapter 115A.

Reported the same back with the following amendments:

Page 1, line 20, delete "reuse, recycling," and insert "recycling"

Page 2, line 29, delete "and" and insert "or"

Page 2, after line 30, insert:

"Subd. 12. **Drop-off collection site.** "Drop-off collection site" means a physical location where covered materials are accepted from the public and that is open a minimum of 12 hours weekly throughout the year."

Page 3, line 13, delete "or"

Page 3, after line 13, insert:

"(4) are packaging for medical devices or drugs, as defined in the federal Food, Drug, and Cosmetic Act, United States Code, title 21, sections 321(g), 321(h), and 353(b)(1), as amended;

(5) are packaging for products regulated as animal biologics, including vaccines, bacterins, antisera, diagnostic kits, and other products of biological origin, under the federal Virus-Serum-Toxin Act, United States Code, title 21, section 151 et seq., as amended;

(6) are packaging for products regulated under the federal Insecticide, Fungicide, and Rodenticide Act, United States Code, title 7, section 136 et seq., as amended;

(7) are paper products used for a print publication with a circulation of less than 20,000 that primarily includes content derived from primary sources related to news and current events; or"

Page 3, line 15, delete "4" and insert "6"

Renumber the clauses in sequence

Page 3, line 27, after "for" insert "waste reduction,"

Page 4, line 13, after the period, insert "Packaging does not include exempt materials."

Page 4, line 22, delete "this act" and insert "sections 115A.144 to 115A.1462"

Page 6, lines 6 and 21, delete "this act" and insert "sections 115A.144 to 115A.1462"

Page 6, after line 27, insert:

"Subd. 29. **Refill.** "Refill" means the continued use of a covered material by a consumer through a system that is:

(1) intentionally designed and marketed for repeated filling of a covered material to reduce demand for new production of the covered material;

(2) supported by adequate logistics and infrastructure to provide convenient access for consumers; and

(3) compliant with all applicable state and local statutes, rules, ordinances, and other laws governing health and safety."

Page 7, line 1, delete "statutes and rules" and insert "statutes, rules, ordinances, and other laws"

Page 7, after line 6, insert:

"Subd. 32. **Return rate.** "Return rate" means the amount of reusable covered material, in aggregate or by individual covered materials type, collected for reuse by the producer or service provider in a calendar year divided by the total amount of reusable covered materials sold or distributed into the state by the relevant unit of measurement established in section 115A.1451."

Page 7, line 9, delete "refilling or" and delete "in the marketplace for its original" and insert "by a producer or service provider"

Page 7, line 10, delete everything before "when"

Page 7, line 11, before the semicolon, insert "for its original intended purpose without a change in form"

Page 7, line 13, before the semicolon, insert "of the covered material"

Page 7, line 15, delete "return for" and insert "consumers"

Page 7, line 16, delete everything before the semicolon

Page 7, line 17, delete "and rules" and insert ", rules, ordinances, and other laws"

Page 7, lines 30 and 31, delete "this act" and insert "sections 115A.144 to 115A.1462"

Page 7, delete line 32

Renumber the subdivisions in sequence

Page 8, line 5, after the second "reduction" insert "includes refill, but"

Page 8, line 9, delete "this act" and insert "sections 115A.144 to 115A.1462"

Page 9, lines 4, 6, and 18, delete "this act" and insert "sections 115A.144 to 115A.1462"

Page 10, lines 6, 23, and 25, delete "this act" and insert "sections 115A.144 to 115A.1462"

Page 11, line 20, delete "this act" and insert "sections 115A.144 to 115A.1462"

Page 13, delete lines 3 to 5 and insert:

"(5) provide the lists of covered materials that are recyclable or compostable and exempt materials developed by the commissioner under section 115A.1453 to all producer responsibility organizations by March 1, 2027;"

Page 13, line 14, delete "list" and insert "lists" and after "materials" insert "and of exempt materials"

Page 13, line 22, delete "this act" and insert "sections 115A.144 to 115A.1462"

Page 13, after line 22, insert:

"(7) provide producer responsibility organizations with information regarding Minnesota and federal laws that prohibit toxic substances in covered materials;"

Renumber the clauses in sequence

Page 14, lines 7, 17, 25, and 27, delete "this act" and insert "sections 115A.144 to 115A.1462"

Page 14, delete lines 18 to 20 and insert:

"(4) forward upon receipt from the commissioner the lists of covered materials that are recyclable or compostable and exempt materials developed by the commissioner under section 115A.1453 to all service providers that participate in a stewardship plan administered by the producer responsibility organization;"

Page 15, delete lines 19 to 24 and insert:

"(1) collected under a program in a stewardship plan approved by the commissioner under section 115A.1451, subdivision 4;

(2) reusable, included in a reuse system that meets the reuse rate and return rate required under section 115A.1451, subdivision 7, and included in an approved stewardship plan;

(3) capable of waste reduction and are in a system for waste reduction included in an approved stewardship plan;

(4) included on the list established under section 115A.1453, subdivision 1; or

(5) included on the list established under section 115A.1453, subdivision 2."

Page 15, line 27, delete "this act" and insert "sections 115A.144 to 115A.1462"

Page 16, line 24, delete "least the" and insert "a minimum:"

Page 16, delete line 25

Page 16, line 29, delete "and" and after "rates" insert ", and return rates"

Page 16, line 30, delete "overall rates of recycling and composting" and insert "the stewardship plan with respect to the recycling rate, composting rate, reuse rate, and return rate"

Page 17, line 12, after "reuse" insert "rates and return rates"

Page 17, line 13, after "recycling" insert "rates"

Page 17, line 14, after "composting" insert "rates"

Page 17, delete lines 16 and 17 and insert:

"(4) an evaluation of the following factors for each covered material collected for recycling or composting:

(i) current availability of recycling collection services;

(ii) recycling collection and processing infrastructure;

(iii) capacity and technology for sorting covered materials;

(iv) availability of responsible end markets;

(v) the presence and amount of processing residuals, contamination, and toxic substances;

(vi) quantity of material estimated to be available and recoverable;

(vii) projected future conditions for clauses (i) to (vi); and

(viii) other criteria or factors determined by the commissioner;"

Page 17, line 23, delete "this act" and insert "sections 115A.144 to 115A.1462"

Page 17, line 26, after "existing" insert "waste reduction,"

Page 17, line 28, after "cost of" insert "waste reduction,"

Page 18, line 4, delete "and accounts for" and insert ", taking into account the waste reduction,"

Page 18, line 7, delete "the same or comparable" and insert "an equivalent" and after "level of" insert "service and"

Page 18, after line 10, insert:

"(10) proposed formulas reimbursing service providers, based on factors identified in section 115A.1455, subdivision 4;"

Renumber the clauses in sequence

Page 18, line 22, after "sound" insert "use and"

Page 18, line 24, after "how to" insert "use and"

Page 18, line 25, after "access" insert "waste reduction,"

Page 18, line 27, after "participation in" insert "waste reduction,"

Page 18, line 32, delete "this act" and insert "sections 115A.144 to 115A.1462"

Page 19, lines 2 and 22, delete "this act" and insert "sections 115A.144 to 115A.1462"

Page 20, delete lines 1 to 3 and insert:

"(2) a description of the methods of collection to be used for each covered materials type and how they will meet the statewide requirement established in subdivision 7;

(3) a description of the methods of collection to be used for each covered materials type managed through a reuse system, including infrastructure, convenience metrics, and measurement, and how they will meet the statewide requirement established in subdivision 7;

(4) a description of the methods to be used for each covered materials type for waste reduction, including infrastructure, convenience metrics, and measurement methods for refill, and how they will meet the statewide requirement established in subdivision 7;"

Page 20, line 4, after "targets" insert "and statewide requirements"

Page 20, line 8, delete "source" and insert "waste"

Page 20, line 23, after "product's" insert "refill," and after "reuse" insert a comma

Page 20, line 31, after "convenience of" insert "waste reduction,"

Page 21, delete lines 1 to 4 and insert:

"(iv) ensure statewide coverage of collection services for covered materials on the recyclable or compostable list established under section 115A.1453, subdivision 1, at no cost to all single-family and multifamily residences and political subdivisions that arrange for the collection of recyclable materials from public places, at the equivalent level of service and convenience as collection services for mixed municipal solid waste; and"

Page 21, line 6, after "collection," insert "waste reduction,"

Page 21, after line 12, insert:

"(12) a description of how the producer responsibility organization will ensure that all persons engaged in reuse, recycling, composting, and management of mixed municipal solid waste are made aware of bid opportunities under section 115A.1455;"

Page 21, line 19, delete "recyclable"

Page 21, line 20, delete "or" and delete "lists" and insert "list"

Page 21, after line 25, insert:

"(15) a process to resolve disputes that arise between the producer responsibility organization and a service provider regarding the determination and payment of the reasonable cost of services provided under an approved stewardship plan;"

Renumber the clauses in sequence

Page 22, line 8, after "about" insert "refilling,"

Page 22, line 10, after "how to" insert "use and"

Page 22, line 11, after "access" insert "waste reduction."

Page 22, line 12, after "participation in" insert "waste reduction."

Page 23, lines 6, 7, 11, and 21, delete "this act" and insert "sections 115A.144 to 115A.1462"

Page 23, line 15, delete everything after "for" and insert "reuse rates, return rates, recycling rates, composting rates,"

Page 24, lines 3 and 4, delete "source" and insert "waste"

Page 24, line 10, delete "measuring to be" and insert "the measurement of"

Page 24, line 15, after "impacts" insert "than the single-use version of the item"

Page 24, delete subdivision 7 and insert:

"Subd. 7. **Statewide requirements.** (a) The producer responsibility organization must ensure the following requirements are met collectively by its members by the end of the year indicated:

(1) by 2033:

(i) the combined recycling rate and composting rate must be no less than 65 percent of covered materials by weight sold or distributed;

(ii) the reuse rate is ten percent of the number of units of packaging sold or distributed into the state, with a return rate of no less than 90 percent;

(iii) the weight of covered materials introduced must be waste reduced by 15 percent, compared to levels identified in the initial needs assessment; and

(iv) all covered materials introduced must contain at least ten percent postconsumer recycled content, with all covered materials containing an overall average of at least 30 percent; and

(2) by 2038:

(i) the combined recycling rate and composting rate must be no less than 75 percent of covered materials by weight sold or distributed into the state;

(ii) the reuse rate is 20 percent of the number of units of packaging sold or distributed into the state, with a return rate of no less than 95 percent;

(iii) the weight of covered materials introduced must be waste reduced by 25 percent, compared to levels identified in the initial needs estimate; and

(iv) all covered materials introduced must contain at least 30 percent postconsumer recycled content, with all covered products containing an overall average of at least 50 percent.

(b) The commissioner may adjust any requirement established in paragraph (a) by no more than five percent after submitting the proposed adjustment to the advisory board and considering the board's recommendations before making the adjustment.

(c) After 2038, the commissioner may establish additional statewide requirements for:

(1) the amount of covered materials that must be recycled or composted;

(2) the number of units of packaging sold or distributed into the state that must be reusable and the return rate that must be met when returned to an established reuse system;

(3) the weight of covered materials introduced that must be waste reduced; and

(4) the percent of postconsumer recycled content that must be used in covered materials introduced.

The statewide requirements established under this paragraph must not be less than those listed in paragraph (a), clause (2)."

Page 25, line 24, delete "and at least every three years thereafter."

Page 25, line 27, after the period, insert "These covered materials must be collected at the equivalent level of service and convenience as collection services for mixed municipal solid waste."

Page 25, after line 27, insert:

"Subd. 2. **Alternative collection list required.** By March 1, 2027, the commissioner must complete a list of covered materials determined to be recyclable or compostable and collected statewide through systems other than the system required for covered materials on the list established in subdivision 1."

Page 25, line 30, after "develop" insert "or amend"

Page 25, after line 31, insert:

"Subd. 4. **Criteria.** In developing the lists under subdivisions 1 and 2, the commissioner may consider the following criteria:

(1) current availability of recycling collection services;

(2) recycling collection and processing infrastructure;

(3) capacity and technology for sorting covered materials;

(4) availability of responsible end markets;

(5) presence and amount of processing residuals, contamination, and toxic substances;

(6) quantity of material estimated to be available and recoverable;

(7) projected future conditions for clauses (1) to (6);

(8) if collected for recycling, the covered material type and form must be one that is regularly sorted and aggregated into defined streams for recycling processes or the packaging format must be specified in a relevant Institution of Scrap Recycling Industries specification; and

(9) other criteria or factors determined by the commissioner."

Page 26, delete subdivision 3 and insert:

"Subd. 5. **Collection requirements.** (a) A producer responsibility organization must collect covered materials included in a list established under subdivision 1, on a statewide basis, as follows:

(1) for residents that have curbside mixed municipal solid waste collection, provide collection of covered materials at the same frequency and on the same day as mixed municipal solid waste collection;

(2) provide collection of covered materials at each recycling or mixed municipal solid waste drop-off site that is open to the public, including but not limited to canister sites, transfer stations, and disposal facilities;

(3) provide a durable container dedicated to the collection of covered materials to every residential unit served according to this paragraph; and

(4) in addition to the requirements of clauses (1) to (3), the producer responsibility organization may collect or contract for the collection of covered materials from the public by other means, including but not limited to other drop off locations or mobile collections.

(b) A producer responsibility organization must collect covered materials included in a list established under subdivision 2, on a statewide basis, as follows:

(1) the producer responsibility organization must provide:

(i) for each county with a population of 10,000 or less, at least two permanent drop-off collection sites;

(ii) for each county with a population greater than 10,000 but less than or equal to 100,000, at least two permanent drop-off collection sites and at least one additional permanent drop-off collection site for each additional 10,000 in population above a population of 10,000;

(iii) for each county with a population greater than 100,000, at least 11 permanent drop-off collection sites and at least one additional permanent year-round drop-off collection site for each additional 50,000 in population above a population of 100,000; and

(iv) a permanent drop-off collection site located within ten miles of at least 95 percent of state residents;

(2) the producer responsibility organization may propose an alternative to the requirements of paragraph (b), clause (1), as part of a stewardship plan if the producer responsibility organization demonstrates that the alternative will provide an equivalent or greater level of service and convenience; and

(3) the producer responsibility organization may use the following additional collection methods:

(i) curbside collection of source-separated covered materials;

(ii) curbside collection that is less frequent than collection of mixed municipal solid waste;

(iii) mobile collection;

(iv) collection events;

(v) custom collection programs based on the use and generation of the covered material being managed in a custom program; and

(vi) collection in the same manner provided for the covered materials in the list under subdivision 1."

Renumber the subdivisions in sequence

Page 27, line 5, delete "work to"

Page 28, line 15, after "provision of" insert "waste reduction,"

Page 28, line 24, before the period, insert "that are no less than monthly"

Page 28, line 26, delete "a comparable" and insert "the equivalent" and after "level of" insert "service and"

Page 28, line 27, delete "the recyclable covered materials" and insert "a"

Page 28, line 28, before the comma, insert ", subdivision 1"

Page 29, line 3, after "state for" insert "waste reduction,"

Page 29, line 9, delete "this act" and insert "sections 115A.144 to 115A.1462"

Page 29, line 13, after "affect" insert "waste reduction,"

Page 30, lines 5 and 8, delete "this act" and insert "sections 115A.144 to 115A.1462"

Page 31, line 14, after "composting," insert "waste reduction,"

Page 31, lines 19 and 27, delete "this act" and insert "sections 115A.144 to 115A.1462"

Page 32, line 16, delete "this act" and insert "sections 115A.144 to 115A.1462"

Page 32, delete lines 31 to 33 and insert:

"(5) information on how to manage covered materials included on the lists established by the commissioner under section 115A.1453;

(6) information on reuse systems and waste reduction systems operating according to sections 115A.144 to 115A.1462;"

Renumber the clauses in sequence

Page 33, lines 5, 18, 20, 23, and 27, delete "this act" and insert "sections 115A.144 to 115A.1462"

Page 33, lines 17 and 19, after "composting," insert "waste reduction,"

Page 33, line 26, delete "this" and insert "sections 115A.144 to 115A.1462"

Page 33, line 27, delete the first "act"

Page 34, lines 3, 4, 10, 12, 15, and 19, delete "this act" and insert "sections 115A.144 to 115A.1462"

With the recommendation that when so amended the bill be re-referred to the Committee on Ways and Means.

The report was adopted.

Moller from the Committee on Public Safety Finance and Policy to which was referred:

H. F. No. 3697, A bill for an act relating to public safety; limiting the requirement to participate in the ignition interlock program to individuals whose driver's license is revoked, canceled, or denied for an incident involving alcohol; establishing an intensive testing program for individuals whose driver's license is revoked, canceled, or denied for an incident involving a controlled substance or an intoxicating substance; amending Minnesota Statutes 2022, sections 169A.55, subdivision 4; 171.306, subdivision 1; Minnesota Statutes 2023 Supplement, section 169A.44, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 171.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Ways and Means.

The report was adopted.

Pryor from the Committee on Education Policy to which was referred:

H. F. No. 3782, A bill for an act relating to education; modifying provisions for prekindergarten through grade 12 education including general education, education excellence, teachers, literacy, charter schools, nutrition, health and safety, early learning, and education partnerships and compacts; requiring reports; amending Minnesota Statutes 2022, sections 120A.05, subdivision 10a, by adding a subdivision; 120A.22, subdivision 12; 120A.35; 120B.022, subdivisions 1a, 1b; 120B.13, subdivision 4; 121A.41, subdivision 8; 122A.181, by adding a subdivision; 122A.182, subdivision 2, by adding a subdivision; 123B.37, subdivision 2; 124D.151, as amended; 124D.60, subdivision 1; 124D.61; 124E.05, subdivision 3; 124E.07, subdivisions 3, 8; 124E.10, subdivisions 2, 5; 124E.26; 125A.02, subdivision 1a; 125A.27, subdivision 8; 125A.56, subdivision 1; 127A.70, subdivision 1; 260E.14, subdivision 1; Minnesota Statutes 2023 Supplement, sections 13.32, subdivision 5; 120B.021, subdivision 1; 120B.024, subdivision 1; 120B.11, subdivision 2; 120B.1117; 120B.1118, subdivisions 4, 7, by adding a subdivision; 120B.117, subdivision 4; 120B.12, subdivisions 1, 2, 2a, 4; 120B.123, subdivisions 1, 2; 120B.124, subdivision 1; 120B.30, subdivisions 7, 12, by adding a subdivision; 120B.302; 120B.305; 120B.31, subdivision 4; 120B.36, subdivision 1; 121A.20, subdivision 2; 122A.092, subdivision 5; 122A.181, subdivisions 2, 2a; 122A.182, subdivision 2a; 124D.09, subdivision 5; 124D.094, subdivisions 2, 3; 124D.111, subdivision 2a; 124D.165, subdivisions 2, 2a; 124D.42, subdivision 8; 124D.98, subdivision 5; 124E.02; 124E.03, subdivision 2; 124E.06, subdivisions 1, 4, 5; 124E.12, subdivision 1; 124E.16, subdivision 1; 126C.40, subdivision 6; proposing coding for new law in Minnesota Statutes, chapters 127A; 134; repealing Minnesota Statutes 2022, section 120B.31, subdivisions 2, 6; Laws 2017, First Special Session chapter 5, article 8, section 9.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"ARTICLE 1 GENERAL EDUCATION

Section 1. Minnesota Statutes 2023 Supplement, section 13.32, subdivision 5, is amended to read:

Subd. 5. **Directory information.** (a) Educational data designated as directory information is public data on individuals to the extent required under federal law. Directory information must be designated pursuant to the provisions of:

(1) this subdivision; and

(2) United States Code, title 20, section 1232g, and Code of Federal Regulations, title 34, section 99.37, which were in effect on January 3, 2012.

(b) When conducting the directory information designation and notice process required by federal law, an educational agency or institution shall give parents and students notice of the right to refuse to let the agency or institution designate specified data about the student as directory information. This notice may be given by any means reasonably likely to inform the parents and students of the right.

(c) An educational agency or institution may not designate a student's home address, telephone number, email address, or other personal contact information as directory information under this subdivision. This paragraph does not apply to a postsecondary institution.

(d) When requested, educational agencies or institutions must share personal student contact information and directory information, whether public or private, with the Minnesota Department of Education, as required for federal reporting purposes.

(e) When requested, educational agencies or institutions may share personal student contact information and directory information for students served in special education with postsecondary transition planning and services under section 125A.08, paragraph (b), clause (1), whether public or private, with the Department of Employment and Economic Development, as required for coordination of services to students with disabilities under sections 125A.08, paragraph (b), clause (1); 125A.023; and 125A.027.

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

Sec. 2. Minnesota Statutes 2022, section 120A.35, is amended to read:

120A.35 ABSENCE FROM SCHOOL FOR RELIGIOUS OBSERVANCE AND CULTURAL OBSERVANCES.

Reasonable efforts must be made by a school district to accommodate any pupil who wishes to be excused from a curricular activity for a religious observance or American Indian cultural practice, observance, or ceremony. A school board must provide annual notice to parents of the school district's policy relating to a pupil's absence from school ~~for religious observance under this section~~.

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

Sec. 3. **[121A.73] SCHOOL CELL PHONE POLICY.**

A school district or charter school must adopt a policy on students' possession and use of cell phones in school by March 15, 2025. The Minnesota Elementary School Principals Association and the Minnesota Association of Secondary School Principals must collaborate to make best practices available to schools on a range of different strategies in order to minimize the impact of cell phones on student behavior, mental health, and academic attainment.

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

Sec. 4. Minnesota Statutes 2023 Supplement, section 124D.094, subdivision 2, is amended to read:

Subd. 2. **Digital instruction.** (a) An enrolling district may provide digital instruction, including blended instruction and online instruction, to the district's own enrolled students. Enrolling districts may establish agreements to provide digital instruction, including blended instruction and online instruction, to students enrolled in the cooperating schools.

(b) When online instruction is provided, an online teacher as defined under subdivision 1, paragraph (h), shall perform all duties of teacher of record under Minnesota Rules, part 8710.0310. Unless the commissioner grants a waiver, a teacher providing online instruction shall not instruct more than 40 students in any one online learning course or section.

(c) Students receiving online instruction full time shall be reported as enrolled in an online instructional site under subdivision 1, paragraph (g).

(d) Curriculum used for digital instruction shall be aligned with Minnesota's current academic standards and benchmarks.

(e) Digital instruction shall be accessible to students under ~~section~~ sections 504 and 508 of the federal Rehabilitation Act and Title II of the federal Americans with Disabilities Act.

(f) An enrolling district providing digital instruction and a supplemental online course provider shall assist an enrolled student whose family qualifies for the education tax credit under section 290.0674 to acquire computer hardware and educational software so they may participate in digital instruction. Funds provided to a family to support digital instruction or supplemental online courses may only be used for qualifying expenses as determined by the provider. Nonconsumable materials purchased with public education funds remain the property of the provider. Records for any funds provided must be available for review by the public or the department.

(g) An enrolling district providing digital instruction shall establish and document procedures for determining attendance for membership and keep accurate records of daily attendance under section 120A.21.

Sec. 5. Minnesota Statutes 2023 Supplement, section 124D.094, subdivision 3, is amended to read:

Subd. 3. **Supplemental online courses.** (a) Notwithstanding sections 124D.03 and 124D.08 and chapter 124E, procedures for applying to take supplemental online courses other than those offered by the student's enrolling district are as provided in this subdivision.

(b) Any kindergarten through grade 12 student may apply to take a supplemental online course under subdivision 1, paragraph (j). The student, or the student's parent or guardian for a student under age 17, must submit an application for the proposed supplemental online course or courses. A student may:

(1) apply to take an online course from a supplemental online course provider that meets or exceeds the academic standards of the course in the enrolling district they are replacing;

(2) apply to take supplemental online courses for up to 50 percent of the student's scheduled course load; ~~and~~

(3) apply to take supplemental online courses no later than 15 school days after the student's enrolling district's term has begun. An enrolling district may waive the 50 percent course enrollment limit or the 15-day time limit; and

(4) enroll in additional courses with the online learning provider under a separate agreement that includes terms for paying any tuition or course fees.

(c) A student taking a supplemental online course must have the same access to the computer hardware and education software available in a school as all other students in the enrolling district.

(d) A supplemental online course provider must have a current, approved application to be listed by the Department of Education as an approved provider. The supplemental online course provider must:

(1) use an application form specified by the Department of Education;

(2) notify the student, the student's guardian if they are age 17 or younger, and enrolling district of the accepted application to take a supplemental online course within ten days of receiving a completed application;

(3) notify the enrolling district of the course title, credits to be awarded, and the start date of the online course. A supplemental online course provider must make the online course syllabus available to the enrolling district;

(4) request applicable academic support information for the student, including a copy of the IEP, EL support plan, or 504 plan; and

(5) track student attendance and monitor academic progress and communicate with the student, the student's guardian if they are age 17 or younger, and the enrolling district's designated online learning liaison.

(e) A supplemental online course provider may limit enrollment if the provider's school board or board of directors adopts by resolution specific standards for accepting and rejecting students' applications. The provisions may not discriminate against any protected class or students with disabilities.

(f) A supplemental online course provider may request that the Department of Education review an enrolling district's written decision to not accept a student's supplemental online course application. The student may participate in the supplemental online course while the application is under review. Decisions shall be final and binding for both the enrolling district and the supplemental online course provider.

(g) A supplemental online course provider must participate in continuous improvement cycles with the Department of Education.

Sec. 6. Minnesota Statutes 2022, section 124D.12, is amended to read:

124D.12 PURPOSE OF FLEXIBLE LEARNING YEAR PROGRAMS.

Sections 124D.12 to 124D.127 authorize districts to evaluate, plan and employ the use of flexible learning year programs. It is anticipated that the open selection of the type of flexible learning year operation from a variety of alternatives will allow each district seeking to utilize this concept to suitably fulfill the educational needs of its pupils. These alternatives must include, but not be limited to, various 45-15 plans, four-quarter plans, quinmester plans, extended learning year plans, and flexible all-year plans. ~~A school district with an approved four-day week plan in the 2014-2015 school year may continue under a four-day week plan through the end of the 2019-2020 school year. Future approvals are contingent upon meeting the school district's performance goals established in the district's plan under section 120B.11.~~ The commissioner must establish clear criteria for evaluating a district's application to use a four-day school week plan, at least annually accept district applications to use a four-day school week plan, and determine whether each application meets the criteria. The commissioner must give a school district one school year's notice before revoking approval of its flexible learning year program. Approval of a four-day school week plan may not be revoked for six years from the date it is granted.

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

Sec. 7. Minnesota Statutes 2023 Supplement, section 126C.40, subdivision 6, is amended to read:

Subd. 6. **Lease purchase; installment buys.** (a) Upon application to, and approval by, the commissioner in accordance with the procedures and limits in subdivision 1, paragraphs (a) and (b), a district, as defined in this subdivision, may:

(1) purchase real or personal property under an installment contract or may lease real or personal property with an option to purchase under a lease purchase agreement, by which installment contract or lease purchase agreement title is kept by the seller or vendor or assigned to a third party as security for the purchase price, including interest, if any; and

(2) annually levy the amounts necessary to pay the district's obligations under the installment contract or lease purchase agreement.

(b) The obligation created by the installment contract or the lease purchase agreement must not be included in the calculation of net debt for purposes of section 475.53, and does not constitute debt under other law. An election is not required in connection with the execution of the installment contract or the lease purchase agreement.

(c) The proceeds of the levy authorized by this subdivision must not be used to acquire a facility to be primarily used for athletic or school administration purposes.

(d) For the purposes of this subdivision, "district" means:

(1) Special School District No. 1, Minneapolis, Independent School District No. 625, St. Paul, Independent School District No. 709, Duluth, or Independent School District No. 535, Rochester, if the district's ~~desegregation~~ achievement and integration plan has been determined by the commissioner to be in compliance with Department of Education rules relating to equality of educational opportunity and where the acquisition, as defined in section 475.51, subdivision 7, of property under this subdivision is determined by the commissioner to contribute to the implementation of the ~~desegregation~~ approved achievement and integration plan; or

(2) other districts eligible for revenue under section 124D.862 if the facility acquired under this subdivision is to be primarily used for a joint program ~~for interdistrict desegregation and~~ the commissioner determines ~~that the joint programs are~~ is being undertaken to implement the districts' ~~desegregation~~ approved achievement and integration plan.

(e) Notwithstanding subdivision 1, the prohibition against a levy by a district to lease or rent a district-owned building to itself does not apply to levies otherwise authorized by this subdivision.

(f) For the purposes of this subdivision, any references in subdivision 1 to building or land shall include personal property.

(g) Projects funded under this subdivision are subject to review and comment under section 123B.71, subdivision 8, in the ~~same manner as other school construction projects~~ form and manner prescribed by the commissioner.

Sec. 8. **REVISOR INSTRUCTION.**

The revisor of statutes shall remove the term "state-approved" wherever it appears in Minnesota Statutes, sections 125A.15, 125A.51, and 125A.515, for education in care and treatment facilities.

ARTICLE 2 EDUCATION EXCELLENCE

Section 1. Minnesota Statutes 2023 Supplement, section 120B.021, subdivision 1, is amended to read:

Subdivision 1. **Required academic standards.** (a) The following subject areas are required for statewide accountability:

(1) language arts;

(2) mathematics, encompassing algebra II, integrated mathematics III, or an equivalent in high school, and to be prepared for the three credits of mathematics in grades 9 through 12, the grade 8 standards include completion of algebra;

- (3) science, including earth and space science, life science, and the physical sciences, including chemistry and physics;
- (4) social studies, including history, geography, economics, and government and citizenship that includes civics;
- (5) physical education;
- (6) health, for which locally developed academic standards apply; and

(7) the arts. Public elementary and middle schools must offer at least three and require at least two of the following five arts areas: dance; media arts; music; theater; and visual arts. Public high schools must offer at least three and require at least one of the following five arts areas: media arts; dance; music; theater; and visual arts.

(b) For purposes of applicable federal law, the academic standards for language arts, mathematics, and science apply to all public school students, except the very few students with extreme cognitive or physical impairments for whom an individualized education program team has determined that the required academic standards are inappropriate. An individualized education program team that makes this determination must establish alternative standards.

~~(c) The department may modify SHAPE America (Society of Health and Physical Educators) standards and adapt the national standards to accommodate state interest. The modification and adaptations must maintain the purpose and integrity of the national standards. The department must make available sample assessments, which school districts may use as an alternative to local assessments, to assess students' mastery of the physical education standards beginning in the 2018-2019 school year.~~

~~(d)~~ (c) A school district may include child sexual abuse prevention instruction in a health curriculum, consistent with paragraph (a), clause (6). Child sexual abuse prevention instruction may include age-appropriate instruction on recognizing sexual abuse and assault, boundary violations, and ways offenders groom or desensitize victims, as well as strategies to promote disclosure, reduce self-blame, and mobilize bystanders. A school district may provide instruction under this paragraph in a variety of ways, including at an annual assembly or classroom presentation. A school district may also provide parents information on the warning signs of child sexual abuse and available resources.

~~(e)~~ (d) District efforts to develop, implement, or improve instruction or curriculum as a result of the provisions of this section must be consistent with sections 120B.10, 120B.11, and 120B.20.

Sec. 2. Minnesota Statutes 2022, section 120B.022, subdivision 1a, is amended to read:

Subd. 1a. **Foreign World language and culture; proficiency certificates.** (a) World languages teachers and other school staff should develop and implement world languages programs that acknowledge and reinforce the language proficiency and cultural awareness that non-English language speakers already possess, and encourage students' proficiency in multiple world languages. Programs under this section must encompass Indigenous American Indian languages and cultures, among other world languages and cultures. The department shall consult with postsecondary institutions in developing related professional development opportunities for purposes of this section.

(b) Any Minnesota public, charter, or nonpublic school may award Minnesota World Language Proficiency Certificates consistent with this subdivision.

(c) The Minnesota World Language Proficiency Certificate recognizes students who demonstrate ~~listening, speaking, reading, and writing skills at an overall intermediate-low or intermediate-mid level of proficiency on the American Council on the Teaching of Foreign Languages' Intermediate-Low level~~ ACTFL's scale of levels of proficiency. A student's level of proficiency is derived from assessment in the domains of listening, reading, speaking, and writing on a valid and reliable assessment tool.

Sec. 3. Minnesota Statutes 2022, section 120B.022, subdivision 1b, is amended to read:

Subd. 1b. **State bilingual and multilingual seals.** (a) Consistent with efforts to strive for the world's best workforce under sections 120B.11 and 124E.03, subdivision 2, paragraph (i), and close the academic achievement and opportunity gap under sections 124D.861 and 124D.862, voluntary state bilingual and multilingual seals are established to recognize graduating high school students in any school district, charter school, or nonpublic school who demonstrate particular levels of proficiency in one or more languages other than English. The levels of proficiency established under this subdivision are based on the ACTFL's proficiency guidelines. A student is eligible for a seal in a language other than English if the student demonstrates an overall Advanced-Low level or an intermediate high level of functional proficiency in listening, speaking, reading, and writing on either assessments derived from assessment in the domains of listening, reading, speaking, and writing on an assessment aligned with American Council on the Teaching of Foreign Languages' (ACTFL) ACTFL proficiency guidelines or on an equivalent valid and reliable assessments in one or more languages in addition to English assessment. Indigenous American Indian languages and American Sign Language is a language are languages other than English for purposes of this subdivision and a world language languages for purposes of subdivision 1a.

(b) In addition to paragraph (a), to be eligible to receive a seal:

~~(1) students must satisfactorily complete all required English language arts credits; and,~~

~~(2) students must demonstrate mastery of Minnesota's English language proficiency standards.~~

(c) Consistent with this subdivision, a high school student who demonstrates an overall intermediate high ACTFL level of functional proficiency derived from assessment in the domains of listening, reading, speaking, and writing in one language in addition to English is eligible to receive the state bilingual gold seal. A high school student who demonstrates an overall intermediate high ACTFL level of functional-native proficiency derived from assessment in the domains of listening, reading, speaking, and writing in more than one language in addition to English is eligible to receive the state multilingual gold seal. A high school student who demonstrates an overall advanced-low and above ACTFL level of functional proficiency derived from assessment in the domains of listening, reading, speaking, and writing in one language in addition to English is eligible to receive the state bilingual platinum seal. A high school student who demonstrates an overall advanced-low and above ACTFL level of functional proficiency derived from assessment in the domains of listening, reading, speaking, and writing in more than one language in addition to English is eligible to receive the state multilingual platinum seal.

(d) School districts and charter schools may give students periodic opportunities to demonstrate their level of proficiency in listening, speaking, reading, and writing in a language in addition to English. Where valid and reliable assessments are unavailable, a school district or charter school may rely on evaluators trained in assessing under ACTFL proficiency guidelines to assess a student's level of foreign, heritage, or Indigenous non-English language proficiency under this section. School districts and charter schools must maintain appropriate records to identify high school students eligible to receive the state bilingual or multilingual gold and platinum seals upon graduation. The school district or charter school must ~~affix~~ notate the appropriate seal to the transcript of each high school student who meets the requirements of this subdivision and may affix the seal to the student's diploma. A school district or charter school must not charge the high school student a fee for this seal.

(e) A school district or charter school may award elective course credits in world languages to a student who demonstrates the requisite proficiency in a language other than English under this section.

(f) A school district or charter school may award community service credit to a student who demonstrates an overall intermediate high or an overall advanced-low and above ACTFL level of functional proficiency in listening, speaking, reading, and writing derived from assessment in the domains of listening, reading, speaking, and writing in a language other than English and who participates in community service activities that are integrated into the curriculum, involve the participation of teachers, and support biliteracy in the school or local community.

(g) The commissioner must list on the web page ~~those~~ the assessments that are aligned to ACTFL proficiency guidelines, and establish guidelines on interpreting the scores or ratings from approved assessments.

(h) By August 1, 2015, the colleges and universities of the Minnesota State Colleges and Universities system must establish criteria to translate the seals into college credits based on the world language course equivalencies identified by the Minnesota State Colleges and Universities faculty and staff and, upon request from an enrolled student, the Minnesota State Colleges and Universities may award foreign language credits to a student who ~~receives~~ received a Minnesota World Language Proficiency Certificate or Minnesota Bilingual or Multilingual Seals under subdivision 1a. A student who demonstrated the requisite level of language proficiency in grade 10, 11, or 12 to receive a seal or certificate and is enrolled in a Minnesota State Colleges and Universities institution must request college credits for the student's seal or proficiency certificate within three academic years after graduating from high school. The University of Minnesota is encouraged to award students foreign language academic credits consistent with this paragraph.

Sec. 4. Minnesota Statutes 2023 Supplement, section 120B.024, subdivision 1, is amended to read:

Subdivision 1. **Graduation requirements.** (a) Students must successfully complete the following high school level credits for graduation:

- (1) four credits of language arts sufficient to satisfy all of the academic standards in English language arts;
- (2) three credits of mathematics sufficient to satisfy all of the academic standards in mathematics;
- (3) three credits of science, including one credit to satisfy all the earth and space science standards for grades 9 through 12, one credit to satisfy all the life science standards for grades 9 through 12, and one credit to satisfy all the chemistry or physics standards for grades 9 through 12;
- (4) three and one-half credits of social studies, including credit for a course in government and citizenship in either grade 11 or 12 for students beginning grade 9 in the ~~2024-2025~~ 2025-2026 school year and later or an advanced placement, international baccalaureate, or other rigorous course on government and citizenship under section 120B.021, subdivision 1a, and a combination of other credits encompassing at least United States history, geography, government and citizenship, world history, and economics sufficient to satisfy all of the academic standards in social studies;
- (5) one credit of the arts sufficient to satisfy all of the academic standards in the arts;
- (6) ~~credits~~ credit sufficient to satisfy the state standards in physical education; and
- (7) a minimum of seven elective credits.

(b) Students who begin grade 9 in the 2024-2025 school year and later must successfully complete a course for credit in personal finance in grade 10, 11, or 12. A teacher of a personal finance course that satisfies the graduation requirement must have a field license or out-of-field permission in agricultural education, business, family and consumer science, social studies, or math.

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

Sec. 5. Minnesota Statutes 2023 Supplement, section 120B.11, subdivision 1, is amended to read:

Subdivision 1. **Definitions.** For the purposes of this section and section 120B.10, the following terms have the meanings given them.

(a) "Instruction" means methods of providing learning experiences that enable a student to meet state and district academic standards and graduation requirements including applied and experiential learning.

(b) "Curriculum" means district or school adopted programs and written plans for providing students with learning experiences that lead to expected knowledge and skills and career and college readiness.

(c) "World's best workforce" means striving to: meet school readiness goals; close the academic achievement gap among all racial and ethnic groups of students and between students living in poverty and students not living in poverty; have all students attain career and college readiness before graduating from high school; and have all students graduate from high school.

(d) "Experiential learning" means learning for students that includes career exploration through a specific class or course or through work-based experiences such as job shadowing, mentoring, entrepreneurship, service learning, volunteering, internships, other cooperative work experience, youth apprenticeship, or employment.

(e) "Ethnic studies" as defined in section 120B.25 has the same meaning for purposes of this section. Ethnic studies curriculum may be integrated in existing curricular opportunities or provided through additional curricular offerings.

(f) "Antiracist" means actively working to identify and eliminate racism in all forms in order to change policies, behaviors, and beliefs that perpetuate racist ideas and actions.

(g) "Culturally sustaining" means integrating content and practices that infuse the culture and language of Black, Indigenous, and People of Color communities who have been and continue to be harmed and erased through the education system.

(h) "Institutional racism" means structures, policies, and practices within and across institutions that produce outcomes that disadvantage those who are Black, Indigenous, and People of Color.

(i) "On track for graduation" means that at the end of grade 9, a student has earned at least five credits and has received no more than one failing grade in a semester in a course in language arts, mathematics, science, or social studies. A student is off track for graduation if the student fails to meet either of these criteria.

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

Sec. 6. Minnesota Statutes 2023 Supplement, section 120B.11, subdivision 1a, is amended to read:

Subd. 1a. **Performance measures.** (a) Measures to determine school district and school site progress in striving to create the world's best workforce must include at least:

(1) the size of the academic achievement gap, rigorous course taking under section 120B.35, subdivision 3, paragraph (c), clause (2), ~~and~~ enrichment experiences by student subgroup, and starting in the 2025-2026 school year, participation in honors or gifted and talented programming;

(2) student performance on the Minnesota Comprehensive Assessments;

(3) high school graduation rates; ~~and~~

(4) career and college readiness under section 120B.307; ~~;~~ and

(5) starting in the 2025-2026 school year, the number and percentage of students, by student subgroup, who are on track for graduation.

(b) Starting in the 2025-2026 school year, a school district that offers advanced placement, international baccalaureate, or dual enrollment programs must report on the following performance measures:

(1) participation in postsecondary enrollment options and concurrent enrollment programs;

(2) the number of students who took an advanced placement exam, and the number of students who passed the exam, disaggregated by student subgroup; and

(3) the number of students who took the international baccalaureate exam, and the number of students who passed the exam, disaggregated by student subgroup.

(c) Performance measures under this subdivision must be reported for all student subgroups identified in section 120B.35, subdivision 3, paragraph (b), clause (2).

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

Sec. 7. Minnesota Statutes 2023 Supplement, section 120B.11, subdivision 2, is amended to read:

Subd. 2. **Adopting plans and budgets.** (a) A school board, at a public meeting, must adopt a comprehensive, long-term strategic plan to support and improve teaching and learning that is aligned with creating the world's best workforce and includes:

(1) clearly defined district and school site goals and benchmarks for instruction and student achievement for all student subgroups identified in section 120B.35, subdivision 3, paragraph (b), clause (2);

(2) a process to assess and evaluate each student's progress toward meeting state and local academic standards, assess and identify students to participate in gifted and talented programs and accelerate their instruction, and adopt early-admission procedures consistent with section 120B.15, and identifying the strengths and weaknesses of instruction in pursuit of student and school success and curriculum affecting students' progress and growth toward career and college readiness and leading to the world's best workforce;

(3) a system to periodically review and evaluate the effectiveness of all instruction and curriculum, taking into account strategies and best practices, student outcomes, school principal evaluations under section 123B.147, subdivision 3, students' access to effective teachers who are members of populations underrepresented among the licensed teachers in the district or school and who reflect the diversity of enrolled students under section 120B.35, subdivision 3, paragraph (b), clause (2), and teacher evaluations under section 122A.40, subdivision 8, or 122A.41, subdivision 5;

(4) strategies for improving instruction, curriculum, and student achievement, including the English and, where practicable, the native language development and the academic achievement of English learners;

(5) a process to examine the equitable distribution of teachers and strategies to ensure children in low-income families, children in families of People of Color, and children in American Indian families are not taught at higher rates than other children by inexperienced, ineffective, or out-of-field teachers;

(6) education effectiveness practices that:

(i) integrate high-quality instruction, technology, and curriculum that is rigorous, accurate, antiracist, and culturally sustaining;

(ii) ensure learning and work environments validate, affirm, embrace, and integrate cultural and community strengths for all students, families, and employees; and

(iii) provide a collaborative professional culture that seeks to retain qualified, racially and ethnically diverse staff effective at working with diverse students while developing and supporting teacher quality, performance, and effectiveness;

(7) an annual budget for continuing to implement the district plan; ~~and~~

(8) identifying a list of suggested and required materials, resources, sample curricula, and pedagogical skills for use in kindergarten through grade 12 that accurately reflect the diversity of the state of Minnesota; and

(9) starting in the 2025-2026 school year, a language access plan that specifies the district's process and procedures to render effective language assistance to students and adults who communicate in a language other than English. The language access plan must include:

(i) how the district and its schools will use trained or certified spoken language interpreters for communication related to academic outcomes, progress, and determinations, and placement of students in specialized programs and services;

(ii) how families and communities will be notified of their rights under this plan; and

(iii) a language access continuous improvement training plan for leadership and staff.

(b) A school district is not required to include information regarding literacy in a plan or report required under this section, except with regard to the academic achievement of English learners.

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

Sec. 8. Minnesota Statutes 2023 Supplement, section 120B.30, subdivision 7, is amended to read:

Subd. 7. **Assessments.** A student who demonstrates attainment of required state academic standards, which include career and college readiness benchmarks, on high school assessments under ~~subdivision 1a~~ section 120B.302 is academically ready for a career or college and is encouraged to participate in courses awarding college credit to high school students. Such courses and programs may include sequential courses of study within broad career areas and technical skill assessments that extend beyond course grades.

Sec. 9. Minnesota Statutes 2023 Supplement, section 120B.30, subdivision 12, is amended to read:

Subd. 12. **Test administration.** ~~(a) Consistent with applicable federal law, the commissioner must include appropriate, technically sound accommodations or alternative assessments for the very few students with disabilities for whom statewide assessments are inappropriate and for English learners.~~

~~(b)~~ (a) The Department of Education shall contract for professional and technical services according to competitive solicitation procedures under chapter 16C for purposes of this section.

~~(e)~~ (b) A proposal submitted under this section must include disclosures containing:

- (1) comprehensive information regarding test administration monitoring practices; and
- (2) data privacy safeguards for student information to be transmitted to or used by the proposing entity.

~~(d)~~ (c) Information provided in the proposal is not security information or trade secret information for purposes of section 13.37.

Sec. 10. Minnesota Statutes 2023 Supplement, section 120B.30, is amended by adding a subdivision to read:

Subd. 17. **Retaliation prohibited.** An employee who discloses information to the commissioner or a parent or guardian about service disruptions or technical interruptions related to administering assessments under this section is protected under section 181.932, governing disclosure of information by employees.

Sec. 11. Minnesota Statutes 2023 Supplement, section 120B.302, is amended to read:

120B.302 GENERAL REQUIREMENTS; TEST DESIGN.

Subdivision 1. ~~**Definitions**~~ **Developing assessments.** For purposes of conforming with existing federal educational accountability requirements, the commissioner must develop and implement computer-adaptive reading and mathematics assessments for grades 3 through 8, state-developed high school reading and mathematics tests aligned with state academic standards, a high school writing test aligned with state standards when it becomes available, and science assessments ~~under clause (2)~~ that districts and sites must use to monitor student growth toward achieving those standards. The commissioner must:

(1) not develop statewide assessments for academic standards in social studies, health and physical education, and the arts. The commissioner must require:; and

~~(1) annual computer adaptive reading and mathematics assessments in grades 3 through 8, and high school reading, writing, and mathematics tests; and~~

(2) require annual science assessments in one grade in the grades 3 through 5 span, the grades 6 through 8 span, and a life sciences assessment in the grades 9 through 12 span, and the commissioner must not require students to achieve a passing score on high school science assessments as a condition of receiving a high school diploma.

Subd. 2. **Comprehensive assessment system.** The commissioner, with advice from experts with appropriate technical qualifications and experience and stakeholders, ~~consistent with subdivision 1a,~~ must include state-developed tests in the comprehensive assessment system; ~~for each grade level to be tested, state-constructed tests developed as computer adaptive reading and mathematics assessments for students that are aligned with the state's required academic standards under section 120B.021, include multiple choice questions, and are administered annually to all students in grades 3 through 8. State-developed high school tests aligned with the state's required academic standards under section 120B.021 and administered to all high school students in a subject other than writing must include multiple choice questions. The commissioner must establish a testing period as late as possible each school year during which schools must administer the Minnesota Comprehensive Assessments to students. The commissioner must publish the testing schedule at least two years before the beginning of the testing period.~~

Subd. 3. **Aligned to academic standards.** (a) The state assessment system must be aligned to the most recent revision of academic standards ~~as described in section 120B.023 in the following manner:;~~

~~(1) mathematics;~~

~~(i) grades 3 through 8 beginning in the 2010-2011 school year; and~~

~~(ii) high school level beginning in the 2013-2014 school year;~~

~~(2) science; grades 5 and 8 and at the high school level beginning in the 2011-2012 school year; and~~

~~(3) language arts and reading; grades 3 through 8 and high school level beginning in the 2012-2013 school year.~~

~~(b) The grades 3 through 8 computer adaptive assessments and high school tests must be aligned with state academic standards. The commissioner must determine the testing process and the order of administration. The statewide results must be aggregated at the site and district level, consistent with subdivision 1a.~~

~~(c) The commissioner must ensure that for annual computer adaptive assessments:~~

~~(1) individual student performance data and achievement reports are available within three school days of when students take an assessment except in a year when an assessment reflects new performance standards;~~

~~(2) growth information is available for each student from the student's first assessment to each proximate assessment using a constant measurement scale;~~

~~(3) parents, teachers, and school administrators are able to use elementary and middle school student performance data to project students' secondary and postsecondary achievement; and~~

~~(4) useful diagnostic information about areas of students' academic strengths and weaknesses is available to teachers and school administrators for improving student instruction and indicating the specific skills and concepts that should be introduced and developed for students at given performance levels, organized by strands within subject areas, and aligned to state academic standards.~~

~~(d) (b) The commissioner must ensure that all state tests administered to elementary and secondary students measure students' academic knowledge and skills and not students' values, attitudes, and beliefs.~~

Subd. 4. Use of assessments. A school, school district, and charter school must administer statewide assessments under this section as the assessments become available to evaluate student progress toward career and college readiness in the context of the state's academic standards. A school, school district, or charter school may use a student's performance on a statewide assessment as one of multiple criteria to determine grade promotion or retention. A school, school district, or charter school may use a high school student's performance on a statewide assessment as a percentage of the student's final grade in a course or place a student's assessment score on the student's transcript.

Sec. 12. Minnesota Statutes 2023 Supplement, section 120B.305, is amended to read:

120B.305 ASSESSMENT REPORTING REQUIREMENTS.

~~Subdivision 1. Reporting requirements. A school, school district, and charter school must administer statewide assessments under this section, as the assessments become available, to evaluate student progress toward career and college readiness in the context of the state's academic standards. A school, school district, or charter school may use a student's performance on a statewide assessment as one of multiple criteria to determine grade promotion or retention. A school, school district, or charter school may use a high school student's performance on a statewide assessment as a percentage of the student's final grade in a course, or place a student's assessment score on the student's transcript.~~

Subd. 2. ~~Computer-adaptive assessments~~ **Reporting requirements.** (a) Reporting of state assessment results must:

(1) provide timely, useful, and understandable information on the performance of individual students, schools, school districts, and the state;

(2) include a growth indicator of student achievement; and

(3) determine whether students have met the state's academic standards.

(b) ~~The 3rd through 8th grade computer-adaptive assessment results and high school test results must be available to districts for diagnostic purposes affecting student learning and district instruction and curriculum, and for establishing educational accountability. The commissioner must ensure that for annual computer-adaptive assessments:~~

(1) individual student performance data and achievement reports are available within three school days of when students take an assessment except in a year when an assessment reflects new performance standards;

(2) growth information is available for each student from the student's first assessment to each proximate assessment using a constant measurement scale;

(3) parents, teachers, and school administrators are able to use elementary and middle school student performance data to project students' secondary and postsecondary achievement; and

(4) useful diagnostic information about areas of students' academic strengths and weaknesses is available to teachers and school administrators for improving student instruction and indicating the specific skills and concepts that should be introduced and developed for students at given performance levels, organized by strands within subject areas, and aligned to state academic standards.

(c) The commissioner, in consultation with the chancellor of the Minnesota State Colleges and Universities, must establish empirically derived benchmarks on the high school tests that reveal a trajectory toward career and college readiness consistent with section 136F.302, subdivision 1a. The commissioner must disseminate to the public the computer-adaptive assessments and high school test results upon receiving those results.

Subd. 3. **Public reporting.** (a) The commissioner must include the following components in the statewide public reporting system:

(1) uniform statewide computer-adaptive assessments of all students in grades 3 through 8 and testing at the high school levels that provides appropriate, technically sound accommodations or alternate assessments;

(2) educational indicators that can be aggregated and compared across school districts and across time on a statewide basis, including consistent attendance, high school graduation rates, and high school drop-out rates by age and grade level;

(3) state results on the ACT test; ~~and~~

(4) state results from participation in the National Assessment of Educational Progress so that the state can benchmark its performance against the nation and other states, and, where possible, against other countries, and contribute to the national effort to monitor achievement-; and

(5) comparison of statewide assessment results among school sites and school districts.

(b) The commissioner shall report test results publicly and to stakeholders, including the performance achievement levels developed from students' unweighted test scores in each tested subject and a listing of demographic factors that strongly correlate with student performance, including student homelessness, as data are available, among other factors. The test results must not include personally identifiable information as defined in Code of Federal Regulations, title 34, section 99.3. ~~The commissioner shall also report data that compares performance results among school sites, school districts, Minnesota and other states, and Minnesota and other nations.~~ The commissioner shall disseminate to schools and school districts a more comprehensive report containing testing information that meets local needs for evaluating instruction and curriculum. The commissioner shall disseminate to charter school authorizers a more comprehensive report containing testing information that contains anonymized data where cell count data are sufficient to protect student identity and that meets the authorizer's needs in fulfilling its obligations under chapter 124E.

~~(c) The grades 3 through 8 computer adaptive assessments and high school tests must be aligned with state academic standards. The commissioner must determine the testing process and the order of administration. The statewide results must be aggregated at the site and district level, consistent with subdivision 1a.~~

Sec. 13. Minnesota Statutes 2023 Supplement, section 120B.31, subdivision 4, is amended to read:

Subd. 4. **Student performance data.** In developing policies and assessment processes to hold schools and districts accountable for high levels of academic standards under section 120B.021, the commissioner shall ~~aggregate and disaggregate student data over time to report summary student performance and growth levels and, under section 120B.11, subdivision 2, clause (2), student learning and outcome data measured at the school, school district, and statewide level.~~ The commissioner shall use the student categories identified under the federal Elementary and Secondary Education Act, as most recently reauthorized, and student categories of:

- (1) homelessness;
- (2) ethnicity under section 120B.35, subdivision 3, paragraph (a), clause (2);
- (3) race under section 120B.35, subdivision 3, paragraph (a), clause (2);
- (4) home language;
- (5) English learners under section 124D.59;
- (6) free or reduced-price meals; and

(7) other categories designated by federal law to organize and report the data so that state and local policy makers can understand the educational implications of changes in districts' demographic profiles over time as data are available.

Any report the commissioner disseminates containing summary data on student performance must integrate student performance and the demographic factors that strongly correlate with that performance.

Sec. 14. Minnesota Statutes 2023 Supplement, section 120B.36, subdivision 1, is amended to read:

Subdivision 1. **School performance reports and public reporting.** (a) The commissioner shall report:

- (1) student academic performance data under section 120B.35, subdivisions 2 and 3;
- (2) academic progress consistent with federal expectations;

- (3) school safety and student engagement and connection under section 120B.35, subdivision 3, paragraph (d);
 - (4) rigorous coursework under section 120B.35, subdivision 3, paragraph (c);
 - (5) the percentage of students under section 120B.35, subdivision 3, paragraph (b), clause (2), whose progress and performance levels are meeting career and college readiness benchmarks under sections 120B.307 and 120B.35, subdivision 3, paragraph (e);
 - (6) longitudinal data on the progress of eligible districts in reducing disparities in students' academic achievement and realizing racial and economic integration under section 124D.861;
 - (7) the acquisition of English, and where practicable, native language academic literacy, including oral academic language, and the academic progress of all English learners enrolled in a Minnesota public school course or program who are currently or were previously counted as English learners under section 124D.59;
 - (8) two separate student-to-teacher ratios that clearly indicate the definition of teacher consistent with sections 122A.06 and 122A.15 for purposes of determining these ratios;
 - (9) staff characteristics excluding salaries;
 - (10) student enrollment demographics;
 - (11) foster care status, including all students enrolled in a Minnesota public school course or program who are currently or were previously in foster care, student homelessness, and district mobility; and
 - (12) extracurricular activities.
- (b) The school performance report for a school site and a school district must include school performance reporting information and calculate proficiency rates as required by the most recently reauthorized Elementary and Secondary Education Act.
- (c) The commissioner shall develop, annually update, and post on the department website school performance reports consistent with paragraph (a) and section 120B.11.
- (d) The commissioner must make available performance reports by the beginning of each school year.
- (e) A school or district may appeal its results in a form and manner determined by the commissioner and consistent with federal law. The commissioner's decision to uphold or deny an appeal is final.
- (f) School performance data are nonpublic data under section 13.02, subdivision 9, until the commissioner publicly releases the data. The commissioner shall annually post school performance reports to the department's public website no later than ~~September 1, except that in years when the reports reflect new performance standards, the commissioner shall post the school performance reports no later than October~~ December 1.

Sec. 15. **[121A.80] STUDENT JOURNALISM; STUDENT EXPRESSION.**

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

(b) "School-sponsored media" means material that is:

(1) prepared, wholly or substantially written, published, broadcast, or otherwise disseminated by a student journalist enrolled in a school district or charter school;

(2) distributed or generally made available to students in the school; and

(3) prepared by a student journalist under the supervision of a student media adviser.

School-sponsored media does not include material prepared solely for distribution or transmission in the classroom in which the material is produced, or a yearbook.

(c) "School official" means a school principal under section 123B.147 or other person having administrative control or supervision of a school.

(d) "Student journalist" means a school district or charter school student in grades 6 through 12 who gathers, compiles, writes, edits, photographs, records, or otherwise prepares information for dissemination in school-sponsored media.

(e) "Student media adviser" means a qualified teacher, as defined in section 122A.16, that a school district or charter school employs, appoints, or designates to supervise student journalists or provide instruction relating to school-sponsored media.

Subd. 2. Student journalists; protected conduct. (a) Except as provided in subdivision 3, a student journalist has the right to exercise freedom of speech and freedom of the press in school-sponsored media regardless of whether the school-sponsored media receives financial support from the school or district, uses school equipment or facilities in its production, or is produced as part of a class or course in which the student journalist is enrolled. Freedom of speech includes freedom to express political viewpoints. Consistent with subdivision 3, a student journalist has the right to determine the news, opinion, feature, and advertising content of school-sponsored media. A school district or charter school must not discipline a student journalist for exercising rights or freedoms under this paragraph or the First Amendment of the United States Constitution.

(b) A school district or charter school must not retaliate or take adverse employment action against a student media adviser for supporting a student journalist exercising rights or freedoms under paragraph (a) or the First Amendment of the United States Constitution.

(c) Notwithstanding the rights or freedoms of this subdivision or the First Amendment of the United States Constitution, nothing in this section inhibits a student media adviser from teaching professional standards of English and journalism to student journalists.

Subd. 3. Unprotected expression. (a) This section does not authorize or protect student expression that:

(1) is defamatory;

(2) is profane, harassing, threatening, or intimidating;

(3) constitutes an unwarranted invasion of privacy;

(4) violates federal or state law;

(5) causes a material and substantial disruption of school activities; or

(6) is directed to inciting or producing imminent lawless action on school premises or the violation of lawful school policies or rules, including a policy adopted in accordance with section 121A.03 or 121A.031.

(b) Nothing in this section authorizes the publication of an advertisement by school-sponsored media that promotes the purchase of a product or service that is unlawful for purchase or use by minors.

(c) A school or district must not authorize any prior restraint of school-sponsored media except under this subdivision.

Subd. 4. **Student journalist policy.** School districts and charter schools must adopt and post a student journalist policy consistent with this section.

EFFECTIVE DATE. This section is effective for the 2024-2025 school year and later.

Sec. 16. Minnesota Statutes 2022, section 124D.09, subdivision 2, is amended to read:

Subd. 2. **Purpose.** The purpose of this section is to promote rigorous academic pursuits, to facilitate career preparation, and to provide a wider variety of options to high school pupils by encouraging and enabling secondary pupils to enroll full time or part time in nonsectarian courses or programs in eligible postsecondary institutions, as defined in subdivision 3.

Sec. 17. Minnesota Statutes 2023 Supplement, section 124D.09, subdivision 5, is amended to read:

Subd. 5. **Authorization; notification.** (a) Notwithstanding any other law to the contrary, an 11th or 12th grade pupil enrolled in a school or an American Indian-controlled Tribal contract or grant school eligible for aid under section 124D.83, except a foreign exchange pupil enrolled in a district under a cultural exchange program, may apply to an eligible institution, as defined in subdivision 3, to enroll in nonsectarian courses offered by that postsecondary institution.

(b) If an institution accepts a secondary pupil for enrollment under this section, the institution shall send written notice to the pupil, the pupil's school or school district, and the commissioner. The notice must indicate the course and hours of enrollment of that pupil. The institution must notify the pupil's school as soon as practicable if the pupil withdraws from the enrolled course. The institution must also notify the pupil's school as soon as practicable if the pupil has been absent from a course for ten consecutive days on which classes are held, based upon the postsecondary institution's academic calendar, and the pupil is not receiving instruction in their home or hospital or other facility.

(c) If the pupil enrolls in a course for postsecondary credit, the institution must notify:

(1) the pupil about payment in the customary manner used by the institution; and,

(2) the pupil's school as soon as practicable if the pupil withdraws from the course or stops attending the course.

Sec. 18. Minnesota Statutes 2022, section 124D.09, subdivision 7, is amended to read:

Subd. 7. **Dissemination of information; notification of intent to enroll.** By the earlier of (1) three weeks prior to the date by which a student must register for district courses for the following school year, or (2) March 1 of each year, a district must provide up-to-date information on the district's website and in materials that are distributed to parents and students about the program, including information about enrollment requirements and the ability to earn postsecondary credit to all pupils in grades 8, 9, 10, and 11. To assist the district in planning, a pupil must inform the district by October 30 or May 30 of each year of the pupil's intent to enroll in postsecondary courses during the following ~~school year~~ academic term. A pupil is bound by notifying or not notifying the district by October 30 or May 30.

Sec. 19. Minnesota Statutes 2022, section 124D.09, subdivision 9, is amended to read:

Subd. 9. **Enrollment priority.** (a) A postsecondary institution must give priority to its postsecondary students when enrolling pupils in grades 10, 11, and 12 in its courses. A postsecondary institution may provide information about its programs to a secondary school or to a pupil or parent, ~~and it may advertise or otherwise recruit or solicit a secondary pupil to enroll in its programs on educational and programmatic grounds only except, notwithstanding other law to the contrary, and for the 2014 2015 through 2019 2020 school years only, an eligible postsecondary institution may advertise or otherwise recruit or solicit a secondary pupil residing in a school district with 700 students or more in grades 10, 11, and 12, to enroll in its programs on educational, programmatic, or financial grounds.~~

(b) An institution must not enroll secondary pupils, for postsecondary enrollment options purposes, in remedial, developmental, or other courses that are not college level except when a student eligible to participate and enrolled in the graduation incentives program under section 124D.68 enrolls full time in a middle or early college program. A middle or early college program must be specifically designed to allow the student to earn dual high school and college credit with a well-defined pathway to allow the student to earn a postsecondary degree or credential. In this case, the student must receive developmental college credit and not college credit for completing remedial or developmental courses.

(c) Once a pupil has been enrolled in any postsecondary course under this section, the pupil must not be displaced by another student.

(d) If a postsecondary institution enrolls a secondary school pupil in a course under this section, the postsecondary institution also must enroll in the same course an otherwise enrolled and qualified postsecondary student who qualifies as a veteran under section 197.447, and demonstrates to the postsecondary institution's satisfaction that the institution's established enrollment timelines were not practicable for that student.

(e) A postsecondary institution must allow secondary pupils to enroll in online courses under this section consistent with the institution's policy regarding postsecondary pupil enrollment in online courses.

Sec. 20. Minnesota Statutes 2022, section 124D.09, subdivision 10, is amended to read:

Subd. 10. **Courses according to agreements.** (a) An eligible pupil, according to subdivision 5, may enroll in a nonsectarian course taught by a secondary teacher or a postsecondary faculty member and offered at a secondary school, or another location, according to an agreement between a public school board and the governing body of an eligible public postsecondary system or an eligible private postsecondary institution, as defined in subdivision 3. All provisions of this section apply to a pupil, public school board, district, and the governing body of a postsecondary institution, except as otherwise provided. A secondary school and a postsecondary institution that enrolls eligible pupils in courses according to agreements must annually report to the commissioner the participation rates of pupils enrolled in courses according to agreements, including the number of pupils enrolled and the number of courses taken for postsecondary or dual credit.

(b) To encourage students, especially American Indian students and students of color, to consider teaching as a profession, participating schools, school districts, and postsecondary institutions are encouraged to develop and offer an "Introduction to Teaching" or "Introduction to Education" course under this subdivision. For the purpose of applying for grants under this paragraph, "eligible institution" includes schools and districts that partner with an accredited college or university in addition to postsecondary institutions identified in subdivision 3, paragraph (a). Grant recipients under this paragraph must annually report to the commissioner in a form and manner determined by the commissioner on the participation rates of students in courses under this paragraph, including the number of students who apply for admission to colleges or universities with teacher preparation programs and the number of students of color and American Indian students who earned postsecondary credit. Grant recipients must also describe recruiting efforts intended to ensure that the percentage of participating students who are of color or American Indian meets or exceeds the overall percentage of students of color or American Indian students in the school.

Sec. 21. Minnesota Statutes 2022, section 124D.09, subdivision 10b, is amended to read:

Subd. 10b. **Concurrent Enrollment Advisory Board; membership; duties.** (a) A postsecondary institution offering courses taught by the secondary teacher according to subdivision 10 must establish an advisory board. The purpose of the advisory board is to engage stakeholders in concurrent enrollment decisions. The duties of the board must include the following:

- (1) providing strategic advice and input relating to concurrent enrollment issues;
- (2) recommend and review proposals for concurrent enrollment course offerings;
- (3) serve as a coordinating entity between secondary education and postsecondary institutions; and
- (4) increase the understanding and collaboration among concurrent enrollment partners, stakeholders, the legislature, and the public.

(b) The advisory board at each institution must consist of 16 members in addition to a concurrent enrollment faculty coordinator who shall serve as the chair and convene the meetings. A postsecondary institution may elect to have an advisory board of less than 16 members if the institution determines that the extent of its concurrent program warrants a smaller board. Except for the original members, advisory board members must serve three-year staggered terms. Advisory board members, appointed by the postsecondary institution, must be balanced based on geography and school size, and include, if practical, representatives from the following:

- (1) postsecondary faculty members;
- (2) school superintendents;
- (3) secondary and postsecondary students;
- ~~(3)~~ (4) high school principals;
- ~~(4)~~ (5) concurrent enrollment teachers;
- ~~(5)~~ (6) high school counselors;
- ~~(6)~~ (7) charter school administrators;
- ~~(7)~~ (8) school board members;
- ~~(8)~~ (9) secondary academic administrators;
- ~~(9)~~ (10) parents; and
- ~~(10)~~ (11) other local organizations.

(c) Members of the board serve without compensation.

(d) The board shall report to the postsecondary institution periodically as requested by the postsecondary institution to provide advice and proposals described in paragraph (a).

(e) The postsecondary institution shall provide administrative services and meeting space for the board to do its work.

(f) A board established under this section expires when the postsecondary institution no longer offers concurrent enrollment course offerings.

(g) The postsecondary institution shall appoint the first members to the advisory board by October 31, 2015, or by October 15 following the year it establishes a concurrent enrollment program. The postsecondary institution shall designate the terms of the first members so that an approximately equal number serve terms of two, three, and four years.

Sec. 22. Minnesota Statutes 2022, section 124D.09, subdivision 11, is amended to read:

Subd. 11. **Participation in high school activities.** Enrolling in a course under this section shall not, by itself, prohibit a pupil from participating in activities sponsored by the pupil's high school, including but not limited to accessing scholarships awarded, sponsored, or disbursed by the school, or participating in leadership roles or national organizations sponsored by the pupil's high school.

Sec. 23. Minnesota Statutes 2023 Supplement, section 124D.09, subdivision 12, is amended to read:

Subd. 12. **Credits; grade point average weighting policy.** (a) A pupil must not audit a course under this section.

(b) A district must grant academic credit to a pupil enrolled in a course for secondary credit if the pupil successfully completes the course. Seven quarter or four semester college credits equal at least one full year of high school credit. Fewer college credits may be prorated. A district must also grant academic credit to a pupil enrolled in a course for postsecondary credit if secondary credit is requested by a pupil. If no comparable course is offered by the district, the district must, as soon as possible, notify the commissioner, who must determine the number of credits that must be granted to a pupil who successfully completes a course. If a comparable course is offered by the district, the school board must grant a comparable number of credits to the pupil. If there is a dispute between the district and the pupil regarding the number of credits granted for a particular course, the pupil may appeal the board's decision to the commissioner. The commissioner's decision regarding the number of credits is final.

(c) A school board must adopt a policy regarding weighted grade point averages for any high school or dual enrollment course. A school board must adopt an identical policy regarding weighted grade point averages for credits earned via postsecondary coursework as it gives to credits earned via concurrent enrollment coursework. The policy must state whether the district offers weighted grades. A school board must annually publish on its website a list of courses for which a student may earn a weighted grade.

(d) The secondary credits granted to a pupil must be counted toward the graduation requirements and subject area requirements of the district. Evidence of successful completion of each course and secondary credits granted must be included in the pupil's secondary school record. A pupil must provide the school with a copy of the pupil's grades in each course taken for secondary credit under this section, including interim or nonfinal grades earned during the academic term. Upon the request of a pupil, the pupil's secondary school record must also include evidence of successful completion and credits granted for a course taken for postsecondary credit. In either case, the record must indicate that the credits were earned at a postsecondary institution.

(e) If a pupil enrolls in a postsecondary institution after leaving secondary school, the postsecondary institution must award postsecondary credit for any course successfully completed for secondary credit at that institution. Other postsecondary institutions may award, after a pupil leaves secondary school, postsecondary credit for any courses successfully completed under this section. An institution may not charge a pupil for the award of credit.

(f) The Board of Trustees of the Minnesota State Colleges and Universities and the Board of Regents of the University of Minnesota must, and private nonprofit and proprietary postsecondary institutions should, award postsecondary credit for any successfully completed courses in a program certified by the National Alliance of

Concurrent Enrollment Partnerships offered according to an agreement under subdivision 10. Consistent with section 135A.101, subdivision 3, all MnSCU institutions must give full credit to a secondary pupil who completes for postsecondary credit a postsecondary course or program that is part or all of a goal area or a transfer curriculum at a MnSCU institution when the pupil enrolls in a MnSCU institution after leaving secondary school. Once one MnSCU institution certifies as completed a secondary student's postsecondary course or program that is part or all of a goal area or a transfer curriculum, every MnSCU institution must consider the student's course or program for that goal area or the transfer curriculum as completed.

Sec. 24. Minnesota Statutes 2022, section 124D.60, subdivision 1, is amended to read:

Subdivision 1. **Notice.** Within ~~ten~~ 30 calendar days after the ~~enrollment of any pupil in an instructional program for English learners beginning of the school year~~, the district ~~or charter school~~ in which the ~~pupil resides~~ English learner identified for participation in an instructional program for English learners is enrolled must notify the ~~parent by mail~~ parents. For those children who have not been identified as English learners prior to the beginning of the school year but are identified as English learners during that school year, the district or charter school shall notify the children's parents during the first two weeks of the child being placed in a language instruction educational program. This notice must:

- (1) be in writing in English and in the primary language of the pupil's parents;
- (2) inform the parents that their child has been enrolled in an instructional program for English learners;
- (3) contain a simple, nontechnical description of the purposes, method and content of the program;
- (4) inform the parents that they have the right to visit the educational program for English learners in which their child is enrolled;
- (5) inform the parents of the time and manner in which to request and receive a conference for the purpose of explaining the nature and purpose of the program; and
- (6) inform the parents of their rights to withdraw their child from an educational program for English learners and the time and manner in which to do so.

The department shall, at the request of the district, prepare the notice in the primary language of the parent.

Sec. 25. Minnesota Statutes 2022, section 124D.61, is amended to read:

124D.61 GENERAL REQUIREMENTS FOR PROGRAMS.

A district that enrolls one or more English learners must implement an educational program that includes at a minimum the following requirements:

- (1) identification and reclassification criteria for English learners and program entrance and exit criteria for English learners must be documented by the district, applied uniformly to English learners, and made available to parents and other stakeholders upon request;
- (2) language development instruction that is designed to effectively increase the language proficiency of English learners and that addresses Minnesota's English language development standards under Minnesota Rules, parts 3501.1200 and 3501.1210;

~~(2)~~ (3) a written plan of services that describes programming by English proficiency level made available to parents upon request. The plan must articulate the amount and scope of service offered to English learners through an educational program for English learners;

~~(3)~~ (4) professional development opportunities for ESL, bilingual education, mainstream, and all staff working with English learners which are: (i) coordinated with the district's professional development activities; (ii) related to the needs of English learners; and (iii) ongoing;

~~(4)~~ (5) to the extent possible, avoid isolating English learners for a substantial part of the school day; and

~~(5)~~ (6) in predominantly nonverbal subjects, such as art, music, and physical education, permit English learners to participate fully and on an equal basis with their contemporaries in public school classes provided for these subjects. To the extent possible, the district must assure to pupils enrolled in a program for English learners an equal and meaningful opportunity to participate fully with other pupils in all extracurricular activities.

Sec. 26. **REPEALER.**

Minnesota Statutes 2022, section 120B.31, subdivisions 2 and 6, are repealed.

ARTICLE 3
TEACHERS

Section 1. Minnesota Statutes 2022, section 122A.092, is amended by adding a subdivision to read:

Subd. 9. **Ableism and disability justice.** A teacher preparation program is encouraged to include instruction for teacher candidates on ableism and disability justice, provided by a person with a disability.

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

Sec. 2. Minnesota Statutes 2022, section 122A.181, is amended by adding a subdivision to read:

Subd. 1a. **Special education requirements.** (a) The Professional Educator Licensing and Standards Board must approve an application for a Tier 1 license in a special education field if:

(1) the application meets all the requirements under subdivision 1;

(2) the district or charter school affirms that the applicant will receive high-quality professional development that is sustained, intensive, and classroom focused in order to have a positive and lasting impact on classroom instruction, before and while teaching;

(3) the district or charter school affirms that the applicant will participate in a program of intensive supervision that consists of structured guidance and regular ongoing support for teachers or a teacher mentoring program; and

(4) the applicant demonstrates satisfactory progress toward professional licensure.

(b) A teacher with a Tier 1 license in a special education field may assume the functions as a teacher for a period of time not to exceed three years.

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

Sec. 3. Minnesota Statutes 2023 Supplement, section 122A.181, subdivision 2, is amended to read:

Subd. 2. **Professional requirements.** ~~(a) An applicant for a Tier 1 license must have a bachelor's degree to teach a class or course outside a career and technical education or career pathways course of study, unless the applicant meets an exemption identified in subdivision 2a.~~

~~(b) An applicant for a Tier 1 license must have one of the following credentials in a relevant content area to teach a class in a career and technical education or career pathways course of study:~~

- ~~(1) an associate's degree;~~
- ~~(2) a professional certification; or~~
- ~~(3) five years of relevant work experience.~~

Sec. 4. Minnesota Statutes 2022, section 122A.182, is amended by adding a subdivision to read:

Subd. 1a. **Special education requirements.** The Professional Educator Licensing and Standards Board must approve an application for a Tier 2 license in a special education field if:

- (1) the application meets all the requirements under subdivision 1;
- (2) the district or charter school affirms that the applicant will receive high-quality professional development that is sustained, intensive, and classroom focused in order to have a positive and lasting impact on classroom instruction, before and while teaching;
- (3) the district or charter school affirms that the applicant will participate in a program of intensive supervision that consists of structured guidance and regular ongoing support for teachers or a teacher mentoring program; and
- (4) the applicant demonstrates satisfactory progress toward professional licensure.

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

Sec. 5. Minnesota Statutes 2023 Supplement, section 122A.183, subdivision 2, is amended to read:

Subd. 2. **Coursework.** An applicant for a Tier 3 license must meet the coursework requirement by demonstrating one of the following:

- (1) completion of a Minnesota-approved teacher preparation program;
- (2) completion of a state-approved teacher preparation program that includes field-specific student teaching equivalent to field-specific student teaching in Minnesota-approved teacher preparation programs. The field-specific student teaching requirement does not apply to an applicant that has two years of field-specific teaching experience;
- (3) ~~submission of a content-specific~~ a recommendation for licensure through the licensure via portfolio process;
- (4) a professional teaching license from another state, evidence that the applicant's license is in good standing, and two years of field-specific teaching experience; or
- (5) three years of teaching experience under a Tier 2 license and evidence of summative teacher evaluations that did not result in placing or otherwise keeping the teacher on an improvement process pursuant to section 122A.40, subdivision 8, or 122A.41, subdivision 5.

Sec. 6. Minnesota Statutes 2023 Supplement, section 122A.184, subdivision 1, is amended to read:

Subdivision 1. **Requirements.** The Professional Educator Licensing and Standards Board must issue a Tier 4 license to an applicant who provides information sufficient to demonstrate all of the following:

(1) the applicant meets all requirements for a Tier 3 license under section 122A.183, and: (i) has completed a teacher preparation program under section 122A.183, subdivision 2, clause (1) or (2); (ii) obtained licensure through the licensure via portfolio process under section 122A.183, subdivision 2, clause (3); or (iii) holds national board certification from the National Board for Professional Teaching Standards;

(2) the applicant has at least three years of field-specific teaching experience as a teacher of record;

(3) the applicant has obtained a passing score on all required licensure exams under section 122A.185; and

(4) if the applicant previously held a Tier 3 license under section 122A.183, the applicant has completed the renewal requirements in section 122A.187.

Sec. 7. Minnesota Statutes 2023 Supplement, section 122A.185, subdivision 1, is amended to read:

Subdivision 1. **Tests.** (a) The board must adopt rules requiring applicants for Tier 3 and Tier 4 licenses to pass an examination or performance assessment of general pedagogical knowledge and examinations or assessments of licensure field specific content. An applicant is exempt from the examination requirements if the applicant ~~completed~~:

(1) completed a board-approved teacher preparation program;

(2) completed licensure via portfolio pursuant to section 122A.18, subdivision 10, and the portfolio has been ~~approved~~ recommended; ~~or~~

(3) obtained national board certification from the National Board for Professional Teaching Standards; or

~~(3)~~ (4) completed a state-approved teacher preparation program in another state and passed licensure examinations in that state, if applicable. The content examination requirement does not apply if no relevant content exam exists.

(b) All testing centers in the state must provide monthly opportunities for untimed content and pedagogy examinations. These opportunities must be advertised on the test registration website. The board must require the exam vendor to provide other equitable opportunities to pass exams, including: (1) waiving testing fees for test takers who qualify for federal grants; (2) providing free, multiple, full-length practice tests for each exam and free, comprehensive study guides on the test registration website; (3) making content and pedagogy exams available in languages other than English for teachers seeking licensure to teach in language immersion programs; and (4) providing free, detailed exam results analysis by test objective to assist applicants who do not pass an exam in identifying areas for improvement. Any applicant who has not passed a required exam after two attempts must be allowed to retake the exam, including new versions of the exam, without being charged an additional fee.

Sec. 8. Minnesota Statutes 2022, section 122A.185, subdivision 3, is amended to read:

Subd. 3. **Testing accommodations.** The board and the entity administering the content, and pedagogy, ~~and skills~~ examinations must allow any individual who produces documentation of a disability in the form of an evaluation, 504 plan, or individual education program (IEP) to receive the same testing accommodations on the content, and pedagogy, ~~and skills~~ examinations that the applicant received during the applicant's secondary or postsecondary education.

Sec. 9. Minnesota Statutes 2022, section 122A.20, is amended by adding a subdivision to read:

Subd. 4. Prohibition on teaching assignment. A school district or charter school may not place a teacher in a teaching assignment if the teacher has been criminally charged in state or federal court with any of the offenses listed in subdivision 1, paragraph (b), or is charged with any other offense not listed in this section that requires the person to register as a predatory offender under section 243.166, or a crime under a similar law of another state or the United States.

Sec. 10. Minnesota Statutes 2023 Supplement, section 122A.40, subdivision 8, is amended to read:

Subd. 8. Development, evaluation, and peer coaching for continuing contract teachers. (a) To improve student learning and success, a school board and an exclusive representative of the teachers in the district, consistent with paragraph (b), may develop a teacher evaluation and peer review process for probationary and continuing contract teachers through joint agreement. If a school board and the exclusive representative of the teachers do not agree to an annual teacher evaluation and peer review process, then the school board and the exclusive representative of the teachers must implement the state teacher evaluation plan under paragraph (c). The process must include having trained observers serve as peer coaches or having teachers participate in professional learning communities, consistent with paragraph (b).

(b) To develop, improve, and support qualified teachers and effective teaching practices, improve student learning and success, and provide all enrolled students in a district or school with improved and equitable access to more effective and diverse teachers, the annual evaluation process for teachers:

(1) must, for probationary teachers, provide for all evaluations required under subdivision 5;

(2) must establish a three-year professional review cycle for each teacher that includes an individual growth and development plan, a peer review process, and at least one summative evaluation performed by a qualified and trained evaluator such as a school administrator. For the years when a tenured teacher is not evaluated by a qualified and trained evaluator, the teacher must be evaluated by a peer review;

(3) must include a rubric of performance standards for teacher practice that: (i) is based on ~~professional teaching standards established in rule~~ the standards of effective practice in Minnesota Rules, part 8710.2000; (ii) includes culturally responsive methodologies; and (iii) provides common descriptions of effectiveness using at least three levels of performance;

(4) must coordinate staff development activities under sections 122A.60 and 122A.61 with this evaluation process and teachers' evaluation outcomes;

(5) may provide time during the school day and school year for peer coaching and teacher collaboration;

(6) may include job-embedded learning opportunities such as professional learning communities;

(7) may include mentoring and induction programs for teachers, including teachers who are members of populations underrepresented among the licensed teachers in the district or school and who reflect the diversity of students under section 120B.35, subdivision 3, paragraph (b), clause (2), who are enrolled in the district or school;

(8) must include an option for teachers to develop and present a portfolio demonstrating evidence of reflection and professional growth, consistent with section 122A.187, subdivision 3, and include teachers' own performance assessment based on student work samples and examples of teachers' work, which may include video among other activities for the summative evaluation;

(9) must use data from valid and reliable assessments aligned to state and local academic standards and must use state and local measures of student growth and literacy that may include value-added models or student learning goals to determine 35 percent of teacher evaluation results;

(10) must use longitudinal data on student engagement and connection, and other student outcome measures explicitly aligned with the elements of curriculum for which teachers are responsible, including academic literacy, oral academic language, and achievement of content areas of English learners;

(11) must require qualified and trained evaluators such as school administrators to perform summative evaluations and ensure school districts and charter schools provide for effective evaluator training specific to teacher development and evaluation;

(12) must give teachers not meeting professional teaching standards under clauses (3) to (11) support to improve through a teacher improvement process that includes established goals and timelines; and

(13) must discipline a teacher for not making adequate progress in the teacher improvement process under clause (12) that may include a last chance warning, termination, discharge, nonrenewal, transfer to a different position, a leave of absence, or other discipline a school administrator determines is appropriate.

Data on individual teachers generated under this subdivision are personnel data under section 13.43. The observation and interview notes of peer coaches may only be disclosed to other school officials with the consent of the teacher being coached.

(c) The department, in consultation with parents who may represent parent organizations and teacher and administrator representatives appointed by their respective organizations, representing the Professional Educator Licensing and Standards Board, the Minnesota Association of School Administrators, the Minnesota School Boards Association, the Minnesota Elementary and Secondary Principals Associations, Education Minnesota, and representatives of the Minnesota Assessment Group, the Minnesota Business Partnership, the Minnesota Chamber of Commerce, and Minnesota postsecondary institutions with research expertise in teacher evaluation, must create and publish a teacher evaluation process that complies with the requirements in paragraph (b) and applies to all teachers under this section and section 122A.41 for whom no agreement exists under paragraph (a) for an annual teacher evaluation and peer review process. The teacher evaluation process created under this subdivision does not create additional due process rights for probationary teachers under subdivision 5.

(d) Consistent with the measures of teacher effectiveness under this subdivision:

(1) for students in kindergarten through grade 4, a school administrator must not place or approve the placement of a student in the classroom of a teacher who is in the improvement process referenced in paragraph (b), clause (12), or has not had a summative evaluation if, in the prior year, that student was in the classroom of a teacher who received discipline pursuant to paragraph (b), clause (13), unless no other teacher at the school teaches that grade; and

(2) for students in grades 5 through 12, a school administrator must not place or approve the placement of a student in the classroom of a teacher who is in the improvement process referenced in paragraph (b), clause (12), or has not had a summative evaluation if, in the prior year, that student was in the classroom of a teacher who received discipline pursuant to paragraph (b), clause (13), unless no other teacher at the school teaches that subject area and grade.

All data created and used under this paragraph retains its classification under chapter 13.

EFFECTIVE DATE. This section is effective July 1, 2025.

Sec. 11. Minnesota Statutes 2023 Supplement, section 122A.41, subdivision 5, is amended to read:

Subd. 5. **Development, evaluation, and peer coaching for continuing contract teachers.** (a) To improve student learning and success, a school board and an exclusive representative of the teachers in the district, consistent with paragraph (b), may develop an annual teacher evaluation and peer review process for probationary and nonprobationary teachers through joint agreement. If a school board and the exclusive representative of the teachers in the district do not agree to an annual teacher evaluation and peer review process, then the school board and the exclusive representative of the teachers must implement the state teacher evaluation plan developed under paragraph (c). The process must include having trained observers serve as peer coaches or having teachers participate in professional learning communities, consistent with paragraph (b).

(b) To develop, improve, and support qualified teachers and effective teaching practices and improve student learning and success, and provide all enrolled students in a district or school with improved and equitable access to more effective and diverse teachers, the annual evaluation process for teachers:

(1) must, for probationary teachers, provide for all evaluations required under subdivision 2;

(2) must establish a three-year professional review cycle for each teacher that includes an individual growth and development plan, a peer review process, and at least one summative evaluation performed by a qualified and trained evaluator such as a school administrator;

(3) must include a rubric of performance standards for teacher practice that: (i) is based on ~~professional teaching standards established in rule~~ the standards of effective practice in Minnesota Rules, part 8710.2000; (ii) includes culturally responsive methodologies; and (iii) provides common descriptions of effectiveness using at least three levels of performance;

(4) must coordinate staff development activities under sections 122A.60 and 122A.61 with this evaluation process and teachers' evaluation outcomes;

(5) may provide time during the school day and school year for peer coaching and teacher collaboration;

(6) may include job-embedded learning opportunities such as professional learning communities;

(7) may include mentoring and induction programs for teachers, including teachers who are members of populations underrepresented among the licensed teachers in the district or school and who reflect the diversity of students under section 120B.35, subdivision 3, paragraph (b), clause (2), who are enrolled in the district or school;

(8) must include an option for teachers to develop and present a portfolio demonstrating evidence of reflection and professional growth, consistent with section 122A.187, subdivision 3, and include teachers' own performance assessment based on student work samples and examples of teachers' work, which may include video among other activities for the summative evaluation;

(9) must use data from valid and reliable assessments aligned to state and local academic standards and must use state and local measures of student growth and literacy that may include value-added models or student learning goals to determine 35 percent of teacher evaluation results;

(10) must use longitudinal data on student engagement and connection and other student outcome measures explicitly aligned with the elements of curriculum for which teachers are responsible, including academic literacy, oral academic language, and achievement of English learners;

(11) must require qualified and trained evaluators such as school administrators to perform summative evaluations and ensure school districts and charter schools provide for effective evaluator training specific to teacher development and evaluation;

(12) must give teachers not meeting professional teaching standards under clauses (3) to (11) support to improve through a teacher improvement process that includes established goals and timelines; and

(13) must discipline a teacher for not making adequate progress in the teacher improvement process under clause (12) that may include a last chance warning, termination, discharge, nonrenewal, transfer to a different position, a leave of absence, or other discipline a school administrator determines is appropriate.

Data on individual teachers generated under this subdivision are personnel data under section 13.43. The observation and interview notes of peer coaches may only be disclosed to other school officials with the consent of the teacher being coached.

(c) The department, in consultation with parents who may represent parent organizations and teacher and administrator representatives appointed by their respective organizations, representing the Professional Educator Licensing and Standards Board, the Minnesota Association of School Administrators, the Minnesota School Boards Association, the Minnesota Elementary and Secondary Principals Associations, Education Minnesota, and representatives of the Minnesota Assessment Group, the Minnesota Business Partnership, the Minnesota Chamber of Commerce, and Minnesota postsecondary institutions with research expertise in teacher evaluation, must create and publish a teacher evaluation process that complies with the requirements in paragraph (b) and applies to all teachers under this section and section 122A.40 for whom no agreement exists under paragraph (a) for an annual teacher evaluation and peer review process. The teacher evaluation process created under this subdivision does not create additional due process rights for probationary teachers under subdivision 2.

(d) Consistent with the measures of teacher effectiveness under this subdivision:

(1) for students in kindergarten through grade 4, a school administrator must not place or approve the placement of a student in the classroom of a teacher who is in the improvement process referenced in paragraph (b), clause (12), or has not had a summative evaluation if, in the prior year, that student was in the classroom of a teacher who received discipline pursuant to paragraph (b), clause (13), unless no other teacher at the school teaches that grade; and

(2) for students in grades 5 through 12, a school administrator must not place or approve the placement of a student in the classroom of a teacher who is in the improvement process referenced in paragraph (b), clause (12), or has not had a summative evaluation if, in the prior year, that student was in the classroom of a teacher who received discipline pursuant to paragraph (b), clause (13), unless no other teacher at the school teaches that subject area and grade.

All data created and used under this paragraph retains its classification under chapter 13.

EFFECTIVE DATE. This section is effective July 1, 2025.

Sec. 12. **[122A.615] ABLEISM AND DISABILITY JUSTICE.**

A school district or charter school is encouraged to include training on ableism and disability justice provided by a person with a disability in its professional development activities for teachers and paraprofessionals, Title I aides, and other instructional support staff.

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

Sec. 13. Minnesota Statutes 2023 Supplement, section 122A.631, subdivision 2, is amended to read:

Subd. 2. **Definition.** (a) "Heritage language and culture ~~teachers~~ teacher" means ~~teachers with a teacher who~~ meets the following requirements:

- (1) has a familial connection to a the teacher's community's language and culture who use;
- (2) is proficient in the language and engaged in the culture; and
- (3) uses this connection to support students as they learn academic content or, become proficient in the language, and engage with the culture of that particular community.

(b) For the purposes of this section, a heritage language and culture teacher of American Sign Language is a teacher with a childhood connection to American Sign Language and whose primary language is American Sign Language.

Sec. 14. Minnesota Statutes 2023 Supplement, section 122A.631, subdivision 4, is amended to read:

Subd. 4. **Heritage language and culture teacher licensure pathway program.** (a) The Professional Educator Licensing and Standards Board shall develop a program to support initial and additional licensure for heritage language and culture teachers. The board may prioritize the participation of heritage language and culture teachers whose own heritage language is within the most common languages spoken by Minnesota students, as indicated by the Department of Education report on primary home languages, and for which there are fewer teacher preparation programs for that licensure area or fewer teachers that hold a license in that area. The program must include:

- (1) a yearlong mentorship program;
 - (2) monthly meetings where applicants receive guidance on completing the portfolio process from a portfolio liaison, dedicated specifically to facilitating this program;
 - (3) a stipend to cover substitute teachers when meetings take place during the school day;
 - (4) a waiver for all portfolio and licensure testing fees; and
 - (5) a portfolio review committee created by the board.
- (b) For applicants seeking an initial license in a world language and culture, the applicant must demonstrate meeting the standards of effective practice in Minnesota Rules, part 8710.2000, and content-specific pedagogical standards in Minnesota Rules, part 8710.4950, through the portfolio process.

(c) For applicants seeking a dual license, the applicant must demonstrate meeting the standards of effective practice in Minnesota Rules, part 8710.2000, content-specific pedagogical standards in Minnesota Rules, part 8710.4950, and all standards for the chosen dual license through the portfolio process.

(d) For applicants seeking an additional license in a world language and culture, the applicant must demonstrate meeting the content-specific pedagogical standards in Minnesota Rules, part 8710.4950.

Sec. 15. Minnesota Statutes 2023 Supplement, section 122A.70, subdivision 2, is amended to read:

Subd. 2. **Board grants.** (a) The Professional Educator Licensing and Standards Board must make grant application forms available to sites interested in developing, sustaining, or expanding a mentorship program.

(b) The following applicants are eligible for a program grant:

(1) a school district ~~or group of school districts, a school or coalition of schools, or a coalition of teachers may apply for a program grant,~~ charter school, or cooperative unit, on behalf of its participating schools sites;

(2) a Tribal contract school;

(3) a coalition of teachers; and

(4) a coalition of two or more applicants that are individually eligible for a grant.

A higher education institution or nonprofit organization may partner with ~~a~~ an eligible grant applicant but is not eligible as a sole applicant for grant funds.

(c) The Professional Educator Licensing and Standards Board, in consultation with the teacher mentoring task force, must approve or disapprove the applications. To the extent possible, the approved applications must reflect effective mentoring, professional development, and retention components, and be geographically distributed throughout the state. The Professional Educator Licensing and Standards Board must encourage the selected sites to consider the use of its assessment procedures.

Sec. 16. **REPEALER.**

(a) Minnesota Statutes 2022, section 122A.2451, subdivision 9, is repealed.

(b) Minnesota Statutes 2023 Supplement, section 122A.185, subdivision 4, is repealed.

ARTICLE 4
SPECIAL EDUCATION

Section 1. Minnesota Statutes 2023 Supplement, section 125A.08, is amended to read:

125A.08 INDIVIDUALIZED EDUCATION PROGRAMS.

Subdivision 1. **Individualized education programs.** (a) At the beginning of each school year, each school district shall have in effect, for each child with a disability, an individualized education program.

(b) As defined in this section, every district must ensure the following:

(1) all students with disabilities are provided the special instruction and services which are appropriate to their needs. Where the individualized education program team has determined appropriate goals and objectives based on the student's needs, including the extent to which the student can be included in the least restrictive environment, and where there are essentially equivalent and effective instruction, related services, or assistive technology devices available to meet the student's needs, cost to the district may be among the factors considered by the team in choosing how to provide the appropriate services, instruction, or devices that are to be made part of the student's individualized education program. The individualized education program team shall consider and may authorize services covered by medical assistance according to section 256B.0625, subdivision 26. Before a school district evaluation team makes a determination of other health disability under Minnesota Rules, part 3525.1335, subparts 1 and 2, item A, subitem (1), the evaluation team must seek written documentation of the student's medically diagnosed chronic or acute health condition signed by a licensed physician or a licensed health care provider acting within the scope of the provider's practice. The student's needs and the special education instruction and services to be provided must be agreed upon through the development of an individualized education program. The program

must address the student's need to develop skills to live and work as independently as possible within the community. The individualized education program team must consider positive behavioral interventions, strategies, and supports that address behavior needs for children. During grade 9, the program must address the student's needs for transition from secondary services to postsecondary education and training, employment, community participation, recreation, and leisure and home living. In developing the program, districts must inform parents of the full range of transitional goals and related services that should be considered. The program must include a statement of the needed transition services, including a statement of the interagency responsibilities or linkages or both before secondary services are concluded. If the individualized education program meets the plan components in section 120B.125, the individualized education program satisfies the requirement and no additional transition plan is needed;

(2) children with a disability under age five and their families are provided special instruction and services appropriate to the child's level of functioning and needs;

(3) children with a disability and their parents or guardians are guaranteed procedural safeguards and the right to participate in decisions involving identification, assessment including assistive technology assessment, and educational placement of children with a disability;

(4) eligibility and needs of children with a disability are determined by an initial evaluation or reevaluation, which may be completed using existing data under United States Code, title 20, section 33, et seq.;

(5) to the maximum extent appropriate, children with a disability, including those in public or private institutions or other care facilities, are educated with children who are not disabled, and that special classes, separate schooling, or other removal of children with a disability from the regular educational environment occurs only when and to the extent that the nature or severity of the disability is such that education in regular classes with the use of supplementary services cannot be achieved satisfactorily;

(6) in accordance with recognized professional standards, testing and evaluation materials, and procedures used for the purposes of classification and placement of children with a disability are selected and administered so as not to be racially or culturally discriminatory; and

(7) the rights of the child are protected when the parents or guardians are not known or not available, or the child is a ward of the state.

Subd. 2. Paraprofessionals. (e) For all paraprofessionals employed to work in programs whose role in part is to provide direct support to students with disabilities, the school board in each district shall ensure that:

(1) before or beginning at the time of employment, each paraprofessional must develop sufficient knowledge and skills in emergency procedures, building orientation, roles and responsibilities, confidentiality, vulnerability, and reportability, among other things, to begin meeting the needs, especially disability-specific and behavioral needs, of the students with whom the paraprofessional works;

(2) within five days of beginning to work alone with an individual student with a disability, the assigned paraprofessional must be either given paid time, or time during the school day, to review a student's individualized education program or be briefed on the student's specific needs by appropriate staff;

(3) annual training opportunities are required to enable the paraprofessional to continue to further develop the knowledge and skills that are specific to the students with whom the paraprofessional works, including understanding disabilities, the unique and individual needs of each student according to the student's disability and how the disability affects the student's education and behavior, following lesson plans, and implementing follow-up instructional procedures and activities; and

(4) a districtwide process obligates each paraprofessional to work under the ongoing direction of a licensed teacher and, where appropriate and possible, the supervision of a school nurse.

Subd. 3. Functional behavior assessment. ~~(4)~~ A school district may conduct a functional behavior assessment as defined in Minnesota Rules, part 3525.0210, subpart 22, as a stand-alone evaluation without conducting a comprehensive evaluation of the student in accordance with prior written notice provisions in section 125A.091, subdivision 3a. A parent or guardian may request that a school district conduct a comprehensive evaluation of the parent's or guardian's student.

Subd. 4. Developmental adapted physical education assessment. A school district may conduct an assessment for developmental adapted physical education, as defined in Minnesota Rules, part 3525.1352, as a stand-alone evaluation without conducting a comprehensive evaluation of the student in accordance with prior written notice provisions in section 125A.091, subdivision 3a. A parent or guardian may request that a school district conduct a comprehensive evaluation of the parent's or guardian's student.

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

Sec. 2. **SPECIAL EDUCATION LICENSURE RECIPROCITY WORKING GROUP.**

Subdivision 1. Working group established. The Professional Educator Licensing and Standards Board must establish a working group on special education licensure reciprocity.

Subd. 2. Members. (a) The board must consult with the organizations identified in paragraph (b) before naming appointed members to the working group.

(b) By July 1, 2024, the board must appoint the following members to the working group:

(1) the executive director of the board or the executive director's designee;

(2) one representative from the board;

(3) two representatives from Minnesota Administrators for Special Education, consisting of one member from the seven-county metropolitan area and one member from outside the metropolitan area;

(4) two representatives from the Minnesota Association of School Administrators, consisting of one member from the seven-county metropolitan area and one member from outside the metropolitan area;

(5) two representatives from the Minnesota School Boards Association, consisting of one member from the seven-county metropolitan area and one member from outside the metropolitan area;

(6) two representatives from Education Minnesota, consisting of one member from the seven-county metropolitan area and one member from outside the metropolitan area;

(7) four licensed special education teachers, consisting of two members from the seven-county metropolitan area and two members from outside the metropolitan area;

(8) two representatives from the Minnesota Association of Colleges for Teacher Education;

(9) two representatives from alternative teacher preparation programs; and

(10) one representative from the Minnesota Association of Charter Schools.

Subd. 3. **Duties.** The working group must meet on a regular basis and review current statutory and rule requirements for persons with a special education license from another state to qualify for a special education license in Minnesota, and make recommendations on statutory or rule changes necessary to streamline requirements for out-of-state applicants. The working group must submit its recommendations to the board for consideration for inclusion in the board's legislative priorities, and by February 1, 2025, must submit a report to the legislative committees with jurisdiction over kindergarten through grade 12 education.

Subd. 4. **Administrative provisions.** (a) The executive director of the board, or the director's designee, must convene the initial meeting of the working group. Upon request of the working group, the board must provide meeting space and administrative services for the group.

(b) Members of the working group serve without compensation or payment of expenses.

(c) The working group expires February 1, 2025, or upon submission of the report to the legislature required under subdivision 3, whichever is earlier.

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

ARTICLE 5 CHARTER SCHOOLS

Section 1. Minnesota Statutes 2022, section 124E.01, subdivision 1, is amended to read:

Subdivision 1. **Purposes.** The primary purpose of ~~charter mission-driven chartered public~~ schools is to improve ~~all pupil the learning and all student, achievement, and success of all students.~~ Additional purposes include to The additional purposes of chartered public schools are to:

- (1) increase quality learning opportunities for all ~~pupils~~ students;
- (2) encourage the use of different and innovative teaching methods;
- (3) measure learning outcomes and create different and innovative forms of measuring outcomes;
- (4) establish new forms of accountability for schools; or
- (5) create new professional opportunities for teachers, including the opportunity to be responsible for the learning program at the school site.

A chartered public school must identify the purposes it will address in the charter contract and document the implementation of those purposes in the school's annual report. Documentation of the implementation of those purposes must be a component of the authorizer's performance review of the school.

Sec. 2. Minnesota Statutes 2023 Supplement, section 124E.02, is amended to read:

124E.02 DEFINITIONS.

- (a) For purposes of this chapter, the terms defined in this section have the meanings given them.
- (b) "Affidavit" means a written statement the authorizer submits to the commissioner for approval to establish a charter school under section 124E.06, subdivision 4, attesting to its review and approval process before chartering a school.

(c) "Affiliate" means a person that directly or indirectly, through one or more intermediaries, controls, is controlled by, or is under common control with another person.

(d) "Charter management organization" or "CMO" means ~~any a nonprofit or for-profit entity or organization that contracts with a charter school board of directors to provide, manage, or oversee~~ operates or manages a charter school or a network of charter schools or can control all or substantially all of a school's education program or a school's administrative, financial, business, or operational functions.

(e) "Control" means the ability to affect the management, operations, or policy actions or decisions of a person, whether by owning voting securities, by contract, or otherwise.

(f) "Educational management organization" or "EMO" means a ~~nonprofit or for-profit entity or organization that provides, manages or oversees~~ operates or manages a charter school or a network of charter schools or can control all or substantially all of ~~the a school's~~ a school's education program, or ~~the a school's~~ a school's administrative, financial, business, or operational functions.

(g) "Immediate family" means ~~an individual whose a relationship by blood, marriage, adoption, or partnership is no more remote than~~ of spouses, parents, grandparents, siblings, children, aunts, uncles, grandchildren, nieces, nephews, or first cousin cousins.

(h) "Market need and demand study" means a study that includes the following for the proposed locations of the school or additional site:

- (1) current and projected demographic information;
- (2) student enrollment patterns;
- (3) information on existing schools and types of educational programs currently available;
- (4) characteristics of proposed students and families;
- (5) availability of properly zoned and classified facilities; and
- (6) quantification of existing demand for the school or site.

(i) "Person" means an individual or entity of any kind.

(j) "Related party" means an affiliate or immediate relative of the other interested party, an affiliate of an immediate relative who is the other interested party, or an immediate relative of an affiliate who is the other interested party.

(k) For purposes of this chapter, the terms defined in section 120A.05 have the same meanings.

Sec. 3. Minnesota Statutes 2023 Supplement, section 124E.03, subdivision 2, is amended to read:

Subd. 2. **Certain federal, state, and local requirements.** (a) A charter school shall meet all federal, state, and local health and safety requirements applicable to school districts.

(b) A school must comply with statewide accountability requirements governing standards and assessments in chapter 120B.

- (c) A charter school must comply with the Minnesota Public School Fee Law, sections 123B.34 to 123B.39.
- (d) A charter school is a district for the purposes of tort liability under chapter 466.
- (e) A charter school must comply with the Pledge of Allegiance requirement under section 121A.11, subdivision 3.
- (f) A charter school and charter school board of directors must comply with chapter 181 governing requirements for employment.
- (g) A charter school must comply with continuing truant notification under section 260A.03.
- (h) A charter school must develop and implement a teacher evaluation and peer review process under section 122A.40, subdivision 8, paragraph (b), clauses (2) to (13), and place students in classrooms in accordance with section 122A.40, subdivision 8, paragraph (d). The teacher evaluation process in this paragraph does not create any additional employment rights for teachers.
- (i) A charter school must adopt a ~~policy~~, plan, budget, and process, consistent with section 120B.11, to review curriculum, instruction, and student achievement and strive for the world's best workforce.
- (j) A charter school is subject to and must comply with the Pupil Fair Dismissal Act, sections 121A.40 to 121A.56 and 121A.575, 121A.60, 121A.61, and 121A.65.

Sec. 4. Minnesota Statutes 2022, section 124E.05, subdivision 2, is amended to read:

Subd. 2. **Roles, responsibilities, and requirements for of authorizers.** ~~The authorizer must participate in department approved training.~~ (a) The role of an authorizer is to ensure that a school it authorizes has the autonomy granted by statute, fulfills the purposes of a chartered public school, and is accountable to the agreed upon terms of the charter school contract in order to safeguard quality educational opportunities for students and maintain public trust and confidence.

(b) An authorizer has the following responsibilities:

(1) to review applications for new schools, determine whether a new school is ready to open, review applications for grade and site expansions, review applications for change in authorizers, and determine whether to approve or deny an application based on the authorizer's approved criteria;

(2) to negotiate and execute the performance charter contracts with the schools it authorizes;

(3) to conduct ongoing monitoring, oversight, and evaluation of the school's academic, operational, and financial performance during the term of the charter contract;

(4) to evaluate the academic, operational, and financial performance of the school as defined in the charter contract prior to the end of the contract to determine the renewal, nonrenewal, or termination of the contract; and

(5) to comply with authorizer requirements in chapter 124E.

(c) An authorizer must document in the authorizer annual report under section 124E.16, subdivision 2, paragraph (b), the annual successful completion of training of its staff members during the previous year relative to chartering and an authorizer's role and responsibilities.

(d) An authorizer must participate in department-approved training.

Sec. 5. Minnesota Statutes 2022, section 124E.05, subdivision 3, is amended to read:

Subd. 3. **Application process.** (a) An eligible ~~authorizer~~ organization under this section must apply to the commissioner for approval as an authorizer before submitting any affidavit to the commissioner to charter a school. The application for approval as a charter school authorizer must show the applicant's ability to implement the procedures and satisfy the criteria for chartering a school under this chapter. The commissioner must approve or disapprove the application within 45 business days of the deadline for that application period. If the commissioner disapproves the application, the commissioner must notify the applicant of the specific deficiencies in writing and the applicant then has 20 business days to address the deficiencies to the commissioner's satisfaction. After the 20 business days expire, the commissioner has 15 business days to make a final decision to approve or disapprove the application. Failing to address the deficiencies to the commissioner's satisfaction makes an applicant ineligible to be an authorizer. The commissioner, in establishing criteria to approve an authorizer, consistent with subdivision 4, must consider the applicant's:

- (1) infrastructure and capacity to serve as an authorizer;
- (2) application criteria and process;
- (3) contracting process;
- (4) ongoing oversight and evaluation processes; and
- (5) renewal criteria and processes.

(b) A disapproved applicant under this section may resubmit an application during a future application period.

Sec. 6. Minnesota Statutes 2022, section 124E.05, subdivision 5, is amended to read:

Subd. 5. **Review by commissioner.** (a) The commissioner shall review an authorizer's performance every five years in a manner and form determined by the commissioner, subject to paragraphs (b) and (c), and may review an authorizer's performance more frequently at the commissioner's own initiative or at the request of a charter school ~~operator~~ chief administrator, charter school board ~~member~~ of directors, or other interested party. The commissioner, after completing the review, shall transmit a report with findings to the authorizer and the schools authorized by the authorizer.

(b) Consistent with this subdivision, the commissioner must:

- ~~(1) use criteria appropriate to the authorizer and the schools it charts to review the authorizer's performance; and~~
- ~~(2) consult with authorizers, charter school operators, and other charter school stakeholders in developing review criteria under this paragraph.~~

~~(c) The commissioner's form must use existing department data on the authorizer to minimize duplicate reporting to the extent practicable. When reviewing an authorizer's performance under this subdivision, the commissioner must not:~~

- ~~(1) fail to credit;~~
- ~~(2) withhold points; or~~
- ~~(3) otherwise penalize an authorizer for failing to charter additional schools or for the absence of complaints against the authorizer's current portfolio of charter schools.~~

(1) develop the criteria and process of the performance review system in consultation with authorizers, school administrators, charter school boards of directors, and other charter school stakeholders;

(2) publish the authorizer performance review criteria and process at least 12 months before any change or process takes effect, except for changes required to take effect earlier in accordance with state or federal law;

(3) evaluate the authorizer's performance on adherence and implementation of the authorizer's policies, procedures, and processes that are subject to section 124E.05, subdivision 2, paragraph (b);

(4) solicit feedback from the authorizer, charter school administrators, and charter school boards of directors; and

(5) use existing department data on the authorizer to minimize duplicate reporting to the extent practicable.

(c) Consistent with this subdivision the commissioner must not penalize in any way an authorizer for not chartering additional schools or for the absence of complaints against an authorizer or an authorizer's portfolio of schools.

Sec. 7. Minnesota Statutes 2023 Supplement, section 124E.06, subdivision 1, is amended to read:

Subdivision 1. **Individuals eligible to organize.** (a) An authorizer, after receiving an application from a charter school developer, may charter either a licensed teacher under section 122A.18, subdivision 1, or a group of individuals that includes one or more licensed teachers under section 122A.18, subdivision 1, to operate a school subject to the commissioner's approval of the authorizer's affidavit under subdivision 4.

(b) "Application" under this section means the charter school business plan a charter school developer submits to an authorizer for approval to establish a charter school. This application must include:

(1) the proposed school's:

(i) mission and vision statements;

(ii) purposes and goals;

(iii) educational program design and how the program will improve student learning, success, and achievement;

(iv) plan to address the social and emotional learning needs of students and student support services;

(v) plan to provide special education management and services;

(vi) plan for staffing the school with appropriately qualified and licensed personnel;

(vii) financial plan;

(viii) governance and management structure and plan;

(ix) market need and demand study; and

(x) plan for ongoing outreach and dissemination of information about the school's offerings and enrollment procedure to families that reflect the diversity of Minnesota's population and targeted groups under section 124E.17, subdivision 1, paragraph (a);

(2) the school developer's experience and background, including criminal history and bankruptcy background checks; and

(3) any other information the authorizer requests; ~~and,~~

~~(4) a "statement of assurances" of legal compliance prescribed by the commissioner.~~

(c) An authorizer shall not approve an application submitted by a charter school developer under paragraph (a) if the application does not comply with subdivision 3, paragraph (e), and section 124E.01, subdivision 1. The commissioner shall not approve an affidavit submitted by an authorizer under subdivision 4 if the affidavit does not comply with subdivision 3, paragraph (e), and section 124E.01, subdivision 1.

Sec. 8. Minnesota Statutes 2023 Supplement, section 124E.06, subdivision 4, is amended to read:

Subd. 4. **Authorizer's affidavit; approval process.** (a) Before an operator may establish and operate a school, the authorizer must file an affidavit with the commissioner stating its intent to charter a school. An authorizer must file a separate affidavit for each school it intends to charter. An authorizer must file an affidavit at least 14 months before July 1 of the year the new charter school plans to serve students. The affidavit must state:

~~(1) the terms and conditions under which the authorizer would charter a school, including a market need and demand study; and,~~

~~(2) how the authorizer intends to oversee:~~

~~(i) the fiscal and student performance of the charter school; and~~

~~(ii) compliance with the terms of the written contract between the authorizer and the charter school board of directors under section 124E.10, subdivision 1.~~

(b) The commissioner must approve or disapprove the authorizer's affidavit within 60 business days of receiving the affidavit. If the commissioner disapproves the affidavit, the commissioner shall notify the authorizer of the deficiencies in the affidavit and the authorizer then has 20 business days to address the deficiencies. The commissioner must notify the authorizer of the commissioner's final approval or final disapproval within 15 business days after receiving the authorizer's response to the deficiencies in the affidavit. If the authorizer does not address deficiencies to the commissioner's satisfaction, the commissioner's disapproval is final. An authorizer who fails to obtain the commissioner's approval is precluded from chartering the school that is the subject of this affidavit.

(c) The grades and number of primary enrollment sites in an approved affidavit may only be modified under subdivision 5.

Sec. 9. Minnesota Statutes 2023 Supplement, section 124E.06, subdivision 5, is amended to read:

Subd. 5. **Adding grades or sites.** (a) A charter school may apply to the authorizer to amend the school charter to add grades or primary enrollment sites beyond those defined in the original affidavit approved by the commissioner. After approving the school's application, the authorizer shall submit a supplemental affidavit in the form and manner prescribed by the commissioner. The authorizer must file a supplemental affidavit to the commissioner by October 1 to be eligible to add grades or sites in the next school year. The supplemental affidavit must document ~~to the authorizer's satisfaction:~~

(1) ~~the need for the additional grades or sites with supporting long-range enrollment projections for site expansion, a market need and demand study with long-range enrollment projections;~~

(2) ~~a longitudinal record of student academic performance and growth on statewide assessments under chapter 120B or on other academic assessments that measure longitudinal student performance and growth approved by the charter school's board of directors and agreed upon with the authorizer for grade expansion, the need for the additional grades with supporting long-range enrollment projections;~~

(3) ~~a history of sound school finances and a plan to add grades or sites that sustains the school's finances a longitudinal record of at least the three most recent years of student academic proficiency and growth on statewide assessments under chapter 120B or on other academic assessments that measure at least the three most recent years of longitudinal student proficiency and growth approved by the charter school's board of directors and agreed upon with the authorizer;~~

(4) ~~board capacity to administer and manage the additional grades or sites at least three years of sound school finances and a plan to add grades or sites that sustains the school's finances; and~~

(5) ~~for site expansion, a market need and demand study~~ board capacity to administer and manage the additional grades or sites.

(b) The commissioner shall have 30 business days to review and comment on the supplemental affidavit. The commissioner shall notify the authorizer in writing of any deficiencies in the supplemental affidavit and the authorizer then has 20 business days to address any deficiencies in the supplemental affidavit to the commissioner's satisfaction. The commissioner must notify the authorizer of final approval or final disapproval within 15 business days after receiving the authorizer's response to the deficiencies in the affidavit. The school may not add grades or sites until the commissioner has approved the supplemental affidavit. The commissioner's approval or disapproval of a supplemental affidavit is final.

Sec. 10. Minnesota Statutes 2022, section 124E.07, is amended to read:

124E.07 BOARD OF DIRECTORS.

Subdivision 1. **Initial board of directors.** Before entering into a contract or other agreement for professional or other services, goods, or facilities, the operators authorized to organize and operate a school must establish a board of directors composed of at least five members ~~who are not related parties. The initial board members must not be related parties.~~ The initial board continues to serve until a timely election for members of the ongoing charter school board of directors is held according to the school's articles and bylaws under subdivision 4. The initial board of directors and school developers must comply with the training requirements in subdivision 7 upon the incorporation of the school.

Subd. 2. **Ongoing board of directors.** ~~The ongoing board must be elected before the school completes its third year of operation. The initial board must begin the transition to the ongoing board structure by the end of the first year of operation and complete the transition by the end of the second year of operation. The terms of board members shall begin on July 1. Terms shall be no less than two years. The bylaws shall set the number of terms an individual may serve on the board and as an officer of the board. Board elections must be held during the school year but may not be conducted on days when the school is closed.~~

Subd. 3. **Membership criteria.** (a) The ongoing charter school board of directors shall have at least five ~~nonrelated members and include:~~ The board members must not be related parties. The ongoing board must include: (1) at least one licensed teacher ~~who is employed as a teacher at the school or provides instruction under contract between the charter school and a cooperative;~~ (2) at least one parent or legal guardian of a student enrolled

in the charter school who is not an employee of the charter school; and (3) at least one interested community member ~~who resides in Minnesota, is not employed by the charter school, and does not have a child enrolled in the school.~~ A community member serving on the board must reside in Minnesota, must not have a child enrolled in the school, and must not be an employee of the charter school.

(b) To serve as a licensed teacher on a charter school board, an individual must:

(1) be employed by the school or provide at least 720 hours of service under a contract between the charter school and a teacher cooperative;

(2) be a qualified teacher as defined under section 122A.16, either serving as a teacher of record in a field in which the individual has a field license, or providing services to students the individual is licensed to provide; and

(3) not serve in an administrative or supervisory capacity for more than 240 hours in a school calendar year.

(c) The board structure must be defined in the bylaws. The board structure may ~~include~~ (1) be a majority of teachers under this paragraph ~~or~~ (b), (2) be a majority of parents ~~or~~, (3) be a majority of community members, or ~~it may~~ (4) have no clear majority.

(d) The ~~chief financial officer and the~~ chief administrator may only serve as an ex-officio nonvoting board ~~members~~ member. No charter school employees shall serve on the board other than teachers under ~~clause (1) paragraph (b).~~ Contractors providing facilities, goods, or services to a charter school shall not serve on the board of directors of the charter school.

~~(b)~~ (e) A contractor providing facilities, goods, or services to a charter school must not serve on the board of directors. In addition, an individual is prohibited from serving as a member of the charter school board of directors if: (1) the individual, an immediate family member, or the individual's partner is a full or part owner or principal with a for-profit or nonprofit entity or independent contractor with whom the charter school contracts, directly or indirectly, for professional services, goods, or facilities; or (2) an immediate family member is an employee of the school. An individual may serve as a member of the board of directors if no conflict of interest exists under this paragraph, consistent with this section.

~~(e)~~ (f) A violation of paragraph ~~(b)~~ (e) renders a contract voidable at the option of the commissioner or the charter school board of directors. A member of a charter school board of directors who violates paragraph ~~(b)~~ (e) is individually liable to the charter school for any damage caused by the violation.

~~(d)~~ (g) Any employee, agent, contractor, or board member of the authorizer who participates in initially reviewing, approving, overseeing, evaluating, renewing, or not renewing the charter school is ineligible to serve on the board of directors of a school chartered by that authorizer.

(h) An individual is prohibited from serving on more than one charter school board at the same time in either an elected or ex-officio capacity.

Subd. 4. **Board structure.** Board bylaws shall outline the process and procedures for changing the board's governance structure, consistent with chapter 317A. A board may change its governance structure only:

(1) by a majority vote of the board of directors ~~and a majority vote of the licensed teachers employed by the school as teachers, including licensed teachers providing instruction under a contract between the school and a cooperative; and~~

(2) by a majority vote of the licensed teachers employed by the school as teachers who provide instruction to students, including licensed teachers providing instruction under a contract between the school and a cooperative; and

~~(2)~~ (3) with the authorizer's approval.

Any change in board governance structure must conform with the board composition established under this section.

Subd. 5. ~~Eligible voters~~ **Board elections.** (a) Staff members employed at the school, including teachers providing instruction under a contract with a cooperative, members of the board of directors, and all parents or legal guardians of children enrolled in the school are the voters eligible to elect the members of the school's board of directors. ~~A charter school must notify eligible voters of the school board election dates at least 30 days before the election.~~

(b) The board of directors must establish and publish election policies and procedures on the school's website.

(c) The board of directors must notify eligible voters of the school board election dates and voting procedures at least 30 calendar days before the election and post this information on the school's website.

(d) The board of directors must notify eligible voters of the candidates' names, biographies, and candidate statements at least ten calendar days before the election and post this information on the school's website.

Subd. 6. **Duties.** (a) The board of directors also shall decide and is responsible for all decision making on policy matters related to operating the school, including budgeting, curriculum programming, personnel, and operating procedures. ~~The board shall adopt a nepotism policy.~~ The board ~~shall~~ must adopt personnel evaluation policies and practices that, at a minimum:

- (1) carry out the school's mission and goals;
- (2) evaluate how charter contract goals and commitments are executed;
- (3) evaluate student achievement, postsecondary and workforce readiness, and student engagement and connection goals;
- (4) establish a teacher evaluation process under section 124E.03, subdivision 2, paragraph (h); and
- (5) provide professional development related to the individual's job responsibilities.

(b) The board must adopt a nepotism policy that prohibits the employment of immediate family members of a board member, a school employee, or a teacher who provides instruction under a contract between the charter school and a cooperative. The board may waive this policy if: (1) the position is publicly posted for 20 business days; and (2) a two-thirds majority of the remaining board of directors who are not immediate family members of an applicant vote to approve the hiring. A board member, school employee, or teacher under contract with a cooperative must not be involved in an interview, selection process, hiring, supervision, or evaluation of an employee who is an immediate family member.

Subd. 7. **Training.** ~~Every charter school board member shall attend annual training throughout the member's term. All new board members shall attend initial training on the board's role and responsibilities, employment policies and practices, and financial management. A new board member who does not begin the required initial training within six months after being seated and complete that training within 12 months after being seated is automatically ineligible to continue to serve as a board member. The school shall include in its annual report the training each board member attended during the previous year.~~

(a) Every charter school board member and nonvoting ex-officio member who is a charter school director or chief administrator must attend board training.

(b) Prior to beginning their term, a new board member must complete training on a charter school board's role and responsibilities, open meeting law, and data practices law. An ex-officio member, who is a charter school director or chief administrator, must complete this training within three months of starting employment at the school.

(c) A new board member must complete training on employment policies and practices under chapter 181; public school funding and financial management; and the board's roles and responsibilities regarding student success, achievement, and performance within 12 months of being seated on the board or the individual is automatically ineligible to continue to serve as a board member. A board member who does not complete training within the 12-month period is ineligible to be elected or appointed to a charter school board for a period of 18 months.

(d) Every charter school board member must complete annual training throughout the member's term based on an annual assessment of the training needs of individual members and the full board. Ongoing training includes but is not limited to budgeting, financial management, recruiting and hiring a charter school director or chief administrator, evaluating a charter school director or chief administrator, governance-management relationships, student support services, student discipline, state standards, cultural diversity, succession planning, strategic planning, program oversight and evaluation, compensation systems, human resources policies, effective parent and community relationships, authorizer contract and relationships, charter school law, legal liability, board recruitment and elections, board meetings and operations, policy development and review, and school health and safety.

(e) The organization or person providing training under paragraphs (b), (c), and (d) must certify the individual's completion of the training provided.

(f) The charter school is responsible for covering the costs related to board training. The charter school must include in its annual report the training each board member completed during the previous year.

(g) The board must ensure that an annual assessment of the board's performance is conducted and the results are reported in the school's annual report.

Subd. 8. **Meetings and information.** (a) Board of director meetings must comply with chapter 13D governing open meetings.

(b) A charter school shall publish and maintain on the school's official website: (1) the meeting minutes of the board of directors and of members and committees having board-delegated authority, within 30 days following the earlier of the date of board approval or the next regularly scheduled meeting, and for at least 365 days from the date of publication; (2) directory information for the board of directors and for the members of committees having board-delegated authority; and (3) identifying and contact information for the school's authorizer.

(c) A charter school must include identifying and contact information for the school's authorizer in other school materials it makes available to the public.

Sec. 11. Minnesota Statutes 2022, section 124E.10, subdivision 2, is amended to read:

Subd. 2. **Limits on charter school agreements.** (a) A school must disclose to the commissioner any potential contract, lease, or purchase of service from ~~an~~ its authorizer or a board member, employee, contractor, volunteer, or agent of its authorizer. The contract, lease, or purchase must be accepted through an open bidding process and be separate from the charter contract. The school must document the open bidding process. An authorizer must not enter into a contract to provide management and financial services to a school it authorizes, unless the school documents receiving at least two competitive bids.

(b) Notwithstanding paragraph (a), a charter school may enter into a contract for legal services without opening a bidding process. The school must disclose the contract to the commissioner in accordance with paragraph (a).

~~(b)~~ (c) An authorizer must not condition granting or renewing a charter on:

- (1) the charter school being required to contract, lease, or purchase services from the authorizer; or
- (2) the bargaining unit status of school employees.

Sec. 12. Minnesota Statutes 2022, section 124E.10, subdivision 4, is amended to read:

Subd. 4. **Causes for nonrenewal or termination of charter school contract.** (a) The duration of the contract with an authorizer must be for the term contained in the contract according to subdivision 1, paragraph (a). The authorizer may or may not renew a contract at the end of the term for any ground listed in paragraph (b). An authorizer may unilaterally terminate a contract during the term of the contract for any ground listed in paragraph (b). At least 60 business days before not renewing or terminating a contract, the authorizer shall notify the board of directors of the charter school of the proposed action in writing. The notice shall state the grounds for the proposed action in reasonable detail and describe the informal hearing process, consistent with this paragraph. The charter school's board of directors may request in writing an informal hearing before the authorizer within 15 business days after receiving notice of nonrenewal or termination of the contract. Failure by the board of directors to make a written request for an informal hearing within the 15-business-day period shall be treated as acquiescence to the proposed action. Upon receiving a timely written request for a hearing, the authorizer shall give ten business days' notice to the charter school's board of directors of the hearing date. The hearing must be recorded by audio recording, video recording, or a court reporter. The authorizer must preserve the recording for three years and make the recording available to the public. The authorizer shall conduct an informal hearing before taking final action. The authorizer shall take final action to renew or not renew a contract no later than 20 business days before the proposed date for terminating the contract or the end date of the contract.

(b) An authorizer may terminate or not renew a contract upon any of the following grounds:

- (1) failure to demonstrate satisfactory academic achievement for all students, including the requirements for pupil performance contained in the contract;
- (2) failure to meet generally accepted standards of fiscal management;
- (3) violations of law; or
- (4) other good cause shown.

If the authorizer terminates or does not renew a contract under this paragraph, the school must be dissolved according to the applicable provisions of chapter 317A.

(c) The commissioner, after providing reasonable notice to the board of directors of a charter school and the existing authorizer, and after providing an opportunity for a public hearing, may terminate the existing contract between the authorizer and the charter school board if the charter school has a history of:

- (1) failure to meet pupil performance requirements, consistent with state law;
- (2) financial mismanagement or failure to meet generally accepted standards of fiscal management; or
- (3) repeated or major violations of the law.

Sec. 13. Minnesota Statutes 2022, section 124E.10, subdivision 5, is amended to read:

Subd. 5. **Mutual nonrenewal.** If the authorizer and the ~~charter school~~ board of directors of a charter school serving enrolled students mutually agree not to renew the contract, or if the governing board of an approved authorizer votes to withdraw as an approved authorizer for a reason unrelated to any cause under subdivision 4, a change in authorizers is allowed. The authorizer and the school board must jointly submit a written and signed letter of their intent to the commissioner to mutually not renew the contract. The authorizer that is a party to the existing contract must inform the proposed authorizer about the fiscal, operational, and student performance status of the school, including unmet contract outcomes and other outstanding contractual obligations. The charter contract between the proposed authorizer and the school must identify and provide a plan to address any outstanding obligations from the previous contract. The proposed authorizer must submit the proposed contract at least 105 business days before the end of the existing charter contract. The commissioner has 30 business days to review and make a determination on the change in authorizer. The proposed authorizer and the school have 15 business days to respond to the determination and address any issues identified by the commissioner. The commissioner must make a final determination no later than 45 business days before the end of the current charter contract. If the commissioner does not approve a change in authorizer, the school and the current authorizer may withdraw their letter of nonrenewal and enter into a new contract. If the commissioner does not approve a change in authorizer and the current authorizer and the school do not withdraw their letter and enter into a new contract, the school must be dissolved according to applicable law and the terms of the contract.

Sec. 14. Minnesota Statutes 2023 Supplement, section 124E.11, is amended to read:

124E.11 ADMISSION REQUIREMENTS AND ENROLLMENT.

(a) A charter school, including its preschool or prekindergarten program established under section 124E.06, subdivision 3, paragraph (b), may limit admission to:

- (1) pupils within an age group or grade level;
- (2) pupils who are eligible to participate in the graduation incentives program under section 124D.68; or
- (3) residents of a specific geographic area in which the school is located when the majority of students served by the school are members of underserved populations.

(b) A charter school, including its preschool or prekindergarten program established under section 124E.06, subdivision 3, paragraph (b), must enroll an eligible pupil who submits a timely application, unless the number of applications exceeds the capacity of a program, class, grade level, or building. In this case, pupils must be accepted by lot. The charter school must develop and publish, including on its website, a lottery policy and process that it must use when accepting pupils by lot.

(c) Admission to a charter school must be free to any eligible pupil who resides within the state. A charter school must give enrollment preference to a Minnesota resident pupil over pupils that do not reside in Minnesota. A charter school must require a pupil who does not reside in Minnesota to annually apply to enroll in accordance with paragraphs (a) to (f). A charter school must give enrollment preference to a sibling of an enrolled pupil and to a foster child of that pupil's parents and may give preference for enrolling children of the school's staff before accepting other pupils by lot. A staff member is eligible for an enrollment preference for the staff member's child if the individual is expected to perform work for the school for at least 480 hours in a school calendar year. A charter school that is located in Duluth township in St. Louis County and admits students in kindergarten through grade 6 must give enrollment preference to students residing within a five-mile radius of the school and to the siblings of enrolled children.

(d) A person may not be admitted to a charter school: (1) as a kindergarten pupil, unless the pupil is at least five years of age on September 1 of the calendar year in which the school year for which the pupil seeks admission commences; or (2) as a first grade student, unless the pupil is at least six years of age on September 1 of the calendar year in which the school year for which the pupil seeks admission commences or has completed kindergarten; except that a charter school may establish and publish on its website a policy for admission of selected pupils at an earlier age, consistent with the enrollment process in paragraphs (b) and (c).

(e) Except as permitted in paragraphs (d) and (i), a charter school, including its preschool or prekindergarten program established under section 124E.06, subdivision 3, paragraph (b), may not limit admission to pupils on the basis of intellectual ability, measures of achievement or aptitude, or athletic ability and may not establish any criteria or requirements for admission that are inconsistent with this section.

(f) The charter school or any agent of the school must not distribute any services or goods, payments, or other incentives of value to students, parents, or guardians as an inducement, term, or condition of enrolling a student in a charter school.

(g) Once a student who resides in Minnesota is enrolled in the school in kindergarten through grade 12, or in the school's free preschool or prekindergarten program under section 124E.06, subdivision 3, paragraph (b), the student is considered enrolled in the school until the student formally withdraws, the school receives a request for the transfer of educational records from another school, the school receives a written election by the parent or legal guardian of the student withdrawing the student, or the student is expelled under the Pupil Fair Dismissal Act in sections 121A.40 to 121A.56.

(h) A charter school with at least 90 percent of enrolled students who are eligible for special education services and have a primary disability of deaf or hard-of-hearing may enroll prekindergarten pupils with a disability under section 126C.05, subdivision 1, paragraph (a), and must comply with the federal Individuals with Disabilities Education Act under Code of Federal Regulations, title 34, section 300.324, subsection (2), clause (iv).

(i) A charter school serving at least 90 percent of enrolled students who are eligible for special education services and have a primary disability of deaf, deafblind, or hard-of-hearing may give enrollment preference to students who are eligible for special education services and have a primary disability of deaf, deafblind, or hard-of-hearing. The charter school may not limit admission based on the student's eligibility for additional special education services.

Sec. 15. Minnesota Statutes 2023 Supplement, section 124E.12, subdivision 1, is amended to read:

Subdivision 1. **Teachers.** A charter school, excluding its preschool or prekindergarten program established under section 124E.06, subdivision 3, must employ or contract with necessary teachers, as defined by section 122A.06, subdivision 2, or contract with a cooperative formed under chapter 308A to provide necessary teachers, who hold valid licenses to perform the particular service for which they are employed in the school. A charter school may not contract with a CMO or EMO to provide necessary teachers. A charter school's preschool or prekindergarten program must employ or contract with teachers knowledgeable in early childhood curriculum content, assessment, native and English language programs, and instruction established under section 124E.06, subdivision 3. The commissioner may reduce the charter school's state aid under section 127A.43 if the school employs a teacher who is not appropriately licensed or approved by the Professional Educator Licensing and Standards Board. The school may employ necessary employees who are not required to hold teaching licenses to perform duties other than teaching and may contract for other services. The school may discharge teachers and nonlicensed employees. The charter school board is subject to section 181.932 governing whistle-blowers. When offering employment to a prospective employee, a charter school must give that employee a written description of the terms and conditions of employment and the school's personnel policies.

Sec. 16. Minnesota Statutes 2022, section 124E.12, subdivision 2, is amended to read:

Subd. 2. **Administrators.** ~~(a) A person, without holding a valid administrator's license, may perform administrative, supervisory, or instructional leadership duties. The board of directors shall establish qualifications for all persons who hold administrative, supervisory, or instructional leadership roles. The qualifications shall cover at least: instruction and assessment; human resource and personnel management; financial management; legal and compliance management; effective communication; and board, authorizer, and community relationships. The board of directors shall use those qualifications as the basis for job descriptions, hiring, and performance evaluations of those who hold administrative, supervisory, or instructional leadership roles.~~

~~(b) The board of directors and an individual who does not hold a valid administrative license and who serves in an administrative, supervisory, or instructional leadership position shall develop a professional development plan. The school's annual report must include public personnel information documenting the professional development plan.~~

(a) A charter school board of directors must establish qualifications for all persons who hold administrative, academic supervision, or instructional leadership positions. The qualifications must include a requirement that a person hold a minimum of a four-year degree from an accredited institution or equivalent experience. Other qualifications for these positions shall include, as appropriate for the specific position: instruction and assessment, curriculum design, human resource and personnel management, professional ethics, child development, financial management, legal and compliance management, special education oversight, contract management, effective communication, cultural competency, board and authorizer relationships, parent relationships, and community partnerships. A charter school board of directors must use those qualifications as the basis for the job description, hiring, and performance evaluation of the charter school director or chief administrator. The charter school director or chief administrator must use those qualifications as the basis for the job descriptions, hiring, and performance reviews for the administrative staff, academic program supervisors, and instructional leaders who report to the charter school director or chief administrator.

(b) A person who does not hold a valid administrator's license may perform administrative, academic supervision, or instructional leadership duties. A person without a valid administrator's license serving as a charter school director or chief administrator must complete a minimum of 25 hours annually of competency-based training corresponding to the individual's annual professional development needs and plan approved by the charter school board of directors. Training includes but is not limited to: instruction and curriculum; state standards; teacher and staff hiring, development, support, and evaluation; social-emotional learning; data collection and usage; assessment methodologies; use of technology for learning and management; charter school law and requirements; code of professional ethics; financial management and state accounting requirements; grant management; legal and compliance management; special education management; health and safety laws; restorative justice; cultural competencies; effective communication; parent relationships; board and management relationships; community partnerships; charter contract and authorizer relationships; and public accountability.

(c) A person serving as a charter school director or chief administrator with a valid administrator's license must complete a minimum of ten hours of competency-based training during the first year of employment on the following: charter school law and requirements, board and management relationships, and charter contract and authorizer relationships.

(d) The training a person must complete under paragraphs (b) and (c) may not be self-instructional. The organization or instructor providing the training must certify completion of the training. The person must submit the certification of completion of training to the charter school board of directors and certifications must be maintained in the personnel file. Completing required training must be a component of annual performance evaluations.

(e) All professional development training completed by the charter school director or chief administrator in the previous academic year must be documented in the charter school's annual report.

(f) No charter school administrator may serve as a paid administrator or consultant with another charter school without the knowledge and a two-thirds vote of approval of the boards of directors of the charter schools involved in such an arrangement. The boards of directors involved in such arrangements must send notice of this arrangement to authorizers upon approval by the boards.

(g) No charter school administrator may serve on the board of directors of another charter school.

Sec. 17. Minnesota Statutes 2022, section 124E.14, is amended to read:

124E.14 CONFLICTS OF INTEREST.

(a) No member of the board of directors, employee, officer, or agent of a charter school shall participate in selecting, awarding, or administering a contract if a conflict of interest exists. A conflict exists when:

- (1) the board member, employee, officer, or agent;
- (2) the immediate family of the board member, employee, officer, or agent;
- (3) the partner of the board member, employee, officer, or agent; or
- (4) an organization that employs, or is about to employ any individual in clauses (1) to (3),

has a financial or other interest in the entity with which the charter school is contracting. A violation of this prohibition renders the contract void.

(b) The conflict of interest provisions under this section do not apply to compensation paid to a teacher employed as a teacher by the charter school or a teacher who provides instructional services to the charter school through a cooperative formed under chapter 308A when the teacher also serves on the charter school board of directors.

(c) A charter school board member, employee, or officer is a local official for purposes of section 471.895 with regard to receipt of gifts as defined under section 10A.071, subdivision 1, paragraph (b). A board member, employee, or officer must not receive compensation from a group health insurance provider.

(d) No charter school employee or board member may serve on the board or decision-making committee of the school's authorizer. An employee or school board member must disclose to the school's board of directors any paid compensation they receive from the school's authorizer.

Sec. 18. Minnesota Statutes 2023 Supplement, section 124E.16, subdivision 1, is amended to read:

Subdivision 1. **Audit report.** (a) A charter school is subject to the same financial audits, audit procedures, and audit requirements as a district, except as required under this subdivision. Audits must be conducted in compliance with generally accepted governmental auditing standards, the federal Single Audit Act, if applicable, and section 6.65 governing auditing procedures. ~~A charter school is subject to and must comply with sections 15.054; 118A.01; 118A.02; 118A.03; 118A.04; 118A.05; 118A.06 governing government property and financial investments; and sections 471.38; 471.391; 471.392; and 471.425 governing municipal contracting.~~ The audit must comply with the requirements of sections 123B.75 to 123B.83 governing school district finance, except when the commissioner and authorizer approve a deviation made necessary because of school program finances. The commissioner, state auditor, legislative auditor, or authorizer may conduct financial, program, or compliance audits. A charter school in statutory operating debt under sections 123B.81 to 123B.83 must submit a plan under section 123B.81, subdivision 4.

(b) The charter school must submit an audit report to the commissioner and its authorizer annually by December 31.

(c) The charter school, with the assistance of the auditor conducting the audit, must include with the report, as supplemental information: (1) a copy of a new management agreement or an amendment to a current agreement with a CMO or EMO signed during the audit year; and (2) a copy of a service agreement or contract with a company or individual totaling over five percent of the audited expenditures for the most recent audit year. The agreements must detail the terms of the agreement, including the services provided and the annual costs for those services.

(d) A charter school independent audit report shall include audited financial data of an affiliated building corporation under section 124E.13, subdivision 3, or other component unit.

(e) If the audit report finds that a material weakness exists in the financial reporting systems of a charter school, the charter school must submit a written report to the commissioner explaining how the charter school will resolve that material weakness. An auditor, as a condition of providing financial services to a charter school, must agree to make available information about a charter school's financial audit to the commissioner and authorizer upon request.

Sec. 19. Minnesota Statutes 2022, section 124E.17, is amended to read:

124E.17 DISSEMINATION OF INFORMATION.

Subdivision 1. **Charter school information.** (a) Charter schools must disseminate information about ~~how to use the charter school offerings to targeted groups, among others. Targeted groups include low income families and communities, students of color, and students who are at risk of academic failure.~~ the school's offerings and enrollment procedures to families that reflect the diversity of Minnesota's population and targeted groups. Targeted groups include low-income families and communities, students of color, students at risk of academic failure, and students underrepresented in the school's student body relative to Minnesota's population. The school must document its dissemination activities in the school's annual report. The school's dissemination activities must be a component of the authorizer's performance review of the school.

(b) Authorizers and the commissioner must disseminate information to the public on how to form and operate a charter school. Authorizers, operators, and the commissioner also may disseminate information to interested stakeholders about the successful best practices in teaching and learning demonstrated by charter schools.

Subd. 2. **Financial information.** (a) Upon request of an individual, the charter school must make available in a timely fashion financial statements showing all operations and transactions affecting the school's income, surplus, and deficit during the last annual accounting period; and a balance sheet summarizing assets and liabilities on the closing date of the accounting period. ~~A charter school also must include that same information about its authorizer in other school materials that it makes available to the public.~~

(b) Upon request of an individual, an authorizer must make available in a timely fashion financial statements showing all operations and transactions affecting the authorizer's income, surplus, and deficit during the last annual accounting period, and a balance sheet summarizing assets and liabilities on the closing date of the accounting period.

Sec. 20. Minnesota Statutes 2022, section 124E.26, is amended to read:

124E.26 USE OF STATE MONEY.

Subdivision 1. **Purchasing buildings.** A charter school may not use state money to purchase land or buildings. The charter school may own land and buildings if obtained through nonstate sources.

Subd. 2. **Procurement policy required.** Prior to the expenditure of any state funds, a charter school must adopt a procurement policy consistent with subdivision 4.

Subd. 3. **All purchases.** All purchases using state funds must be made consistent with the procurement policy adopted under subdivision 2.

Subd. 4. **Required policy components.** A charter school procurement policy must at a minimum include:

- (1) conflict of interest provisions consistent with section 124E.14;
- (2) thresholds for purchases by employees without board approval;
- (3) a requirement to use a competitive bidding process for a purchase that is \$25,000 or more; and
- (4) a prohibition on breaking up a procurement into smaller components to avoid the thresholds established in clauses (2) and (3).

Subd. 5. **Reduction in aid.** If a charter school makes a purchase without a procurement policy adopted by the school's board or makes a purchase not in conformity with the school's procurement policy, the commissioner may reduce that charter school's state aid in an amount equal to the purchase.

Subd. 6. **Property, financial investments, and contracting.** A charter school is subject to and must comply with sections 15.054 and 118A.01 to 118A.06 governing government property and financial investments and sections 471.38, 471.391, 471.392, and 471.425 governing municipal contracting.

ARTICLE 6 NUTRITION AND LIBRARIES

Section 1. Minnesota Statutes 2023 Supplement, section 124D.111, subdivision 2a, is amended to read:

Subd. 2a. **Federal child and adult care food program and federal summer food service program; criteria and notice.** (a) The commissioner must post on the department's website eligibility criteria and application information for nonprofit organizations interested in applying to the commissioner for approval as a multisite sponsoring organization under the federal child and adult care food program and federal summer food service program. The posted criteria and information must inform interested nonprofit organizations about:

- (1) the criteria the commissioner uses to approve or disapprove an application, including how an applicant demonstrates financial viability for the Minnesota program, among other criteria;
- (2) the commissioner's process and time line for notifying an applicant when its application is approved or disapproved and, if the application is disapproved, the explanation the commissioner provides to the applicant; and
- (3) any appeal or other recourse available to a disapproved applicant.

(b) The commissioner must evaluate financial eligibility as part of the application process. An organization applying to be a prospective ~~sponsor~~ nonprofit multisite sponsoring organization for the federal child and adult ~~care~~ food program or the federal summer food service program must provide documentation of financial viability as an organization. Documentation must include:

- (1) evidence that the organization has operated for at least one year and has filed at least one tax return;
- (2) the most recent tax return submitted by the organization and corresponding forms and financial statements;
- (3) a profit and loss statement and balance sheet or similar financial information; and

(4) evidence that at least ten percent of the organization's operating revenue comes from sources other than the United States Department of Agriculture child nutrition program and that the organization has additional funds or a performance bond available to cover at least one month of reimbursement claims.

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

Sec. 2. **[134.205] METROPOLITAN LIBRARY SERVICE AGENCY.**

Notwithstanding Minnesota Rules, part 3530.1000, item A, beginning April 1, 2024, the Metropolitan Library Service Agency may employ an executive director who does not hold a master's degree in library science.

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

ARTICLE 7
HEALTH AND SAFETY

Section 1. Minnesota Statutes 2022, section 120B.21, is amended to read:

120B.21 MENTAL HEALTH EDUCATION.

(a) School districts and charter schools are encouraged to provide mental health instruction for students in grades 4 through 12 aligned with local health standards and integrated into existing programs, curriculum, or the general school environment of a district or charter school. The commissioner, in consultation with the commissioner of human services, commissioner of health, and mental health organizations, must, by July 1, 2020, and July 1 of each even-numbered year thereafter, provide districts and charter schools with resources gathered by Minnesota mental health advocates, including:

(1) age-appropriate model learning activities for grades 4 through 12 that encompass the mental health components of the National Health Education Standards and the benchmarks developed by the department's quality teaching network in health and best practices in mental health education; and

(2) a directory of resources for planning and implementing age-appropriate mental health curriculum and instruction in grades 4 through 12 that includes resources on suicide and self-harm prevention. A district or charter school providing instruction or presentations on preventing suicide or self-harm must use either the resources provided by the commissioner or other evidence-based instruction.

(b) Starting in the 2026-2027 school year, school districts and charter schools must provide mental health instruction in accordance with paragraph (a).

Sec. 2. **[121A.216] ACCESS TO SPACE FOR MENTAL HEALTH CARE THROUGH TELEHEALTH.**

(a) Beginning October 1, 2024, to the extent space is available, a school district or charter school must provide an enrolled secondary school student with access during regular school hours, and to the extent staff is available, before or after the school day on days when students receive instruction at school, to space at the school site that a student may use to receive mental health care through telehealth from a student's licensed mental health provider. A secondary school must develop a plan with procedures to receive requests for access to the space.

(b) The space must provide a student privacy to receive mental health care.

(c) A student may use a school-issued device to receive mental health care through telehealth if such use is consistent with the district or school policy governing acceptable use of the school-issued device.

(d) A school may require a student requesting access to space under this section to submit to the school a signed and dated consent from the student's parent or guardian, or from the student if the student is age 16 or older, authorizing the student's licensed mental health provider to release information from the student's health record that is requested by the school to confirm the student is currently receiving mental health care from the provider. Such a consent is valid for the school year in which it is submitted.

EFFECTIVE DATE. This section is effective for the 2024-2025 school year and later.

Sec. 3. Minnesota Statutes 2022, section 121A.22, subdivision 2, is amended to read:

Subd. 2. **Exclusions.** In addition, this section does not apply to drugs or medicine that are:

- (1) purchased without a prescription;
- (2) used by a pupil who is 18 years old or older;
- (3) used in connection with services for which a minor may give effective consent, including section 144.343, subdivision 1, and any other law;
- (4) used in situations in which, in the judgment of the school personnel, including a licensed nurse, who are present or available, the risk to the pupil's life or health is of such a nature that drugs or medicine should be given without delay;
- (5) used off the school grounds;
- (6) used in connection with athletics or extra curricular activities;
- (7) used in connection with activities that occur before or after the regular school day;
- (8) provided or administered by a public health agency to prevent or control an illness or a disease outbreak as provided for in sections 144.05 and 144.12;
- (9) prescription asthma or reactive airway disease medications self-administered by a pupil with an asthma inhaler, consistent with section 121A.221, if the district has received a written authorization from the pupil's parent permitting the pupil to self-administer the medication, the inhaler is properly labeled for that student, and the parent has not requested school personnel to administer the medication to the pupil. The parent must submit written authorization for the pupil to self-administer the medication each school year; or
- (10) epinephrine auto-injectors, consistent with section 121A.2205, if the parent and prescribing medical professional annually inform the pupil's school in writing that (i) the pupil may possess the epinephrine or (ii) the pupil is unable to possess the epinephrine and requires immediate access to epinephrine auto-injectors that the parent provides properly labeled to the school for the pupil as needed.

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

Sec. 4. Minnesota Statutes 2022, section 121A.22, subdivision 4, is amended to read:

Subd. 4. **Administration.** Drugs and medicine subject to this section must be administered in a manner consistent with instructions on the label. Drugs and medicine subject to this section must be administered, to the extent possible, according to school board procedures that must be developed in consultation:

- (1) with a ~~school~~ licensed nurse, in a district that employs a ~~school~~ licensed nurse under section 148.171;
- (2) with a licensed school nurse, in a district that employs a licensed school nurse licensed under Minnesota Rules, part 8710.6100;

(3) with a public or private health or health-related organization, in a district that contracts with a public or private health or health-related organization, according to section 121A.21; or

(4) with the appropriate party, in a district that has an arrangement approved by the commissioner of education, according to section 121A.21.

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

Sec. 5. Minnesota Statutes 2022, section 121A.2207, subdivision 1, is amended to read:

Subdivision 1. **Districts and schools permitted to maintain supply.** (a) Notwithstanding section 151.37, districts and schools may obtain and possess epinephrine auto-injectors to be maintained and administered by school personnel, including a licensed nurse, to a student or other individual if, in good faith, it is determined that person is experiencing anaphylaxis regardless of whether the student or other individual has a prescription for an epinephrine auto-injector. The administration of an epinephrine auto-injector in accordance with this section is not the practice of medicine.

(b) Registered nurses may administer epinephrine auto-injectors in a school setting according to a condition-specific protocol as authorized under section 148.235, subdivision 8. Notwithstanding any limitation in sections 148.171 to 148.285, licensed practical nurses may administer epinephrine auto-injectors in a school setting according to a condition-specific protocol that does not reference a specific patient and that specifies the circumstances under which the epinephrine auto-injector is to be administered, when caring for a patient whose condition falls within the protocol.

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

Sec. 6. Minnesota Statutes 2022, section 260E.14, subdivision 1, is amended to read:

Subdivision 1. **Facilities and schools.** (a) The local welfare agency is the agency responsible for investigating allegations of maltreatment in child foster care, family child care, legally nonlicensed child care, and reports involving children served by an unlicensed personal care provider organization under section 256B.0659. Copies of findings related to personal care provider organizations under section 256B.0659 must be forwarded to the Department of Human Services provider enrollment.

(b) The Department of Human Services is the agency responsible for screening and investigating allegations of maltreatment in juvenile correctional facilities listed under section 241.021 located in the local welfare agency's county and in facilities licensed or certified under chapters 245A, 245D, and 245H, except for child foster care and family child care.

(c) The Department of Health is the agency responsible for screening and investigating allegations of maltreatment in facilities licensed under sections 144.50 to 144.58 and 144A.43 to 144A.482 or chapter 144H.

(d) The Department of Education is the agency responsible for screening and investigating allegations of maltreatment in a school as defined in section 120A.05, subdivisions 9, 11, and 13, and chapter 124E. The Department of Education's responsibility to screen and investigate includes allegations of maltreatment involving students 18 ~~to~~ through 21 years of age, including students receiving special education services, up to and including graduation and the issuance of a secondary or high school diploma.

(e) A health or corrections agency receiving a report may request the local welfare agency to provide assistance pursuant to this section and sections 260E.20 and 260E.22.

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

ARTICLE 8
STATE AGENCIES

Section 1. Minnesota Statutes 2023 Supplement, section 120B.117, subdivision 4, is amended to read:

Subd. 4. **Reporting.** ~~Beginning in 2024 and every even-numbered year thereafter,~~ The Professional Educator Licensing and Standards Board must collaborate with the Department of Education and the Office of Higher Education to publish a summary report of each of the programs they administer and any other programs receiving state appropriations that have or include an explicit purpose of increasing the racial and ethnic diversity of the state's teacher workforce to more closely reflect the diversity of students. The report must include programs under sections 122A.59, 122A.63, 122A.635, 122A.70, 122A.73, 124D.09, 124D.861, 136A.1274, 136A.1276, and 136A.1791, along with any other programs or initiatives that receive state appropriations to address the shortage of teachers of color and American Indian teachers. The board must, in coordination with the Office of Higher Education and Department of Education, provide policy and funding recommendations related to state-funded programs to increase the recruitment, preparation, licensing, hiring, and retention of racially and ethnically diverse teachers and the state's progress toward meeting or exceeding the goals of this section. The report must include recommendations for state policy and funding needed to achieve the goals of this section, plans for sharing the report and activities of grant recipients, and opportunities among grant recipients of various programs to share effective practices with each other. The 2024 initial report must also include a recommendation of whether a state advisory council should be established to address the shortage of racially and ethnically diverse teachers and what the composition and charge of such an advisory council would be if established. The board must consult with the Indian Affairs Council and other ethnic councils along with other community partners, including students of color and American Indian students, in developing the report. ~~By November 3 of each odd-numbered year,~~ The board must submit the report to the chairs and ranking minority members of the legislative committees with jurisdiction over education and higher education policy and finance by November 3, 2025, for the initial report, and by November 3 each even-numbered year thereafter. The report must be available to the public on the board's website.

Sec. 2. Minnesota Statutes 2022, section 120B.13, subdivision 4, is amended to read:

Subd. 4. **Rigorous course taking information; AP, IB, and PSEO.** (a) The commissioner shall submit the following information on rigorous course taking, disaggregated by student subgroup, school district, and postsecondary institution, to the education committees of the legislature by July 1, 2025, and each subsequent year ~~by February July 1:~~

(1) the number of pupils enrolled in postsecondary enrollment options under section 124D.09, including concurrent enrollment, career and technical education courses offered as a concurrent enrollment course, advanced placement, and international baccalaureate courses in each school district;

(2) the number of teachers in each district attending training programs offered by the college board, International Baccalaureate North America, Inc., or Minnesota concurrent enrollment programs;

(3) the number of teachers in each district participating in support programs;

(4) recent trends in the field of postsecondary enrollment options under section 124D.09, including concurrent enrollment, advanced placement, and international baccalaureate programs;

(5) expenditures for each category in this section and under sections 124D.09 and 124D.091, including career and technical education courses offered as a concurrent enrollment course; and

(6) other recommendations for the state program or the postsecondary enrollment options under section 124D.09, including concurrent enrollment.

(b) The commissioner must include data from the 2022-2023 and 2023-2024 school years in the report due on July 1, 2025.

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

Sec. 3. Minnesota Statutes 2023 Supplement, section 121A.20, subdivision 2, is amended to read:

Subd. 2. **Definition.** For purposes of this section, "health services specialist" means a professional registered nurse who:

(1) is licensed as a public health nurse in Minnesota;

(2) is licensed as a school nurse in Minnesota;

(3) has a minimum of three years of experience in school nursing services or as a public health nurse serving schools; and

(4) has experience in managing a districtwide health policy, ~~overseeing a budget, and supervising personnel; and.~~

~~(5) has a graduate degree in nursing, public health, education, or a related field.~~

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

Sec. 4. Minnesota Statutes 2022, section 122A.091, subdivision 5, is amended to read:

Subd. 5. ~~**Survey of districts**~~ **Supply and demand report.** ~~(a) The Professional Educator Licensing and Standards Board must survey the state's school districts and teacher preparation programs and submit a report to the education committees of the legislature by February 1, 2019, and each odd-numbered November 1, 2025, and November 1 of each even-numbered year thereafter, on the status of teacher early supply and demand of teachers. The report must be made available on the board's website. The report must include data regarding:~~

~~(1) retirement patterns; the access to effective and more diverse teachers who reflect the students under section 120B.35, subdivision 3, paragraph (b), clause (2), enrolled in a district or school;~~

(2) teacher licensure;

(3) teacher diversity, including whether the state's teacher workforce reflects the diversity of the state's student population;

(4) the teacher shortage, and the substitute teacher shortage, including patterns and shortages in licensure field areas and the economic development regions of the state;

(5) survey data from school districts and teacher preparation programs; and

~~(b) The report must also include:~~

~~(1) aggregate data on teachers' self-reported race and ethnicity;~~

~~(2) data on how~~ (6) whether districts are making progress in hiring teachers and substitute teachers in the areas of shortage; and.

~~(3) a five year projection of teacher demand for each district, taking into account the students under section 120B.35, subdivision 3, paragraph (b), clause (2), expected to enroll in the district during that five year period.~~

Sec. 5. Minnesota Statutes 2023 Supplement, section 122A.18, subdivision 1, is amended to read:

Subdivision 1. **Authority to license.** (a) The Professional Educator Licensing and Standards Board must issue the following teacher licenses to applicants who meet the qualifications prescribed by this chapter:

- (1) Tier 1 license under section 122A.181;
- (2) Tier 2 license under section 122A.182;
- (3) Tier 3 license under section 122A.183; and
- (4) Tier 4 license under section 122A.184.

(b) The Board of School Administrators must license supervisory personnel as defined in section 122A.15, subdivision 2, except for athletic coaches.

(c) The Professional Educator Licensing and Standards Board and the Department of Education must enter into a data sharing agreement to share:

(1) educational data at the E-12 level for the limited purpose of program approval and improvement for teacher education programs. The program approval process must include targeted redesign of teacher preparation programs to address identified E-12 student areas of concern; and

(2) data in the staff automated reporting system for the limited purpose of managing and processing funding to school districts and other entities. The board has authority to collect nonlicensed staff data on behalf of the Department of Education, which is responsible for managing the nonlicensed staff data.

(d) The Board of School Administrators and the Department of Education must enter into a data sharing agreement to share educational data at the E-12 level for the limited purpose of program approval and improvement for education administration programs. The program approval process must include targeted redesign of education administration preparation programs to address identified E-12 student areas of concern.

(e) For purposes of the data sharing agreements under paragraphs (c) and (d), the Professional Educator Licensing and Standards Board, Board of School Administrators, and Department of Education may share private data, as defined in section 13.02, subdivision 12, on teachers and school administrators. The data sharing agreements must not include educational data, as defined in section 13.32, subdivision 1, but may include summary data, as defined in section 13.02, subdivision 19, derived from educational data.

Sec. 6. Minnesota Statutes 2022, section 127A.70, subdivision 1, is amended to read:

Subdivision 1. **Establishment; membership.** (a) A P-20 education partnership is established to create a seamless system of education that maximizes achievements of all students, from early childhood through elementary, secondary, and postsecondary education, while promoting the efficient use of financial and human resources. The partnership shall consist of major statewide educational groups or constituencies or noneducational statewide organizations with a stated interest in P-20 education. The initial membership of the partnership includes the members serving on the Minnesota P-16 Education Partnership and four legislators appointed as follows:

(1) one senator from the majority party and one senator from the minority party, appointed by the Subcommittee on Committees of the Committee on Rules and Administration; and

(2) one member of the house of representatives appointed by the speaker of the house and one member appointed by the minority leader of the house of representatives.

(b) The chair of the P-16 education partnership must convene the first meeting of the P-20 partnership. Prospective members may be nominated by any partnership member and new members will be added with the approval of a two-thirds majority of the partnership. The partnership will also seek input from nonmember organizations whose expertise can help inform the partnership's work.

(c) Partnership members shall be represented by the chief executives, presidents, or other formally designated leaders of their respective organizations, or their designees. The partnership shall meet at least three times during each calendar year.

~~(d) The P-20 education partnership shall be the state council for the Interstate Compact on Educational Opportunity for Military Children under section 127A.85 with the commissioner or commissioner's designee serving as the compact commissioner responsible for the administration and management of the state's participation in the compact. When conducting business required under section 127A.85, the P-20 partnership shall include a representative from a military installation appointed by the adjutant general of the Minnesota National Guard.~~

Sec. 7. **[127A.82] MILITARY INTERSTATE CHILDREN'S COMPACT STATE COUNCIL.**

Subdivision 1. Establishment; membership. (a) A Military Interstate Children's Compact State Council is established to provide for the coordination among state agencies, local education agencies, and military installations concerning the state's participation in, and compliance with the Interstate Compact on Educational Opportunity for Military Children established in section 127A.85, otherwise known as the Military Interstate Children's Compact, and Interstate Commission activities.

(b) Council membership must include at least:

(1) the commissioner;

(2) a superintendent, appointed by the commissioner, of a school district or charter school with a high concentration of military children;

(3) a representative from a military installation appointed by the adjutant general;

(4) one member of the house of representatives appointed by the speaker of the house;

(5) one senator appointed by the Subcommittee on Committees of the Committee on Rules and Administration; and

(6) other offices and stakeholder groups the council deems appropriate.

If the commissioner determines there is not a school district deemed to contain a high concentration of military children, the commissioner may appoint a superintendent from another school district to represent local education agencies on the council.

(c) The council must appoint or designate a military family education liaison to assist military families and the state in facilitating the implementation of section 127A.85.

(d) The compact commissioner responsible for the administration and management of the state's participation in the compact must be appointed by the commissioner.

(e) The compact commissioner and the military family education liaison designated herein shall be ex officio members of the council, unless either is already a full voting member of the council.

(f) Members of the council serve without compensation or payment of expenses.

Subd. 2. **Powers and duties; report.** (a) The council may develop recommendations to the governor and the legislature designed to facilitate successful educational transitions for children of military families under the compact.

(b) The commissioner must schedule and hold a meeting of the council no less than once per state fiscal year.

(c) The council must produce meeting agendas that are made publicly available before each meeting and maintain meeting minutes that are made publicly available once they are approved by the council.

(d) By January 15 of each odd-numbered year, the council shall submit a report to the governor and to the chairs and ranking minority members of the legislative committees and divisions with jurisdiction over kindergarten through grade 12 education policy and finance and military affairs that summarizes the council's progress in meeting its goals and identifies the need for any draft legislation to facilitate successful educational transitions for children of military families.

Sec. 8. [127A.84] INTRASTATE STUDENT TRANSFERS FOR CHILDREN OF MILITARY SERVICE MEMBERS.

(a) Notwithstanding section 127A.85, article III, and for the purposes of intrastate student transfers between Minnesota local education agencies, the provisions of the Interstate Compact on Educational Opportunity for Military Children in section 127A.85 apply to minor dependent children of members of the active and activated reserve components of the uniformed services, including but not limited to members of the Minnesota Army National Guard and the Minnesota Air National Guard.

(b) This section does not apply to interstate transfers between Minnesota local education agencies and public or private schools in other states.

(c) For the purposes of this section, the words defined in section 127A.85, article II, have the same meanings.

Sec. 9. [127A.853] PURPLE STAR SCHOOL DESIGNATION.

Subdivision 1. **Definition.** For purposes of this section, "military-connected student" means a student who has an immediate family member, including a parent or sibling, who: (1) is currently a member of the armed forces serving as either a reservist or on active duty in the United States Army, Navy, Air Force, Marine Corps, or Coast Guard; (2) is currently serving in the National Guard; (3) has recently retired from the armed forces; or (4) is the dependent of a member of the armed forces who was killed in the line of duty.

Subd. 2. **Purple Star School.** (a) The commissioner of education may designate a school as a Purple Star School if the school:

(1) has a designated staff member serving as a military liaison whose duties include:

(i) identifying military-connected students enrolled at the school;

(ii) serving as the point of contact between the school and military-connected students and families;

(iii) determining appropriate school services available to military-connected students; and

- (iv) assisting in coordinating school programs relevant to military-connected students;
- (2) maintains easily accessible information on the school website that includes resources for military-connected students and families, including information regarding:
 - (i) student relocation, student enrollment, student registration, and transfer of school records;
 - (ii) academic planning, course offerings, and advanced classes available at the school;
 - (iii) counseling and other support services available for military-connected students enrolled at the school; and
 - (iv) the designated military liaison under clause (1);
- (3) offers a transition program led by students, where appropriate, that assists military-connected students in transitioning into the school;
- (4) offers professional development opportunities for staff members on issues related to military-connected students; and
- (5) offers at least one of the following:
 - (i) a resolution showing support for military-connected students and families;
 - (ii) recognition of the Month of the Military Child or Military Family Month with relevant events hosted by the school; or
 - (iii) a partnership with a local military installation that provides opportunities for active duty military members to volunteer at the school, speak at an assembly, or host a field trip.
- (b) The commissioner must establish a process for schools to seek Purple Star School designation by July 1, 2026. The commissioner may award Purple Star School designations starting in the 2026-2027 school year, and on an ongoing basis as schools meet qualifications for the designation."

Delete the title and insert:

"A bill for an act relating to education; modifying provisions for prekindergarten through grade 12 education including general education, education excellence, teachers, special education, charter schools, nutrition and libraries, health and safety, and state agencies; requiring reports; amending Minnesota Statutes 2022, sections 120A.35; 120B.022, subdivisions 1a, 1b; 120B.13, subdivision 4; 120B.21; 121A.22, subdivisions 2, 4; 121A.2207, subdivision 1; 122A.091, subdivision 5; 122A.092, by adding a subdivision; 122A.181, by adding a subdivision; 122A.182, by adding a subdivision; 122A.185, subdivision 3; 122A.20, by adding a subdivision; 124D.09, subdivisions 2, 7, 9, 10, 10b, 11; 124D.12; 124D.60, subdivision 1; 124D.61; 124E.01, subdivision 1; 124E.05, subdivisions 2, 3, 5; 124E.07; 124E.10, subdivisions 2, 4, 5; 124E.12, subdivision 2; 124E.14; 124E.17; 124E.26; 127A.70, subdivision 1; 260E.14, subdivision 1; Minnesota Statutes 2023 Supplement, sections 13.32, subdivision 5; 120B.021, subdivision 1; 120B.024, subdivision 1; 120B.11, subdivisions 1, 1a, 2; 120B.117, subdivision 4; 120B.30, subdivisions 7, 12, by adding a subdivision; 120B.302; 120B.305; 120B.31, subdivision 4; 120B.36, subdivision 1; 121A.20, subdivision 2; 122A.18, subdivision 1; 122A.181, subdivision 2; 122A.183, subdivision 2; 122A.184, subdivision 1; 122A.185, subdivision 1; 122A.40, subdivision 8; 122A.41, subdivision 5; 122A.631, subdivisions 2, 4; 122A.70, subdivision 2; 124D.09, subdivisions 5, 12; 124D.094, subdivisions 2, 3; 124D.111,

subdivision 2a; 124E.02; 124E.03, subdivision 2; 124E.06, subdivisions 1, 4, 5; 124E.11; 124E.12, subdivision 1; 124E.16, subdivision 1; 125A.08; 126C.40, subdivision 6; proposing coding for new law in Minnesota Statutes, chapters 121A; 122A; 127A; 134; repealing Minnesota Statutes 2022, sections 120B.31, subdivisions 2, 6; 122A.2451, subdivision 9; Minnesota Statutes 2023 Supplement, section 122A.185, subdivision 4."

With the recommendation that when so amended the bill be placed on the General Register.

The report was adopted.

Becker-Finn from the Committee on Judiciary Finance and Civil Law to which was referred:

H. F. No. 3830, A bill for an act relating to civil law; clarifying that two people may enter into an antenuptial contract; amending Minnesota Statutes 2022, section 519.11, subdivision 1.

Reported the same back with the recommendation that the bill be placed on the General Register.

The report was adopted.

Stephenson from the Committee on Commerce Finance and Policy to which was referred:

H. F. No. 3858, A bill for an act relating to transportation; amending requirements related to active transportation, including regulation of electric-assisted bicycles and sales, requirements on complete streets, and driver's education; appropriating money; amending Minnesota Statutes 2022, sections 169.011, by adding subdivisions; 169.21, subdivision 6; 169.222, subdivisions 6a, 6b; 174.75, subdivisions 1, 2, by adding a subdivision; Minnesota Statutes 2023 Supplement, sections 169.011, subdivision 27; 171.0705, subdivision 2; 171.13, subdivision 1; Laws 2023, chapter 68, article 1, section 20; proposing coding for new law in Minnesota Statutes, chapter 325F.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Ways and Means.

The report was adopted.

Becker-Finn from the Committee on Judiciary Finance and Civil Law to which was referred:

H. F. No. 3872, A bill for an act relating to judiciary; amending certain court actions regarding possession of property, suspension of license for uninsured vehicle, and debts subject to revenue recapture; modifying definition of court examiner; providing for electronic service of order for protection or restraining order; requiring employer to release employee from work for prospective jury service; authorizing district court to publish notice on Minnesota judicial branch website; appropriating money for psychological services, cybersecurity, court interpreter services, juror per diem, and courthouse security; amending Minnesota Statutes 2022, sections 117.042; 171.182, subdivisions 2, 3; 253B.02, subdivision 4d; 331A.02, by adding a subdivision; 480.15, subdivision 10c; 518B.01, subdivision 8; 593.50, subdivision 1; 609.748, subdivision 5; 645.11; Minnesota Statutes 2023 Supplement, section 611.41, subdivision 7.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"ARTICLE 1
DATA

Section 1. **[13.991] JUDICIAL OFFICIAL DATA; PERSONAL INFORMATION.**

(a) Subject to paragraph (b), the personal information of all judicial officials collected, created, or maintained by a government entity is private data on individuals. For purposes of this section, the terms "personal information" and "judicial official" have the meanings given in section 480.40, subdivision 1.

(b) If the responsible authority or government entity violates this chapter, the individual remedies in section 13.08 are available only if the judicial official making a claim previously provided written notification to the responsible authority or government entity confirming their status as a judicial official on a form provided by the Minnesota judicial branch. In the case of county records, the form shall be filed in the office of the county recorder in the county in which the judicial official resides. A form submitted under this section is classified as private data on individuals.

Sec. 2. **[480.40] PERSONAL INFORMATION; DISSEMINATION.**

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

(b) "Judicial official" means:

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

(2) a justice of the Minnesota Supreme Court;

(3) employees of the Minnesota judicial branch; and

(4) current and retired judges and current employees of the Office of Administrative Hearings, the Workers' Compensation Court of Appeals, or the Tax Court.

(c) "Personal information" means:

(1) the residential address of a judicial official;

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

(3) a nongovernment issued telephone number or email address of a judicial official;

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

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

Subd. 2. Dissemination of personal information. Subject to the exceptions in subdivision 3, no person, business, association, or government entity shall publicly post, display, publish, sell, or otherwise make available on the Internet the personal information of any judicial official. Personal information shall be kept in a secure manner to prevent unauthorized access. Personal information may be disseminated pursuant to a specific authorization in law, rule, or with the written consent of the judicial official.

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

(1) the dissemination of personal information if the information is relevant to and displayed as part of a news story, commentary, editorial, or other speech on a matter of public concern;

(2) personal information that the judicial official voluntarily disseminates publicly after the date of enactment of this section; and

(3) the dissemination of personal information made at the request of the judicial official or which is necessary to effectuate the request of a judicial official.

Sec. 3. [480.45] REMOVAL OF PERSONAL INFORMATION.

Subdivision 1. Internet dissemination. If personal information about a judicial official is posted to the Internet by a person, business, association, or government entity, the judicial official may submit a sworn affidavit to the person, business, association, or government entity requesting that the personal information be removed. The affidavit shall:

(1) state that the individual whose information was disseminated is a judicial official as defined in section 480.40;

(2) describe with specificity the personal information that the judicial official seeks to remove; and

(3) state the name of the publication, website, or otherwise identify where the judicial official's personal information is available to the public.

Subd. 2. Removal of personal information. Upon receipt of an affidavit requesting removal of the personal information of a judicial official, the person, business, association, or government entity shall not disclose the personal information to anyone not specifically authorized by law to view the information, unless disclosure is specifically authorized in writing by the judicial official. If the person, business, association, or government entity fails to remove the personal information within 30 days after an affidavit is submitted, the judicial official may seek a court order compelling compliance, including injunctive relief.

Sec. 4. [609.476] PUBLISHING PERSONAL INFORMATION OF JUDICIAL OFFICIAL.

Subdivision 1. Definitions. For the purposes of this section, the terms "personal information" and "judicial official" have the meanings given in section 480.40, subdivision 1.

Subd. 2. Misdemeanor. It is unlawful to knowingly publish the personal information of any judicial official in any publicly available publication, website, or media with the intent to threaten, intimidate, harass, or physically injure. A person convicted of violating this subdivision is guilty of a misdemeanor.

Subd. 3. Felony. If a person's violation of subdivision 2 also causes bodily harm as defined in section 609.02, subdivision 7, the person is guilty of a felony.

EFFECTIVE DATE. This section is effective August 1, 2024, and applies to crimes committed on or after that date.

ARTICLE 2
FAMILY LAW

Section 1. Minnesota Statutes 2022, section 519.11, subdivision 1, is amended to read:

Subdivision 1. **Antenuptial contract.** ~~A man and woman~~ Two people of legal age may enter into an antenuptial contract or settlement prior to solemnization of marriage which shall be valid and enforceable if (a) there is a full and fair disclosure of the earnings and property of each party, and (b) the parties have had an opportunity to consult with legal counsel of their own choice. An antenuptial contract or settlement made in conformity with this section may determine what rights each party has in the nonmarital property, defined in section 518.003, subdivision 3b, upon dissolution of marriage, legal separation or after its termination by death and may bar each other of all rights in the respective estates not so secured to them by their agreement. This section shall not be construed to make invalid or unenforceable any antenuptial agreement or settlement made and executed in conformity with this section because the agreement or settlement covers or includes marital property, if the agreement or settlement would be valid and enforceable without regard to this section.

EFFECTIVE DATE. This section is effective the day following final enactment and applies to agreements entered into before, on, or after that date.

Sec. 2. **EXISTING ANTENUPTIAL AGREEMENTS; RETROACTIVITY.**

An antenuptial agreement entered into before the effective date of this act shall not be invalidated based on the same sex of the parties to the agreement.

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

Sec. 3. **REVISOR INSTRUCTION.**

The revisor of statutes shall change the terms "husband," "wife," "husband and wife," and "husband or wife" to "spouse," "spouses," or a similar gender-neutral term wherever the terms appear in Minnesota Statutes, unless the context indicates that the previous term should remain. The revisor of statutes shall also make grammatical changes related to the changes in terms.

ARTICLE 3
JUDICIARY POLICY

Section 1. Minnesota Statutes 2022, section 117.042, is amended to read:

117.042 POSSESSION.

Whenever the petitioner shall require title and possession of all or part of the owner's property prior to the filing of an award by the court appointed commissioners, the petitioner shall, at least 90 days prior to the date on which possession is to be taken, notify the owner of the intent to possess by notice served by certified mail and before taking title and possession shall pay to the owner or deposit with the court an amount equal to petitioner's approved appraisal of value. Amounts deposited with the court shall be paid out under the direction of the court. If it is deemed necessary to deposit the above amount with the court the petitioner may apply to the court for an order transferring title and possession of the property or properties involved from the owner to the petitioner. In all other cases, petitioner has the right to the title and possession after the filing of the award by the court appointed commissioners as follows:

(1) if appeal is waived by the parties upon payment of the award;

(2) if appeal is not waived by the parties upon payment or deposit of three-fourths of the award to be deposited with the court administrator. ~~The amount deposited~~ If the amount exceeds \$10,000, it shall be deposited by the court administrator in an interest bearing account no later than the five business day days next following the day on

which the amount was deposited with the court. All interest credited to the amount deposited from the date of deposit shall be paid to the ultimate recipient of the amount deposited.

Nothing in this section shall limit rights granted in section 117.155.

Sec. 2. Minnesota Statutes 2022, section 171.182, subdivision 2, is amended to read:

Subd. 2. **Copy of judgment to commissioner.** If a person fails within 30 days to satisfy a judgment, the court administrator, upon affidavit of the judgment creditor that the judgment has not been satisfied, shall immediately forward to notify the commissioner a certified copy of the judgment and affidavit of identification that the judgment has not been satisfied.

If the judgment debtor named in a ~~certified copy of a judgment~~ reported to the commissioner is a nonresident, the commissioner shall ~~transmit a certified copy of the judgment to~~ notify the official in charge of the issuance of drivers' licenses of the state of which the judgment debtor is a resident.

Sec. 3. Minnesota Statutes 2022, section 171.182, subdivision 3, is amended to read:

Subd. 3. **Conditions.** (a) The commissioner, upon ~~receipt of a certified copy~~ notification of a judgment, shall suspend the license or the nonresident's operating privilege of the person against whom judgment was rendered if:

- (1) at the time of the accident the person did not maintain the reparation security required by section 65B.48; and
 - (2) the judgment has not been satisfied.
- (b) Suspensions under this section are subject to the notice requirements of section 171.18, subdivision 2.

Sec. 4. Minnesota Statutes 2022, section 253B.02, subdivision 4d, is amended to read:

Subd. 4d. **Court examiner.** "Court examiner" means a person appointed to serve the court, and who is a physician or ~~licensed~~ psychologist who has a doctoral degree in psychology, and is either licensed in Minnesota or who holds current authority to practice in Minnesota under an approved interstate compact.

Sec. 5. Minnesota Statutes 2022, section 331A.02, is amended by adding a subdivision to read:

Subd. 6. **District court.** The district court may publish its own notices, orders, and process for judicial proceedings on the Minnesota judicial branch website.

Sec. 6. Minnesota Statutes 2022, section 480.15, subdivision 10c, is amended to read:

Subd. 10c. **Uniform collections policies and procedures for courts.** (a) The state court administrator under the direction of the Judicial Council may promulgate uniform collections policies and procedures for the courts and may contract with credit bureaus, public and private collection agencies, the Department of Revenue, and other public or private entities providing collection services as necessary for the collection of court debts. The court collection process and procedures are not subject to section 16A.1285. Court debts referred to the Department of Revenue for collection are not subject to section 16D.07. Court debts referred to the Department of Revenue for revenue recapture are not subject to section 270A.08 or 270A.09.

(b) Court debt means an amount owed to the state directly or through the judicial branch on account of a fee, duty, rent, service, overpayment, fine, assessment, surcharge, court cost, penalty, restitution, damages, interest, bail bond, forfeiture, reimbursement, liability owed, an assignment to the judicial branch, recovery of costs incurred by the judicial branch, or any other source of indebtedness to the judicial branch as well as amounts owed to other public or private entities for which the judicial branch acts in providing collection services, or any other amount owed to the judicial branch.

(c) The courts must pay for the collection services of public or private collection entities as well as the cost of one or more court employees to provide collection interface services between the Department of Revenue, the courts, and one or more collection entities from the money collected. The portion of the money collected which must be paid to the collection entity as collection fees and costs and the portion of the money collected which must be paid to the courts or Department of Revenue for collection services are appropriated from the fund to which the collected money is due.

(d) As determined by the state court administrator, collection costs shall be added to the debts referred to a public or private collection entity for collection.

Collection costs shall include the fees of the collection entity, and may include, if separately provided, skip tracing fees, credit bureau reporting charges, fees assessed by any public entity for obtaining information necessary for debt collection, or other collection-related costs. Collection costs shall also include the costs of one or more court employees employed by the state court administrator to provide a collection interface between the collection entity, the Department of Revenue, and the courts.

If the collection entity collects an amount less than the total due, the payment is applied proportionally to collection costs and the underlying debt. Collection costs in excess of collection agency fees and court employee collection interface costs must be deposited in the general fund as nondedicated receipts.

Sec. 7. Minnesota Statutes 2022, section 593.50, subdivision 1, is amended to read:

Subdivision 1. **Juror protection.** An employer shall not deprive an employee of employment, or threaten or otherwise coerce the employee with respect ~~thereto to employment status~~, because the employee receives a summons, responds thereto, serves as a juror, or attends court for prospective jury service. An employer must release an employee from the employee's regular work schedule, including any shift work, to permit the employee to attend court for prospective jury service. An employer must not require an employee to work an alternative shift on any day the juror is required to report to the courthouse for jury service.

Sec. 8. Minnesota Statutes 2023 Supplement, section 611.41, subdivision 7, is amended to read:

Subd. 7. **Court examiner.** "Court examiner" means a person appointed to serve the court ~~by examining a defendant whose competency is at issue~~ and who is a physician or ~~licensed~~ psychologist who has a doctoral degree in psychology, and is either licensed in Minnesota or who holds current authority to practice in Minnesota under an approved interstate compact.

Sec. 9. Minnesota Statutes 2022, section 645.11, is amended to read:

645.11 PUBLISHED NOTICE.

Unless otherwise specifically provided, the words "published notice," when used in reference to the giving of notice in any proceeding or the service of any summons, order, or process in judicial proceedings, mean the publication in full of the notice, or other paper referred to, in the regular issue of a qualified newspaper, once each week for the number of weeks specified. If the district court is required to publish its own notice, the notice may be

by publication on the Minnesota judicial branch website. When the publication day of any newspaper falls upon Thanksgiving Day, or upon any legal holiday, the publication of notice in any proceeding or the publication of any summons, order, or process in judicial proceedings, may be made either the day before or the day after Thanksgiving Day, or such legal holiday. When the published notice contains a description of real estate which is located within the legal limits of any city, which city is situated in more than one county, such published notice may be published in any legal newspaper within such city.

ARTICLE 4 GUARDIANSHIPS

Section 1. Minnesota Statutes 2023 Supplement, section 524.5-313, is amended to read:

524.5-313 POWERS AND DUTIES OF GUARDIAN.

- (a) A guardian shall be subject to the control and direction of the court at all times and in all things.
- (b) The court shall grant to a guardian only those powers necessary to provide for the demonstrated needs of the person subject to guardianship.
- (c) The court may appoint a guardian if it determines that all the powers and duties listed in this section are needed to provide for the needs of the incapacitated person. The court may also appoint a guardian if it determines that a guardian is needed to provide for the needs of the incapacitated person through the exercise of some, but not all, of the powers and duties listed in this section. The duties and powers of a guardian or those which the court may grant to a guardian include, but are not limited to:
 - (1) the power to have custody of the person subject to guardianship and the power to establish a place of abode within or outside the state, except as otherwise provided in this clause. The person subject to guardianship or any interested person may petition the court to prevent or to initiate a change in abode. A person subject to guardianship may not be admitted to a regional treatment center by the guardian except:
 - (i) after a hearing under chapter 253B;
 - (ii) for outpatient services; or
 - (iii) for the purpose of receiving temporary care for a specific period of time not to exceed 90 days in any calendar year;
 - (2) the duty to provide for the care, comfort, and maintenance needs of the person subject to guardianship, including food, clothing, shelter, health care, social and recreational requirements, and, whenever appropriate, training, education, and habilitation or rehabilitation. The guardian has no duty to pay for these requirements out of personal funds. Whenever possible and appropriate, the guardian should meet these requirements through governmental benefits or services to which the person subject to guardianship is entitled, rather than from the estate of the person subject to guardianship. ~~Failure to satisfy the needs and requirements of this clause shall be grounds for removal of a private guardian, but the guardian shall have no personal or monetary liability;~~
 - (3) the duty to take reasonable care of the clothing, furniture, vehicles, and other personal effects of the person subject to guardianship, and, if other property requires protection, the power to seek appointment of a conservator of the estate. The guardian must give notice by mail to interested persons prior to the disposition of the clothing, furniture, vehicles, or other personal effects of the person subject to guardianship. The notice must inform the person of the right to object to the disposition of the property within ten days of the date of mailing and to petition the court for a review of the guardian's proposed actions. Notice of the objection must be served by mail or personal

service on the guardian and the person subject to guardianship unless the person subject to guardianship is the objector. The guardian served with notice of an objection to the disposition of the property may not dispose of the property unless the court approves the disposition after a hearing;

(4)(i) the power to give any necessary consent to enable the person subject to guardianship to receive necessary medical or other professional care, counsel, treatment, or service, except that no guardian may give consent for psychosurgery, electroshock, sterilization, or experimental treatment of any kind unless the procedure is first approved by order of the court as provided in this clause. The guardian shall not consent to any medical care for the person subject to guardianship which violates the known conscientious, religious, or moral belief of the person subject to guardianship;

(ii) a guardian who believes a procedure described in item (i) requiring prior court approval to be necessary for the proper care of the person subject to guardianship, shall petition the court for an order and, in the case of a public guardianship under chapter 252A, obtain the written recommendation of the commissioner of human services. The court shall fix the time and place for the hearing and shall give notice to the person subject to guardianship in such manner as specified in section 524.5-308 and to interested persons. The court shall appoint an attorney to represent the person subject to guardianship who is not represented by counsel, provided that such appointment shall expire upon the expiration of the appeal time for the order issued by the court under this section or the order dismissing a petition, or upon such other time or event as the court may direct. In every case the court shall determine if the procedure is in the best interest of the person subject to guardianship. In making its determination, the court shall consider a written medical report which specifically considers the medical risks of the procedure, whether alternative, less restrictive methods of treatment could be used to protect the best interest of the person subject to guardianship, and any recommendation of the commissioner of human services for a public person subject to guardianship. The standard of proof is that of clear and convincing evidence;

(iii) in the case of a petition for sterilization of a person with developmental disabilities subject to guardianship, the court shall appoint a licensed physician, a psychologist who is qualified in the diagnosis and treatment of developmental disability, and a social worker who is familiar with the social history and adjustment of the person subject to guardianship or the case manager for the person subject to guardianship to examine or evaluate the person subject to guardianship and to provide written reports to the court. The reports shall indicate why sterilization is being proposed, whether sterilization is necessary and is the least intrusive method for alleviating the problem presented, and whether it is in the best interest of the person subject to guardianship. The medical report shall specifically consider the medical risks of sterilization, the consequences of not performing the sterilization, and whether alternative methods of contraception could be used to protect the best interest of the person subject to guardianship;

(iv) any person subject to guardianship whose right to consent to a sterilization has not been restricted under this section or section 252A.101 may be sterilized only if the person subject to guardianship consents in writing or there is a sworn acknowledgment by an interested person of a nonwritten consent by the person subject to guardianship. The consent must certify that the person subject to guardianship has received a full explanation from a physician or registered nurse of the nature and irreversible consequences of the sterilization;

(v) a guardian or the public guardian's designee who acts within the scope of authority conferred by letters of guardianship under section 252A.101, subdivision 7, and according to the standards established in this chapter or in chapter 252A shall not be civilly or criminally liable for the provision of any necessary medical care, including, but not limited to, the administration of psychotropic medication or the implementation of aversive and deprivation procedures to which the guardian or the public guardian's designee has consented;

(5) in the event there is no duly appointed conservator of the estate of the person subject to guardianship, the guardian shall have the power to approve or withhold approval of any contract, except for necessities, which the person subject to guardianship may make or wish to make;

(6) the duty and power to exercise supervisory authority over the person subject to guardianship in a manner which limits civil rights and restricts personal freedom only to the extent necessary to provide needed care and services. A guardian may not restrict the ability of the person subject to guardianship to communicate, visit, or interact with others, including receiving visitors or making or receiving telephone calls, personal mail, or electronic communications including through social media, or participating in social activities, unless the guardian has good cause to believe restriction is necessary because interaction with the person poses a risk of significant physical, psychological, or financial harm to the person subject to guardianship, and there is no other means to avoid such significant harm. In all cases, the guardian shall provide written notice of the restrictions imposed to the court, to the person subject to guardianship, and to the person subject to restrictions. The person subject to guardianship or the person subject to restrictions may petition the court to remove or modify the restrictions;

(7) if there is no acting conservator of the estate for the person subject to guardianship, the guardian has the power to apply on behalf of the person subject to guardianship for any assistance, services, or benefits available to the person subject to guardianship through any unit of government;

(8) unless otherwise ordered by the court, the person subject to guardianship retains the right to vote;

(9) the power to establish an ABLÉ account for a person subject to guardianship or conservatorship. By this provision a guardian only has the authority to establish an ABLÉ account, but may not administer the ABLÉ account in the guardian's capacity as guardian. The guardian may appoint or name a person to exercise signature authority over an ABLÉ account, including the individual selected by the eligible individual or the eligible individual's agent under a power of attorney; conservator; spouse; parent; sibling; grandparent; or representative payee, whether an individual or organization, appointed by the SSA, in that order; and

(10) if there is no conservator appointed for the person subject to guardianship, the guardian has the duty and power to institute suit on behalf of the person subject to guardianship and represent the person subject to guardianship in expungement proceedings, harassment proceedings, and all civil court proceedings, including but not limited to restraining orders, orders for protection, name changes, conciliation court, housing court, family court, probate court, and juvenile court, provided that a guardian may not settle or compromise any claim or debt owed to the estate without court approval.

Sec. 2. Minnesota Statutes 2022, section 524.5-315, is amended to read:

524.5-315 RIGHTS AND IMMUNITIES OF GUARDIAN; LIMITATIONS.

(a) A guardian is entitled to reasonable compensation for services as guardian and to reimbursement for expenditures made on behalf of the person subject to guardianship, in a manner consistent with section 524.5-502.

(b) a guardian is not liable to a third person for acts of the person subject to guardianship solely by reason of the relationship. A guardian who exercises reasonable care in choosing a third person providing medical or other care, treatment, or service for the person subject to guardianship is not liable for injury to the person subject to guardianship resulting from the wrongful conduct of the third person.

(c) A guardian may not revoke the health care directive of a person subject to guardianship or conservatorship absent a court order.

(d) A guardian may not initiate the commitment of a person subject to guardianship to an institution except in accordance with section 524.5-313.

(e) Failure to satisfy the duties of a guardian under section 524.5-313, paragraph (c), shall be grounds for removal of a private guardian, but the guardian shall not be held liable for acts or omissions made in the discharge of the guardian's duties except for acts or omissions that result in harm to the person subject to guardianship and that constitute reckless or willful misconduct, or gross negligence.

Sec. 3. Minnesota Statutes 2022, section 524.5-317, is amended to read:

524.5-317 TERMINATION OR MODIFICATION OF GUARDIANSHIP; COURT ORDERS.

(a) A guardianship terminates upon the death of the person subject to guardianship, upon the expiration of the duration of guardianship established in the order appointing the guardian, or upon order of the court.

(b) On petition of any person interested in the welfare of the person subject to guardianship the court may terminate a guardianship if the person subject to guardianship no longer needs the assistance or protection of a guardian. The court may modify the type of appointment or powers granted to the guardian if the extent of protection or assistance previously granted is currently excessive or insufficient or the capacity of the person subject to guardianship to provide for support, care, education, health, and welfare has so changed as to warrant that action. The court may make any other order that is in the best interests of the person subject to guardianship or may grant other appropriate relief.

(c) Except as otherwise ordered by the court for good cause, the court, before terminating a guardianship, shall follow the same procedures to safeguard the rights of the person subject to guardianship as apply to a petition for guardianship. Upon presentation by the petitioner of evidence establishing a prima facie case for termination, the court shall order the termination and discharge the guardian unless it is proven that continuation of the guardianship is in the best interest of the person subject to guardianship.

(d) Any documents or information disclosing or pertaining to health or financial information shall be filed as confidential documents, consistent with the bill of particulars under section 524.5-121.

(e) A guardian has the right to petition the court for discharge from the guardianship.

(f) If, after a good faith effort, the guardian is unable to find a successor guardian, the guardian may petition the court for resignation. The court may allow the guardian to resign if such resignation would not result in substantial harm to the person subject to guardianship based on clear and convincing evidence.

ARTICLE 5
PUBLIC DEFENSE POLICY

Section 1. Minnesota Statutes 2023 Supplement, section 611.215, subdivision 1, is amended to read:

Subdivision 1. **Structure; membership.** (a) The State Board of Public Defense is a part of, but is not subject to the administrative control of, the judicial branch of government. The State Board of Public Defense shall consist of nine members including:

(1) five attorneys admitted to the practice of law, well acquainted with the defense of persons accused of crime, but not employed as prosecutors, appointed by the supreme court, of which one must be a retired or former public defender within the past five years; and

(2) four public members appointed by the governor.

The appointing authorities may not appoint a person who is a judge to be a member of the State Board of Public Defense, ~~other than as a member of the ad hoc Board of Public Defense.~~

(b) All members shall demonstrate an interest in maintaining a high quality, independent defense system for those who are unable to obtain adequate representation. Appointments to the board shall include qualified women and members of minority groups. At least ~~three~~ four members of the board shall be from judicial districts other than

the First, Second, Fourth, and Tenth Judicial Districts. The terms, compensation, and removal of members shall be as provided in section 15.0575. The chair shall be elected by the members from among the membership for a term of two years.

(c) ~~In addition, the State Board of Public Defense shall consist of a nine member ad hoc board when considering the appointment of district public defenders under section 611.26, subdivision 2.~~ The terms of chief district public defenders currently serving shall terminate in accordance with the staggered term schedule set forth in section 611.26, subdivision 2.

(d) Meetings of the board are subject to chapter 13D.

Sec. 2. Minnesota Statutes 2022, section 611.215, subdivision 2, is amended to read:

Subd. 2. **Duties and responsibilities.** (a) The board shall approve and recommend to the legislature a budget for the board, the office of state public defender, the judicial district public defenders, and the public defense corporations.

(b) The board shall establish procedures for distribution of state funding under this chapter to the state and district public defenders and to the public defense corporations.

(c) The state public defender with the approval of the board shall establish standards for the offices of the state and district public defenders ~~and for the conduct of all appointed counsel systems.~~ The standards must include, but are not limited to:

(1) standards needed to maintain and operate an office of public defender including requirements regarding the qualifications, training, and size of the legal and supporting staff ~~for a public defender or appointed counsel system;~~

(2) standards for public defender caseloads;

~~(3) standards and procedures for the eligibility for appointment, assessment, and collection of the costs for legal representation provided by public defenders or appointed counsel;~~

~~(4) standards for contracts between a board of county commissioners and a county public defender system for the legal representation of indigent persons;~~

~~(5) (3) standards prescribing minimum qualifications of counsel appointed under the board's authority or by the courts; and~~

~~(6) (4) standards ensuring the independent, competent, and efficient representation of clients whose cases present conflicts of interest, in both the trial and appellate courts.~~

~~(d) The board may require the reporting of statistical data, budget information, and other cost factors by the state and district public defenders and appointed counsel systems.~~

Sec. 3. Minnesota Statutes 2023 Supplement, section 611.23, is amended to read:

611.23 OFFICE OF STATE PUBLIC DEFENDER; APPOINTMENT; SALARY.

The state public defender is responsible to the State Board of Public Defense. The state public defender shall supervise the operation, activities, policies, and procedures of the statewide public defender system. When requested by a district public defender ~~or appointed counsel~~, the state public defender may assist the district public

defender, ~~appointed counsel~~, or an organization designated in section 611.216 in the performance of duties, including trial representation in matters involving legal conflicts of interest or other special circumstances, and assistance with legal research and brief preparation. The state public defender shall be appointed by the State Board of Public Defense for a term of four years, except as otherwise provided in this section, and until a successor is appointed and qualified. The state public defender shall be a full-time qualified attorney, licensed to practice law in this state, serve in the unclassified service of the state, and may only be removed only for cause before the end of a term by the appointing authority a majority vote of the board members present at a meeting of the board of public defense. Vacancies in the office shall be filled by the appointing authority for the unexpired term. The salary of the state public defender shall be fixed by the State Board of Public Defense. Terms of the state public defender shall commence on July 1. The state public defender shall devote full time to the performance of duties and shall not engage in the general practice of law.

Sec. 4. Minnesota Statutes 2022, section 611.24, is amended to read:

611.24 CHIEF APPELLATE PUBLIC DEFENDER; ORGANIZATION OF OFFICE; ASSISTANTS.

(a) Beginning January 1, 2007, and for every four years after that date, the State Board of Public Defense shall appoint a chief appellate public defender in charge of appellate services, who shall employ or retain assistant state public defenders and other personnel as may be necessary to discharge the functions of the office. The chief appellate public defender shall serve a four-year term and may only be removed only for cause upon the order of before the end of a term by a majority vote of board members present at a meeting of the State Board of Public Defense. The chief appellate public defender shall be a full-time qualified attorney, licensed to practice law in this state, and serve in the unclassified service of the state. Vacancies in the office shall be filled by the appointing authority for the unexpired term.

(b) An assistant state public defender shall be a qualified attorney, licensed to practice law in this state, ~~serve in the unclassified service of the state if employed, and serve at the pleasure of the appointing authority at a salary or retainer fee not to exceed reasonable compensation for comparable services performed for other governmental agencies or departments~~. Retained or part-time employed assistant state public defenders may engage in the general practice of law. The compensation of the chief appellate public defender ~~and the compensation of each assistant state public defender~~ shall be set by the State Board of Public Defense. The chief appellate public defender shall devote full time to the performance of duties and shall not engage in the general practice of law.

~~(c) The incumbent deputy state public defender as of December 31, 2006, shall be appointed as the chief appellate public defender for the four-year term beginning on January 1, 2007.~~

Sec. 5. Minnesota Statutes 2022, section 611.26, subdivision 2, is amended to read:

Subd. 2. **Appointment; terms.** The State Board of Public Defense shall appoint a chief district public defender for each judicial district. ~~When appointing a chief district public defender, the state Board of Public Defense membership shall be increased to include two residents of the district appointed by the chief judge of the district to reflect the characteristics of the population served by the public defender in that district. The additional members shall serve only in the capacity of selecting the district public defender. The ad hoc state Board of Public Defense shall appoint a chief district public defender only after requesting and giving reasonable time to receive any recommendations from the public, the local bar association, and the judges of the district.~~ Each chief district public defender shall be a qualified attorney licensed to practice law in this state. The chief district public defender shall be appointed for a term of four years, beginning January 1, pursuant to the following staggered term schedule: (1) in 2008, the second and eighth districts; (2) in 2009, the first, third, fourth, and tenth districts; (3) in 2010, the fifth and ninth districts; and (4) in 2011, the sixth and seventh districts. The chief district public defenders shall serve for four-year terms and may only be removed for cause upon the order of before the end of a term by a majority vote of the board members at a meeting of the state Board of Public Defense. Vacancies in the office shall be filled by the appointing authority for the unexpired term. The chief district public defenders shall devote full time to the performance of duties and shall not engage in the general practice of law.

Sec. 6. Minnesota Statutes 2022, section 611.26, subdivision 3, is amended to read:

Subd. 3. **Compensation.** (a) The compensation of the chief district public defender ~~and the compensation of each assistant district public defender~~ shall be set by the Board of Public Defense. ~~To assist the Board of Public Defense in determining compensation under this subdivision, counties shall provide to the board information on the compensation of county attorneys, including salaries and benefits, rent, secretarial staff, and other pertinent budget data. For purposes of this subdivision, compensation means salaries, cash payments, and employee benefits including paid time off and group insurance benefits, and other direct and indirect items of compensation including the value of office space provided by the employer.~~

(b) This subdivision does not limit the rights of public defenders to collectively bargain with their employers.

Sec. 7. Minnesota Statutes 2022, section 611.26, subdivision 3a, is amended to read:

Subd. 3a. **Budget; compensation.** (a) Notwithstanding subdivision 3 or any other law to the contrary, compensation and economic benefit increases for chief district public defenders and assistant district public defenders, who are full-time county employees, shall be paid out of the budget for that judicial district public defender's office.

(b) In the Second Judicial District, the district public defender's office shall be funded by the Board of Public Defense. The budget for the Second Judicial District Public Defender's Office shall not include Ramsey County property taxes.

(c) In the Fourth Judicial District, the district public defender's office shall be funded by the Board of Public Defense and by the Hennepin County Board. Personnel expenses of state employees hired on or after January 1, 1999, in the Fourth Judicial District Public Defender's Office shall be funded by the Board of Public Defense.

~~(d) Those budgets for district public defender services in the Second and Fourth Judicial Districts under the jurisdiction of the state Board of Public Defense shall be eligible for adjustments to their base budgets in the same manner as other state agencies. In making biennial budget base adjustments, the commissioner of management and budget shall consider the budgets for district public defender services in all judicial districts, as allocated by the state Board of Public Defense, in the same manner as other state agencies.~~

Sec. 8. Minnesota Statutes 2022, section 611.26, subdivision 4, is amended to read:

Subd. 4. **Assistant public defenders.** A chief district public defender shall appoint assistants who are qualified attorneys licensed to practice law in this state and other staff as the chief district public defender finds prudent and necessary subject to the standards adopted by the state public defender. ~~Assistant district public defenders must be appointed to ensure broad geographic representation and caseload distribution within the district. Each assistant district public defender serves at the pleasure of the chief district public defender.~~ A chief district public defender is authorized, subject to approval by the state ~~Board of Public Defense~~ public defender or their designee, to hire an independent contractor to perform the duties of an assistant public defender.

Sec. 9. Minnesota Statutes 2022, section 611.263, subdivision 1, is amended to read:

Subdivision 1. **Employees.** (a) Except as provided in subdivision 3, ~~the district public defender and~~ assistant public defenders of the Second Judicial District are employees of Ramsey County in the unclassified service under section 383A.286.

(b) Except as provided in subdivision 3, ~~the district public defender and~~ assistant public defenders of the Fourth Judicial District are employees of Hennepin County under section 383B.63, subdivision 6.

Sec. 10. Minnesota Statutes 2022, section 611.265, is amended to read:

611.265 TRANSITION.

(a) District public defenders and their employees, other than in the Second and Fourth Judicial Districts, are state employees in the judicial branch, and are governed by the personnel rules adopted by the State Board of Public Defense.

~~(b) A district public defender or district public defender employee who becomes a state employee under this section, and who participated in a county insurance program on June 30, 1993, may elect to continue to participate in the county program according to procedures established by the Board of Public Defense. An affected county shall bill the Board of Public Defense for employer contributions, in a manner prescribed by the board. The county shall not charge the board any administrative fee. Notwithstanding any law to the contrary, a person who is first employed as a district public defender after July 1, 1993, shall participate in the state employee insurance program, as determined by the state Board of Public Defense, in consultation with the commissioner of management and budget.~~

~~(c)~~ (b) A district public defender or district public defender employee who becomes a state employee under this section, and who participated in the Public Employee Retirement Association on June 30, 1993, may elect to continue to participate in the Public Employees Retirement Association according to procedures established by the Board of Public Defense and the association. Notwithstanding any law to the contrary, a person who is first employed as a state employee or by a district public defender after July 1, 1993, must participate in the Minnesota State Retirement System.

~~(d)~~ (c) A person performing district public defender work as an independent contractor is not eligible to be covered under the state group insurance plan or the Public Employee Retirement Association.

Sec. 11. Minnesota Statutes 2022, section 611.27, subdivision 1, is amended to read:

Subdivision 1. **Budget.** ~~(a) A chief district public defender shall annually submit a comprehensive budget to the state Board of Public Defense. The budget shall be in compliance with standards and forms required by the board. The chief district public defender shall, at times and in the form required by the board, submit reports to the board concerning its operations, including the number of cases handled and funds expended for these services.~~

~~(b)~~ Money appropriated to the State Board of Public Defense for the board's administration, for the state public defender, for the judicial district public defenders, and for the public defense corporations shall be expended as determined by the board. In distributing funds to district public defenders, the board shall consider ~~the geographic distribution of public defenders, the equity of compensation among the judicial districts,~~ public defender case loads, and the results of the weighted case load study.

Sec. 12. Minnesota Statutes 2022, section 611.27, subdivision 8, is amended to read:

Subd. 8. **Adequate representation; review.** In a case where the chief district public defender does not believe that the office can provide adequate representation, the chief public defender of the district shall immediately notify the state public defender. The chief district public defender may request that the state public defender authorize appointment of counsel other than the district public defender in the case.

Sec. 13. Minnesota Statutes 2022, section 611.27, subdivision 10, is amended to read:

Subd. 10. **Addition of permanent staff.** The chief public defender may not request nor may the state public defender approve the addition of permanent staff under ~~subdivision 7~~ this section.

Sec. 14. Minnesota Statutes 2022, section 611.27, subdivision 11, is amended to read:

Subd. 11. **Appointment of counsel.** (a) If the state public defender finds that the provision of adequate legal representation, including associated services, is beyond the ability of the district public defender to provide, the state public defender may approve counsel to be appointed, with compensation and expenses to be paid under the provisions of this subdivision and subdivision 7. Counsel in such these cases shall be appointed by the chief district public defender.

(b) All billings for services rendered and ordered under this subdivision shall require the approval of the chief district public defender before being forwarded to the state public defender for payment. Counsel appointed under this subdivision shall document the time worked and expenses incurred in a manner prescribed by the chief district public defender. In cases where adequate representation cannot be provided by the district public defender and where counsel has been approved by the state public defender, the Board of Public Defense shall pay all services from county program aid transferred by the commissioner of revenue for that purpose under section 477A.03, subdivision 2b, paragraph (a).

Sec. 15. Minnesota Statutes 2022, section 611.27, subdivision 13, is amended to read:

Subd. 13. **Correctional facility inmates.** ~~All billings for services rendered and ordered under subdivision 7 shall require the approval of the chief district public defender before being forwarded to the state public defender. In cases where adequate representation cannot be provided by the district public defender and where counsel has been approved by the state public defender, the Board of Public Defense shall pay all services from county program aid transferred by the commissioner of revenue for that purpose under section 477A.03, subdivision 2b, paragraph (a).~~

The costs of appointed counsel and associated services in cases arising from new criminal charges brought against indigent inmates who are incarcerated in a Minnesota state correctional facility are the responsibility of the State Board of Public Defense. In ~~such~~ these cases the state public defender may follow the procedures outlined in this section for obtaining court-ordered counsel.

Sec. 16. Minnesota Statutes 2022, section 611.27, subdivision 16, is amended to read:

Subd. 16. **Appeal by prosecuting attorney; attorney fees.** ~~(a) When a prosecuting attorney appeals to the court of appeals, in any criminal case, from any pretrial order of the district court, reasonable attorney fees and costs incurred shall be allowed to the defendant on the appeal which shall be paid by the governmental unit responsible for the prosecution involved in accordance with paragraph (b).~~

~~(b) By On or before January 15, 2013, and every year thereafter of each year,~~ the chief judge of the judicial district, after consultation with city and county attorneys, the chief public defender, and members of the private bar in the district, shall establish a reimbursement rate for attorney fees and costs associated with representation ~~under paragraph (a) of a defendant on appeal.~~ The compensation to be paid to an attorney for such service rendered to a defendant under this subdivision may not exceed ~~\$5,000~~ \$10,000, exclusive of reimbursement for expenses reasonably incurred, unless payment in excess of that limit is certified by the chief judge of the district as necessary to provide fair compensation for services of an unusual character or duration.

Sec. 17. **REVISOR INSTRUCTION.**

The revisor of statutes shall renumber each section of Minnesota Statutes listed in column A with the number listed in column B. The revisor shall make necessary cross-reference changes consistent with the renumbering. The revisor shall also make any technical and other changes necessitated by the renumbering and cross-reference changes.

Column A

611.27, subdivision 3
611.27, subdivision 15
611.27, subdivision 16

Column B

611.24, subdivision 2
611.24, subdivision 3
611.24, subdivision 4

Sec. 18. **REPEALER.**

Minnesota Statutes 2022, sections 611.25, subdivision 3; and 611.27, subdivisions 6, 9, and 12, are repealed.

ARTICLE 6
 CIVIL LAW

Section 1. Minnesota Statutes 2022, section 548.251, subdivision 2, is amended to read:

Subd. 2. **Motion.** In a civil action, whether based on contract or tort, when liability is admitted or is determined by the trier of fact, and when damages include an award to compensate the plaintiff for losses available to the date of the verdict by collateral sources, a party may file a motion within ten days of the date of entry of the verdict requesting determination of collateral sources. If the motion is filed, the parties shall submit written evidence of, and the court shall determine:

(1) amounts of collateral sources that have been paid for the benefit of the plaintiff or are otherwise available to the plaintiff as a result of losses except those for which a subrogation right has been asserted; and

(2) amounts that have been paid, contributed, or forfeited by, or on behalf of, the plaintiff or members of the plaintiff's immediate family for the two-year period immediately before the accrual of the action and until judgment is entered to secure the right to a collateral source benefit that the plaintiff is receiving as a result of losses.

EFFECTIVE DATE. This section is effective August 1, 2024, and applies to causes of action commenced on or after that date.

Sec. 2. Minnesota Statutes 2022, section 604.02, subdivision 2, is amended to read:

Subd. 2. **Reallocation of uncollectible amounts generally.** Upon motion made not later than one year after judgment is entered, the court shall determine whether all or part of a any party's equitable share of the obligation is uncollectible from that party and shall reallocate any uncollectible amount among the other parties, including a claimant at fault, according to their respective percentages of fault. A party whose liability is reallocated is nonetheless subject to contribution and to any continuing liability to the claimant on the judgment.

EFFECTIVE DATE. This section is effective August 1, 2024, and applies to causes of action commenced on or after that date."

Delete the title and insert:

"A bill for an act relating to judiciary; making policy and technical corrections to certain judiciary provisions, including data practices, family law, judiciary policy, guardianships, public defense, and civil law; classifying data; establishing crimes; amending Minnesota Statutes 2022, sections 117.042; 171.182, subdivisions 2, 3; 253B.02, subdivision 4d; 331A.02, by adding a subdivision; 480.15, subdivision 10c; 519.11, subdivision 1; 524.5-315; 524.5-317; 548.251, subdivision 2; 593.50, subdivision 1; 604.02, subdivision 2; 611.215, subdivision 2; 611.24; 611.26, subdivisions 2, 3, 3a, 4; 611.263, subdivision 1; 611.265; 611.27, subdivisions 1, 8, 10, 11, 13, 16; 645.11;

Minnesota Statutes 2023 Supplement, sections 524.5-313; 611.215, subdivision 1; 611.23; 611.41, subdivision 7; proposing coding for new law in Minnesota Statutes, chapters 13; 480; 609; repealing Minnesota Statutes 2022, sections 611.25, subdivision 3; 611.27, subdivisions 6, 9, 12."

With the recommendation that when so amended the bill be placed on the General Register.

The report was adopted.

Stephenson from the Committee on Commerce Finance and Policy to which was referred:

H. F. No. 3989, A bill for an act relating to consumer protection; making changes to flame resistant public assembly tents and sleeping bags; amending Minnesota Statutes 2022, sections 325F.03; 325F.04; 325F.05.

Reported the same back with the recommendation that the bill be placed on the General Register.

The report was adopted.

Moller from the Committee on Public Safety Finance and Policy to which was referred:

H. F. No. 3991, A bill for an act relating to public safety; creating restorative practices restitution program; eliminating ability of court to order fine in delinquency proceeding or juvenile major water or traffic offender proceeding; making conforming and technical changes; amending Minnesota Statutes 2022, sections 260B.198, subdivision 1; 260B.225, subdivision 9; 260B.235, subdivision 4; Minnesota Statutes 2023 Supplement, section 299A.95, subdivision 5.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Judiciary Finance and Civil Law.

The report was adopted.

Liebling from the Committee on Health Finance and Policy to which was referred:

H. F. No. 3992, A bill for an act relating to taxation; aid to local governments and private ambulance services; establishing a onetime aid program for certain licensed ambulance services; requiring reports; appropriating money.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. **EMERGENCY AMBULANCE SERVICE AID.**

Subdivision 1. Definitions. For the purposes of this section, the following terms have the meanings given:

(1) "ambulance service" has the meaning given in Minnesota Statutes, section 144E.001, subdivision 3;

(2) "capital expense" means expenses that are incurred by a licensed ambulance service provider for the purchase, improvement, or maintenance of long-term assets to improve the efficiency or capacity of the ambulance services, with an expected useful life of greater than five years;

(3) "commissioner" means the commissioner of revenue;

(4) "EMS RB" means the Emergency Medical Services Regulatory Board;

(5) "licensed ambulance service provider" means a natural person, partnership, association, corporation, Tribal government, or unit of government which possesses an ambulance service license under Minnesota Statutes, chapter 144E;

(6) "operational expenses" means costs related to personnel expenses, supplies and equipment, fuel, vehicle maintenance, travel, education, fundraising, and expenses associated with obtaining advanced life support intercepts;

(7) "primary service area" has the meaning given in Minnesota Statutes, section 144E.001, subdivision 10;

(8) "reported revenue" means the sum of the following, for services provided in the boundaries of the state of Minnesota:

(i) insurance payments received from all payers for providing ambulance service;

(ii) donations and proceeds of any fundraisers as part of the operation of a licensed ambulance service;

(iii) collected fees for providing standby services as part of the operation of a licensed ambulance service;

(iv) grants received as part of the operation of a licensed ambulance service;

(v) per capita fees received as part of the operation of a licensed ambulance service;

(vi) all other sources of funding as part of the operation of a licensed ambulance service; and

(vii) for licensed ambulance services not operated by a unit of local government only, the amount of any received government subsidies related to the operation of a licensed ambulance service;

(9) "reporting year" means the year that (i) is a 12-month period that includes September 30, 2022, and (ii) is a 12-month period that corresponds with the fiscal reporting period for which the licensed ambulance service provider submits an application under this section; and

(10) "unit of government" means a county, a statutory or home rule charter city, or a township.

Subd. 2. **Eligibility.** A licensed ambulance service provider is eligible for aid under this section provided that the licensed ambulance service provider:

(1) possessed a license in calendar year 2022;

(2) continues to operate under license for aids payable in 2024; and

(3) completes the requirements under subdivision 3.

Subd. 3. Application process. (a) An eligible licensed ambulance service provider may apply to the commissioner, in the form and manner determined by the commissioner, for aid under this section. Applications must be submitted by September 16, 2024. The commissioner may require an eligible licensed ambulance service provider to submit any information necessary, including financial statements, to make the calculations under subdivision 4. An eligible licensed ambulance service provider who applies for aid under this section must provide a copy of the application to the executive director of the EMSRB by September 16, 2024.

(b) The commissioner and the executive director of the EMSRB must establish a process for verifying the data submitted with applications under this subdivision.

Subd. 4. Aid amount. (a) For each eligible licensed ambulance service provider that submits an application under subdivision 3, the commissioner must subtract the eligible licensed ambulance service provider's reported revenue in the reporting year from the sum of:

(1) the product of \$34 times the applicant's total volunteer hours reported in the reporting year; plus

(2) the applicant's total operating expenses in the reporting year; plus

(3) the applicant's total capital expenses in the reporting year.

(b) The aid amount for an eligible licensed ambulance service provider that submits an application under subdivision 3 equals the greater of zero or the amount calculated by the commissioner under paragraph (a).

(c) If the amount available for aid under this section is not sufficient to fully fund the aid amounts calculated under paragraph (a), the commissioner must prorate the aid amounts.

Subd. 5. Eligible uses. A recipient must spend aid received under this section within the recipient's primary service area that is located in Minnesota.

Subd. 6. Payment date. The commissioner must certify the aid amount to each licensed ambulance service provider and to the executive director of the EMSRB by December 1, 2024. The commissioner must make the full aid payment to each eligible licensed ambulance service provider by December 26, 2024.

Subd. 7. Report. By December 31, 2025, each licensed ambulance service provider that receives aid must submit a report to the commissioner and the chairs and ranking minority members of the legislative committees with jurisdiction over taxes and property taxes. The report must include the amount of aid that each licensed ambulance service provider received, the amount of aid that was spent on operational expenses, the amount of aid that was spent on capital expenses, and documentation sufficient to establish that awarded aid was spent on eligible uses as defined in subdivision 5. The commissioner may request financial statements or other information necessary to verify that aid was spent on eligible uses.

Subd. 8. Appropriation. (a) An amount sufficient to make aid payments under this section is appropriated from the general fund to the commissioner of revenue in fiscal year 2025, provided that the total does not exceed \$122,500,000.

(b) Of the amount in paragraph (a), the commissioner may retain up to \$..... for administrative costs related to aid under this section.

(c) This is a onetime appropriation.

EFFECTIVE DATE. This section is effective for aids payable in 2024."

With the recommendation that when so amended the bill be re-referred to the Committee on Taxes.

The report was adopted.

Pelowski from the Committee on Higher Education Finance and Policy to which was referred:

H. F. No. 4024, A bill for an act relating to higher education; making policy and technical changes to certain higher education provisions including student sexual misconduct, student aid, and institutional licensure provisions; requiring reports; requiring rulemaking; amending Minnesota Statutes 2022, sections 135A.031, subdivision 7; 135A.15, subdivisions 1a, 2, 8, by adding a subdivision; 136A.091, subdivision 3; 136A.1241, subdivision 3; 136A.1701, subdivisions 4, 7; 136A.62, by adding subdivisions; 136A.63, subdivision 1; 136A.646; 136A.65, subdivision 4; 136A.675, subdivision 2; 136A.821, subdivision 5, by adding a subdivision; 136A.822, subdivisions 1, 2, 6, 7, 8; 136A.828, subdivision 3; 136A.829, subdivision 3, by adding a subdivision; Minnesota Statutes 2023 Supplement, sections 135A.121, subdivision 2; 135A.15, subdivision 1; 135A.161, by adding a subdivision; 135A.162, subdivision 2; 136A.1241, subdivision 5; 136A.1465, subdivisions 1, 2, 3, 4, 5; 136A.62, subdivision 3; 136A.833, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 135A; 136A.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2023 Supplement, section 135A.121, subdivision 2, is amended to read:

Subd. 2. **Eligibility.** To be eligible each year for the program a student must:

(1) be enrolled in an undergraduate certificate, diploma, or degree program at the University of Minnesota or a Minnesota state college or university;

(2) be either (i) a Minnesota resident for resident tuition purposes who is an enrolled member or citizen of a federally recognized American Indian Tribe or Canadian First Nation, or (ii) an enrolled member or citizen of a Minnesota Tribal Nation, regardless of resident tuition status; ~~and~~

(3) have not (i) obtained a baccalaureate degree, or (ii) been enrolled for ~~180 credits~~ 12 semesters or the equivalent, excluding courses taken that qualify as developmental education or below college-level; ~~and~~

(4) meet satisfactory academic progress as defined under section 136A.101, subdivision 10.

Sec. 2. **[135A.144] TRANSCRIPT ACCESS.**

Subdivision 1. **Definitions.** (a) The terms defined in this subdivision apply to this section.

(b) "Debt" means any money, obligation, claim, or sum, due or owed, or alleged to be due or owed, from a student. Debt does not include the fee, if any, charged to all students for the actual costs of providing the transcripts.

(c) "School" means a public institution governed by the Board of Trustees of the Minnesota State Colleges and Universities, private postsecondary educational institution as defined under section 136A.62 or 136A.821, or public or private entity that is responsible for providing transcripts to current or former students of an educational institution. Institutions governed by the Board of Regents of the University of Minnesota are requested to comply with this section.

(d) "Transcript" means the statement of an individual's academic record, including official transcripts or the certified statement of an individual's academic record provided by a school, and unofficial transcripts or the uncertified statement of an individual's academic record provided by a school.

Subd. 2. **Prohibited practices.** (a) A school must not refuse to provide a transcript for a current or former student because the student owes a debt to the school if:

(1) the debt owed is less than \$1,000;

(2) the student has entered into and, as determined by the institution, is in compliance with a payment plan with the school;

(3) the transcript request is made by a prospective employer for the student;

(4) the school has sent the debt for repayment to the Department of Revenue or to a collection agency, as defined in section 332.31, subdivision 3, external to the institution and the debt has not been returned to the institution unpaid; or

(5) the person is incarcerated at a Minnesota correctional facility.

(b) A school must not charge an additional or higher fee for obtaining a transcript or provide less favorable treatment of a transcript request because a student owes a debt to the originating school.

Subd. 3. **Institutional policy.** (a) A school that uses transcript issuance as a tool for debt collection must have a policy accessible to students that outlines how the school collects on debts owed to the school.

(b) A school shall seek to use transcript issuance as a tool for debt collection for the fewest number of cases possible and in a manner that allows for the quickest possible resolution of the debt benefitting the student's educational progress.

Sec. 3. Minnesota Statutes 2023 Supplement, section 135A.15, subdivision 1, is amended to read:

Subdivision 1. **Applicability; policy required.** (a) This section applies to the following postsecondary institutions:

(1) institutions governed by the Board of Trustees of the Minnesota State Colleges and Universities; and

(2) private postsecondary institutions that offer in-person courses on a campus located in Minnesota and which are eligible institutions as defined in section 136A.103, ~~provided that a private postsecondary institution with a systemwide enrollment of fewer than 100 students in the previous academic year is exempt from subdivisions 4 to 10 paragraph (a), that are participating in the federal Pell Grant program under Title IV of the Higher Education Act of 1965, Public Law 89-329, as amended.~~

Institutions governed by the Board of Regents of the University of Minnesota are requested to comply with this section.

(b) A postsecondary institution must adopt a clear, understandable written policy on sexual harassment and sexual violence that informs victims of their rights under the crime victims bill of rights, including the right to assistance from the Crime Victims Reimbursement Board and the commissioner of public safety. The policy must apply to students and employees and must provide information about their rights and duties. The policy must apply to criminal incidents against a student or employee of a postsecondary institution occurring on property owned or leased by the postsecondary system or institution or at any activity, program, organization, or event sponsored by the system or institution, or by a fraternity and sorority. It must include procedures for reporting incidents of sexual harassment or sexual violence and for disciplinary actions against violators. During student registration, a postsecondary institution shall provide each student with information regarding its policy. A copy of the policy also shall be posted at appropriate locations on campus at all times.

Sec. 4. Minnesota Statutes 2022, section 135A.15, subdivision 1a, is amended to read:

Subd. 1a. ~~Sexual assault definition~~ **Definitions.** (a) For the purposes of this section, the following terms have the meanings given.

(b) "Advisor" means a person who is selected by a responding or reporting party to serve as a support during a campus investigation and disciplinary process. This person may be an attorney. An advisor serves as a support to a party by offering comfort or attending meetings.

(c) "Domestic violence" has the meaning giving in section 518B.01, subdivision 2.

~~(b)~~ (d) "Incident" means one report of sexual assault misconduct to a postsecondary institution, regardless of the number of complainants included in the report, the number of respondents included in the report, and whether or not the identity of any party is known by the reporting postsecondary institution. Incident encompasses all nonconsensual events included within one report if multiple events have been identified.

(e) "Intimate partner violence" means any physical or sexual harm or a pattern of any other coercive behavior committed, enabled, or solicited to gain or maintain power and control over a victim, including verbal, psychological, economic, or technological abuse that may or may not constitute criminal behavior against an individual, that may be classified as a sexual assault or domestic violence caused by:

(1) a current or former spouse of the individual; or

(2) a person in a sexual or romantic relationship with the individual.

(f) "Nonconsensual dissemination of sexual images" has the meaning given in section 617.261.

(g) "Reporting party" means the party in a disciplinary proceeding who has reported being subject to conduct or communication that could constitute sexual harassment or sexual misconduct.

(h) "Responding party" means the party in a disciplinary proceeding who has been reported to be the perpetrator of conduct or communication that could constitute sexual harassment or sexual misconduct.

~~(e)~~ (i) "Sexual assault" means rape, sex offenses - fondling, sex offenses - incest, or sex offenses - statutory rape as defined in Code of Federal Regulations, title 34, part 668, subpart D, appendix A, as amended.

(j) "Sexual extortion" has the meaning given in section 609.3458.

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

(l) "Sexual harassment" has the meaning given in section 363A.03, subdivision 43.

(m) "Sexual misconduct" means an incident of sexual violence, intimate partner violence, domestic violence, sexual assault, sexual harassment, nonconsensual distribution of sexual images, sexual extortion, nonconsensual dissemination of a deepfake depicting intimate parts or sexual acts, sex trafficking, or stalking.

(n) "Stalking" has the meaning given in section 609.749.

Sec. 5. Minnesota Statutes 2022, section 135A.15, subdivision 2, is amended to read:

Subd. 2. **Victims' rights.** (a) The policy required under subdivision 1 shall, at a minimum, require that students and employees be informed of the policy, and shall include provisions for:

(1) filing criminal charges with local law enforcement officials in ~~sexual assault~~ cases defined as sexual misconduct;

(2) the prompt assistance of campus authorities, at the request of the victim, in notifying the appropriate law enforcement officials and disciplinary authorities of a sexual ~~assault~~ misconduct incident;

(3) allowing sexual ~~assault~~ misconduct victims to decide whether to report a case to law enforcement; participate in a campus investigation, disciplinary proceeding, or nondisciplinary restorative justice service; or not report altogether;

(4) requiring campus authorities to treat sexual ~~assault~~ misconduct victims with dignity;

(5) requiring campus authorities to offer sexual ~~assault~~ misconduct victims fair and respectful health care, counseling services, or referrals to such services;

(6) preventing campus authorities from suggesting to a victim of sexual ~~assault~~ misconduct that the victim is at fault for the crimes or violations that occurred;

(7) preventing campus authorities from suggesting to a victim of sexual ~~assault~~ misconduct that the victim should have acted in a different manner to avoid such a crime;

(8) subject to ~~subdivision~~ subdivisions 2a and 10, protecting the privacy of sexual ~~assault~~ misconduct victims by only disclosing data collected under this section to the victim, persons whose work assignments reasonably require access, and, at a sexual ~~assault~~ misconduct victim's request, police conducting a criminal investigation;

(9) an investigation and resolution of a sexual ~~assault~~ misconduct complaint by campus disciplinary authorities;

(10) a sexual ~~assault~~ misconduct victim's participation in and the presence of the victim's attorney or other support person who is not a fact witness to the sexual ~~assault~~ misconduct at any meeting with campus officials concerning the victim's sexual ~~assault~~ misconduct complaint or campus disciplinary proceeding concerning a sexual ~~assault~~ misconduct complaint;

(11) ensuring that a sexual ~~assault~~ misconduct victim may decide when to repeat a description of the incident of sexual ~~assault~~ misconduct;

(12) notice to a sexual ~~assault~~ misconduct victim of the availability of a campus or local program providing ~~sexual assault victim~~ advocacy services and information on free legal resources and services;

(13) notice to a sexual ~~assault~~ misconduct victim of the outcome of any campus disciplinary proceeding concerning a sexual ~~assault~~ misconduct complaint, consistent with laws relating to data practices;

(14) the complete and prompt assistance of campus authorities, at the direction of law enforcement authorities, in obtaining, securing, and maintaining evidence in connection with a sexual ~~assault~~ misconduct incident;

(15) the assistance of campus authorities, at the request of the sexual misconduct victim, in preserving ~~for a sexual assault complainant or victim~~ materials relevant to a campus disciplinary proceeding;

(16) during and after the process of investigating a complaint and conducting a campus disciplinary procedure, the assistance of campus personnel, in cooperation with the appropriate law enforcement authorities, at a sexual ~~assault~~ misconduct victim's request, in shielding the victim from unwanted contact with the alleged assailant, including transfer of the victim to alternative classes or to alternative college-owned housing, if alternative classes or housing are available and feasible;

(17) forbidding retaliation, and establishing a process for investigating complaints of retaliation, against sexual ~~assault~~ misconduct victims by campus authorities, the accused, organizations affiliated with the accused, other students, and other employees;

(18) at the request of the victim, providing students who reported sexual ~~assaults~~ misconduct to the institution and subsequently choose to transfer to another postsecondary institution with information about resources for victims of sexual ~~assault~~ misconduct at the institution to which the victim is transferring; and

(19) consistent with laws governing access to student records, providing a student who reported an incident of sexual ~~assault~~ misconduct with access to the student's description of the incident as it was reported to the institution, including if that student transfers to another postsecondary institution.

(b) None of the rights given to a student by the policy required by subdivision 1 may be made contingent upon the victim entering into a nondisclosure agreement or other contract restricting the victim's ability to disclose information in connection with a sexual misconduct complaint, investigation, or hearing.

(c) A nondisclosure agreement or other contract restricting the victim's ability to disclose information in connection with a sexual misconduct complaint, investigation, or hearing may not be used as a condition of financial aid or remedial action.

Sec. 6. Minnesota Statutes 2022, section 135A.15, is amended by adding a subdivision to read:

Subd. 2a. Campus investigation and disciplinary hearing procedures. (a) A postsecondary institution must provide a reporting party an opportunity for an impartial, timely, and thorough investigation of a report of sexual misconduct against a student. If an investigation reveals that sexual misconduct has occurred, the institution must take prompt and effective steps reasonably calculated to end the sexual misconduct, prevent its recurrence, and, as appropriate, remedy its effects.

(b) Throughout any investigation or disciplinary proceeding, a postsecondary institution must treat the reporting parties, responding parties, witnesses, and other participants in the proceeding with dignity, respect, and fairness.

(c) If a postsecondary institution conducts a hearing, an advisor may provide opening and closing remarks on behalf of a party or assist with formulating questions to the other party or witnesses about related evidence or credibility.

Sec. 7. Minnesota Statutes 2022, section 135A.15, subdivision 6, is amended to read:

Subd. 6. Data collection and reporting. (a) Postsecondary institutions must annually report statistics on sexual ~~assault~~ misconduct. This report must be prepared in addition to any federally required reporting on campus security, including reports required by the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, United States Code, title 20, section 1092(f). The report must include, but not be limited to, the number of incidents of sexual ~~assault~~ misconduct of each offense listed under the definition in subdivision 1a, reported to the institution in the previous calendar year, as follows:

(1) the number that were investigated by the institution;

- (2) the number that were referred for a disciplinary proceeding at the institution;
 - (3) the number the victim chose to report to local or state law enforcement;
 - (4) the number for which a campus disciplinary proceeding is pending, but has not reached a final resolution;
 - (5) the number in which the alleged perpetrator was found responsible by the disciplinary proceeding at the institution;
 - (6) the number that resulted in any action by the institution greater than a warning issued to the accused;
 - (7) the number that resulted in a disciplinary proceeding at the institution that closed without resolution;
 - (8) the number that resulted in a disciplinary proceeding at the institution that closed without resolution because the accused withdrew from the institution;
 - (9) the number that resulted in a disciplinary proceeding at the institution that closed without resolution because the victim chose not to participate in the procedure; and
 - (10) the number of reports made through the online reporting system established in subdivision 5, excluding reports submitted anonymously.
- (b) If an institution previously submitted a report indicating that one or more disciplinary proceedings was pending, but had not reached a final resolution, and one or more of those disciplinary proceedings reached a final resolution within the previous calendar year, that institution must submit updated totals from the previous year that reflect the outcome of the pending case or cases.
- (c) The reports required by this subdivision must be submitted to the Office of Higher Education by October 1 of each year. Each report must contain the data required under paragraphs (a) and (b) from the previous calendar year.
- (d) The commissioner of the Office of Higher Education shall calculate statewide numbers for each data item reported by an institution under this subdivision. The statewide numbers must include data from postsecondary institutions that the commissioner could not publish due to federal laws governing access to student records.
- (e) The Office of Higher Education shall publish on its website:
- (1) the statewide data calculated under paragraph (d); and
 - (2) the data items required under paragraphs (a) and (b) for each postsecondary institution in the state.
- Each postsecondary institution shall publish on the institution's website the data items required under paragraphs (a) and (b) for that institution.
- (f) Reports and data required under this subdivision must be prepared and published as summary data, as defined in section 13.02, subdivision 19, and must be consistent with applicable law governing access to educational data. If an institution or the Office of Higher Education does not publish data because of applicable law, the publication must explain why data are not included.

Sec. 8. Minnesota Statutes 2022, section 135A.15, subdivision 8, is amended to read:

Subd. 8. **Comprehensive training.** (a) A postsecondary institution must provide campus security officers and campus administrators responsible for investigating or adjudicating complaints of sexual assault with comprehensive training on preventing and responding to sexual assault in collaboration with the Bureau of Criminal Apprehension or another law enforcement agency with expertise in criminal sexual conduct. The training for campus security officers shall include a presentation on the dynamics of sexual assault, neurobiological responses to trauma, and best practices for preventing, responding to, and investigating sexual assault. The training for campus administrators responsible for investigating or adjudicating complaints on sexual assault shall include presentations on preventing sexual assault, responding to incidents of sexual assault, the dynamics of sexual assault, neurobiological responses to trauma, and compliance with state and federal laws on sexual assault.

(b) The following categories of students who attend, or will attend, one or more courses on campus or will participate in on-campus activities must be provided sexual assault training:

- (1) students pursuing a degree or certificate;
- (2) students who are taking courses through the Postsecondary Enrollment Options Act; and
- (3) any other categories of students determined by the institution.

Students must complete such training no later than ten business days after the start of a student's first semester of classes. Once a student completes the training, institutions must document the student's completion of the training and provide proof of training completion to a student at the student's request. Students enrolled at more than one institution within the same system at the same time are only required to complete the training once.

The training shall include information about topics including but not limited to sexual assault as defined in subdivision 1a; consent as defined in section 609.341, subdivision 4; preventing and reducing the prevalence of sexual assault; procedures for reporting campus sexual assault; and campus resources on sexual assault, including organizations that support victims of sexual assault.

(c) A postsecondary institution shall annually train individuals responsible for responding to reports of sexual assault. This training shall include information about best practices for interacting with victims of sexual assault, including how to reduce the emotional distress resulting from the reporting, investigatory, and disciplinary process.

(d) To the extent possible, trainings must be culturally responsive and address the unique experiences and challenges faced by students based on race, ethnicity, color, national origin, disability, socioeconomic status, religion, sex, gender identity, sexual orientation, and pregnancy or parenting status.

Sec. 9. **[135A.1581] NAVIGATORS FOR PARENTING STUDENTS.**

Subdivision 1. **Applicability.** (a) This section applies to the following postsecondary institutions:

- (1) institutions governed by the Board of Trustees of the Minnesota State Colleges and Universities; and
- (2) private postsecondary institutions that offer in-person courses on a campus located in Minnesota and which are eligible institutions as defined in section 136A.103.

(b) Institutions governed by the Board of Regents of the University of Minnesota are requested to comply with this section.

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

(b) "Institutions of higher education" means an institution of higher education under subdivision 1.

(c) "Parenting student" means a student enrolled at an institution of higher education who is the parent or legal guardian of or can claim as a dependent a child under the age of 18.

Subd. 3. **Navigators.** An institution of higher education must designate at least one employee of the institution to act as a college navigator for current or incoming students at the institution who are parenting students. The navigator must provide to the students information regarding support services and other resources available to the students at the institution, including:

(1) medical and behavioral health coverage and services;

(2) public benefit programs, including programs related to food security, affordable housing, and housing subsidies;

(3) parenting and child care resources;

(4) employment assistance;

(5) transportation assistance; and

(6) any other resources developed by the institution to assist the students, including student academic success strategies.

Subd. 4. **Report.** (a) By June 30, 2026, an institution of higher education must establish a process for collecting the parenting status of each enrolled student. By November 30, 2025, the Office of Higher Education shall establish a process for collecting this information from institutions.

(b) Annually, beginning January 15, 2028, the Office of Higher Education must submit a report to the chairs and ranking minority members of the legislative committees with jurisdiction over higher education and children, youth, and families. The report must include the following for parenting students:

(1) summary demographic data;

(2) enrollment patterns;

(3) retention rates;

(4) completion rates;

(5) average cumulative debt at exit or graduation; and

(6) as possible, time to completion.

Data must be disaggregated by institution, academic year, race and ethnicity, gender, and other factors determined to be relevant by the commissioner.

Sec. 10. **[135A.1582] PROTECTIONS FOR PREGNANT AND PARENTING STUDENTS.**

Subdivision 1. Definition. (a) For the purpose of this section, the following term has the meaning given.

(b) "Parenting student" means a student enrolled at a public college or university who is the parent or legal guardian of or can claim as a dependent a child under the age of 18.

Subd. 2. Rights and protections. (a) A Minnesota state college or university may not require and the University of Minnesota is requested not to require a pregnant or parenting student, solely because of the student's status as a pregnant or parenting student or due to issues related to the student's pregnancy or parenting, to:

(1) take a leave of absence or withdraw from the student's degree or certificate program;

(2) limit the student's studies;

(3) participate in an alternative program;

(4) change the student's major, degree, or certificate program; or

(5) refrain from joining or cease participating in any course, activity, or program at the college or university.

(b) A Minnesota state college or university shall provide and the University of Minnesota is requested to provide reasonable modifications to a pregnant student, including modifications that:

(1) would be provided to a student with a temporary medical condition; or

(2) are related to the health and safety of the student and the student's unborn child, such as allowing the student to maintain a safe distance from substances, areas, and activities known to be hazardous to pregnant women or unborn children.

(c) A Minnesota state college or university must and the University of Minnesota is requested to, for reasons related to a student's pregnancy, childbirth, or any resulting medical status or condition:

(1) excuse the student's absence;

(2) allow the student to make up missed assignments or assessments;

(3) allow the student additional time to complete assignments in the same manner as the institution allows for a student with a temporary medical condition; and

(4) provide the student with access to instructional materials and video recordings of lectures for classes for which the student has an excused absence under this section to the same extent that instructional materials and video recordings of lectures are made available to any other student with an excused absence.

(d) A Minnesota state college or university must and the University of Minnesota is requested to allow a pregnant or parenting student to:

(1) take a leave of absence; and

(2) if in good academic standing at the time the student takes a leave of absence, return to the student's degree or certificate program in good academic standing without being required to reapply for admission.

(e) If a public college or university provides early registration for courses or programs at the institution for any group of students, the Minnesota state college or university must provide and the University of Minnesota is requested to provide early registration for those courses or programs for pregnant or parenting students in the same manner.

Subd. 3. **Policy on discrimination.** Each Minnesota state college or university must adopt and the University of Minnesota is requested to adopt a policy for students on pregnancy and parenting discrimination. The policy must:

(1) include the contact information of the Title IX coordinator who is the designated point of contact for a student requesting each protection or modification under this section. Contact information must include the Title IX coordinator's name, phone number, email, and office;

(2) be posted in an easily accessible, straightforward format on the college or university's website; and

(3) be made available annually to faculty, staff, and employees of the college or university.

Subd. 4. **Administration.** The commissioner of the Office of Higher Education must, in consultation with the Board of Trustees of the Minnesota State Colleges and Universities and the Board of Regents of the University of Minnesota, establish guidelines, as necessary, to administer this section. The guidelines must establish minimum periods for which a pregnant or parenting student must be given a leave of absence under subdivision 2, paragraph (d). In establishing the minimum periods, the Office of Higher Education shall consider the maximum amount of time a student may be absent without significantly interfering with the student's ability to complete the student's degree or certificate program.

Sec. 11. Minnesota Statutes 2023 Supplement, section 135A.161, is amended by adding a subdivision to read:

Subd. 5. **Reporting.** The director must evaluate the development and implementation of the Minnesota inclusive higher education initiatives receiving a grant under section 135A.162. The director must submit an annual report by October 1 on the progress to expand Minnesota inclusive higher education options for students with intellectual disabilities to the commissioner and chairs and ranking minority members of the legislative committees with jurisdiction over higher education policy and finance. The report must include statutory and budget recommendations.

Sec. 12. Minnesota Statutes 2023 Supplement, section 135A.162, subdivision 2, is amended to read:

Subd. 2. **Eligible grantees.** A Tribal college or public or nonprofit postsecondary two-year or four-year institution is eligible to apply for a grant under this section if the institution:

(1) is accredited by the Higher Learning Commission; and

(2) meets the eligibility requirements under section 136A.103.

Sec. 13. **[135A.163] STUDENTS WITH DISABILITIES; ACCOMMODATIONS; GENERAL REQUIREMENTS.**

Subdivision 1. **Short title.** This act may be cited as the "Minnesota Respond, Innovate, Succeed, and Empower (RISE) Act."

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

(b) "Institution of higher education" means a public institution of higher education, Tribal college, and private institution of higher education that receives federal funding. The Board of Regents of the University of Minnesota is requested to comply with this section.

(c) "Plain language" means communication the audience can understand the first time the audience reads or hears it.

(d) "Student with a disability" means an admitted or enrolled student who meets the definition of an individual with a disability under the Americans with Disabilities Act and includes a student with an intellectual disability as defined in Code of Federal Regulations, title 34, section 668.231, who is admitted or enrolled in a comprehensive transition and postsecondary program.

Subd. 3. **Students with disabilities policy; dissemination of policy.** Each institution of higher education shall adopt a policy making self-disclosure by a student with a disability with sufficient proof of a disability, which starts the interactive process for reasonable accommodations under subdivision 4.

Subd. 4. **Establishment of reasonable accommodation; documentation.** (a) An institution of higher education shall engage in an interactive process to document the student's accommodation needs to establish a reasonable accommodation. An institution may request documentation as part of the interactive process to establish accommodations for the student with a disability.

(b) The following documentation submitted by an admitted or enrolled student is sufficient documentation for the interactive process to establish reasonable accommodations for a student with a disability:

(1) documentation that the individual has had an individualized education program (IEP). The institution of higher education may request additional documentation from an individual who has had an IEP if the IEP was not in effect immediately before the date when the individual exited high school;

(2) documentation that the individual has received services or accommodations under a section 504 plan. The institution of higher education may request additional documentation from an individual who has received services or accommodations provided to the individual under a section 504 plan if the section 504 plan was not in effect immediately before the date when the individual exited high school;

(3) documentation of a plan or record of service for the individual from a private school, a local educational agency, a state educational agency, or an institution of higher education provided under a section 504 plan or in accordance with the Americans with Disabilities Act of 1990;

(4) a record or evaluation from a relevant licensed professional finding that the individual has a disability;

(5) a plan or record of a disability from another institution of higher education;

(6) documentation of a disability due to military service; or

(7) additional information from an appropriately qualified health or other service professional who is knowledgeable about the student's condition and can clarify the need for a new accommodation not included in subdivision 4, paragraph (b), clauses (1) to (6).

(c) An institution of higher education may establish less burdensome criteria to determine reasonable accommodations for an enrolled or admitted student with a disability.

(d) An institution of higher education shall include a representative list of potential reasonable accommodations and disability resources for individuals with a disability that is accessible to applicants, students, parents, and faculty in plain language accessible formats. This information must be available in languages that reflect the primary languages of the institution's student body. The information must be provided during the student application process, at student orientation, in academic catalogs, and on the institution's public website. The reasonable accommodations and disability resources available to students are individualized and not limited to the list.

Subd. 5. Higher education requirements for students with disabilities. Institutions of higher education shall:

(1) before the beginning of each academic term, offer an opportunity for admitted students to self-identify as having a disability for which they may request an accommodation. The person or office responsible for arranging accommodations at the institution must initiate contact with any student who has self-identified under this clause. This does not preclude a student from requesting an accommodation for a disability at any other time;

(2) not require a student to be reevaluated for or submit documentation to prove the presence of a permanent disability if the student previously provided proof of their disability status and is not requesting any new accommodations;

(3) if a course instructor cannot provide an accommodation because it would fundamentally alter the nature of that course, require an instructor to provide a notification detailing why an accommodation cannot be provided to the student and submit that information to the student and the person or office responsible for arranging accommodations; and

(4) provide a student with a disability who is denied accommodations the option to include the person or office responsible for arranging accommodations in the institution's grievance or appeal process, to resolve equitable access barriers and prevent academic or financial penalty due to no fault of the student.

EFFECTIVE DATE. This section is effective January 1, 2025.

Sec. 14. [135A.195] REQUIREMENTS RELATED TO ONLINE PROGRAM MANAGEMENT COMPANIES.

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

(b) "Contract" means an agreement entered into by an institution of higher education with an online program management company. Contract includes any amendment or addendum to the agreement.

(c) "Institution of higher education" means an institution governed by either the Board of Trustees of the Minnesota State Colleges and Universities or the Board of Regents of the University of Minnesota. The Board of Regents of the University of Minnesota is requested to comply with this section.

(d) "Managed program" means an online course or program covered under a contract.

(e) "Online program management company" means a private, for-profit, third-party entity that enters into a contract with an institution of higher education to provide bundled products and services to develop, deliver, or provide managed programs when the services include recruitment and marketing.

(f) "Tuition sharing" means compensation or payment to an online program management company based on a percentage of revenue or fees collected from managed programs.

Subd. 2. **Contract stipulations.** A contract must not contain any provision that:

(1) includes or allows for tuition sharing;

(2) grants the online program management company ownership rights to any or all intellectual property rights, patentable discoveries, or inventions of faculty members of an institution of higher education; or

(3) grants the online program management company decision making authority over:

(i) curriculum development, design, or maintenance;

(ii) student assessment and grading;

(iii) course assessment;

(iv) admissions requirements;

(v) appointment of faculty;

(vi) faculty assessment;

(vii) decision to award course credit or credential; or

(viii) institutional governance.

Subd. 3. **Mandatory contract review and approval.** Prior to being executed, a contract must be reviewed and approved by the institution of higher education's governing board. A governing board must not approve a contract unless the contract complies with subdivision 2.

Subd. 4. **Reporting requirements.** An institution of higher education that contracts with an online program management company shall annually submit to its governing board a report documenting enrollment in and revenue generated by managed programs.

Subd. 5. **Marketing requirements.** (a) An institution of higher education that retains an online program management company to provide marketing services for its academic degree programs shall require that:

(1) the online program management company self-identifies as a third-party entity that is separate from the institution at the beginning of any communication with a prospective student; and

(2) any digital or print advertising provided by the online program management company for an academic program of the institution includes a clear disclosure of the third-party relationship between the online program management company and the institution.

(b) An institution of higher education that contracts with an online program management company shall make publicly available on its website a list of all managed programs.

EFFECTIVE DATE. This section is effective July 1, 2024, and applies to contracts entered into on or after that date.

Sec. 15. **[136A.053] CONSOLIDATED STUDENT AID REPORTING.**

(a) The commissioner of the Office of Higher Education shall report annually beginning February 15, 2026, to the chairs and ranking minority members of the legislative committees with jurisdiction over higher education, on the details of programs administered under sections 136A.091 to 136A.1276, 136A.1465, and 136A.231 to 136A.246, including the:

- (1) total funds appropriated and expended;
- (2) total number of students applying for funds;
- (3) total number of students receiving funds;
- (4) average and total award amounts;
- (5) summary demographic data on award recipients;
- (6) retention rates of award recipients;
- (7) completion rates of award recipients;
- (8) average cumulative debt at exit or graduation; and
- (9) average time to completion.

(b) Data must be disaggregated by program, institution, aid year, race and ethnicity, gender, income, family type, dependency status, and any other factors determined to be relevant by the commissioner. The commissioner must report any additional data and outcomes relevant to the evaluation of programs administered under sections 136A.091 to 136A.1276, 136A.1465, and 136A.231 to 136A.246 as evidenced by activities funded under each program.

Sec. 16. Minnesota Statutes 2022, section 136A.091, subdivision 3, is amended to read:

Subd. 3. **Financial need.** Need for financial assistance is based on student eligibility for free or reduced-price school meals under the national school lunch program. Student eligibility shall be verified by sponsors of approved academic programs. The office shall award stipends for students within the limits of available appropriations for this section. If the amount appropriated is insufficient, the office shall allocate the available appropriation in the manner it determines. A stipend must not exceed \$1,000 per student.

Sec. 17. **[136A.097] ORDER OF AID CALCULATIONS.**

The commissioner must calculate aid for programs in the order of their original enactment from oldest to most recent. The commissioner may determine the order of calculating state financial aid if:

- (1) a student is eligible for multiple state financial aid programs; and
- (2) two or more of those programs calculate funding after accounting for other state aid.

If the commissioner determines that a greater amount of financial aid would be available to students by calculating aid in a particular order, the commissioner may calculate aid in that order.

Sec. 18. Minnesota Statutes 2022, section 136A.1241, subdivision 3, is amended to read:

Subd. 3. **Eligibility.** (a) An individual who is eligible for the Education and Training Voucher Program is eligible for a foster grant.

(b) If the individual is not eligible for the Education and Training Voucher Program, in order to receive a foster grant, an individual must:

- (1) meet the definition of a resident student under section 136A.101, subdivision 8;
- (2) be at least 13 years of age but fewer than 27 years of age;
- (3) after the individual's 13th birthday, be in or have been in foster care in Minnesota before, on, or after June 27, 2021, including any of the following:
 - (i) placement in foster care at any time while 13 years of age or older;
 - (ii) adoption from foster care at any time after reaching 13 years of age; or
 - (iii) placement from foster care with a permanent legal custodian at any time after reaching 13 years of age;
- (4) have graduated from high school or completed the equivalent as approved by the Department of Education;
- (5) have been accepted for admission to, or be currently attending, an eligible institution;
- (6) have submitted a FAFSA; ~~and~~
- (7) be meeting satisfactory academic progress as defined under section 136A.101, subdivision 10-;
- (8) not be in default, as defined by the office, of any federal or state student educational loan;
- (9) not be more than 30 days in arrears in court-ordered child support that is collected or enforced by the public authority responsible for child support enforcement or, if the applicant is more than 30 days in arrears in court-ordered child support that is collected or enforced by the public authority responsible for child support enforcement, be complying with a written payment agreement under section 518A.69 or order for arrearages; and
- (10) not have been convicted of or pled nolo contendere or guilty to a crime involving fraud in obtaining federal Title IV funds within the meaning of Code of Federal Regulations, subtitle B, chapter VI, part 668, subpart C.

Sec. 19. Minnesota Statutes 2023 Supplement, section 136A.1241, subdivision 5, is amended to read:

Subd. 5. **Foster grant amount; payment; opt-out.** (a) Each student shall be awarded a foster grant based on the federal need analysis. Applicants are encouraged to apply for all other sources of financial aid. The amount of the foster grant must be equal to the applicant's recognized cost of attendance after accounting for:

- (1) the results of the federal need analysis;
- (2) the amount of a federal Pell Grant award for which the applicant is eligible;
- (3) the amount of the state grant;

- (4) the Federal Supplemental Educational Opportunity Grant;
 - (5) the sum of all Tribal scholarships;
 - (6) the amount of any other state and federal gift aid;
 - (7) the Education and Training Voucher Program;
 - (8) extended foster care benefits under section 260C.451;
 - (9) the amount of any private grants or scholarships, excluding grants and scholarships provided by the private institution of higher education in which the eligible student is enrolled; and
 - (10) for public institutions, the sum of all institutional grants, scholarships, tuition waivers, and tuition remission amounts.
- (b) The foster grant shall be paid directly to the eligible institution where the student is enrolled.
- (c) An eligible private institution may opt out of participating in the foster grant program established under this section. To opt out, the institution shall provide notice to the office by March 1 for the next academic year. An institution that opts out of participating, but participated in the program a previous year, must hold harmless currently enrolled recipients by continuing to provide the benefit under paragraph (d) as long as the student remains eligible.
- (d) An eligible private institution that does not opt out under paragraph (c) and accepts the student's application to attend the institution must provide institutional grants, scholarships, tuition waivers, or tuition remission in an amount equal to the difference between:
- (1) the institution's cost of attendance as calculated under subdivision 4, paragraph (b), clause (1); and
 - (2) the sum of the foster grant under this subdivision and the sum of the amounts in paragraph (a), clauses (1) to (9).
- (e) An undergraduate student who is eligible may apply for and receive a foster grant in any year of undergraduate study unless the student has obtained a baccalaureate degree or received foster grant funds for a period of ten full-time semesters or the equivalent for a four-year undergraduate degree. A foster grant student enrolled in a two-year degree, certificate, or diploma program may apply for and receive a foster grant in any year of undergraduate study unless the student has obtained a baccalaureate degree or received foster grant funds for a period of six full-time semesters or the equivalent.
- (f) Foster grants may be awarded to an eligible student for four quarters, three semesters, or the equivalent during the course of a single fiscal year. In calculating the award amount, the office must use the same calculation it would for any other term.
- (g) Students who received the foster grant in the previous year must be given priority. Awards must be made on a first-come, first-served basis in the order complete applications are received. If there are multiple applications with identical completion dates, those applications must be further sorted by application receipt date. Awards must be made to eligible students until the appropriation is expended. Applicants not receiving a grant and for whom the office has received a completed application must be placed on a waiting list in order of application completion date.

Sec. 20. Minnesota Statutes 2023 Supplement, section 136A.1465, subdivision 1, is amended to read:

Subdivision 1. **Definitions.** The following terms have the meanings given:

(1) "eligible student" means a resident student under section 136A.101, subdivision 8, who is enrolled in any public postsecondary educational institution or Tribal college and who meets the eligibility requirements in subdivision 2;

(2) "gift aid" ~~means all~~ includes:

(i) all federal financial aid that is not a loan or pursuant to a work-study program;

(ii) state financial aid, unless designated for other expenses, that is not a loan or pursuant to a work-study program;

(iii) institutional financial aid designated for the student's educational expenses, including a grant, scholarship, tuition waiver, fellowship stipend, or other third-party payment, unless designated for other expenses, that is not a loan or pursuant to a work-study program; and

(iv) all private financial aid that is not a loan or pursuant to a work-study program.

Financial aid from the state, public postsecondary educational institutions, and Tribal colleges that is specifically designated for other expenses is not gift aid for purposes of the North Star Promise scholarship.

~~(3) "office" means the Office of Higher Education;~~

(3) "other expenses" includes books, required supplies, child care, emergency assistance, food, and housing;

(4) "public postsecondary educational institution" means an institution operated by this state, or the Board of Regents of the University of Minnesota, ~~or a Tribal college;~~

(5) "recognized cost of attendance" has the meaning given in Code of Federal Regulations, title 20, chapter 28, subchapter IV, part F, section 108711;

~~(5) "scholarship" means funds to pay 100 percent of tuition and fees remaining after deducting grants and other scholarships;~~

(6) "Tribal college" means a college defined in section 136A.1796, subdivision 1, paragraph (c); and

(7) "tuition and fees" means the actual tuition and mandatory fees charged by an institution.

Sec. 21. Minnesota Statutes 2023 Supplement, section 136A.1465, subdivision 2, is amended to read:

Subd. 2. **Conditions for eligibility.** A scholarship may be awarded to an eligible student who:

(1) has completed the Free Application for Federal Student Aid (FAFSA) or the state aid application;

(2) has a family adjusted gross income below \$80,000;

(3) is a graduate of a secondary school or its equivalent, or is 17 years of age or over and has met all requirements for admission as a student to an eligible college or university;

~~(3)~~ (4) has not earned a baccalaureate degree at the time the scholarship is awarded;

(4) (5) is enrolled in at least one credit per fall, spring, or summer semester; ~~and~~

(6) is enrolled in a program or course of study that applies to a degree, diploma, or certificate;

(7) is not in default, as defined by the office, of any federal or state student educational loan;

(8) is not more than 30 days in arrears in court-ordered child support that is collected or enforced by the public authority responsible for child support enforcement or, if the applicant is more than 30 days in arrears in court-ordered child support that is collected or enforced by the public authority responsible for child support enforcement, but is complying with a written payment agreement under section 518A.69 or order for arrearages;

(9) has not been convicted of or pled nolo contendere or guilty to a crime involving fraud in obtaining federal Title IV funds within the meaning of Code of Federal Regulations, subtitle B, chapter VI, part 668, subpart C; and

~~(5)~~ (10) is meeting satisfactory academic progress as defined in section 136A.101, subdivision 10.

Sec. 22. Minnesota Statutes 2023 Supplement, section 136A.1465, subdivision 3, is amended to read:

Subd. 3. **Scholarship.** (a) Beginning in the fall term of the 2024-2025 academic year, scholarships shall be awarded to eligible students in an amount not to exceed 100 percent of tuition and fees after ~~grants and other scholarships are gift aid is~~ deducted.

(b) For the 2024-2025, 2025-2026, and 2026-2027 academic years, if funds remain after scholarships are awarded under paragraph (a), supplemental grants shall be awarded to eligible students in an amount equal to 100 percent of tuition and fees plus, subject to available funds, up to 50 percent of the amount of a Pell grant the student would receive based on household size, family adjusted gross income, and results of the federal needs analysis after other gift aid is deducted, not to exceed the student's recognized cost of attendance. The commissioner may adjust the supplemental grant amount based on the availability of funds.

Sec. 23. Minnesota Statutes 2023 Supplement, section 136A.1465, subdivision 4, is amended to read:

Subd. 4. **Maintain current levels of institutional assistance.** (a) Commencing with the 2024-2025 academic year, a public postsecondary educational institution or Tribal college shall not reduce the institutional gift aid offered or awarded to a student who is eligible to receive funds under this program unless the student's gift aid exceeds the student's annual recognized cost of attendance.

(b) The public postsecondary educational institution or Tribal college may reduce the institutional gift aid offer of a student who is eligible to receive funds under this program by no more than the amount of the student's gift aid that is in excess of the student's annual recognized cost of attendance.

(c) The public postsecondary educational institution or Tribal college shall not consider receipt or anticipated receipt of funds under this program when considering a student for qualification for institutional gift aid.

(d) To ensure financial aid is maximized, a public postsecondary educational institution or Tribal college is encouraged to implement efforts to avoid scholarship displacement through consultation with the Office of Higher Education ~~and students to avoid situations where institutional gift aid can only be used for specific purposes.~~

Sec. 24. Minnesota Statutes 2023 Supplement, section 136A.1465, subdivision 5, is amended to read:

Subd. 5. **Duration of scholarship authorized; scholarship paid to institution.** (a) Each scholarship is for a period of one semester. A scholarship may be renewed provided that the eligible student continues to meet the conditions of eligibility.

(b) Scholarships may be provided to an eligible student ~~for up to 60 credits for pursuing the completion of a certificate or an associate degree and up to 120 credits for the completion of a bachelor's degree who has not previously received the scholarship for four full-time semesters or the equivalent.~~ Scholarships may be provided to an eligible student pursuing the completion of a bachelor's degree who has not previously received the scholarship for eight full-time semesters or the equivalent. The maximum ~~credits~~ credits for which a student is eligible is a total of ~~120 credits~~ eight full-time semesters or the equivalent. Courses taken that qualify as developmental education or below college-level shall be excluded from the limit.

(c) A student is entitled to an additional semester or the equivalent of grant eligibility if the student withdraws from enrollment:

(1) for active military service because the student was ordered to active military service as defined in section 190.05, subdivision 5b or 5c;

(2) for a serious health condition, while under the care of a medical professional, that substantially limits the student's ability to complete the term; or

(3) while providing care that substantially limits the student's ability to complete the term to the student's spouse, child, or parent who has a serious health condition.

~~(e) The commissioner shall determine a time frame by which the eligible student must complete the credential.~~

(d) The scholarship must be paid directly to the eligible institution where the student is enrolled.

Sec. 25. Minnesota Statutes 2022, section 136A.1701, subdivision 4, is amended to read:

Subd. 4. **Terms and conditions of loans.** (a) The office may loan money upon such terms and conditions as the office may prescribe.

(b) The minimum loan amount and a maximum loan amount to students must be determined annually by the office. Loan limits are defined based on the type of program enrollment, such as a certificate, an associate's degree, a bachelor's degree, or a graduate program. The aggregate principal amount of all loans made subject to this paragraph to a student as an undergraduate and graduate student must not exceed \$140,000. The amount of the loan must not exceed the cost of attendance as determined by the eligible institution less all other financial aid, including PLUS loans or other similar parent loans borrowed on the student's behalf. A student may borrow up to the maximum amount twice in the same grade level.

(c) The cumulative borrowing maximums must be determined annually by the office and are defined based on program enrollment. In determining the cumulative borrowing maximums, the office shall, among other considerations, take into consideration the maximum SELF loan amount, student financing needs, funding capacity for the SELF program, delinquency and default loss management, and current financial market conditions.

Sec. 26. Minnesota Statutes 2022, section 136A.1701, subdivision 7, is amended to read:

Subd. 7. **Repayment of loans.** The office shall establish repayment procedures for loans made under this section in accordance with the policies, rules, and conditions authorized under section 136A.16, subdivision 2. The office will take into consideration the loan limits and current financial market conditions when establishing repayment terms. The office shall not require a minimum annual payment, though the office may require minimum monthly payments.

Sec. 27. Minnesota Statutes 2023 Supplement, section 136A.62, subdivision 3, is amended to read:

Subd. 3. **School.** "School" means:

(1) a Tribal college that has a physical presence in Minnesota;

(2) any partnership, company, firm, society, trust, association, corporation, or any combination thereof, with a physical presence in Minnesota, which: (i) is, owns, or operates a private, nonprofit postsecondary education institution; (ii) is, owns, or operates a private, for-profit postsecondary education institution; or (iii) provides a postsecondary instructional program or course leading to a degree whether or not for profit; or

(3) any public or private postsecondary educational institution located in another state or country ~~which offers or makes available to a Minnesota resident any course, program or educational activity which does not require the leaving of the state for its completion; or~~ with a physical presence in Minnesota.

~~(4) any individual, entity, or postsecondary institution located in another state that contracts with any school located within the state of Minnesota for the purpose of providing educational programs, training programs, or awarding postsecondary credits or continuing education credits to Minnesota residents that may be applied to a degree program.~~

Sec. 28. Minnesota Statutes 2022, section 136A.62, is amended by adding a subdivision to read:

Subd. 8. **Postsecondary education.** "Postsecondary education" means the range of formal learning opportunities beyond high school, including those aimed at learning an occupation or earning an academic credential.

Sec. 29. Minnesota Statutes 2022, section 136A.62, is amended by adding a subdivision to read:

Subd. 9. **Physical presence.** "Physical presence" means a presence within the state of Minnesota for the purpose of conducting activity related to any program at the degree level or courses that may be applied to a degree program. Physical presence includes:

(1) operating a location within the state;

(2) offering instruction within or originating from Minnesota designed to impart knowledge with response utilizing teachers, trainers, counselors or computer resources, computer linking, or any form of electronic means; and

(3) granting an educational credential from a location within the state or to a student within the state.

Physical presence does not include field trips, sanctioned sports recruiting activities, or college fairs or other assemblies of schools in Minnesota. No school may enroll an individual, allow an individual to sign any agreement obligating the person to the school, accept any moneys from the individual, or follow up with an individual by means of an in-person meeting in Minnesota at a college fair or assembly.

Sec. 30. Minnesota Statutes 2022, section 136A.63, subdivision 1, is amended to read:

Subdivision 1. **Annual registration.** All schools ~~located within Minnesota and all schools located outside Minnesota~~ with a physical presence in Minnesota which offer degree programs or courses within Minnesota shall register annually with the office.

Sec. 31. Minnesota Statutes 2022, section 136A.646, is amended to read:

136A.646 ADDITIONAL SECURITY.

(a) New institutions that have been granted conditional approval for degrees or names to allow them the opportunity to apply for and receive accreditation under section 136A.65, subdivision 7, shall provide a surety bond in a sum equal to ten percent of the net revenue from tuition and fees in the registered institution's prior fiscal year, but in no case shall the bond be less than \$10,000.

(b) Any registered institution that is notified by the United States Department of Education that it has fallen below minimum financial standards and that its continued participation in Title IV will be conditioned upon its satisfying ~~either the Zone Alternative, an alternative standard set forth in Code of Federal Regulations, title 34, section 668.175, paragraph (f), or a Letter of Credit Alternative, Code of Federal Regulations, title 34, section 668.175, paragraph (e),~~ shall provide a surety bond in a sum equal to the "letter of credit" required by the United States Department of Education in the Letter of Credit Alternative, but in no event shall such bond be less than \$10,000 nor more than \$250,000. If the letter of credit required by the United States Department of Education is higher than ten percent of the Title IV, Higher Education Act program funds received by the institution during its most recently completed fiscal year, the office shall reduce the office's surety requirement to represent ten percent of the Title IV, Higher Education Act program funds received by the institution during its most recently completed fiscal year, subject to the minimum and maximum in this paragraph.

(c) In lieu of a bond, the applicant may deposit with the commissioner of management and budget:

(1) a sum equal to the amount of the required surety bond in cash;

(2) securities, as may be legally purchased by savings banks or for trust funds, in an aggregate market value equal to the amount of the required surety bond; or

(3) an irrevocable letter of credit issued by a financial institution to the amount of the required surety bond.

(d) The surety of any bond may cancel it upon giving 60 days' notice in writing to the office and shall be relieved of liability for any breach of condition occurring after the effective date of cancellation.

(e) In the event of a school closure, the additional security must first be used to destroy any private educational data under section 13.32 left at a physical campus in Minnesota after all other governmental agencies have recovered or retrieved records under their record retention policies. Any remaining funds must then be used to reimburse tuition and fee costs to students that were enrolled at the time of the closure or had withdrawn in the previous ~~120~~ 180 calendar days but did not graduate. Priority for refunds will be given to students in the following order:

(1) cash payments made by the student or on behalf of a student;

(2) private student loans; and

(3) Veteran Administration education benefits that are not restored by the Veteran Administration. If there are additional security funds remaining, the additional security funds may be used to cover any administrative costs incurred by the office related to the closure of the school.

Sec. 32. Minnesota Statutes 2022, section 136A.65, subdivision 4, is amended to read:

Subd. 4. **Criteria for approval.** (a) A school applying to be registered and to have its degree or degrees and name approved must substantially meet the following criteria:

(1) the school has an organizational framework with administrative and teaching personnel to provide the educational programs offered;

(2) the school has financial resources sufficient to meet the school's financial obligations, including refunding tuition and other charges consistent with its stated policy if the institution is dissolved, or if claims for refunds are made, to provide service to the students as promised, and to provide educational programs leading to degrees as offered;

(3) the school operates in conformity with generally accepted accounting principles according to the type of school;

(4) the school provides an educational program leading to the degree it offers;

(5) the school provides appropriate and accessible library, laboratory, and other physical facilities to support the educational program offered;

(6) the school has a policy on freedom or limitation of expression and inquiry for faculty and students which is published or available on request;

(7) the school uses only publications and advertisements which are truthful and do not give any false, fraudulent, deceptive, inaccurate, or misleading impressions about the school, its personnel, programs, services, or occupational opportunities for its graduates for promotion and student recruitment;

(8) the school's compensated recruiting agents who are operating in Minnesota identify themselves as agents of the school when talking to or corresponding with students and prospective students;

(9) the school provides information to students and prospective students concerning:

(i) comprehensive and accurate policies relating to student admission, evaluation, suspension, and dismissal;

(ii) clear and accurate policies relating to granting credit for prior education, training, and experience and for courses offered by the school;

(iii) current schedules of fees, charges for tuition, required supplies, student activities, housing, and all other standard charges;

(iv) policies regarding refunds and adjustments for withdrawal or modification of enrollment status; and

(v) procedures and standards used for selection of recipients and the terms of payment and repayment for any financial aid program;

(10) the school must not withhold a student's official transcript because the student is in arrears or in default on any loan issued by the school to the student if the loan qualifies as an institutional loan under United States Code, title 11, section 523(a)(8)(b); ~~and~~

(11) the school has a process to receive and act on student complaints; and

(12) the school includes a joint and several liability for torts and compliance with the requirements of sections 136A.61 to 136A.71 in any contract effective after July 1, 2026, with any individual, entity, or postsecondary school located in another state for the purpose of providing educational programs, training programs, or awarding postsecondary credits or continuing education credits to Minnesota residents that may be applied to a degree program.

(b) An application for degree approval must also include:

(i) title of degree and formal recognition awarded;

(ii) location where such degree will be offered;

(iii) proposed implementation date of the degree;

(iv) admissions requirements for the degree;

(v) length of the degree;

(vi) projected enrollment for a period of five years;

(vii) the curriculum required for the degree, including course syllabi or outlines;

(viii) statement of academic and administrative mechanisms planned for monitoring the quality of the proposed degree;

(ix) statement of satisfaction of professional licensure criteria, if applicable;

(x) documentation of the availability of clinical, internship, externship, or practicum sites, if applicable; and

(xi) statement of how the degree fulfills the institution's mission and goals, complements existing degrees, and contributes to the school's viability.

Sec. 33. Minnesota Statutes 2022, section 136A.675, subdivision 2, is amended to read:

Subd. 2. **Additional reporting.** (a) In addition to the information required for the indicators in subdivision 1, an institution must notify the office within ten business days if any of the events in paragraphs (b) to (e) occur.

(b) Related to revenue, debt, and cash flow, notice is required if:

(1) the institution defaulted on a debt payment or covenant and has not received a waiver of the violation from the financial institution within 60 days;

(2) for institutions with a federal composite score of less than 1.5, the institution's owner withdraws equity that directly results in a composite score of less than 1.0, unless the withdrawal is a transfer between affiliated entities included in a common composite score;

(3) the United States Department of Education requires a 25 percent or greater Letter of Credit, except when the Letter of Credit is imposed due to a change of ownership;

(4) the United States Department of Education requires Heightened Cash Monitoring 2;

(5) the institution receives written notification that it violated the United States Department of Education's revenue requirement under United States Code, title 20, section 1094(a)(24), as amended; or

(6) the institution receives written notification by the United States Department of Education that it has fallen below minimum financial standards and that its continued participation in Title IV is conditioned upon satisfying ~~either the Zone Alternative, an alternative standard set forth in~~ Code of Federal Regulations, title 34, section 668.175, ~~paragraph (f), or a Letter of Credit Alternative, Code of Federal Regulations, title 34, section 668.175, paragraph (e).~~

(c) Related to accreditation and licensing, notice is required if:

(1) the institution receives written notification of probation, warning, show-cause, or loss of institutional accreditation;

(2) the institution receives written notification that its institutional accreditor lost federal recognition; or

(3) the institution receives written notification that it has materially violated state authorization or institution licensing requirements in a different state that may lead to or has led to the termination of the institution's ability to continue to provide educational programs or otherwise continue to operate in that state.

(d) Related to securities, notice is required if:

(1) the Securities and Exchange Commission (i) issues an order suspending or revoking the registration of the institution's securities, or (ii) suspends trading of the institution's securities on any national securities exchange;

(2) the national securities exchange on which the institution's securities are traded notifies the institution that it is not in compliance with the exchange's listing requirements and the institution's securities are delisted; or

(3) the Securities and Exchange Commission is not in timely receipt of a required report and did not issue an extension to file the report.

(e) Related to criminal and civil investigations, notice is required if:

(1) the institution receives written notification of a felony criminal indictment or charges of the institution's owner;

(2) the institution receives written notification of criminal indictment or charges of the institution's officers related to operations of the institution; or

(3) there has been a criminal, civil, or administrative adjudication of fraud or misrepresentation in Minnesota or in another state or jurisdiction against the institution or its owner, officers, agents, or sponsoring organization.

Sec. 34. Minnesota Statutes 2022, section 136A.821, subdivision 5, is amended to read:

Subd. 5. **Private career school.** "Private career school" means a person who maintains, ~~advertises, administers, solicits for, or conducts~~ a physical presence for any program at less than an associate degree level; is not registered as a private institution under sections 136A.61 to 136A.71; and is not specifically exempted by section 136A.833.

Sec. 35. Minnesota Statutes 2022, section 136A.821, is amended by adding a subdivision to read:

Subd. 20. **Physical presence.** "Physical presence" means presence within the state of Minnesota for the purpose of conducting activity related to any program at less than an associate degree level. Physical presence includes:

- (1) operating a location within the state;
- (2) offering instruction within or originating from Minnesota designed to impart knowledge with response utilizing teachers, trainers, counselors or computer resources, computer linking, or any form of electronic means;
- (3) granting an educational credential from a location within the state or to a student within the state; and
- (4) using an agent, recruiter, institution, or business that solicits for enrollment or credits or for the award of an educational credential.

Physical presence does not include field trips, sanctioned sports recruiting activities, or college fairs or other assemblies of schools in Minnesota. No school may enroll an individual, allow an individual to sign any agreement obligating the person to the school, accept any moneys from the individual, or follow up with an individual by means of an in-person meeting in Minnesota at a college fair or assembly.

Sec. 36. Minnesota Statutes 2022, section 136A.822, subdivision 1, is amended to read:

Subdivision 1. **Required.** A private career school must not maintain, ~~advertise, solicit for, administer, or conduct~~ a physical presence for any program in Minnesota without first obtaining a license from the office.

Sec. 37. Minnesota Statutes 2022, section 136A.822, subdivision 2, is amended to read:

Subd. 2. **Contract unenforceable.** A contract entered into with a person for a program by or on behalf of a person operating a private career school with a physical presence in Minnesota to which a license has not been issued under sections 136A.821 to 136A.833, is unenforceable in any action.

Sec. 38. Minnesota Statutes 2022, section 136A.822, subdivision 6, is amended to read:

Subd. 6. **Bond.** (a) No license shall be issued to any private career school ~~which maintains, conducts, solicits for, or advertises~~ with a physical presence within the state of Minnesota ~~for any program, unless the applicant files with the office a continuous corporate surety bond written by a company authorized to do business in Minnesota conditioned upon the faithful performance of all contracts and agreements with students made by the applicant.~~

(b)(1) The amount of the surety bond shall be ten percent of the preceding year's net revenue from student tuition, fees, and other required institutional charges collected, but in no event less than \$10,000, except that a private career school may deposit a greater amount at its own discretion. A private career school in each annual application for licensure must compute the amount of the surety bond and verify that the amount of the surety bond complies with this subdivision. A private career school that operates at two or more locations may combine net revenue from student tuition, fees, and other required institutional charges collected for all locations for the purpose of determining the annual surety bond requirement. The net revenue from tuition and fees used to determine the amount of the surety bond required for a private career school having a license for the sole purpose of recruiting students in Minnesota shall be only that paid to the private career school by the students recruited from Minnesota.

(2) A person required to obtain a private career school license due to the use of "academy," "institute," "college," or "university" in its name and which is also licensed by another state agency or board, except not including those schools licensed exclusively in order to participate in state grants or SELF loan financial aid programs, shall be required to provide a school bond of \$10,000.

(c) The bond shall run to the state of Minnesota and to any person who may have a cause of action against the applicant arising at any time after the bond is filed and before it is canceled for breach of any contract or agreement made by the applicant with any student. The aggregate liability of the surety for all breaches of the conditions of the bond shall not exceed the principal sum deposited by the private career school under paragraph (b). The surety of any bond may cancel it upon giving 60 days' notice in writing to the office and shall be relieved of liability for any breach of condition occurring after the effective date of cancellation.

(d) In lieu of bond, the applicant may deposit with the commissioner of management and budget a sum equal to the amount of the required surety bond in cash, an irrevocable letter of credit issued by a financial institution equal to the amount of the required surety bond, or securities as may be legally purchased by savings banks or for trust funds in an aggregate market value equal to the amount of the required surety bond.

(e) Failure of a private career school to post and maintain the required surety bond or deposit under paragraph (d) may result in denial, suspension, or revocation of the school's license.

Sec. 39. Minnesota Statutes 2022, section 136A.822, subdivision 7, is amended to read:

Subd. 7. **Resident agent.** Private career schools located outside the state of Minnesota that ~~offer, advertise, solicit for, or conduct any program~~ have a physical presence within the state of Minnesota shall first file with the secretary of state a sworn statement designating a resident agent authorized to receive service of process. The statement shall designate the secretary of state as resident agent for service of process in the absence of a designated agent. If a private career school fails to file the statement, the secretary of state is designated as the resident agent authorized to receive service of process. The authorization shall be irrevocable as to causes of action arising out of transactions occurring prior to the filing of written notice of withdrawal from the state of Minnesota filed with the secretary of state.

Sec. 40. Minnesota Statutes 2022, section 136A.822, subdivision 8, is amended to read:

Subd. 8. **Minimum standards.** A license shall be issued if the office first determines:

(1) that the applicant has a sound financial condition with sufficient resources available to:

(i) meet the private career school's financial obligations;

(ii) refund all tuition and other charges, within a reasonable period of time, in the event of dissolution of the private career school or in the event of any justifiable claims for refund against the private career school by the student body;

(iii) provide adequate service to its students and prospective students; and

(iv) maintain and support the private career school;

(2) that the applicant has satisfactory facilities with sufficient tools and equipment and the necessary number of work stations to prepare adequately the students currently enrolled, and those proposed to be enrolled;

(3) that the applicant employs a sufficient number of qualified teaching personnel to provide the educational programs contemplated;

(4) that the private career school has an organizational framework with administrative and instructional personnel to provide the programs and services it intends to offer;

(5) that the quality and content of each occupational course or program of study provides education and adequate preparation to enrolled students for entry level positions in the occupation for which prepared;

(6) that the premises and conditions where the students work and study and the student living quarters which are owned, maintained, recommended, or approved by the applicant are sanitary, healthful, and safe, as evidenced by certificate of occupancy issued by the municipality or county where the private career school is physically situated, a fire inspection by the local or state fire marshal, or another verification deemed acceptable by the office;

(7) that the contract or enrollment agreement used by the private career school complies with the provisions in section 136A.826;

(8) that contracts and agreements do not contain a wage assignment provision or a confession of judgment clause; ~~and~~

(9) that there has been no adjudication of fraud or misrepresentation in any criminal, civil, or administrative proceeding in any jurisdiction against the private career school or its owner, officers, agents, or sponsoring organization;

(10) the private career school or its owners, officers, agents, or sponsoring organization has not had a license revoked under section 136A.829, or its equivalent in other states or has closed the institution prior to all students, enrolled at the time of the closure, completing their program within two years of the effective date of the revocation; and

(11) the school includes a joint and several liability for torts and compliance with the requirements of sections 136A.82 to 136A.834 in any contract effective after July 1, 2026, with any individual, entity, or postsecondary school located in another state for the purpose of providing educational programs, training programs, or awarding postsecondary credits to Minnesota residents that may be applied to a program.

Sec. 41. Minnesota Statutes 2022, section 136A.828, subdivision 3, is amended to read:

Subd. 3. **False statements.** (a) A private career school, agent, or solicitor shall not make, or cause to be made, any statement or representation, oral, written or visual, in connection with the offering or publicizing of a program, if the private career school, agent, or solicitor knows or reasonably should have known the statement or representation to be false, fraudulent, deceptive, substantially inaccurate, or misleading.

(b) Other than opinion-based statements or puffery, a school shall only make claims that are evidence-based, can be validated, and are based on current conditions and not on conditions that are no longer relevant.

(c) A school shall not guarantee or imply the guarantee of employment.

(d) A school shall not guarantee or advertise any certain wage or imply earnings greater than the prevailing wage for entry-level wages in the field of study for the geographic area unless advertised wages are based on verifiable wage information from graduates.

(e) If placement statistics are used in advertising or other promotional materials, the school must be able to substantiate the statistics with school records. These records must be made available to the office upon request. A school is prohibited from reporting the following in placement statistics:

(1) a student required to receive a job offer or start a job to be classified as a graduate;

(2) a graduate if the graduate held a position before enrolling in the program, unless graduating enabled the graduate to maintain the position or the graduate received a promotion or raise upon graduation;

(3) a graduate who works less than 20 hours per week; and

(4) a graduate who is not expected to maintain the position for at least 180 days.

(f) A school shall not use endorsements, commendations, or recommendations by a student in favor of a school except with the consent of the student and without any offer of financial or other material compensation. Endorsements may be used only when they portray current conditions.

(g) A school may advertise that the school or its programs have been accredited by an accrediting agency recognized by the United States Department of Education or the Council for Higher Education Accreditation, but shall not advertise any other accreditation unless approved by the office. The office may approve an institution's advertising of accreditation that is not recognized by the United States Department of Education or the Council for Higher Education if that accreditation is industry specific. Clear distinction must be made when the school is in candidacy or application status versus full accreditation.

(h) A school may advertise that financial aid is available, including a listing of the financial aid programs in which the school participates, but federal or state financial aid shall not be used as a primary incentive in advertisement, promotion, or recruitment.

(i) A school may advertise placement or career assistance, if offered, but shall not use the words "wanted," "help wanted," or "trainee," either in the headline or the body of the advertisement.

(j) A school shall not be advertised under any "help wanted," "employment," or similar classification.

(k) A school shall not falsely claim that it is conducting a talent hunt, contest, or similar test.

(l) A school shall not make a claim that its program qualifies for a national certification if that national certification entity is not accepted or recognized by Minnesota employers. A school may validate that a national certification is accepted or recognized by Minnesota employers by providing three certified letters from employers that the national certification entity is recognized in Minnesota by employers.

⊕ (m) The commissioner, at any time, may require a retraction of a false, misleading, or deceptive claim. To the extent reasonable, the retraction must be published in the same manner as the original claim.

Sec. 42. Minnesota Statutes 2022, section 136A.829, subdivision 3, is amended to read:

Subd. 3. **Powers and duties.** The office shall have (in addition to the powers and duties now vested therein by law) the following powers and duties:

(a) To negotiate and enter into interstate reciprocity agreements with similar agencies in other states, if in the judgment of the office such agreements are or will be helpful in effectuating the purposes of Laws 1973, chapter 714;

(b) To grant conditional private career school license for periods of less than one year if in the judgment of the office correctable deficiencies exist at the time of application and when refusal to issue private career school license would adversely affect currently enrolled students;

(c) The office may upon its own motion, and shall upon the verified complaint in writing of any person setting forth fact which, if proved, would constitute grounds for refusal or revocation under Laws 1973, chapter 714, investigate the actions of any applicant or any person or persons holding or claiming to hold a license or permit. However, before proceeding to a hearing on the question of whether a license or permit shall be refused, revoked or suspended for any cause enumerated in subdivision 1, the office shall grant a reasonable time to the holder of or

applicant for a license or permit to correct the situation. If within such time the situation is corrected and the private career school is in compliance with the provisions of sections 136A.82 to 136A.834, no further action leading to refusal, revocation, or suspension shall be taken.

(d) To grant a private career school a probationary license for periods of less than three years if, in the judgment of the office, correctable deficiencies exist at the time of application that need more than one year to correct and when the risk of harm to students can be minimized through the use of restrictions and requirements as conditions of the license. Probationary licenses may include requirements and restrictions for:

(1) periodic monitoring and submission of reports on the school's deficiencies to ascertain whether compliance improves;

(2) periodic collaborative consultations with the school on noncompliance with sections 136A.82 to 136A.834 or how the institution is managing compliance;

(3) the submission of contingency plans such as teach-out plans or transfer pathways for students;

(4) a prohibition from accepting tuition and fee payments prior to the add/drop period of the current period of instruction or before the funds have been earned by the school according to the refund requirements of section 136A.827;

(5) a prohibition from enrolling new students;

(6) enrollment caps;

(7) the initiation of alternative processes and communications with students enrolled at the school to notify students of deficiencies or probation status;

(8) the submission of a surety under section 136A.822, subdivision 6, paragraph (b), clause (1), that exceeds ten percent of the preceding year's net revenue from student tuition, fees, and other required institutional charges collected; or

(9) submission of closure information under section 136A.8225.

Sec. 43. Minnesota Statutes 2022, section 136A.829, is amended by adding a subdivision to read:

Subd. 4. **Effect.** A private career school or its owners, officers, or sponsoring organization is prohibited from applying for licensure under section 136A.822 within two years of the effective date of a revocation or within two years from the last date of instruction if the school closed prior to all students completing their courses and programs. A school applying for licensure must:

(1) meet the requirements for licensure under section 136A.822;

(2) pay the licensure fees as a new school under section 136A.824, subdivision 1;

(3) correct any deficiencies that were identified in the revocation order or closed school requests under section 136A.8225;

(4) pay any outstanding fines or penalties under section 136A.832; and

(5) pay any outstanding student refunds under section 136A.827.

Sec. 44. Minnesota Statutes 2023 Supplement, section 136A.833, subdivision 2, is amended to read:

Subd. 2. **Exemption reasons.** Sections 136A.821 to 136A.832 shall not apply to the following:

- (1) public postsecondary institutions;
- (2) postsecondary institutions registered under sections 136A.61 to 136A.71;
- (3) postsecondary institutions exempt from registration under sections 136A.653, subdivisions 1b, 2, 3, and 3a; 136A.657; and 136A.658;
- ~~(4) private career schools of nursing accredited by the state Board of Nursing or an equivalent public board of another state or foreign country;~~
- ~~(5)~~ (4) private schools complying with the requirements of section 120A.22, subdivision 4;
- ~~(6)~~ (5) courses taught to students in an apprenticeship program registered by the United States Department of Labor or Minnesota Department of Labor and taught by or required by a trade union. A trade union is an organization of workers in the same skilled occupation or related skilled occupations who act together to secure all members favorable wages, hours, and other working conditions;
- ~~(7)~~ (6) private career schools exclusively engaged in training physically or mentally disabled persons ~~for the state of Minnesota;~~
- ~~(8)~~ (7) private career schools licensed or approved by boards authorized under Minnesota law to issue licenses for training programs except private career schools required to obtain a private career school license due to the use of "academy," "institute," "college," or "university" in their names;
- ~~(9)~~ (8) private career schools and educational programs, or training programs, contracted for by persons, firms, corporations, government agencies, or associations, for the training of their own employees, for which no fee is charged the employee, regardless of whether that fee is reimbursed by the employer or third party after the employee successfully completes the training;
- ~~(10)~~ (9) private career schools engaged exclusively in the teaching of purely avocational, recreational, or remedial subjects that are not advertised or maintained for vocational or career advancement, including adult basic education, as determined by the office except private career schools required to obtain a private career school license due to the use of "~~academy,~~" "~~institute,~~" "college," or "university" in their names ~~unless the private career school used "academy" or "institute" in its name prior to August 1, 2008;~~
- ~~(11)~~ (10) classes, courses, or programs conducted by a bona fide trade, professional, or fraternal organization, solely for that organization's membership and not available to the public. In making the determination that the organization is bona fide, the office may request the school provide three certified letters from persons that qualify as evaluators under section 136A.828, subdivision 3, paragraph (1), that the organization is recognized in Minnesota;
- ~~(12)~~ (11) programs in the fine arts provided by organizations exempt from taxation under section 290.05 and registered with the attorney general under chapter 309. For the purposes of this clause, "fine arts" means activities resulting in artistic creation or artistic performance of works of the imagination which are engaged in for the primary purpose of creative expression rather than commercial sale, vocational or career advancement, or employment. In making this determination the office may seek the advice and recommendation of the Minnesota Board of the Arts;

~~(13)~~ (12) classes, courses, or programs intended to fulfill the continuing education requirements for a bona fide licensure or certification in a profession, that have been approved by a legislatively or judicially established board or agency responsible for regulating the practice of the profession or by an industry-specific certification entity, and that are offered exclusively to individuals with the professional licensure or certification. In making the determination that the licensure or certification is bona fide, the office may request the school provide three certified letters from persons that qualify as evaluators under section 136A.828, subdivision 3, paragraph (1), that the licensure and certification is recognized in Minnesota;

~~(14)~~ (13) review classes, courses, or programs intended to prepare students to sit for undergraduate, graduate, postgraduate, or occupational licensing, certification, or entrance examinations and does not include the instruction to prepare students for that license, occupation, certification, or exam;

~~(15)~~ (14) classes, courses, or programs providing 16 or fewer clock hours of instruction;

~~(16)~~ (15) classes, courses, or programs providing instruction in personal development that is not advertised or maintained for vocational or career advancement, modeling, or acting;

~~(17)~~ (16) private career schools with no physical presence in Minnesota, ~~as determined by the office,~~ engaged exclusively in offering distance instruction that are located in and regulated by other states or jurisdictions if the distance education instruction does not include internships, externships, field placements, or clinical placements for residents of Minnesota; and

~~(18)~~ (17) private career schools providing exclusively training, instructional programs, or courses where tuition, fees, and any other charges, regardless of payment or reimbursement method, for a student to participate do not exceed \$100.

Sec. 45. Minnesota Statutes 2023 Supplement, section 136F.38, subdivision 3, is amended to read:

Subd. 3. **Program eligibility.** (a) Scholarships shall be awarded only to a student eligible for resident tuition, as defined in section 135A.043, who is enrolled in any of the following programs of study or certification: (1) advanced manufacturing; (2) agriculture; (3) health care services; (4) information technology; (5) early childhood; (6) transportation; (7) construction; (8) education; (9) public safety; (10) energy; or ~~(10)~~ (11) a program of study under paragraph (b).

(b) Each institution may add one additional area of study or certification, based on a workforce shortage for full-time employment requiring postsecondary education that is unique to the institution's specific region, as reported in the most recent Department of Employment and Economic Development job vacancy survey data for the economic development region in which the institution is located. A workforce shortage area is one in which the job vacancy rate for full-time employment in a specific occupation in a region is higher than the state average vacancy rate for that same occupation. The institution may change the area of study or certification based on new data once every two years.

(c) The student must be enrolled for at least nine credits in a two-year college in the Minnesota State Colleges and Universities system to be eligible for first- and second-year scholarships.

(d) The student is eligible for a one-year transfer scholarship if the student transfers from a two-year college after two or more terms, and the student is enrolled for at least nine credits in a four-year university in the Minnesota State Colleges and Universities system.

Sec. 46. Laws 2023, chapter 41, article 1, section 4, subdivision 2, is amended to read:

Subd. 2. **Operations and Maintenance**

686,558,000

676,294,000

(a) \$15,000,000 in fiscal year 2024 and \$15,000,000 in fiscal year 2025 are to: (1) increase the medical school's research capacity; (2) improve the medical school's ranking in National Institutes of Health funding; (3) ensure the medical school's national prominence by attracting and retaining world-class faculty, staff, and students; (4) invest in physician training programs in rural and underserved communities; and (5) translate the medical school's research discoveries into new treatments and cures to improve the health of Minnesotans.

(b) \$7,800,000 in fiscal year 2024 and \$7,800,000 in fiscal year 2025 are for health training restoration. This appropriation must be used to support all of the following: (1) faculty physicians who teach at eight residency program sites, including medical resident and student training programs in the Department of Family Medicine; (2) the Mobile Dental Clinic; and (3) expansion of geriatric education and family programs.

(c) \$4,000,000 in fiscal year 2024 and \$4,000,000 in fiscal year 2025 are for the Minnesota Discovery, Research, and InnoVation Economy funding program for cancer care research.

(d) \$500,000 in fiscal year 2024 and \$500,000 in fiscal year 2025 are for the University of Minnesota, Morris branch, to cover the costs of tuition waivers under Minnesota Statutes, section 137.16.

(e) \$5,000,000 in fiscal year 2024 and \$5,000,000 in fiscal year 2025 are for systemwide safety and security measures on University of Minnesota campuses. The base amount for this appropriation is \$1,000,000 in fiscal year 2026 and later.

(f) \$366,000 in fiscal year 2024 and \$366,000 in fiscal year 2025 are for unemployment insurance aid under Minnesota Statutes, section 268.193.

(g) \$10,000,000 the first year is for programs at the University of Minnesota Medical School Campus on the CentraCare Health System Campus in St. Cloud. This appropriation may be used for tuition support, ~~a residency program, a rural health research program, a program to target scholarships to students from diverse backgrounds, and a scholarship program targeted at students who will practice in rural areas~~ including a scholarship endowment fund targeted at students who will practice in rural areas and targeted at students from diverse backgrounds; costs associated with opening and operating a new regional campus; costs associated with the expansion of a residency program; and costs associated with

starting and operating a rural health research program. This appropriation is available until June 30, 2027, and must be spent ~~on~~ for activities on or associated with the CentraCare Health System Campus in the greater St. Cloud area. This is a onetime appropriation.

(h) \$374,000 the first year and \$110,000 the second year are to pay the cost of supplies and equipment necessary to provide access to menstrual products for purposes of article 2, section 2.

(i) The total operations and maintenance base for fiscal year 2026 and later is \$672,294,000.

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

Sec. 47. **REPEALER.**

(a) Minnesota Statutes 2022, section 135A.16, is repealed.

(b) Minnesota Statutes 2023 Supplement, section 135A.162, subdivision 7, is repealed.

EFFECTIVE DATE. Paragraph (a) is effective January 1, 2025."

Delete the title and insert:

"A bill for an act relating to higher education; making policy and technical changes to certain higher education provisions including student sexual misconduct, student aid, student supports, and institutional registration and contract provisions; modifying allowable uses for appropriations; requiring reports; amending Minnesota Statutes 2022, sections 135A.15, subdivisions 1a, 2, 6, 8, by adding a subdivision; 136A.091, subdivision 3; 136A.1241, subdivision 3; 136A.1701, subdivisions 4, 7; 136A.62, by adding subdivisions; 136A.63, subdivision 1; 136A.646; 136A.65, subdivision 4; 136A.675, subdivision 2; 136A.821, subdivision 5, by adding a subdivision; 136A.822, subdivisions 1, 2, 6, 7, 8; 136A.828, subdivision 3; 136A.829, subdivision 3, by adding a subdivision; Minnesota Statutes 2023 Supplement, sections 135A.121, subdivision 2; 135A.15, subdivision 1; 135A.161, by adding a subdivision; 135A.162, subdivision 2; 136A.1241, subdivision 5; 136A.1465, subdivisions 1, 2, 3, 4, 5; 136A.62, subdivision 3; 136A.833, subdivision 2; 136F.38, subdivision 3; Laws 2023, chapter 41, article 1, section 4, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 135A; 136A; repealing Minnesota Statutes 2022, section 135A.16; Minnesota Statutes 2023 Supplement, section 135A.162, subdivision 7."

With the recommendation that when so amended the bill be placed on the General Register.

The report was adopted.

Vang from the Committee on Agriculture Finance and Policy to which was referred:

H. F. No. 4044, A bill for an act relating to taxation; property; establishing a credit for certain acres certified under the Minnesota agricultural water quality certification program; appropriating money; amending Minnesota Statutes 2022, sections 273.1393; 276.04, subdivision 2; Minnesota Statutes 2023 Supplement, sections 273.1392; 275.065, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 273.

Reported the same back with the following amendments:

Page 1, line 15, before the period, insert "; one or more of the following townships in Dakota County: Nininger, Empire, Vermillion, Marshan, Ravenna, Eureka, Castle Rock, Hampton, Douglas, Greenvale, Waterford, Sciota, or Randolph; or one or more of the following townships in Rice County: Bridgewater, Northfield, Cannon, Wheeling, Walcott, or Richland"

Page 2, after line 20, insert:

"Subd. 6. **Annual report.** No later than February 1 each year, the commissioner of revenue, in consultation with the commissioner of agriculture, must report participation, outcomes, and trends by county or township, and any corresponding recommendations, to the legislative committees with jurisdiction over taxes and agriculture. Reported outcomes must include, but are not limited to, the number of taxpayers and acres receiving a credit under this section, the number of certified acres, the percent of total class 2a and 2b property that is certified, and the total estimated reduction in nitrogen lost to the environment."

Amend the title as follows:

Page 1, line 3, after the semicolon, insert "requiring a report;"

With the recommendation that when so amended the bill be re-referred to the Committee on Taxes.

The report was adopted.

Xiong from the Committee on Workforce Development Finance and Policy to which was referred:

H. F. No. 4080, A bill for an act relating to child care; appropriating money to expand child care program capacity.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Children and Families Finance and Policy.

The report was adopted.

Becker-Finn from the Committee on Judiciary Finance and Civil Law to which was referred:

H. F. No. 4100, A bill for an act relating to consumer protection; modifying various provisions governing debt collection, garnishment, medical debt, and consumer finance; providing for debtor protections; modifying certain statutory forms; requiring a review of certain statutory forms; amending Minnesota Statutes 2022, sections 176.175, subdivision 2; 334.01, by adding a subdivision; 519.05; 550.37, subdivisions 2, 4, 6, 12a, 14, 20, 22, 23, by adding subdivisions; 550.39; 563.01, subdivisions 3, 4, 8, 9, 10; 563.02, subdivision 2; 571.72, subdivisions 6, 8, 9, 10; 571.911; 571.914, subdivision 1; 571.92; 571.921; 571.922; 571.924, subdivision 1; 571.925; Minnesota Statutes 2023 Supplement, sections 144.587, subdivisions 1, 4; 270A.03, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 62J; 550; proposing coding for new law as Minnesota Statutes, chapter 332C.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Taxes.

The report was adopted.

Pinto from the Committee on Children and Families Finance and Policy to which was referred:

H. F. No. 4176, A bill for an act relating to early learning; modifying early learning programs; amending Minnesota Statutes 2022, sections 120A.05, subdivision 10a, by adding a subdivision; 124D.151, as amended; 125A.02, subdivision 1a; 125A.27, subdivision 8; 125A.56, subdivision 1; Minnesota Statutes 2023 Supplement, section 124D.165, subdivisions 2, 2a; repealing Laws 2017, First Special Session chapter 5, article 8, section 9.

Reported the same back with the following amendments:

Page 2, line 25, after the stricken "kindergarten" insert "that support transition to kindergarten"

Page 2, line 26, reinstate the stricken language

Page 2, lines 30 and 31, reinstate the stricken language

ReNUMBER the clauses in sequence

Page 5, lines 26 and 27, delete the new language

Page 5, line 30, strike "four" and insert "five" and strike "and" and insert "school district; the"

Page 5, line 31, strike "districts" and insert "district"

Page 6, lines 21 to 24, strike the old language

Page 6, lines 25 and 26, delete the new language and strike the old language

Page 6, lines 27 to 31, strike the old language

Page 7, lines 1 to 12, strike the old language

Page 7, before line 13, insert:

"Subd. 5a. **Participation limit allocation.** (a) Beginning July 1, 2024, the participation limit specified in subdivision 6 must be initially allocated as follows:

(1) a school site or mixed delivery site must receive the same number of seats the site received in fiscal year 2024; and

(2) the remaining seats must be allocated among the five groups identified under subdivision 5, paragraph (c), based on each group's percentage share of the statewide kindergarten enrollment on October 1 of the previous year.

(b) Within each group:

(1) the seats must be first allocated to any school sites and mixed delivery sites approved for aid in the previous year or allocation period; and

(2) any remaining seats must be allocated among school sites in priority order, as determined under subdivision 5, paragraph (c), until the group's share of seats are allocated.

(c) If a group's entire share of seats is not allocated under paragraphs (a) and (b), then the remaining seats must be allocated to the highest priority school sites and mixed delivery sites in the state, as designated under subdivision 5, paragraph (c), not funded in the allocation under paragraphs (a) and (b).

(d) Once a school site or a mixed delivery site is approved for aid under subdivision 5 and is allocated seats under this subdivision, it shall remain eligible for aid and seats if it continues to meet program requirements, regardless of changes in the concentration of students eligible for free or reduced-price meals.

(e) If the total number of participants approved based on applications submitted under subdivision 5, paragraph (a), is less than the participation limit under subdivision 6, the commissioner must notify all school districts and charter schools of the amount that remains available within 30 days of the initial application deadline under subdivision 5, paragraph (a), and complete a second round of allocations based on applications received within 60 days of the initial application deadline.

(f) Procedures for approving applications submitted under paragraph (e) shall be the same as specified in subdivision 5, and the allocations shall be made to the highest priority school sites in the state as designated under subdivision 5, paragraph (c), not funded in the initial allocation under paragraphs (a) and (b).

(g) For nonapplication years, the commissioner must annually review the distribution of seat allocations and may redistribute them between sites within a district at their request and between districts for the year in which a district will not utilize their full allocation."

Page 7, line 17, before the comma, insert, "and allocating seats under subdivision 5a"

Page 7, line 25, delete "This section is effective July 1, 2025." and insert "The amendments to subdivisions 1 to 4; subdivision 5, paragraphs (a) and (b); and subdivision 6 are effective July 1, 2025. The amendments to subdivision 5, paragraphs (c) to (g), and subdivision 5a are effective the day following final enactment."

With the recommendation that when so amended the bill be placed on the General Register.

The report was adopted.

Nelson, M., from the Committee on Labor and Industry Finance and Policy to which was referred:

H. F. No. 4242, A bill for an act relating to the State Building Code; modifying residential energy code adoption standards and timelines; creating the residential energy rating rebate program; requiring reports; appropriating money; amending Minnesota Statutes 2023 Supplement, section 326B.106, subdivision 1.

Reported the same back with the following amendments:

Page 3, lines 4 and 11, delete "2025" and insert "2026"

Page 3, lines 6 and 11, delete "2036" and insert "2038"

Page 3, lines 7 and 11, delete "80" and insert "70"

Page 3, line 12, delete everything after "consumption"

Page 3, delete line 13

Page 3, line 14, delete everything before the period

Page 3, line 21, delete "labor and industry" and insert "commerce"

Page 4, line 3, delete "was certified" and insert "received a certification"

Page 4, line 6, delete "from a home certification organization" and insert "done by a verifier partner of the United States Department of Energy Zero Energy Ready Home Program."

Page 4, delete line 7

Page 4, before line 8, insert:

"(b) Applicants must submit a copy of the final energy rating report completed by the verifier partner."

Page 4, line 8, delete "(b)" and insert "(c)"

Page 5, line 6, delete "labor and industry" and insert "commerce"

With the recommendation that when so amended the bill be re-referred to the Committee on Climate and Energy Finance and Policy.

The report was adopted.

Becker-Finn from the Committee on Judiciary Finance and Civil Law to which was referred:

H. F. No. 4276, A bill for an act relating to civil law; directing the revisor of statutes to update terms used in statute.

Reported the same back with the recommendation that the bill be placed on the General Register.

The report was adopted.

Liebling from the Committee on Health Finance and Policy to which was referred:

H. F. No. 4412, A bill for an act relating to veterans; modifying veterans home provisions; amending Minnesota Statutes 2022, section 198.006.

Reported the same back with the recommendation that the bill be placed on the General Register.

The report was adopted.

Klevorn from the Committee on State and Local Government Finance and Policy to which was referred:

H. F. No. 4553, A bill for an act relating to retirement; State Patrol retirement plan; adding a new section to codify the right to return to employment and continue receiving an annuity; proposing coding for new law in Minnesota Statutes, chapter 352B.

Reported the same back with the following amendments:

Page 1, line 7, before "A" insert "(a)"

Page 1, after line 13, insert:

"(b) The executive director must seek repayment of any annuity payments made to a member who returns to employment before the earliest day under paragraph (a), clause (1) or (2), as applicable. The executive director may waive the repayment requirement if the member's failure to comply with paragraph (a), clause (1) or (2), as applicable, was inadvertent or due to no fault of the member."

Page 1, line 15, delete "has no effect on" and insert "does not impact"

Page 2, line 4, delete "recalculate the member's annuity" and insert "refund the member's contributions made during the period of reemployment, plus interest."

Page 2, line 5, delete "a" and insert "the" and delete everything after the period

Page 2, delete lines 6 and 7

With the recommendation that when so amended the bill be re-referred to the Committee on Ways and Means.

The report was adopted.

Acomb from the Committee on Climate and Energy Finance and Policy to which was referred:

H. F. No. 4659, A bill for an act relating to labor; requiring safety standards for broadband industry installers; implementing the Broadband Equity, Access, and Deployment Program; amending Minnesota Statutes 2022, sections 116J.395, subdivision 6; 216B.17, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 116J; 181.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Labor and Industry Finance and Policy.

The report was adopted.

Pinto from the Committee on Children and Families Finance and Policy to which was referred:

H. F. No. 4732, A bill for an act relating to early childhood education; clarifying the payment of developmental screening aid; amending Minnesota Statutes 2023 Supplement, section 121A.19.

Reported the same back with the recommendation that the bill be placed on the General Register.

The report was adopted.

Howard from the Committee on Housing Finance and Policy to which was referred:

H. F. No. 4735, A bill for an act relating to housing; modifying housing provisions; amending Minnesota Statutes 2022, sections 462A.02, subdivision 10; 462A.05, subdivisions 14a, 14b, 15, 15b, 21, 23; 462A.07, by adding subdivisions; 462A.21, subdivision 7; 462A.35, subdivision 2; 462A.40, subdivisions 2, 3; Minnesota Statutes 2023 Supplement, sections 462A.05, subdivisions 14, 45; 462A.22, subdivision 1; 462A.37, subdivision 2; 462A.39, subdivision 2; Laws 2023, chapter 37, article 1, section 2, subdivisions 2, 32; article 2, section 12, subdivision 2.

Reported the same back with the following amendments:

Page 8, delete section 14 and insert:

"Sec. 14. Minnesota Statutes 2022, section 462A.35, subdivision 2, is amended to read:

Subd. 2. **Expending funds.** The agency may expend the money in the Minnesota manufactured home relocation trust fund to the extent necessary to carry out the objectives of section 327C.095, subdivision 13, by making payments to manufactured home owners, or other parties approved by the third-party neutral, under subdivision 13, paragraphs (a) and (e), and to pay the costs of administering the fund. Money in the fund is appropriated to the agency for these purposes and ~~to the commissioner of management and budget to pay costs incurred by the commissioner of management and budget to administer the fund.~~"

With the recommendation that when so amended the bill be re-referred to the Committee on Capital Investment.

The report was adopted.

Freiberg from the Committee on Elections Finance and Policy to which was referred:

H. F. No. 4772, A bill for an act relating to elections; modifying the authority of the Campaign Finance and Public Disclosure Board to impose a civil penalty and late fees; expanding the definition of electioneering communication to include communications disseminated digitally online or by electronic means to a recipient's telephone or other personal device; modifying the definition of major political party; amending Minnesota Statutes 2022, section 10A.27, subdivision 17; Minnesota Statutes 2023 Supplement, sections 10A.20, subdivision 12; 10A.201, subdivisions 3, 4, 6, 9; 200.02, subdivision 7; repealing Minnesota Statutes 2023 Supplement, section 10A.201, subdivision 11.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"ARTICLE 1 ELECTIONS ADMINISTRATION

Section 1. Minnesota Statutes 2022, section 123B.09, subdivision 5b, is amended to read:

Subd. 5b. **Appointments to fill vacancies; special elections.** (a) Any vacancy on the board, other than a vacancy described in subdivision 4, must be filled by board appointment at a regular or special meeting. The appointment shall be evidenced by a resolution entered in the minutes and shall be effective 30 days following adoption of the resolution, subject to paragraph ~~(b)~~ (d). If the appointment becomes effective, it shall continue for

~~the remainder of the unexpired term or until an election is held under this subdivision, as applicable. All elections to fill vacancies shall be for the unexpired term. A special election to fill the vacancy must be held no later than the first Tuesday after the first Monday in November following the vacancy. If the vacancy occurs less than 90 days prior to the first Tuesday after the first Monday in November in the year in which the vacancy occurs, the special election must be held no later than the first Tuesday after the first Monday in November of the following calendar year. If the vacancy occurs less than 90 days prior to the first Tuesday after the first Monday in November in the third year of the term, no special election is required. If the vacancy is filled by a special election, the person elected at that election for the ensuing term shall take office immediately after receiving the certificate of election, filing the bond, and taking the oath of office.~~

(b) Notwithstanding paragraph (a), if the vacancy occurs less than two years prior to the expiration of the term, no special election is required and the appointee of the board shall serve for the remainder of the unexpired term, subject to paragraph (d).

(c) Notwithstanding paragraph (a), if the vacancy occurs less than 90 days prior to the expiration of the term, the board may, but is not required to, fill the vacancy by board appointment at a regular or special meeting.

~~(b)~~ (d) An appointment made under paragraph (a) shall not be effective if a petition to reject the appointee is filed with the school district clerk. To be valid, a petition to reject an appointee must be signed by a number of eligible voters residing in the district equal to at least five percent of the total number of voters voting in the district at the most recent state general election, and must be filed within 30 days of the board's adoption of the resolution making the appointment. If a valid petition is filed according to the requirements of this paragraph, the appointment by the school board is ineffective and the board must name a new appointee as provided in paragraph (a).

EFFECTIVE DATE. This section is effective July 1, 2024, and applies to vacancies occurring on or after that date.

Sec. 2. Minnesota Statutes 2023 Supplement, section 200.02, subdivision 7, is amended to read:

Subd. 7. **Major political party.** (a) "Major political party" means a political party that maintains a party organization in the state; has complied with the party's constitution and rules; is in compliance with the requirements of sections 202A.12 and 202A.13; files with the secretary of state no later than December 1 of each odd-numbered year a certification that the party has met the foregoing requirements, including a list of the dates and locations of each convention held; and meets all other qualification requirements of this subdivision.

(b) A political party qualifies as a major political party by:

(1) presenting at least one candidate for election to the office of:

(i) governor and lieutenant governor, secretary of state, state auditor, or attorney general at the last preceding state general election for those offices; or

(ii) presidential elector or U.S. senator at the last preceding state general election for presidential electors; and

whose candidate received votes in each county in that election and received votes from ~~not less than five percent of the total number of individuals who voted in that election, if the state general election was held on or before November 8, 2022, or~~ not less than eight percent of the total number of individuals who voted in that election, ~~at a state general election held on or after November 7, 2024;~~

(2) presenting at least 45 candidates for election to the office of state representative, 23 candidates for election to the office of state senator, four candidates for election to the office of representative in Congress, and one candidate for election to each of the following offices: governor and lieutenant governor, attorney general, secretary of state, and state auditor, at the last preceding state general election for those offices; or

(3) presenting to the secretary of state at any time before the close of filing for the state partisan primary ballot a petition for a place on the state partisan primary ballot, which petition contains valid signatures of a number of the party members equal to at least five percent of the total number of individuals who voted in the preceding state general election. A signature is valid only if signed no more than one year prior to the date the petition was filed.

(c) A political party whose candidate receives a sufficient number of votes at a state general election described in paragraph (b), clause (1), or a political party that presents candidates at an election as required by paragraph (b), clause (2), becomes a major political party as of January 1 following that election. A political party that complies with paragraph (a) retains its major party status for at least two state general elections even if the party fails to present a candidate who receives the number and percentage of votes required under paragraph (b), clause (1), or fails to present candidates as required by paragraph (b), clause (2), at subsequent state general elections.

(d) A major political party whose candidates fail to receive the number and percentage of votes required under paragraph (b), clause (1), and that fails to present candidates as required by paragraph (b), clause (2), at each of two consecutive state general elections described by paragraph (b), clause (1) or (2), respectively, loses major party status as of December 31 following the later of the two consecutive state general elections.

(e) A major political party that does not submit the certification required by this subdivision loses major party status on December 31 of the year in which the party did not file the certification.

(f) The secretary of state must notify the chair of the major political party, the commissioner of revenue, and the Campaign Finance and Public Disclosure Board if the political party's status is changed pursuant to this section.

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

Sec. 3. **[200.50] MINNESOTA VOTING RIGHTS ACT.**

Sections 200.50 to 200.59 may be cited as the "Minnesota Voting Rights Act."

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

Sec. 4. **[200.52] DEFINITIONS.**

Subdivision 1. **Application.** As used in sections 200.50 to 200.59, the terms as defined in this section have the meanings given.

Subd. 2. **Government official.** "Government official" means any individual who is elected or appointed to an office in this state or a political subdivision or who is authorized to act in an official capacity on behalf of the state or a political subdivision.

Subd. 3. **Language minority group.** "Language minority group" means a language minority group as that term is defined in the federal Voting Rights Act of 1965, as amended, as of the effective date of this act.

Subd. 4. Method of election. (a) "Method of election" means the method by which candidates are elected to the legislative body of a political subdivision, and includes at-large method of election, district-based method of election, or any alternative method of election. Method of election also includes the districting or redistricting plan used to elect candidates to the legislative body of a political subdivision.

(b) "At-large method of election" means a method of electing candidates to the legislative body of a political subdivision in which candidates are voted on by all voters of the political subdivision or that combines at-large with district-based methods of elections. At-large method of election does not include any alternative method of election.

(c) "District-based method of election" means a method of electing candidates to the legislative body of a political subdivision in which, for political subdivisions divided into districts, a candidate for any district is required to reside in the district and candidates representing or seeking to represent the district are voted on by only the voters who reside in the district. District-based method of election does not include any alternative method of election.

(d) "Alternative method of election" means a method of electing candidates to the legislative body of a political subdivision other than an at-large method of election or a district-based method of election and includes but is not limited to cumulative voting, limited voting, and proportional ranked choice voting.

Subd. 5. Political subdivision. "Political subdivision" means a county, city, town, or school district.

Subd. 6. Politically cohesive. "Politically cohesive" means that members of a group tend to prefer the same candidates, electoral choices, or policies.

Subd. 7. Protected class. "Protected class" means a class of citizens who are members of a racial, color, or language minority group, or who are members of a federally recognized Indian Tribe, including a class of two or more such groups.

Subd. 8. Polarized voting. "Polarized voting" means voting in which the candidate or electoral choice preferred by a protected class diverges from the candidate or electoral choice preferred by other voters.

Subd. 9. Vote; voting. "Vote" or "voting" includes any action necessary to cast a ballot and make that ballot count in any election, including but not limited to: registering to vote; applying for an absentee ballot; and any other action required by law as a prerequisite to casting a ballot and having that ballot counted, canvassed, certified, and included in the appropriate totals of votes cast with respect to an election.

Subd. 10. Voting eligible population. "Voting eligible population" means those individuals who are eligible to register and vote, regardless of whether the individuals are registered to vote.

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

Sec. 5. [200.53] CONSTRUCTION AND USE OF AUTHORITY.

A law, rule, local law, charter provision, local ordinance, or local code relating to the right to vote, or which grants authority to prescribe or maintain voting or elections policies and practices, must be construed or applied liberally in favor of a voter's exercise of the right of suffrage. To the extent a court is afforded discretion on an issue, including but not limited to discovery, procedure, admissibility of evidence, or remedies, the court must exercise that discretion and weigh other equitable discretion in favor of this right.

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

Sec. 6. **[200.54] VOTER SUPPRESSION AND VOTE DILUTION PROHIBITED.**

Subdivision 1. **Voter suppression.** A political subdivision or any other government official or entity responsible for election administration must not adopt or apply a qualification for eligibility to vote or other prerequisite to voting; adopt or apply any law, ordinance, rule, standard, practice, procedure, or policy regarding the administration of elections; or take any other action or fail to take any action that results in, is likely to result in, or is intended to result in a denial or abridgement of the right to vote by a member of a protected class. A violation of this subdivision may be established if it is shown that, based on the totality of the circumstances, members of the protected class have less opportunity than the rest of the electorate to participate in the political process or elect candidates of their choice.

Subd. 2. **Vote dilution.** (a) A political subdivision or any other government official or entity responsible for election administration must not adopt or enforce any method of election, or cause an annexation, incorporation, dissolution, consolidation, or division of a political subdivision, that has the effect of impairing the equal opportunity or ability of members of a protected class to nominate or elect candidates of their choice as a result of diluting the vote of members of that protected class.

(b) A violation of paragraph (a) exists when it is shown that:

(1) either:

(i) elections in a political subdivision exhibit polarized voting resulting in an impairment of the equal opportunity or ability of protected class members to nominate or elect candidates of their choice; or

(ii) based on the totality of the circumstances, the equal opportunity or ability of protected class members to nominate or elect candidates of their choice is impaired; and

(2) one or more new methods of election or changes to the existing method of election exist that the court could order pursuant to section 200.58 would likely mitigate the impairment.

(c) To the extent that a new method of election or change to the existing method of election that is presented under paragraph (b), clause (2), is a proposed district-based plan that provides protected class members with one or more reasonably configured districts in which the protected class members would have an equal opportunity or ability to nominate or elect candidates of the protected class members' choice, it is not necessary to show that members of a protected class comprise a majority of the total population, voting age population, voting eligible population, or registered voter population in any such district or districts.

(d) The fact that members of a protected class are not geographically compact does not preclude a finding of a violation of this subdivision but may be a factor in determining whether an appropriate remedy exists that would likely mitigate the impairment.

(e) For claims brought on behalf of a protected class, including one consisting of two or more racial, color, Tribal, or language minority groups that are politically cohesive in the political subdivision, the court shall consider only the combined electoral preferences of those racial, color, Tribal, or language minority groups in determining whether voting by the protected class is polarized from other voters. It is not necessary to demonstrate that voting by members of each racial, color, Tribal, or language minority group within a protected class, or by any subgroup within a racial, color, or language minority group, is separately polarized from other voters.

(f) Evidence concerning the causes of, or the reasons for, the occurrence of polarized voting is not relevant to the determination of whether polarized voting occurs, or whether candidates or electoral choices preferred by a protected class would usually be defeated. Evidence concerning alternate explanations for polarized voting patterns or election outcomes, including but not limited to partisan explanations, must not be considered.

(g) Evidence concerning projected changes in population or demographics may only be considered when determining whether an appropriate remedy exists that would likely mitigate the impairment.

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

Sec. 7. [200.55] RELEVANT FACTORS FOR DETERMINING VIOLATION.

Subdivision 1. **Factors established.** In determining whether, under the totality of the circumstances, a violation of section 200.54 has occurred with respect to a protected class, a court may consider any of the following factors:

- (1) the history of discrimination affecting members of the protected class;
- (2) the extent to which members of the protected class are disadvantaged, or otherwise bear the effects of past public or private discrimination, in any areas that may hinder their ability to participate effectively in the political process, including education, employment, health, criminal justice, housing, transportation, land use, or environmental protection;
- (3) whether members of the protected class vote at a lower rate than other voters;
- (4) the use of overt or subtle racial appeals in political campaigns or by government officials;
- (5) the extent to which members of the protected class have been elected to office;
- (6) the extent to which candidates who are members of the protected class have faced barriers with respect to accessing the ballot, receiving financial support, or receiving any other support for their candidacies for elective office;
- (7) the extent to which candidates who are members of a protected class face hostility or barriers while campaigning due to the protected class membership;
- (8) the extent of polarized voting;
- (9) the use of any standard, practice, procedure, or policy that may enhance the dilutive effects of a challenged method of election;
- (10) the lack of responsiveness by elected officials to the particularized needs of protected class members or a community of protected class members;
- (11) whether the challenged method of election, ordinance, resolution, rule, policy, standard, regulation, procedure, or law was designed to advance, and does materially advance, a compelling state interest that is substantiated and supported by evidence; and
- (12) other factors the court may deem relevant.

Subd. 2. **Necessity of factors.** No one factor in subdivision 1 is dispositive or necessary to establish the existence of a violation of section 200.54, nor shall any specified number or combination of factors be required in establishing that such a violation has occurred. The court shall consider a particular factor only if and to the extent evidence pertaining to that factor is introduced. The absence of evidence as to any factor does not preclude a finding of a violation.

Subd. 3. **Claims involving a political subdivision.** To the extent a claim concerns a political subdivision, evidence of the factors in subdivision 1 is most probative if the evidence relates to the political subdivision in which the alleged violation occurred, but still holds probative value if the evidence relates to the geographic region in which that political subdivision is located or to this state.

Subd. 4. **Evidence of intent.** Evidence concerning the intent of voters, elected officials, or the political subdivision to discriminate against members of a protected class is not required to find a violation of section 200.54.

Subd. 5. **Factors that must be excluded.** In determining whether a violation of section 200.54 has occurred, a court shall not consider any of the following:

(1) the number of protected class members not burdened by the challenged qualification, prerequisite, standard, practice, or procedure;

(2) the degree to which the challenged qualification, prerequisite, standard, practice, or procedure has a long pedigree or was in widespread use at some earlier date;

(3) the use of an identical or similar qualification, prerequisite, standard, practice, or procedure in other states or jurisdictions;

(4) the availability of other forms of voting unimpacted by the challenged qualification, prerequisite, standard, practice, or procedure to all members of the electorate, including members of the protected class;

(5) an impact on potential criminal activity by individual voters, if those crimes have not occurred in the political subdivision in substantial numbers, or if the connection between the challenged policy and any claimed prophylactic effect is not supported by substantial evidence; or

(6) mere invocation of interests in voter confidence or prevention of fraud.

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

Sec. 8. **[200.56] PRESUIT NOTICE.**

Subdivision 1. **Notice required.** (a) Except as provided in this section, before filing an action a prospective plaintiff shall send a notice letter to the political subdivision identifying the potential violation, the affected protected class, and the type of remedy the potential plaintiff believes may address the potential violation. The party may not file an action related to the violations described in the notice within 60 days after sending the notice letter.

(b) A notice letter under this subdivision is not required if:

(1) the party is seeking preliminary relief with respect to an upcoming election in accordance with section 200.57;

(2) the party is seeking to intervene in or join an existing action;

(3) following the party's submission of a notice letter, the political subdivision enacted a remedy that would not remedy the violation identified in the party's notice letter; or

(4) the prospect of obtaining relief would be futile, consistent with Minnesota's doctrine of exhaustion of administrative remedies.

Subd. 2. Responsibility of parties. The political subdivision shall work in good faith with the party that provided a notice letter to explore and consider implementing any mutually agreed upon remedies to cure the potential violation. If the political subdivision adopts a resolution identifying a remedy, affirming its intent to enact and implement a remedy, and establishing a timeline and specific steps it will take to do so, the political subdivision shall have 90 days after passing the resolution to enact and implement a remedy, during which time the party who sent a notice letter under this section may not file an action related to those violations against that political subdivision.

Subd. 3. Approval of remedies. If the political subdivision lacks authority to enact or implement an identified remedy, the political subdivision may nonetheless enact and implement the remedy upon approval by the district court. To seek approval, the political subdivision must file a petition in district court that identifies with specificity the law or other authority that prevents the remedy from being enacted or implemented. The venue for a petition under this paragraph is in the district court of the county where the challenged act or practice occurred, or in the District Court of Ramsey County. The district court may authorize the political subdivision to implement or enact the identified remedy notwithstanding the applicable law or authority to the contrary, if the court determines that the prospective plaintiff is likely to succeed in a lawsuit on the merits of the alleged violation; that the proposed remedy would address the alleged violation; and that the proposed remedy is narrowly tailored to that purpose.

Subd. 4. Cost sharing. (a) If a political subdivision enacts or implements a remedy in response to a notice letter submitted under subdivision 1, the political subdivision and the party who sent the notice letter must mutually agree on a reimbursement amount to be paid by the political subdivision to that party. The reimbursement amount must reflect the reasonable costs associated with producing and sending the letter and any accompanying evidence, subject to the limitations of this subdivision.

(b) To be eligible for a reimbursement, the party who submitted the notice letter must submit a request to the political subdivision in writing. The request must:

(1) be received by the political subdivision within 30 days of its enactment or adoption of the remedy; and

(2) be substantiated with financial documentation including, as applicable, detailed invoices for expert analysis and reasonable attorney fees.

(c) The cumulative amount of reimbursements to all parties must not exceed \$30,000. Reimbursement amounts for attorney fees are limited to amounts calculated using a lodestar methodology.

(d) To the extent a party requests reimbursement for a purported notice letter that fails to comply with the requirements in subdivision 1, or the request fails to comply with this subdivision, the political subdivision may dismiss the request. If the request is dismissed, the political subdivision must notify the party in writing of the reasons for the dismissal.

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

Sec. 9. [200.57] RIGHT OF ACTION; VENUE; PRELIMINARY RELIEF.

Subdivision 1. Right of action. (a) The attorney general, a county attorney, any individual aggrieved by a violation of this act, any entity whose membership includes individuals aggrieved by a violation of this act, any entity whose mission would be frustrated by a violation of this act, or any entity that would expend resources in order to fulfill its mission as a result of a violation of this act, may file an action in the district court for the county where the challenged act or practice has occurred, or in the district court of Ramsey County. Actions brought under this act are subject to expedited pretrial and trial proceedings and must receive an automatic calendar preference. The state is a necessary party in any action in which an alleged violation is based on a political subdivision's implementation of a state law, if the state law does not afford discretion to the political subdivision in its implementation of the law.

(b) In an action related to a districting or redistricting plan, any individual with standing to challenge any single district shall be deemed to have standing to challenge the districting or redistricting plan as a whole.

Subd. 2. **Preliminary relief prior to election.** In any action alleging a violation of this act in which a plaintiff seeks preliminary relief with respect to an upcoming election, the court shall grant relief if the court determines that:

(1) the plaintiffs are more likely than not to succeed on the merits; and

(2) it is possible to implement appropriate preliminary relief that would address the alleged violation before the election.

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

Sec. 10. **[200.58] REMEDIES.**

Notwithstanding any other law, if the court finds a violation of any provision of section 200.54, the court has authority to order remedies that are tailored to best mitigate the violation. Any remedy ordered by the court must be constructed liberally in favor of a voter's exercise of the right of suffrage. The court may consider, among others, any remedy that has been ordered by a federal court or the court of another state jurisdiction, including through a court-approved consent decree or settlement adopted in the context of similar facts or to remedy a similar violation. The court shall consider remedies proposed by any party and may consider remedies proposed by interested nonparties. The court may not provide deference or priority to a proposed remedy offered by a defendant or political subdivision simply because the remedy has been proposed by the defendant or political subdivision.

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

Sec. 11. **[200.59] FEES AND COSTS.**

In any action brought under this act, the court shall award reasonable attorney fees and litigation costs, including expert witness fees and expenses, to the party, other than a state or a political subdivision, that filed the action and prevailed in the action. The party that filed the action is considered to have prevailed if, as a result of the action, the party against whom the action was filed has yielded or was ordered to yield some or all of the relief sought in the action. In determining a reasonable fee award, the court must consider the extent of the prevailing party's success and may exclude hours spent on unsuccessful claims that are unrelated to the claims on which the party prevailed. If the party against whom the action was filed prevails in the action, the court shall not award that party any costs unless the court finds the action is frivolous.

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

Sec. 12. Minnesota Statutes 2023 Supplement, section 201.061, subdivision 3, is amended to read:

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

- (1) presenting a driver's license or Minnesota identification card issued pursuant to section 171.07;
- (2) presenting any document approved by the secretary of state as proper identification;
- (3) presenting ~~one of the following:~~

~~(i) a current valid student identification card from a postsecondary educational institution in Minnesota, if a list of students from that institution has been prepared under section 135A.17 and certified to the county auditor in the manner provided in rules of the secretary of state; or~~

~~(ii) a current student fee statement that contains the student's valid address in the precinct together with a picture identification card; or~~

(4) having a voter who is registered to vote in the precinct, or an employee employed by and working in a residential facility in the precinct and vouching for a resident in the facility, sign an oath in the presence of the election judge vouching that the voter or employee personally knows that the individual is a resident of the precinct. A voter who has been vouched for on election day may not sign a proof of residence oath vouching for any other individual on that election day. A voter who is registered to vote in the precinct may sign up to eight proof-of-residence oaths on any election day. This limitation does not apply to an employee of a residential facility described in this clause. The secretary of state shall provide a form for election judges to use in recording the number of individuals for whom a voter signs proof-of-residence oaths on election day. The form must include space for the maximum number of individuals for whom a voter may sign proof-of-residence oaths. For each proof-of-residence oath, the form must include a statement that the individual: (i) is registered to vote in the precinct or is an employee of a residential facility in the precinct, (ii) personally knows that the voter is a resident of the precinct, and (iii) is making the statement on oath. The form must include a space for the voter's printed name, signature, telephone number, and address.

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

(b) The operator of a residential facility shall prepare a list of the names of its employees currently working in the residential facility and the address of the residential facility. The operator shall certify the list and provide it to the appropriate county auditor no less than 20 days before each election for use in election day registration.

(c) "Residential facility" means transitional housing as defined in section 256E.33, subdivision 1; a supervised living facility licensed by the commissioner of health under section 144.50, subdivision 6; a nursing home as defined in section 144A.01, subdivision 5; an assisted living facility licensed by the commissioner of health under chapter 144G; a veterans home operated by the board of directors of the Minnesota Veterans Homes under chapter 198; a residence licensed by the commissioner of human services to provide a residential program as defined in section 245A.02, subdivision 14; a residential facility for persons with a developmental disability licensed by the commissioner of human services under section 252.28; setting authorized to provide housing support as defined in section 256I.03, subdivision 10a; a shelter for battered women as defined in section 611A.37, subdivision 4; a supervised publicly or privately operated shelter or dwelling designed to provide temporary living accommodations for the homeless; a facility where a provider operates a residential treatment program as defined in section 245.462, subdivision 23; or a facility where a provider operates an adult foster care program as defined in section 245A.02, subdivision 6c.

(d) For tribal band members, an individual may prove residence for purposes of registering by:

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

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

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

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

Sec. 13. Minnesota Statutes 2023 Supplement, section 201.061, subdivision 3a, is amended to read:

Subd. 3a. **Additional proofs of residence permitted for students.** (a) ~~An eligible~~ If an eligible voter's name; student identification number, if available; and address within the precinct appear on a current residential housing list under section 135A.17 certified to the county auditor by the postsecondary educational institution, the voter may prove residence by presenting a current valid photo identification issued by a postsecondary educational institution in Minnesota if the voter's name; student identification number, if available; and address within the precinct appear on a current residential housing list under section 135A.17, certified to the county auditor by the postsecondary educational institution; identification authorized in subdivision 3, paragraph (a), clause (1) or (2); or identification authorized in subdivision 3, paragraph (d), clause (1) or (2).

(b) This additional proof of residence for students must not be allowed unless the postsecondary educational institution submits to the county auditor no later than 60 days prior to the election a written agreement that the postsecondary educational institution will certify for use at the election accurate updated residential housing lists under section 135A.17. A written agreement is effective for the election and all subsequent elections held in that calendar year, including the November general election.

(c) The additional proof of residence for students must be allowed on an equal basis for voters who reside in housing meeting the requirements of section 135A.17, if the residential housing lists certified by the postsecondary educational institution meet the requirements of this subdivision.

(d) An updated residential housing list must be certified to the county auditor no ~~earlier~~ later than 20 days prior to each election. The certification must be dated and signed by the chief officer or designee of the postsecondary educational institution and must state that the list is current and accurate and includes only the names of persons residing in the institution's housing and, for students who do not live in the institution's housing, that it reflects the institution's records as of the date of the certification.

(e) The county auditor shall instruct the election judges of the precinct in procedures for use of the list in conjunction with photo identification. The auditor shall supply a list to the election judges with the election supplies for the precinct.

(f) The county auditor shall notify all postsecondary educational institutions in the county of the provisions of this subdivision.

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

Sec. 14. Minnesota Statutes 2023 Supplement, section 201.071, subdivision 1, is amended to read:

Subdivision 1. **Form.** Both paper and electronic voter registration applications must contain the same information unless otherwise provided by law. A voter registration application must contain spaces for the following required information: voter's first name, middle name, and last name; voter's previous name, if any; voter's current address; voter's previous address, if any; voter's date of birth; voter's municipality and county of

residence; voter's telephone number, if provided by the voter; date of registration; current and valid Minnesota driver's license number or Minnesota state identification number, or if the voter has no current and valid Minnesota driver's license or Minnesota state identification, the last four digits of the voter's Social Security number; a box to indicate a voter's preference to join the permanent absentee voter list; and voter's signature. The paper registration application must provide a space for a voter to provide a physical description of the location of their residence, if the voter resides in an area lacking a specific physical address. The description must be sufficient to identify the correct precinct for the voter. The description may include the closest cross street or the nearest address to the described location that is identified on a precinct map, and directions from that cross street or address to the described location, including but not limited to the cardinal direction and approximate distance to the location. The paper registration application may include the voter's email address, if provided by the voter. The electronic voter registration application must include the voter's email address. The registration application may include the voter's interest in serving as an election judge, if indicated by the voter. The application must also contain the following certification of voter eligibility:

"I certify that I:

- (1) am at least 16 years old and understand that I must be at least 18 years old to be eligible to vote;
- (2) am a citizen of the United States;
- (3) will have maintained residence in Minnesota for 20 days immediately preceding election day;
- (4) maintain residence at the address or location given on the registration form;
- (5) am not under court-ordered guardianship in which the court order revokes my right to vote;
- (6) have not been found by a court to be legally incompetent to vote;
- (7) am not currently incarcerated for a conviction of a felony offense; and
- (8) have read and understand the following statement: that giving false information is a felony punishable by not more than five years imprisonment or a fine of not more than \$10,000, or both."

The certification must include boxes for the voter to respond to the following questions:

"(1) Are you a citizen of the United States?" and

"(2) Are you at least 16 years old and will you be at least 18 years old on or before the day of the election in which you intend to vote?"

And the instruction:

"If you checked 'no' to either of these questions, do not complete this form."

The form of the voter registration application and the certification of voter eligibility must be as provided in this subdivision and approved by the secretary of state. Voter registration forms authorized by the National Voter Registration Act must also be accepted as valid. The federal postcard application form must also be accepted as valid if it is not deficient and the voter is eligible to register in Minnesota.

An individual may use a voter registration application to apply to register to vote in Minnesota or to change information on an existing registration.

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

Sec. 15. Minnesota Statutes 2022, section 201.071, subdivision 3, is amended to read:

Subd. 3. **Deficient registration.** No voter registration application is deficient if it contains the voter's name, address or location of residence, date of birth, current and valid Minnesota driver's license number or Minnesota state identification number, or if the voter has no current and valid Minnesota driver's license or Minnesota state identification number, the last four digits of the voter's Social Security number, if the voter has been issued a Social Security number, prior registration, if any, and signature. The absence of a zip code number does not cause the registration to be deficient. Failure to check a box on an application form that a voter has certified to be true does not cause the registration to be deficient. The election judges shall request an individual to correct a voter registration application if it is deficient or illegible. No eligible voter may be prevented from voting unless the voter's registration application is deficient or the voter is duly and successfully challenged in accordance with section 201.195 or 204C.12.

A voter registration application accepted prior to August 1, 1983, is not deficient for lack of date of birth. The county or municipality may attempt to obtain the date of birth for a voter registration application accepted prior to August 1, 1983, by a request to the voter at any time except at the polling place. Failure by the voter to comply with this request does not make the registration deficient.

A voter registration application accepted before January 1, 2004, is not deficient for lack of a valid Minnesota driver's license or state identification number or the last four digits of a Social Security number. A voter registration application submitted by a voter who does not have a Minnesota driver's license or state identification number, or a Social Security number, is not deficient for lack of any of these numbers.

A voter registration application submitted electronically through the website of the secretary of state prior to April 30, 2014, is not invalid as a result of its electronic submission.

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

Sec. 16. Minnesota Statutes 2023 Supplement, section 201.1611, subdivision 1, is amended to read:

Subdivision 1. **Forms.** (a) All postsecondary institutions that enroll students accepting state or federal financial aid must provide voter registration forms to each student during the fall and spring of each year. In state election years, it must be provided 15 days in advance of the deadline for registering to vote for the state general election. If the voter registration forms are provided electronically, the electronic message must be devoted exclusively to voter registration.

(b) All school districts must make available paper or electronic voter registration applications each May and September to all students registered as students of the school district who ~~will be~~ are eligible to register or preregister to vote ~~at the next election after those months~~. A school district has no obligation to provide voter registration applications to students who participate in a postsecondary education option program or who otherwise maintain residence in the district but do not attend a school operated by the district. A school district fulfills its obligation to a student under this section if it provides a voter registration application to the student one time.

(c) The voter registration forms must contain spaces for the information required in section 201.071, subdivision 1, and applicable rules of the secretary of state. The institutions and school districts may request these forms from the secretary of state. Institutions must consult with their campus student government in determining the most effective means of distributing the forms and in seeking to facilitate election day registration of students under section 201.061, subdivision 3. School districts must advise students that completion of the voter registration application is not a school district requirement.

(d) The institutions must report to the secretary of state by November 30 of each year on their implementation of this section. At a minimum, the report must include how and when the forms were distributed and the voter engagement plan under subdivision 3, paragraph (b), clause (2). Institutions may include information about methods that were effective in increasing student registrations.

(e) By February 1 of each year, the secretary of state must report to the chairs and ranking minority members of the legislative committees with jurisdiction over elections on the information under paragraph (d). The secretary must highlight best practices and innovative methods that were most effective in registering students to vote.

Sec. 17. Minnesota Statutes 2023 Supplement, section 203B.04, subdivision 1, is amended to read:

Subdivision 1. **Application procedures.** (a) Except as otherwise allowed by subdivision 2 or by section 203B.11, subdivision 4, an application for absentee ballots for any election may be submitted at any time not less than one day before the day of that election. The county auditor shall prepare absentee ballot application forms in the format provided by the secretary of state and shall furnish them to any person on request. By January 1 of each even-numbered year, the secretary of state shall make the forms to be used available to auditors through electronic means. An application submitted pursuant to this subdivision shall be in writing. An application may be submitted in person, by electronic facsimile device, by electronic mail, or by mail to:

(1) the county auditor of the county where the applicant maintains residence; or

(2) the municipal clerk of the municipality, or school district if applicable, where the applicant maintains residence.

~~For a federal, state, or county election, (b)~~ An absentee ballot application may alternatively be submitted electronically through a secure website that shall be maintained by the secretary of state for this purpose. Notwithstanding paragraph ~~(b)~~ (d), the secretary of state must require applicants using the website to submit the applicant's email address and verifiable Minnesota driver's license number, Minnesota state identification card number, or the last four digits of the applicant's Social Security number. This paragraph does not apply to a town election held in March.

(c) An application submitted electronically under this paragraph may only be transmitted to the county auditor for processing if the secretary of state has verified the application information matches the information in a government database associated with the applicant's driver's license number, state identification card number, or Social Security number. The secretary of state must review all unverifiable applications for evidence of suspicious activity and must forward any such application to an appropriate law enforcement agency for investigation.

~~(b)~~ (d) An application shall be approved if it is timely received, signed and dated by the applicant, contains the applicant's name and residence and mailing addresses, date of birth, and at least one of the following:

(1) the applicant's Minnesota driver's license number;

(2) Minnesota state identification card number;

(3) the last four digits of the applicant's Social Security number; or

(4) a statement that the applicant does not have any of these numbers.

~~(e)~~ (e) To be approved, the application must contain an oath that the information contained on the form is accurate, that the applicant is applying on the applicant's own behalf, and that the applicant is signing the form under penalty of perjury.

~~(d)~~ (f) An applicant's full date of birth, Minnesota driver's license or state identification number, and the last four digits of the applicant's Social Security number must not be made available for public inspection. An application may be submitted to the county auditor or municipal clerk by an electronic facsimile device. An application mailed or returned in person to the county auditor or municipal clerk on behalf of a voter by a person other than the voter must be deposited in the mail or returned in person to the county auditor or municipal clerk within ten days after it has been dated by the voter and no later than six days before the election.

~~(e)~~ (g) An application under this subdivision may contain an application under subdivision 5 to automatically receive an absentee ballot.

EFFECTIVE DATE. This section is effective September 1, 2025, and applies to elections occurring on or after November 4, 2025.

Sec. 18. Minnesota Statutes 2023 Supplement, section 203B.07, subdivision 3, is amended to read:

Subd. 3. **Eligibility certificate.** A certificate of eligibility to vote by absentee ballot shall be printed on the back of the signature envelope. The certificate shall contain space for the voter's Minnesota driver's license number, state identification number, or the last four digits of the voter's Social Security number, or to indicate that the voter does not have one of these numbers. The space must be designed to ensure that the voter provides the same type of identification as provided on the voter's absentee ballot application for purposes of comparison. The certificate must also contain a statement to be signed and sworn by the voter indicating that the voter meets all of the requirements established by law for voting by absentee ballot and space for a statement signed by a person who is ~~registered to vote in Minnesota~~ at least 18 years of age on or before the day of the election and a citizen of the United States or by a notary public or other individual authorized to administer oaths stating that:

- (1) the ballots were displayed to that individual unmarked;
- (2) the voter marked the ballots in that individual's presence without showing how they were marked, or, if the voter was physically unable to mark them, that the voter directed another individual to mark them; and
- (3) if the voter was not previously registered, the voter has provided proof of residence as required by section 201.061, subdivision 3.

EFFECTIVE DATE. This section is effective for elections for which the absentee ballot period begins on or after January 1, 2025.

Sec. 19. Minnesota Statutes 2023 Supplement, section 203B.081, subdivision 4, is amended to read:

Subd. 4. **Temporary locations.** (a) A county auditor or municipal clerk authorized under section 203B.05 to administer voting before election day may designate additional polling places with days and hours that differ from those required by section 203B.085. A designation authorized by this subdivision must be made at least 47 days before the election. The county auditor or municipal clerk must provide notice to the secretary of state at the time that the designations are made.

(b) At the request of a federally recognized Indian Tribe with a reservation in the county, the county auditor must establish an additional polling place for at least one day on the Indian reservation on a site agreed upon by the Tribe and the county auditor that is accessible to the county auditor by a public road.

(c) At the request of a postsecondary institution or the student government organization of a postsecondary institution in the county or municipality, the county auditor or municipal clerk must establish an additional polling place for at least one day on the institution's campus at a location that is agreed upon by the institution and the county auditor or municipal clerk and that is accessible to the public. The request must be made at least 53 days before an election and is valid only for that election.

Sec. 20. Minnesota Statutes 2023 Supplement, section 204B.09, subdivision 3, is amended to read:

Subd. 3. **Write-in candidates.** (a) A candidate for county, state, or federal office who wants write-in votes for the candidate to be counted must file a written request with the filing office for the office sought not more than 84 days before the primary and no later than the seventh day before the general election. The filing officer shall provide copies of the form to make the request. The filing officer shall not accept a written request later than 5:00 p.m. on the last day for filing a written request.

(b) The governing body of a statutory or home rule charter city may adopt a resolution governing the counting of write-in votes for local elective office. The resolution may:

(1) require the candidate to file a written request with the chief election official no later than the seventh day before the city election if the candidate wants to have the candidate's write-in votes individually recorded; or

(2) require that write-in votes for an individual candidate only be individually recorded if the total number of write-in votes for that office is equal to or greater than the fewest number of non-write-in votes for a ballot candidate.

If the governing body of the statutory or home rule charter city adopts a resolution authorized by this paragraph, the resolution must be adopted and the city clerk must notify the county auditor before the first day of filing for office. A resolution adopted under this paragraph remains in effect until a subsequent resolution on the same subject is adopted by the governing body of the statutory or home rule charter city.

(c) The governing body of a township, school board, hospital district, park district, soil and water district, or other ancillary elected district may adopt a resolution governing the counting of write-in votes for local elective office. The resolution may require that write-in votes for an individual candidate only be individually recorded if the total number of write-in votes for that office is equal to or greater than the fewest number of non-write-in votes for a ballot candidate. If a governing body adopts a resolution authorized by this paragraph, the resolution must be adopted and the clerk must notify the county auditor before the first day of filing for office. A resolution adopted under this paragraph remains in effect until a subsequent resolution on the same subject is adopted by the governing body.

(d) A candidate for president of the United States who files a request under this subdivision must include the name of a candidate for vice president of the United States. The request must also include the name of at least one candidate for presidential elector. The total number of names of candidates for presidential elector on the request may not exceed the total number of electoral votes to be cast by Minnesota in the presidential election.

(e) A candidate for governor who files a request under this subdivision must file jointly with another individual seeking nomination as a candidate for lieutenant governor. A candidate for lieutenant governor who files a request under this subdivision must file jointly with another individual seeking nomination as a candidate for governor.

Sec. 21. Minnesota Statutes 2023 Supplement, section 204B.16, subdivision 1, is amended to read:

Subdivision 1. **Authority; location.** (a) By December 31 of each year, the governing body of each municipality and of each county with precincts in unorganized territory must designate by ordinance or resolution any changes to a polling place location. A polling place must be maintained ~~for the following calendar year~~ unless changed in accordance with this paragraph, or:

(1) ~~by ordinance or resolution by December 31 of the previous year;~~

(2) pursuant to section 204B.175;

~~(3)~~ (2) because a polling place has become unavailable;

~~(4)~~ (3) because a township designates one location for all state, county, and federal elections and one location for all township only elections; and

~~(5)~~ (4) pursuant to section 204B.14, subdivision 3.

(b) Polling places must be designated and ballots must be distributed so that no one is required to go to more than one polling place to vote in a school district and municipal election held on the same day. The polling place for a precinct in a city or in a school district located in whole or in part in the metropolitan area defined by section 200.02, subdivision 24, shall be located within the boundaries of the precinct or within one mile of one of those boundaries unless a single polling place is designated for a city pursuant to section 204B.14, subdivision 2, or a school district pursuant to section 205A.11. The polling place for a precinct in unorganized territory may be located outside the precinct at a place which is convenient to the voters of the precinct. If no suitable place is available within a town or within a school district located outside the metropolitan area defined by section 200.02, subdivision 24, then the polling place for a town or school district may be located outside the town or school district within five miles of one of the boundaries of the town or school district.

Sec. 22. Minnesota Statutes 2022, section 204B.175, is amended to read:

204B.175 CHANGE OF POLLING PLACE IN AN EMERGENCY.

Subdivision 1. **Application.** When an emergency occurs after the deadline to designate a polling place for the purpose of absentee or early voting pursuant to section 203B.081, or after the deadline to designate a polling place pursuant to section 204B.16 but before the polls close on election day, a new polling place may be designated ~~for that election~~ pursuant to this section. For purposes of this section, an emergency is any situation that prevents the safe, secure, and full operation of a polling place, or when required to remedy a potential violation of section 200.54.

Subd. 2. **Changing polling place.** If a local election official determines that an emergency has occurred or is imminent, the local election official must procure a polling place that is as near the designated polling place as possible and that complies with the requirements of section 204B.16, subdivisions 4 and 5. If it is not possible to locate a new polling place in the precinct, the polling place may be located outside of the precinct without regard to the distance limitations in section 204B.16, subdivision 1. If a polling place location is changed to remedy a potential violation of section 200.54, the location of the polling place must be selected to remedy the violation. The local election official must certify to the appropriate governing body the expenses incurred because of the change. These expenses shall be paid as part of the expenses of the election.

Subd. 2a. **Designation of additional polling places.** A local election official may designate additional polling places, notwithstanding the deadlines in section 203B.081, if additional designations are required to remedy a potential violation of section 200.54. The local election official must certify to the appropriate governing body the expenses incurred because of the change. These expenses shall be paid as part of the expenses of the election.

Subd. 3. **Notice.** (a) Upon making the determination to relocate a polling place, the local election official must immediately notify the county auditor and the secretary of state. The notice must include the reason for the relocation and the reason for the location of the new polling place. As soon as possible, the local election official must also post a notice stating the reason for the relocation and the location of the new polling place. The notice must also be posted on the website of the public body, if there is one. The local election official must also notify the election judges and request that local media outlets publicly announce the reason for the relocation and the location of the polling place. If the relocation occurs more than 14 days prior to the election, the local election official must mail a notice to the impacted voters of the reason for the relocation and the location of the polling place.

(b) On election day, the local election official must post a notice in large print in a conspicuous place at the polling place where the emergency occurred, if practical, stating the location of the new polling place. The local election official must also post the notice, if practical, in a location visible by voters who vote from their motor vehicles as provided in section 204C.15, subdivision 2. If polling place hours are extended pursuant to section 204C.05, subdivision 2, paragraph (b), the posted notices required by this paragraph must include a statement that the polling place hours at the new polling place will be extended until the specified time.

Sec. 23. Minnesota Statutes 2023 Supplement, section 204B.295, subdivision 1, is amended to read:

Subdivision 1. **Duty.** The secretary of state or county auditor must contract with a translator certified by the American Translators Association to develop voting instructions and sample ballots in languages other than English, to be made available in polling places during elections as required by this section. At a minimum, the secretary of state must prepare voting instructions and make the instructions available in polling places in the three most commonly spoken non-English languages in the state as determined by the state demographer for the previous calendar year. For state elections, the secretary of state must prepare and provide example ballots to county auditors and post voting instructions in print, electronic, and audio-visual formats, on the secretary of state's website in at least the three most commonly spoken non-English languages in the state as determined by the state demographer for the previous calendar year.

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

Sec. 24. Minnesota Statutes 2023 Supplement, section 204B.295, subdivision 2, is amended to read:

Subd. 2. **Designation of language minority districts.** ~~No later than 90 days before an election~~ By January 1 of each year, the secretary of state or county auditor, in consultation with the state demographer, must determine the percentage of residents in each census tract who are members of a language minority and who lack sufficient skills in English to vote without assistance. Language minority districts will be designated if three percent or more of the population in a corresponding census tract speak English "less than very well" according to the most recent census data. The secretary of state must maintain the list of designated language minority districts on its website. The state demographer must consider the identified margin of error in the census data when identifying census tracts. Designations made in January apply to elections for which absentee balloting begins on or after January 1 of each year and continue through the end of the calendar year.

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

Sec. 25. Minnesota Statutes 2023 Supplement, section 204B.295, subdivision 3, is amended to read:

Subd. 3. **Translation required; interpreter required.** (a) If the number of residents determined under subdivision 2 equals three percent or more of a census tract, or if interested citizens or organizations provide information that gives the secretary of state or county auditor sufficient reason to believe a need exists, at least two copies of the translated voting instructions and sample ballots must be provided to each precinct in that district during any regular or special state election conducted in that district. If more than one language is represented in three percent or more of residents as determined in subdivision 2, translated materials must be provided in, at minimum, the highest determined language and any language representing three percent or more of a census tract.

(b) If the number of residents determined under subdivision 2 equals 20 percent or more of the population of a census tract, or if interested citizens or organizations provide information that gives the secretary of state or county auditor sufficient reason to believe a need exists, at least four copies of the translated voting instructions and sample ballots must be provided to each precinct in that district during any regular or special state election conducted in that district. If more than one language is represented in the 20 or more percent of residents as determined in subdivision 2, translated materials must be provided in, at minimum, the highest determined language and any language

representing three percent or more of a census tract. In these precincts, the county auditor or municipal clerk must appoint at least one interpreter to translate in a specified language if ten or more registered voters in the precinct file a request for interpretive services for that language with the secretary of state or county auditor at least 30 days prior to the date of the election. This interpreter must wear a name tag or other badge indicating the interpreter's language certification. For purposes of section 204C.06 and any other applicable law, an interpreter appointed under this section is considered an election official and may be present in a polling place for the purpose of conducting duties assigned by the county auditor or municipal clerk.

(c) The county auditor must maintain a list of the designated language minority districts on its website, including the precinct name, languages that materials will be provided in, and, if applicable, where interpreters will be provided and the language they speak. This list must be posted no later than 90 days after receiving language minority district designations under subdivision 2 and must be updated as it is determined that materials or interpreters will be provided for additional districts.

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

Sec. 26. Minnesota Statutes 2023 Supplement, section 204B.295, is amended by adding a subdivision to read:

Subd. 5. **Sample ballot format requirements.** For the purposes of this section, sample ballots must accurately reflect the offices, candidates, and rotation sequence on the ballots used in that polling place. Sample ballots may deviate from other ballot formatting requirements to the extent required to accommodate the translated content.

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

Sec. 27. Minnesota Statutes 2022, section 204C.06, subdivision 1, is amended to read:

Subdivision 1. **Persons allowed near polling place.** An individual shall be allowed to go to and from the polling place for the purpose of voting without unlawful interference. No one except an election official or an individual who is waiting to register or to vote or an individual who is conducting exit polling shall stand within 100 feet of the building in which a polling place is located. ~~"Exit polling" is defined as approaching voters in a predetermined pattern as they leave the polling place after they have voted and asking voters to fill out an anonymous, written questionnaire.~~

Sec. 28. Minnesota Statutes 2022, section 204C.06, is amended by adding a subdivision to read:

Subd. 1a. **Exit polling.** (a) "Exit polling" is defined as approaching voters in a predetermined pattern as they leave the polling place after they have voted and asking voters to fill out an anonymous, written questionnaire.

(b) An individual conducting exit polling must present photo identification to the head judge upon arrival at the polling place, along with a letter or credential from the news media.

(c) A person must not conduct exit polling in a manner that unlawfully interferes with a person going to or from the polling place or allows any person to view another person's responses to the poll.

Sec. 29. Minnesota Statutes 2022, section 204C.19, subdivision 3, is amended to read:

Subd. 3. **Premature disclosure of count results.** No count results from any precinct shall be disclosed by any election judge or other individual until all count results from that precinct are available, nor shall the public media disclose any count results from any precinct before the time when voting is scheduled to end in the state. Count results from absentee ballots received by the county after 3:00 p.m. on election day may be added to the total count results after the initial results reporting of the precinct. If the precinct results do not include all absentee ballots, the

county must report to the secretary of state and on the county's website the number of absentee ballots remaining to be processed. After processing the remaining ballots, the county must post on the county's website how many of the remaining ballots were accepted and added to the totals and how many were rejected and therefore not counted.

Sec. 30. Minnesota Statutes 2022, section 204C.20, subdivision 1, is amended to read:

Subdivision 1. **Determination of proper number.** The election judges shall determine the number of ballots to be counted by ~~adding the number of return envelopes from accepted absentee ballots to~~ tallying the number of signed voter's certificates, or to the number of names entered in the election register. The election judges shall then remove all the ballots from the box. Without considering how the ballots are marked, the election judges shall ascertain that each ballot is separate and shall count them to determine whether the number of ballots in the box corresponds with the number of ballots to be counted.

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

Sec. 31. Minnesota Statutes 2022, section 204C.20, is amended by adding a subdivision to read:

Subd. 5. **Precincts with ballot tabulators.** In precincts using ballot tabulators, once the final count of ballots agrees with the number of ballots to be counted, election judges must immediately prepare the summary statement in accordance with section 204C.24 and seal the ballots in accordance with section 204C.25 for return to the county auditor.

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

Sec. 32. Minnesota Statutes 2023 Supplement, section 204C.24, subdivision 1, is amended to read:

Subdivision 1. **Information requirements.** Precinct summary statements shall be submitted by the election judges in every precinct. For all elections, the election judges shall complete three or more copies of the summary statements, and each copy shall contain the following information for each kind of ballot:

(1) the number of ballots delivered to the precinct as adjusted by the actual count made by the election judges, the number of unofficial ballots made, and the number of absentee ballots delivered to the precinct;

(2) the number of votes each candidate received or the number of yes and no votes on each question, the number of undervotes, the number of overvotes, and the number of defective ballots with respect to each office or question;

(3) the number of spoiled ballots, the number of duplicate ballots made, the number of absentee ballots rejected, and the number of unused ballots, presuming that the total count provided on each package of unopened prepackaged ballots is correct;

(4) the number of voted ballots indicating only a voter's choices as provided by section 206.80, paragraph (b), clause (2), item (ii), in precincts that use an assistive voting device that produces this type of ballot;

(5) the number of individuals who voted at the election in the precinct which must equal the total number of ballots cast in the precinct, as required by sections 204C.20 and 206.86, subdivision 1;

(6) the number of voters registering on election day in that precinct;

(7) the signatures of the election judges who counted the ballots certifying that all of the ballots cast were properly piled, checked, and counted; and that the numbers entered by the election judges on the summary statements correctly show the number of votes cast for each candidate and for and against each question;

(8) the number of election judges that worked in that precinct on election day; and

(9) the number of voting booths used in that precinct on election day.

At least two copies of the summary statement must be prepared for elections not held on the same day as the state elections.

Sec. 33. Minnesota Statutes 2022, section 204C.33, subdivision 1, is amended to read:

Subdivision 1. **County canvass.** The county canvassing board shall meet at the county auditor's office between the third and ~~tenth~~ eighth days following the state general election. After taking the oath of office, the board shall promptly and publicly canvass the general election returns delivered to the county auditor. Upon completion of the canvass, the board shall promptly prepare and file with the county auditor a report which states:

(a) the number of individuals voting at the election in the county and in each precinct;

(b) the number of individuals registering to vote on election day and the number of individuals registered before election day in each precinct;

(c) the names of the candidates for each office and the number of votes received by each candidate in the county and in each precinct;

(d) the number of votes counted for and against a proposed change of county lines or county seat; and

(e) the number of votes counted for and against a constitutional amendment or other question in the county and in each precinct.

The result of write-in votes cast on the general election ballots must be compiled by the county auditor before the county canvass, except that write-in votes for a candidate for federal, state, or county office must not be counted unless the candidate has timely filed a request under section 204B.09, subdivision 3. The county auditor shall arrange for each municipality to provide an adequate number of election judges to perform this duty or the county auditor may appoint additional election judges for this purpose. The county auditor may open the envelopes or containers in which the voted ballots have been sealed in order to count and record the write-in votes and must reseal the voted ballots at the conclusion of this process. The county auditor must prepare a separate report of votes received by precinct for write-in candidates for federal, state, and county offices who have requested under section 204B.09 that votes for those candidates be tallied.

Upon completion of the canvass, the county canvassing board shall declare the candidate duly elected who received the highest number of votes for each county and state office voted for only within the county. The county auditor shall transmit a certified copy of the county canvassing board report for state and federal offices to the secretary of state by messenger, express mail, or similar service immediately upon conclusion of the county canvass.

Sec. 34. Minnesota Statutes 2023 Supplement, section 204C.33, subdivision 3, is amended to read:

Subd. 3. **State canvass.** The State Canvassing Board shall meet at a public meeting space located in the Capitol complex area on the ~~third Tuesday~~ 16th day following the state general election to canvass the certified copies of the county canvassing board reports received from the county auditors and shall prepare a report that states:

(1) the number of individuals voting in the state and in each county;

(2) the number of votes received by each of the candidates, specifying the counties in which they were cast; and

(3) the number of votes counted for and against each constitutional amendment, specifying the counties in which they were cast.

If the 16th day falls on a state holiday, the canvassing board shall meet on the next business day.

All members of the State Canvassing Board shall sign the report and certify its correctness. Within three days after completing the canvass, the State Canvassing Board shall declare the result and declare the candidates duly elected who received the highest number of votes for each federal office and for each state office voted on in more than one county.

Sec. 35. Minnesota Statutes 2022, section 204C.35, subdivision 1, is amended to read:

Subdivision 1. **Publicly funded recounts.** (a) In a state primary when the difference between the votes cast for the candidates for nomination to:

(1) a state legislative office is less than one-half of one percent of the total number of votes counted for that nomination or is ten votes or less and the total number of votes cast for the nomination is 400 votes or less; or

(2) a statewide federal office, state constitutional office, statewide judicial office, congressional office, or district judicial office is less than one-quarter of one percent of the total number of votes counted for that nomination or is ten votes or less and the total number of votes cast for the nomination is 400 votes or less;

and the difference determines the nomination, the canvassing board with responsibility for declaring the results for that office shall manually recount the vote upon receiving a written request from the candidate whose nomination is in question.

Immediately following the meeting of the board that has responsibility for canvassing the results of the nomination, the filing officer must notify the candidate that the candidate has the option to request a recount of the votes at no cost to the candidate. This written request must be received by the filing officer no later than 5:00 p.m. on the second day after the canvass of the primary for which the recount is being sought.

(b) In a state general election when the difference between the votes of a candidate who would otherwise be declared elected to:

(1) a state legislative office is less than one-half of one percent of the total number of votes counted for that office or is ten votes or less and the total number of votes cast for the office is 400 votes or less; or

(2) a statewide federal office, state constitutional office, statewide judicial office, congressional office, or district judicial office and the votes of any other candidate for that office is less than one-quarter of one percent of the total number of votes counted for that office or is ten votes or less if the total number of votes cast for the office is 400 votes or less,

the canvassing board shall manually recount the votes upon receiving a written request from the candidate whose election is in question.

Immediately following the meeting of the board that has responsibility for canvassing the results of the general election, the filing officer must notify the candidate that the candidate has the option to request a recount of the votes at no cost to the candidate. ~~This~~ Except as provided in subdivision 2b, the written request must be received by the filing officer no later than 5:00 p.m. on the second day after the canvass of the election for which the recount is being sought.

(c) A recount must not delay any other part of the canvass. The results of the recount must be certified by the canvassing board as soon as possible.

(d) Time for notice of a contest for an office which is recounted pursuant to this section shall begin to run upon certification of the results of the recount by the canvassing board.

Sec. 36. Minnesota Statutes 2022, section 204C.35, subdivision 2, is amended to read:

Subd. 2. **Discretionary candidate recounts.** (a) A losing candidate whose name was on the ballot for nomination or election to a statewide federal office, state constitutional office, statewide judicial office, congressional office, state legislative office, or district judicial office may request a recount in a manner provided in this section at the candidate's own expense when the vote difference is greater than the difference required by this section. The votes shall be manually recounted as provided in this section if the candidate files a request during the time for filing notice of contest of the primary or election for which a recount is sought.

(b) The requesting candidate shall file with the filing officer a bond, cash, or surety in an amount set by the filing officer for the payment of the recount expenses. The requesting candidate is responsible for the following expenses: the compensation of the secretary of state, or designees, and any election judge, municipal clerk, county auditor, administrator, or other personnel who participate in the recount; necessary supplies and travel related to the recount; the compensation of the appropriate canvassing board and costs of preparing for the canvass of recount results; and any attorney fees incurred in connection with the recount by the governing body responsible for the recount.

(c) A discretionary recount of a primary must not delay delivery of the notice of nomination to the winning candidate under section 204C.32.

(d) The requesting candidate may provide the filing officer with a list of up to three precincts that are to be recounted first and may waive the balance of the recount after these precincts have been counted. If the candidate provides a list, the recount official must determine the expenses for those precincts in the manner provided by paragraph (b).

(e) The results of the recount must be certified by the canvassing board as soon as possible.

(f) If the winner of the race is changed by the optional recount, the cost of the recount must be paid by the jurisdiction conducting the recount.

(g) If a result of the vote counting in the manual recount is different from the result of the vote counting reported on election day by a margin greater than ~~the standard for acceptable performance of voting systems provided in section 206.89, subdivision 4,~~ two votes and greater than one-quarter of one percent of the number of ballots counted, the cost of the recount must be paid by the jurisdiction conducting the recount.

Sec. 37. Minnesota Statutes 2022, section 204C.35, is amended by adding a subdivision to read:

Subd. 2b. **Recount for presidential electors.** Any request for recount for the election of presidential electors, whether publicly funded or discretionary, must be made by 5 p.m. on the day after the canvass is completed. Any recount of votes under this section for the election of presidential electors must be completed and certified by the canvassing board no later than six days after the recount is requested.

Sec. 38. Minnesota Statutes 2022, section 204C.36, subdivision 2, is amended to read:

Subd. 2. **Discretionary candidate recounts.** (a) A losing candidate for nomination or election to a county, municipal, or school district office may request a recount in the manner provided in this section at the candidate's own expense when the vote difference is greater than the difference required by subdivision 1, paragraphs (a) to (e). The votes shall be manually recounted as provided in this section if the requesting candidate files with the county auditor, municipal clerk, or school district clerk a bond, cash, or surety in an amount set by the governing body of the jurisdiction or the school board of the school district for the payment of the recount expenses.

(b) The requesting candidate may provide the filing officer with a list of up to three precincts that are to be recounted first and may waive the balance of the recount after these precincts have been counted. If the candidate provides a list, the recount official must determine the expenses for those precincts in the manner provided by paragraph (b).

(c) A discretionary recount of a primary must not delay delivery of the notice of nomination to the winning candidate under section 204C.32.

(d) The results of the recount must be certified by the canvassing board as soon as possible.

(e) If the winner of the race is changed by the optional recount, the cost of the recount must be paid by the jurisdiction conducting the recount.

(f) If a result of the vote counting in the manual recount is different from the result of the vote counting reported on election day by a margin greater than ~~the standard for acceptable performance of voting systems provided in section 206.89, subdivision 4~~ two votes and greater than one-quarter of one percent of the number of ballots recounted, the cost of the recount must be paid by the jurisdiction conducting the recount.

Sec. 39. Minnesota Statutes 2022, section 204C.36, subdivision 3, is amended to read:

Subd. 3. **Discretionary ballot question recounts.** ~~A recount may be conducted for a ballot question when the difference between the votes for and the votes against the question is less than or equal to the difference provided in subdivision 1.~~ A recount for a ballot question may be requested by any person eligible to vote on the ballot question. A written request for a recount must be filed with the filing officer of the county, municipality, or school district placing the question on the ballot and must be accompanied by a petition containing the signatures of 25 voters eligible to vote on the question. Upon receipt of a written request when the difference between the votes for ~~and the votes against~~ the question and the number required for passage is less than or equal to the difference provided in subdivision 1, the county auditor shall recount the votes for a county question at the expense of the county, the governing body of the municipality shall recount the votes for a municipal question at the expense of the municipality, and the school board of the school district shall recount the votes for a school district question at the expense of the school district. If the difference between the votes for ~~and the votes against~~ the question and the number required for passage is greater than the difference provided in subdivision 1, the person requesting the recount shall also file with the filing officer of the county, municipality, or school district a bond, cash, or surety in an amount set by the appropriate governing body for the payment of recount expenses. The written request, petition, and any bond, cash, or surety required must be filed during the time for notice of contest for the election for which the recount is requested.

Sec. 40. Minnesota Statutes 2023 Supplement, section 205.16, subdivision 2, is amended to read:

Subd. 2. **Sample ballot, publication.** For every municipal election not held in conjunction with a statewide election, the municipal clerk must, at least two weeks before the election, publish a notice to voters pursuant to section 204D.16 in the official newspaper of the municipality, except that the governing body of a fourth class city or a town not located within a metropolitan county as defined in section 473.121 may dispense with publication.

Sec. 41. Minnesota Statutes 2022, section 205.16, subdivision 4, is amended to read:

Subd. 4. **Notice to auditor.** At least ~~74~~ 84 days before every municipal election, the municipal clerk shall provide a written notice to the county auditor, including the date of the election, the offices to be voted on at the election, and the title and language for each ballot question to be voted on at the election. At least ~~74~~ 84 days before every municipal election, the municipal clerk must provide written notice to the county auditor of any special election canceled under section 205.10, subdivision 6.

Sec. 42. Minnesota Statutes 2022, section 205.16, subdivision 5, is amended to read:

Subd. 5. **Notice to secretary of state.** At least ~~74~~ 84 days before every municipal election for which a notice is provided to the county auditor under subdivision 4, the county auditor shall provide a notice of the election to the secretary of state, in a manner and including information prescribed by the secretary of state.

Sec. 43. Minnesota Statutes 2022, section 205A.05, subdivision 3, is amended to read:

Subd. 3. **Cancellation.** A special election ordered by the school board on its own motion under subdivision 1 may be canceled by motion of the school board, but not less than ~~74~~ 84 days before ~~an any election held in conjunction with a regularly scheduled election for federal, state, county, city, or school board office or a special election for federal office, or 46 days before any other election.~~

Sec. 44. Minnesota Statutes 2022, section 205A.07, subdivision 3, is amended to read:

Subd. 3. **Notice to auditor.** At least ~~74~~ 84 days before every school district election, the school district clerk shall provide a written notice to the county auditor of each county in which the school district is located. The notice must include the date of the election, the offices to be voted on at the election, and the title and language for each ballot question to be voted on at the election. For the purposes of meeting the timelines of this section, in a bond election, a notice, including a proposed question, may be provided to the county auditor before receipt of a review and comment from the commissioner of education and before actual initiation of the election. At least ~~74~~ 84 days before every school district election, the school district clerk must provide written notice to the county auditor of any special election canceled under section 205A.05, subdivision 3.

Sec. 45. Minnesota Statutes 2022, section 205A.07, subdivision 3b, is amended to read:

Subd. 3b. **Notice to secretary of state.** At least ~~74~~ 84 days before every school district election for which a notice is provided to the county auditor under subdivision 3, the county auditor shall provide a notice of the election to the secretary of state, in a manner and including information prescribed by the secretary of state.

Sec. 46. Minnesota Statutes 2022, section 205A.11, subdivision 2, is amended to read:

Subd. 2. **Combined polling place.** (a) When no other election is being held in a school district, the school board may designate combined polling places at which the voters in those precincts may vote in the school district election.

(b) By December 31 of each year, the school board must designate, by resolution, any changes to combined polling places. The combined polling places designated in the resolution are the polling places ~~for the following calendar year~~, unless a change is made in accordance with this paragraph or:

(1) pursuant to section 204B.175; or

(2) because a polling place has become unavailable.

(c) If the school board designates combined polling places pursuant to this subdivision, polling places must be designated throughout the district, taking into account both geographical distribution and population distribution. A combined polling place must be at a location designated for use as a polling place by a county or municipality.

(d) In school districts that have organized into separate board member election districts under section 205A.12, a combined polling place for a school general election must be arranged so that it does not include more than one board member election district.

Sec. 47. Minnesota Statutes 2023 Supplement, section 206.61, subdivision 1, is amended to read:

Subdivision 1. **Official responsible for providing ballots.** (a) The official charged with providing paper ballots when they are used shall provide all ballot cards, sample ballots, precinct summary statements, and other necessary supplies needed for electronic voting systems, except as otherwise provided by this section.

(b) At general elections and primaries the county auditor of each county in which an electronic voting system is used shall provide all ballot cards and other necessary printed forms and supplies needed for the electronic voting system, including all forms needed for voting on candidates and questions, the ballots for which are required by the election laws to be provided by the state when paper ballots are used.

(c) In precincts using a ballot format as provided by section 206.80, paragraph (b), clause (2), item (ii), voters must be provided the option of voting with a regularly printed optical scan ballot or paper ballot in precincts that hand count ballots.

Sec. 48. Minnesota Statutes 2022, section 206.89, subdivision 2, is amended to read:

Subd. 2. **Selection for review; notice.** At the canvass of the state primary, the county canvassing board in each county must set the date, time, and place for the postelection review of the state general election to be held under this section. The postelection review must not begin before the ~~14th~~ ninth day after the state general election and must be complete no later than the ~~18th~~ 14th day after the state general election.

At the canvass of the state general election, the county canvassing boards must select the precincts to be reviewed by lot. The ballots to be reviewed for a precinct include both the ballots counted at the polling place for that precinct and the absentee ballots counted centrally by a ballot board for that precinct. The county canvassing board of a county with fewer than 50,000 registered voters must conduct a postelection review of a total of at least two precincts. The county canvassing board of a county with between 50,000 and 100,000 registered voters must conduct a review of a total of at least three precincts. The county canvassing board of a county with over 100,000 registered voters must conduct a review of a total of at least four precincts, or three percent of the total number of precincts in the county, whichever is greater. At least one precinct selected in each county must have had more than 150 votes cast at the general election.

The county auditor must notify the secretary of state of the precincts that have been chosen for review and the time and place the postelection review for that county will be conducted, as soon as the decisions are made. If the selection of precincts has not resulted in the selection of at least four precincts in each congressional district, the secretary of state may require counties to select by lot additional precincts to meet the congressional district requirement. The secretary of state must post this information on the office website.

Sec. 49. Minnesota Statutes 2022, section 206.89, subdivision 3, is amended to read:

Subd. 3. **Scope and conduct of review.** The county canvassing board shall appoint the postelection review official as defined in subdivision 1. The postelection review must be conducted of the votes cast for president or governor; United States senator; and United States representative. The postelection review official may conduct postelection review of the votes cast for additional offices.

The postelection review must be conducted in public at the location where the voted ballots have been securely stored after the state general election or at another location chosen by the county canvassing board. The postelection review official for each precinct selected must conduct the postelection review and may be assisted by election judges designated by the postelection review official for this purpose. The party balance requirement of section 204B.19 applies to election judges designated for the review. The postelection review must consist of a manual count of the ballots used in the precincts selected and must be performed in the manner provided by section 204C.21. The postelection review must be conducted in the manner provided for recounts under section 204C.361 to the extent practicable. The review must be completed no later than ~~two days~~ one day before the meeting of the state canvassing board to certify the results of the state general election.

Sec. 50. Minnesota Statutes 2022, section 206.89, subdivision 5, is amended to read:

Subd. 5. **Additional review.** (a) If the postelection review in one of the reviewed precincts reveals a difference greater than the thresholds specified in subdivision 4, the postelection review official must, within ~~two days~~ one day, conduct an additional review of the races indicated in subdivision 3 in at least three precincts in the same jurisdiction where the discrepancy was discovered. If all precincts in that jurisdiction have been reviewed, the county auditor must immediately publicly select by lot at least three additional precincts for review. The postelection review official must complete the additional review within ~~two days~~ one day after the precincts are selected and report the results immediately to the county auditor. If the second review in any of the reviewed precincts also indicates a difference in the vote totals compiled by the voting system that is greater than the thresholds specified in subdivision 4, the county auditor must conduct a review of the ballots from all the remaining precincts in the county for the races indicated in subdivision 3. This review must be completed and the results must be reported to the secretary of state within ~~one week~~ six days after the second review was completed.

(b) If the results from the countywide reviews from one or more counties comprising in the aggregate more than ten percent of the total number of persons voting in the election clearly indicate that an error in vote counting has occurred, the secretary of state must notify the postelection review official of each county in the district that they must conduct manual recounts of all the ballots in the district for the affected office using the procedure outlined in section 204C.35. The recount must be completed and the results reported to the appropriate canvassing board within ~~two weeks~~ one week after the postelection review official received notice from the secretary of state.

Sec. 51. Minnesota Statutes 2022, section 206.89, subdivision 6, is amended to read:

Subd. 6. **Report of results.** Upon completion of the postelection review, the postelection review official must immediately report the results to the county auditor. The county auditor must then immediately submit the results of the postelection review electronically or in writing to the secretary of state not later than ~~two days~~ one day before the State Canvassing Board meets to canvass the state general election. The secretary of state shall report the results of the postelection review at the meeting of the State Canvassing Board to canvass the state general election.

Sec. 52. Minnesota Statutes 2022, section 208.06, is amended to read:

208.06 ELECTORS AND ALTERNATES TO MEET AT STATE CAPITOL.

The presidential electors and alternate presidential electors, before 12:00 M. on the day before that fixed by Congress for the electors to vote for president and vice president of the United States, shall notify the governor that they are at the State Capitol and ready at the proper time to fulfill their duties as electors. The governor or the governor's designee shall deliver to the electors present a certificate of the names of all the electors. The electors shall meet at 12:00 p.m. in the ~~executive chamber of the~~ State Capitol and unless the governor determines that location to be impracticable and directs the electors to meet at a different location. The electors shall perform all the duties imposed upon them as electors by the Constitution and laws of the United States and this state in the manner provided in section 208.46.

Sec. 53. Minnesota Statutes 2022, section 208.44, is amended to read:

208.44 CERTIFICATION OF ELECTORS.

In submitting this state's certificate of ascertainment as required by United States Code, title 3, section ~~6~~ 5, the governor shall certify this state's electors and state in the certificate that:

(1) the electors will serve as electors unless a vacancy occurs in the office of elector before the end of the meeting at which elector votes are cast, in which case a substitute elector will fill the vacancy; and

(2) if a substitute elector is appointed to fill a vacancy, the governor will submit an amended certificate of ascertainment stating the names on the final list of this state's electors.

Sec. 54. Minnesota Statutes 2022, section 208.47, is amended to read:

208.47 ELECTOR REPLACEMENT; ASSOCIATED CERTIFICATES.

(a) After the vote of this state's electors is completed, if the final list of electors differs from any list that the governor previously included on a certificate of ascertainment prepared and transmitted under United States Code, title 3, section ~~6~~ 5, the secretary of state immediately shall prepare an amended certificate of ascertainment and transmit it to the governor for the governor's signature.

(b) The governor immediately shall deliver the signed amended certificate of ascertainment to the secretary of state and a signed duplicate original of the amended certificate of ascertainment to all individuals entitled to receive this state's certificate of ascertainment, indicating that the amended certificate of ascertainment is to be substituted for the certificate of ascertainment previously submitted.

(c) The secretary of state shall prepare a certificate of vote. The electors on the final list shall sign the certificate. The secretary of state shall process and transmit the signed certificate with the amended certificate of ascertainment under United States Code, title 3, sections 9, 10, and 11.

Sec. 55. Minnesota Statutes 2022, section 211B.17, subdivision 1, is amended to read:

Subdivision 1. **Forfeiture of nomination or office.** Except as provided in subdivision 2, if a candidate is found guilty of violating this chapter or section 609.771 or an offense was committed by another individual with the knowledge, consent, or connivance of the candidate, the court, after entering the adjudication of guilty, shall enter a supplemental judgment declaring that the candidate has forfeited the nomination or office. If the court enters the supplemental judgment, it shall transmit to the filing officer a transcript of the supplemental judgment, the nomination or office becomes vacant, and the vacancy must be filled as provided by law.

EFFECTIVE DATE. This section is effective July 1, 2024, and applies to crimes committed on or after that date.

Sec. 56. Minnesota Statutes 2022, section 211B.18, is amended to read:

211B.18 DISQUALIFIED CANDIDATE NOT TO HOLD VARIOUS POSITIONS.

A candidate whose election to office has been set aside for a violation of this chapter or section 609.771 may not be appointed, during the period fixed by law as the term of the office, to fill a vacancy in that office. A candidate or other individual who is convicted of a violation of this chapter or section 609.771 may not be appointed, during the period fixed by law as the term of the office with respect to which the election was held and the offense was committed, to fill a vacancy that may occur in the office. An appointment to an office made contrary to the provisions of this section is void.

A candidate or other individual who is convicted of a violation of this chapter or section 609.771 is not qualified, during the period fixed by law as the term of the office with respect to which the election was held and the offense was committed, to fill a vacancy in an office for which the legislature may establish qualifications under article XII, section 3, of the Minnesota Constitution.

EFFECTIVE DATE. This section is effective July 1, 2024, and applies to crimes committed on or after that date.

Sec. 57. Minnesota Statutes 2022, section 375.08, is amended to read:

375.08 BOARD TO FILL VACANCIES IN COUNTY OFFICES.

Except for vacancies filled under section 375.081, when a vacancy occurs in the office of an elected county auditor, county treasurer, county recorder, sheriff, county attorney, county surveyor, or coroner, the county board shall fill it by appointment. For that purpose it shall meet at the usual place of meeting, upon one day's notice from the chair or clerk, which shall be served personally upon each member in the same manner as a district court summons. The person appointed shall give the bond and take the oath required by law, and serve the remainder of the term, and until a successor qualifies. When a vacancy occurs in an office that has a chief deputy or first assistant, the chief deputy or first assistant may perform all the duties and functions of the office until it is filled by appointment by the county board.

Sec. 58. **[375.081] VACANCY IN OFFICE OF SHERIFF OR COUNTY ATTORNEY.**

(a) As an alternative to the appointment procedure provided in section 375.08, a vacancy in the office of sheriff or county attorney may be filled at a special election as provided in this section. The county board may, by resolution, call for a special election to be held on one of the following dates: the second Tuesday in February; the second Tuesday in April; the second Tuesday in May; the second Tuesday in August; or the first Tuesday after the first Monday in November. The special election must be conducted and the returns canvassed in the manner provided for the county general election.

(b) The person elected at the special election shall take office immediately after receipt of the certificate of election and upon filing the bond and taking the oath of office and shall serve the remainder of the unexpired term.

Sec. 59. Minnesota Statutes 2022, section 412.02, subdivision 6, is amended to read:

Subd. 6. **Council increased or reduced.** The council may by ordinance adopted at least 60 days before the next regular city election submit to the voters of the city the question of whether the city council should be increased or reduced to seven or five members. The ordinance shall include a schedule of elections and terms and ward boundary changes, if applicable, to accomplish the change. The proposal shall be voted on at the next city general election and, if approved by a majority of those voting on the question, go into effect in accordance with the schedule and ward boundaries, if applicable.

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

Sec. 60. Minnesota Statutes 2022, section 412.02, is amended by adding a subdivision to read:

Subd. 7. **Wards.** (a) A city may adopt an ordinance to elect its city council members by ward in the following circumstances:

(1) if the ordinance is submitted to the voters of the city for approval at a regular or special election, and the ordinance is adopted at least 180 days before that election; or

(2) when approved or ordered to do so by a court of competent jurisdiction acting in response to a challenge to the city's method of conducting elections.

(b) If the city is petitioned by at least 15 percent of the electors voting at the last previous city election asking that the question of city council member election by ward be put to the voters of the city, the city must adopt an ordinance for that purpose and submit the ordinance to the voters of the city for approval at a regular or special election.

(c) An ordinance must designate the boundaries of the wards. The ordinance must also state whether the city will otherwise operate as a statutory standard plan city or statutory optional plan city, subject to voter approval as may be required under this chapter. If submitted to the voters by ballot question, the ordinance shall go into effect at the next regular city election if it is approved by a majority of those voting on the question. Except as provided by this subdivision, section 205.10 applies to a ballot question submitted to the voters at a special election under this subdivision.

(d) A city that elects its council members by ward is subject to the requirements of sections 204B.135 and 205.84.

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

Sec. 61. Minnesota Statutes 2022, section 447.32, subdivision 3, is amended to read:

Subd. 3. **Election notices.** At least two weeks before the first day to file affidavits of candidacy, the clerk of the district shall publish a notice stating the first and last day on which affidavits of candidacy may be filed, the places for filing the affidavits and the closing time of the last day for filing. The clerk shall post a similar notice in at least one conspicuous place in each city and town in the district at least ten days before the first day to file affidavits of candidacy.

At least ~~74~~ 84 days prior to every hospital district election, the hospital district clerk shall provide a written notice to the county auditor of each county in which the hospital district is located. The notice must include the date of the election, the offices to be voted on at the election, and the title and language for each ballot question to be voted on at the election. The county auditor shall immediately provide a notice to the secretary of state in a manner and including information prescribed by the secretary of state.

The notice of each election must be posted in at least one public and conspicuous place within each city and town included in the district at least two weeks before the election. It must be published in the official newspaper of the district or, if a paper has not been designated, in a legal newspaper having general circulation within the district, at least two weeks before the election. Failure to give notice does not invalidate the election of an officer of the district. A voter may contest a hospital district election in accordance with chapter 209. Chapter 209 applies to hospital district elections.

Sec. 62. Minnesota Statutes 2023 Supplement, section 609.771, subdivision 2, is amended to read:

Subd. 2. **Use of deep fake to influence an election; violation.** (a) A person who disseminates a deep fake or enters into a contract or other agreement to disseminate a deep fake is guilty of a crime and may be sentenced as provided in subdivision 3 if the person knows or ~~reasonably should know that~~ acts with reckless disregard about whether the item being disseminated is a deep fake and dissemination:

(1) takes place within 90 days before ~~an~~ a political party nominating convention, or after the start of the absentee voting period prior to a presidential nomination primary, state primary, local primary, special primary, special election, or general election;

(2) is made without the consent of the depicted individual; and

(3) is made with the intent to injure a candidate or influence the result of an election.

(b) This subdivision does not apply to a broadcaster who disseminates a deep fake produced by a candidate if the broadcaster's dissemination is required by federal law.

EFFECTIVE DATE. This section is effective July 1, 2024, and applies to crimes committed on or after that date.

Sec. 63. Minnesota Statutes 2023 Supplement, section 609.771, subdivision 3, is amended to read:

Subd. 3. **Use of deep fake to influence an election; penalty.** (a) A person convicted of violating subdivision 2 may be sentenced as follows:

(1) if the person commits the violation within five years of one or more prior convictions under this section, to imprisonment for not more than five years or to payment of a fine of not more than \$10,000, or both;

(2) if the person commits the violation with the intent to cause violence or bodily harm, to imprisonment for not more than 364 days or to payment of a fine of not more than \$3,000, or both; or

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

(b) In the case of a candidate for state or local office convicted of violating subdivision 2, the court must enter a supplemental judgment declaring that the candidate has forfeited the nomination or office in accordance with section 211B.17.

(c) A candidate for state or local office or other individual convicted of violating subdivision 2 is disqualified from being appointed to that office or any other office for which the legislature may establish qualifications under the Minnesota Constitution, article XII, section 3, in accordance with section 211B.18.

EFFECTIVE DATE. This section is effective July 1, 2024, and applies to crimes committed on or after that date.

Sec. 64. Minnesota Statutes 2023 Supplement, section 609.771, subdivision 4, is amended to read:

Subd. 4. **Injunctive relief.** A cause of action for injunctive or equitable relief may be maintained against any person who is reasonably believed to be about to violate or who is in the course of violating this section by:

(1) the attorney general;

(2) a county attorney or city attorney;

(3) the depicted individual; or

(4) a candidate for nomination or election to a public office who is injured or likely to be injured by dissemination.

EFFECTIVE DATE. This section is effective July 1, 2024, and applies to acts committed on or after that date.

Sec. 65. Minnesota Statutes 2023 Supplement, section 609.771, is amended by adding a subdivision to read:

Subd. 5. **Severability.** If any one or more provision, subdivision, sentence, clause, phrase, or word of this section or the application of it to any person or circumstance is found to be unconstitutional, it is declared to be severable and the balance of this section shall remain effective notwithstanding that unconstitutionality. The legislature intends that it would have passed this section, and each provision, subdivision, sentence, clause, phrase, or word, regardless of the fact that any one provision, subdivision, sentence, clause, phrase, or word is declared unconstitutional.

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

Sec. 66. **TRANSITION TO NEW VOTER REGISTRATION APPLICATIONS.**

Notwithstanding the requirements of this act, a completed voter registration application submitted by a voter is not deficient for purposes of registering that voter if the application form was printed or provided to the voter prior to the effective date of any modification required by this act. Beginning on the effective date of a modification required by this act, an election official must not print or copy a blank voter registration application that does not include the required modification.

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

Sec. 67. **LEGISLATIVE FINDINGS.**

(a) The legislature finds that election practices, procedures, and methods that deny or impair the equal opportunity of racial, color, or language minority groups and Tribal communities to participate in the political process or elect candidates of their choice are inconsistent with the fundamental right to vote, and the rights and privileges guaranteed by the Minnesota Constitution as well as protections found in the Fourteenth and Fifteenth Amendments to the United States Constitution.

(b) The legislature finds that there is a history in Minnesota, as in the United States overall, of discrimination based on race, color, language-minority status, and Tribal membership, including in access to the political process. For example, that:

(1) the state constitution of 1857 limited the right to vote to white residents and Native American voters "who have adopted the customs and habits of civilization," and invoked a cultural purity test for Native American residents, requiring only Native American applicants to appear before a district court to determine whether each individual was "capable of enjoying the rights of citizenship within the State";

(2) Minnesota voters twice rejected expanding suffrage to Black residents, voting down proposed constitutional amendments to do so in 1865 and again in 1867, and only granted nonwhite men the right to vote in 1868, three years after the end of the Civil War;

(3) civil rights plaintiffs and the federal government have filed litigation and taken other action against political subdivisions in Minnesota under the Federal Voting Rights Act of 1965, as amended, alleging violations of section 2 of that act;

(4) individuals who are members of racial, color, or language minority groups have faced voter intimidation and disinformation in Minnesota, and that, for example, voters of color in 2020 in the cities of Minneapolis and St. Paul were targeted by a plan to hire and deploy armed paramilitia to polling locations, an attempt that was enjoined by a federal district court judge; and

(5) the history of discrimination in Minnesota further includes but is not limited to discrimination in housing, including the use of redlining, racially restrictive covenants on housing deeds, and predatory lending practices; education; employment; health; criminal justice; public works; transportation; land use; environmental protection; and other areas of life.

(c) As a result of this history and persistent discrimination and socioeconomic inequities that bear on the right to vote, members of racial, color, or language minority groups and Tribal communities continue to face unequal barriers in exercising the franchise and participating effectively in the political process.

(d) In light of these conditions, it is the legislature's intent by this act to encourage participation in the elective franchise by all eligible voters and to provide voters in this state with a means to secure their constitutional right to vote free from discrimination.

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

Sec. 68. **REPEALER.**

Minnesota Statutes 2022, section 383B.031, is repealed.

ARTICLE 2 CAMPAIGN FINANCE AND LOBBYING

Section 1. Minnesota Statutes 2022, section 10A.01, is amended by adding a subdivision to read:

Subd. 16b. **Employee of a political subdivision.** "Employee of a political subdivision" includes an individual hired or appointed by the political subdivision. An individual is also an employee of a political subdivision if the individual is:

(1) hired to provide the political subdivision services as a consultant or independent contractor; or

(2) employed by a business that has contracted with the political subdivision to provide legal counsel, professional services, or policy recommendations to the political subdivision.

EFFECTIVE DATE. This section is effective the day following final enactment and applies to activities occurring on or after that date.

Sec. 2. Minnesota Statutes 2023 Supplement, section 10A.01, subdivision 21, is amended to read:

Subd. 21. **Lobbyist.** (a) "Lobbyist" means an individual:

(1) engaged for pay or other consideration of more than \$3,000 from all sources in any year:

(i) for the purpose of attempting to influence legislative or administrative action, or the official action of a political subdivision, by communicating ~~or urging others to communicate~~ with public or local officials; or

(ii) from a business whose primary source of revenue is derived from facilitating government relations or government affairs services if the individual's job duties include offering direct or indirect consulting or advice that helps the business provide those services to clients; or

(2) who spends more than \$3,000 of the individual's personal funds, not including the individual's own traveling expenses and membership dues, in any year for the purpose of attempting to influence legislative or administrative action, or the official action of a political subdivision, by communicating ~~or urging others to communicate~~ with public or local officials.

(b) "Lobbyist" does not include:

(1) a public official;

(2) an employee of the state, including an employee of any of the public higher education systems;

(3) an elected local official;

(4) a nonelected local official or an employee of a political subdivision acting in an official capacity, unless the nonelected official or employee of a political subdivision spends more than 50 hours in any month attempting to influence legislative or administrative action, or the official action of a political subdivision other than the political subdivision employing the official or employee, by communicating or urging others to communicate with public or local officials, including time spent monitoring legislative or administrative action, or the official action of a political subdivision, and related research, analysis, and compilation and dissemination of information relating to legislative or administrative policy in this state, or to the policies of political subdivisions;

(5) a party or the party's representative appearing in a proceeding before a state board, commission, or agency of the executive branch unless the board, commission, or agency is taking administrative action;

(6) an individual while engaged in selling goods or services to be paid for by public funds;

(7) a news medium or its employees or agents while engaged in the publishing or broadcasting of news items, editorial comments, or paid advertisements which directly or indirectly urge official action;

(8) a paid expert witness whose testimony is requested by the body before which the witness is appearing, but only to the extent of preparing or delivering testimony; ~~or~~

(9) a party or the party's representative appearing to present a claim to the legislature and communicating to legislators only by the filing of a claim form and supporting documents and by appearing at public hearings on the claim;

(10) an individual providing information, data, advice, professional opinions, variables, options, or direction on a topic on which the individual has particular expertise through education or professional or occupational training to a local official at a lobbyist's request; or

(11) an individual providing information or advice to members of a collective bargaining unit when the unit is actively engaged in the collective bargaining process with a state agency or a political subdivision.

(c) An individual who volunteers personal time to work without pay or other consideration on a lobbying campaign, and who does not spend more than the limit in paragraph (a), clause (2), need not register as a lobbyist.

(d) An individual who provides administrative support to a lobbyist and whose salary and administrative expenses attributable to lobbying activities are reported as lobbying expenses by the lobbyist, but who does not communicate or urge others to communicate with public or local officials, need not register as a lobbyist.

EFFECTIVE DATE. This section is effective the day following final enactment and applies to activities occurring on or after that date.

Sec. 3. Minnesota Statutes 2022, section 10A.01, subdivision 33, is amended to read:

Subd. 33. **Principal.** "Principal" means an individual or association that:

(1) spends more than ~~\$500~~ \$3,000 in the aggregate in any calendar year to engage a lobbyist, compensate a lobbyist, or authorize the expenditure of money by a lobbyist; or

(2) ~~is not included in clause (1) and~~ spends a total of at least \$50,000 in any calendar year ~~on efforts~~ to influence legislative action, administrative action, or the official action of ~~metropolitan governmental units~~ political subdivisions, as described in section 10A.04, subdivision 6.

EFFECTIVE DATE. This section is effective the day following final enactment and applies to activities occurring on or after that date.

Sec. 4. Minnesota Statutes 2023 Supplement, section 10A.201, subdivision 3, is amended to read:

Subd. 3. ~~Can be received by 10,000 or more individuals~~ **Targeted to the relevant electorate.** (a) ~~"Can be received by 10,000 or more individuals"~~ "Targeted to the relevant electorate" means that a communication can be received in the district the candidate seeks to represent, in the case of a candidate for representative, senator, or other office represented by district; or in the entire state, if the candidate seeks a statewide office, as follows:

(1) in the case of a communication transmitted by an FM radio broadcast station or network, where the district lies entirely within the station's or network's protected or primary service contour, that the population of the district is 10,000 or more;

(2) in the case of a communication transmitted by an FM radio broadcast station or network, where a portion of the district lies outside of the protected or primary service contour, that the population of the part of the district lying within the station's or network's protected or primary service contour is 10,000 or more;

(3) in the case of a communication transmitted by an AM radio broadcast station or network, where the district lies entirely within the station's or network's most outward service area, that the population of the district is 10,000 or more;

(4) in the case of a communication transmitted by an AM radio broadcast station or network, where a portion of the district lies outside of the station's or network's most outward service area, that the population of the part of the district lying within the station's or network's most outward service area is 10,000 or more;

(5) in the case of a communication appearing on a television broadcast station or network, where the district lies entirely within the station's or network's Grade B broadcast contour, that the population of the district is 10,000 or more;

(6) in the case of a communication appearing on a television broadcast station or network, where a portion of the district lies outside of the Grade B broadcast contour:

(i) that the population of the part of the district lying within the station's or network's Grade B broadcast contour is 10,000 or more; or

(ii) that the population of the part of the district lying within the station's or network's broadcast contour, when combined with the viewership of that television station or network by cable and satellite subscribers within the district lying outside the broadcast contour, is 10,000 or more;

(7) in the case of a communication appearing exclusively on a cable or satellite television system, but not on a broadcast station or network, that the viewership of the cable system or satellite system lying within a district is 10,000 or more; ~~or~~

(8) in the case of a communication appearing on a cable television network, that the total cable and satellite viewership within a district is 10,000 or more; or

(9) in the case of an email blast, a text message blast, a telephone bank, or a qualifying paid digital advertisement or communication, that the communication is capable of being received by 2,500 or more individuals in a district.

(b) Cable or satellite television viewership is determined by multiplying the number of subscribers within a district, or a part thereof, as appropriate, by the current average household size for Minnesota, as determined by the Bureau of the Census.

(c) A determination that a communication can be received by 10,000 or more individuals based on the application of the formula in this section shall create a rebuttable presumption that may be overcome by demonstrating that:

(1) one or more cable or satellite systems did not carry the network on which the communication was publicly distributed at the time the communication was publicly distributed; and

(2) applying the formula to the remaining cable and satellite systems results in a determination that the cable network or systems upon which the communication was publicly distributed could not be received by 10,000 individuals or more.

EFFECTIVE DATE. This section is effective January 1, 2025, and applies to communications disseminated on or after that date.

Sec. 5. Minnesota Statutes 2023 Supplement, section 10A.201, subdivision 4, is amended to read:

Subd. 4. **Direct costs of producing or airing electioneering communications.** "Direct costs of producing or airing electioneering communications" means:

(1) costs charged by a vendor, including studio rental time, staff salaries, costs of video or audio recording media, and talent; ~~and~~

(2) the cost of airtime on broadcast, cable, or satellite radio and television stations, studio time, material costs, and the charges for a broker to purchase the airtime; and

(3) the cost to access any platform used to disseminate messages digitally online or by electronic means to a recipient's telephone or other personal device.

EFFECTIVE DATE. This section is effective January 1, 2025, and applies to communications disseminated on or after that date.

Sec. 6. Minnesota Statutes 2023 Supplement, section 10A.201, subdivision 6, is amended to read:

Subd. 6. **Electioneering communication.** (a) "Electioneering communication" means any broadcast, cable, ~~or~~ satellite, or digital communication that:

(1) refers to a clearly identified candidate for state office;

(2) is publicly distributed within 60 days before a general election for the office sought by the candidate; or within 30 days before a primary election, or 30 days before a convention ~~or caucus~~ of a political party that has authority to ~~nominate~~ endorse a candidate, for the office sought by the candidate, and the candidate referenced is seeking the ~~nomination~~ endorsement of that political party; and

(3) is targeted to the relevant electorate.

(b) A communication is not an electioneering communication if it:

(1) is publicly disseminated through a means of communication other than a broadcast, cable, ~~or~~ satellite television, or radio station, or by digital means through an electronic device;

(2) appears in a news story, commentary, or editorial distributed through the facilities of any broadcast, cable, or satellite television or radio station, unless such facilities are owned or controlled by any political party, political committee, or candidate, provided that a news story distributed through a broadcast, cable, or satellite television or radio station owned or controlled by any political party, political committee, or candidate is not an electioneering communication if the news story meets the requirements described in Code of Federal Regulations, title 11, section 100.132 (a) and (b);

(3) constitutes an expenditure or independent expenditure, provided that the expenditure or independent expenditure is required to be reported under this chapter;

(4) constitutes a candidate debate or forum, or that solely promotes such a debate or forum and is made by or on behalf of the person sponsoring the debate or forum; ~~or~~

(5) is paid for by a candidate; or

(6) is a noncommercial solicitation for the purposes of opinion research, including but not limited to opinion research designed for understanding the impact of exposure to political messages and content, provided that the solicitation is not designed to influence respondents' views by presenting biased or manipulative content under the guise of it being an opinion poll, survey, or other form of scientific data collection.

EFFECTIVE DATE. This section is effective January 1, 2025, and applies to communications disseminated on or after that date.

Sec. 7. Minnesota Statutes 2023 Supplement, section 10A.201, subdivision 9, is amended to read:

Subd. 9. **Publicly distributed.** "Publicly distributed" means aired, broadcast, cablecast, or otherwise disseminated through the facilities of a television station, radio station, cable television system, or satellite system, or disseminated in a digital format online or by other electronic means to a recipient's telephone or other personal device.

EFFECTIVE DATE. This section is effective January 1, 2025, and applies to communications disseminated on or after that date.

Sec. 8. Minnesota Statutes 2023 Supplement, section 10A.202, subdivision 1, is amended to read:

Subdivision 1. **Reports required.** Any person who has made an electioneering communication, as defined in section 10A.201, aggregating in excess of \$10,000 during any calendar year shall file a statement with the board no later than 11:59 p.m. on the day following the disclosure date. The statement shall be filed under penalty of perjury, and must contain the information set forth in subdivision 2. Political committees, political funds, and political party units that make a communication described in section 10A.201 must report the communication as a campaign expenditure or independent expenditure as otherwise provided by this chapter and are not required to file a report under this section.

EFFECTIVE DATE. This section is effective July 1, 2024, and applies to penalties assessed on or after that date.

Sec. 9. **STATE AND LOCAL LOBBYING ACTIVITY; STUDY REQUIRED.**

The Campaign Finance and Public Disclosure Board must study and, if appropriate, make recommendations to the legislature on the definition of "lobbyist" for purposes of the Minnesota Statutes. The study and recommendations must focus primarily on whether the law does or should distinguish between activities that constitute lobbying of a state government official and activities that constitute lobbying of a local official. If the study determines that a distinction between these activities is appropriate, the board must recommend options for the legislature to consider in adopting that distinction by law. The board must submit a report describing the study, its results, and any associated recommendations to the chairs and ranking minority members of the legislative committees with jurisdiction over campaign finance and lobbyist registration policy no later than January 15, 2025.

Sec. 10. **REPEALER.**

Minnesota Statutes 2023 Supplement, section 10A.201, subdivision 11, is repealed.

EFFECTIVE DATE. This section is effective January 1, 2025, and applies to communications disseminated on or after that date.

ARTICLE 3
CENSUS AND REDISTRICTING

Section 1. Minnesota Statutes 2023 Supplement, section 2.92, subdivision 4, is amended to read:

Subd. 4. **Applicability.** This section applies ~~from January 1 to July 1 in any year during which a~~ to all decennial census ~~is~~ activities conducted under the authority of the United States Constitution, article 1, section 2.

Sec. 2. **[2.93] INCARCERATED PERSONS IN DISTRICT PLANS.**

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

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

(c) "Director" means the director of the Legislative Coordinating Commission.

(d) "Legislative Coordinating Commission" means the Legislative Coordinating Commission established in section 3.303.

Subd. 2. **Reallocation and exclusion of incarcerated persons.** (a) For purposes of drawing congressional, legislative, and all other election districts, the legislature and local governments must use the population from the federal decennial census as modified by reallocating and excluding persons who are incarcerated.

(b) A person who was incarcerated in a state or federal correctional facility, as determined by the decennial census, and who has a last known address in Minnesota must be reallocated to the census block of the last known address.

(c) A person who was incarcerated in a state or federal correctional facility, as determined by the decennial census, and who has a last known address outside of Minnesota or does not have a last known address must:

(1) be excluded from the population count for purposes of drawing congressional, legislative, or political subdivision districts; and

(2) be counted as part of the statewide population total.

Subd. 3. **Department of Corrections duties.** (a) On or before June 1 in a year ending in zero, the commissioner must provide to the director of the Legislative Coordinating Commission the following information, in electronic form, for each person incarcerated in a state correctional facility on April 1 in the year of the decennial census:

(1) a unique identifier that does not include the person's name, Department of Corrections identification number, or other identifying information;

(2) the street address of the correctional facility in which the person was incarcerated at the time of the report;

(3) the residential address of the person immediately prior to incarceration, if known, or if the person resided in an area lacking a specific physical address immediately prior to incarceration, a description of the physical location where the person regularly stayed immediately prior to being incarcerated;

(4) the following demographic information, if known: the racial and ethnic information collected by the census and whether the person is over the age of 18; and

(5) any additional information the director of the Legislative Coordinating Commission deems necessary.

(b) Notwithstanding any law to the contrary, the commissioner must provide the director with access to the best available data necessary to conduct the reallocations and exclusions required by this section.

Subd. 4. **Federal correctional facilities.** By April 15 in a year ending in zero, the director must request each agency that operates a federal facility in Minnesota that incarcerates persons convicted of a criminal offense to provide the director with a report, including the information listed in subdivision 3. The information must reflect the persons incarcerated in the federal facility on April 1 of that year. If information is provided pursuant to this subdivision, the information must be provided by June 1 of the year ending in zero. If information is not provided pursuant to this subdivision, persons incarcerated at federal facilities must be treated as having no known last address and must be excluded as provided in subdivision 2, paragraph (c).

Subd. 5. **Legislative Coordinating Commission duties.** (a) The director must reallocate and exclude people who are incarcerated in state or federal correctional facilities as provided in this subdivision and subdivision 2. Within 30 calendar days of receiving the Public Law 94-171 data from the United States Census Bureau, the director must post the population counts that reflect all required reallocations and exclusions on the Legislative Coordinating Commission's website.

(b) The director must, in consultation with the commissioner, develop a standardized format and technical guidelines to be used in collecting addresses from incarcerated persons. The commissioner must use this format and follow the guidelines in collecting addresses. The commissioner and the director may enter a memorandum of understanding detailing the additional details regarding the methodology to be used and the format and manner in which the data will be provided. Notwithstanding any law to the contrary, the commissioner must provide the director with access to the best available data necessary to conduct the reallocations and exclusions required by this section.

(c) Prior to reallocating and excluding incarcerated persons, the director must geocode addresses received from the commissioner. When geocoding addresses, the director must accept an address that is an exact match or is approximated to the street level and reject any address that is approximated to the center of a zip code, city, county, or state. The director must only reallocate those addresses that are accepted pursuant to this paragraph. The director must not reallocate any person at an address that was rejected but must instead count that person as part of the statewide population total.

(d) The director must not disseminate data received pursuant to this section in any manner, except as explicitly required by state or federal law.

EFFECTIVE DATE. This section is effective January 1, 2030, and applies to population counts used for redistricting conducted on or after that date.

Sec. 3. **[241.062] COLLECTION OF INCARCERATED PERSON'S ADDRESS.**

(a) As part of an incarcerated person's intake process, the commissioner of corrections must make all reasonable efforts to ensure that the information listed in section 2.93, subdivision 3, clauses (1) to (5), is collected and recorded. The information must be collected in compliance with the format and guidelines developed pursuant to section 2.93, subdivision 5. An incarcerated person who was participating in the Safe at Home program established in chapter 5B, has safety concerns about providing a last residential address, or has safety concerns for people residing at that address may decline to provide an address.

(b) The incarcerated person's last residential address and the information listed in section 2.93, subdivision 3, clauses (1) to (5), collected on intake and maintained by the commissioner are private data on individuals as defined in section 13.02, subdivision 12.

(c) Beginning in 2030, the commissioner must provide the information described in this section electronically to the director of the Legislative Coordinating Commission as required in section 2.93.

Sec. 4. **COLLECTION OF CURRENT INCARCERATED PERSON'S ADDRESS.**

Prior to April 1, 2030, the commissioner of corrections must make reasonable efforts to collect from or confirm with each incarcerated person the following information:

(1) the residential address of the person immediately prior to incarceration or, if the person resided in an area lacking a specific physical address immediately prior to incarceration, a description of the physical location where the person regularly stayed immediately prior to being incarcerated; and

(2) the following demographic information: the racial and ethnic information collected by the census and whether the person is over the age of 18.

This section only applies to an incarcerated person who was incarcerated prior to the date the commissioner started routinely collecting the information in clauses (1) and (2) as part of the intake process."

Delete the title and insert:

"A bill for an act relating to elections; providing for policy and technical changes to elections and campaign finance provisions, including elections administration, campaign finance and lobbying, and census and redistricting; establishing the Minnesota Voting Rights Act; modifying the crime of using deep fakes to influence elections; requiring reports; amending Minnesota Statutes 2022, sections 10A.01, subdivision 33, by adding a subdivision; 123B.09, subdivision 5b; 201.071, subdivision 3; 204B.175; 204C.06, subdivision 1, by adding a subdivision; 204C.19, subdivision 3; 204C.20, subdivision 1, by adding a subdivision; 204C.33, subdivision 1; 204C.35, subdivisions 1, 2, by adding a subdivision; 204C.36, subdivisions 2, 3; 205.16, subdivisions 4, 5; 205A.05, subdivision 3; 205A.07, subdivisions 3, 3b; 205A.11, subdivision 2; 206.89, subdivisions 2, 3, 5, 6; 208.06; 208.44; 208.47; 211B.17, subdivision 1; 211B.18; 375.08; 412.02, subdivision 6, by adding a subdivision; 447.32, subdivision 3; Minnesota Statutes 2023 Supplement, sections 2.92, subdivision 4; 10A.01, subdivision 21; 10A.201, subdivisions 3, 4, 6, 9; 10A.202, subdivision 1; 200.02, subdivision 7; 201.061, subdivisions 3, 3a; 201.071,

subdivision 1; 201.1611, subdivision 1; 203B.04, subdivision 1; 203B.07, subdivision 3; 203B.081, subdivision 4; 204B.09, subdivision 3; 204B.16, subdivision 1; 204B.295, subdivisions 1, 2, 3, by adding a subdivision; 204C.24, subdivision 1; 204C.33, subdivision 3; 205.16, subdivision 2; 206.61, subdivision 1; 609.771, subdivisions 2, 3, 4, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 2; 200; 241; 375; repealing Minnesota Statutes 2022, section 383B.031; Minnesota Statutes 2023 Supplement, section 10A.201, subdivision 11."

With the recommendation that when so amended the bill be placed on the General Register.

The report was adopted.

Moller from the Committee on Public Safety Finance and Policy to which was referred:

H. F. No. 4793, A bill for an act relating to child maltreatment; modifying child maltreatment reporting; creating a criminal penalty for preventing a report; amending Minnesota Statutes 2022, sections 260E.06, subdivision 1; 260E.08.

Reported the same back with the recommendation that the bill be placed on the General Register.

The report was adopted.

Becker-Finn from the Committee on Judiciary Finance and Civil Law to which was referred:

H. F. No. 4822, A bill for an act relating to taxation; property; modifying distribution of excess proceeds from sales of tax-forfeited property; providing grants for environmental remediation of tax-forfeited property; appropriating money; amending Minnesota Statutes 2022, sections 281.23, subdivision 2; 282.01, by adding subdivisions; 282.08; proposing coding for new law in Minnesota Statutes, chapter 116.

Reported the same back with the following amendments:

Page 1, delete section 1

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, delete everything after the semicolon

Page 1, line 4, delete everything before "appropriating"

Correct the title numbers accordingly

With the recommendation that when so amended the bill be re-referred to the Committee on Environment and Natural Resources Finance and Policy.

The report was adopted.

Pinto from the Committee on Children and Families Finance and Policy to which was referred:

H. F. No. 4898, A bill for an act relating to human services; modifying the family assets for independence program; amending Minnesota Statutes 2022, section 256E.35, subdivision 5; Minnesota Statutes 2023 Supplement, section 256E.35, subdivision 2.

Reported the same back with the recommendation that the bill be placed on the General Register.

The report was adopted.

Fischer from the Committee on Human Services Policy to which was referred:

H. F. No. 4949, A bill for an act relating to human services; modifying long-term care consultation services; amending Minnesota Statutes 2022, section 256B.0911, subdivisions 12, 17, 18, 20, 24, 25.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Human Services Finance.

The report was adopted.

Pinto from the Committee on Children and Families Finance and Policy to which was referred:

H. F. No. 4980, A bill for an act relating to state government; making human services forecast adjustments; appropriating money.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Ways and Means.

The report was adopted.

Liebling from the Committee on Health Finance and Policy to which was referred:

H. F. No. 4993, A bill for an act relating to state government; making human services forecast adjustments; appropriating money.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Ways and Means.

The report was adopted.

Pinto from the Committee on Children and Families Finance and Policy to which was referred:

H. F. No. 5033, A bill for an act relating to welfare data; making technical corrections; amending Minnesota Statutes 2022, section 13.46, subdivision 1.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Ways and Means.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 367, 2319, 3182, 3436, 3443, 3448, 3529, 3782, 3830, 3872, 3989, 4024, 4176, 4276, 4412, 4732, 4772, 4793 and 4898 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Hussein, Xiong and Lee, K., introduced:

H. F. No. 5140, A bill for an act relating to capital investment; appropriating money for a grant to the Asian American Business Resiliency Network.

The bill was read for the first time and referred to the Committee on Capital Investment.

Zelevnikar, Witte and Novotny introduced:

H. F. No. 5141, A bill for an act relating to transportation; providing for placement of automated license plate readers in trunk highway rights-of-way; amending Minnesota Statutes 2022, section 161.434.

The bill was read for the first time and referred to the Committee on Transportation Finance and Policy.

Huot introduced:

H. F. No. 5142, A bill for an act relating to education; providing funding for service cooperatives for regional school nurse services; appropriating money.

The bill was read for the first time and referred to the Committee on Education Finance.

Nelson, M.; Vang and Nadeau introduced:

H. F. No. 5143, A bill for an act relating to economic development; providing special authority to the city of Brooklyn Park to allow for the establishment of a biotech innovation district; authorizing the city of Brooklyn Park to establish a value capture district; requiring reports; appropriating money; authorizing the sale and issuance of state bonds; amending Laws 2023, chapter 37, article 1, section 2, subdivision 17.

The bill was read for the first time and referred to the Committee on Workforce Development Finance and Policy.

Howard introduced:

H. F. No. 5144, A bill for an act relating to taxation; property; modifying requirements for class 4d(1) low-income rental housing; amending Minnesota Statutes 2023 Supplement, section 273.128, subdivision 1.

The bill was read for the first time and referred to the Committee on Taxes.

Myers introduced:

H. F. No. 5145, A bill for an act relating to education; providing for notice of certain school incidents; proposing coding for new law in Minnesota Statutes, chapter 121A.

The bill was read for the first time and referred to the Committee on Education Policy.

Myers introduced:

H. F. No. 5146, A bill for an act relating to taxation; individual income; increasing the amount of and income phaseout threshold for the dependent care credit; amending Minnesota Statutes 2023 Supplement, section 290.067, subdivisions 1, 2b.

The bill was read for the first time and referred to the Committee on Taxes.

Pursell and Carroll introduced:

H. F. No. 5147, A bill for an act relating to agriculture; specifying certain requirements for the labeling of food consisting of honey and another sweetener; amending Minnesota Statutes 2022, section 31.74.

The bill was read for the first time and referred to the Committee on Agriculture Finance and Policy.

Myers introduced:

H. F. No. 5148, A bill for an act relating to capital investment; appropriating money for water and sewer infrastructure in two areas of the city of Tonka Bay; authorizing the sale and issuance of state bonds.

The bill was read for the first time and referred to the Committee on Capital Investment.

Engen, Dotseth, Novotny and Robbins introduced:

H. F. No. 5149, A bill for an act relating to energy; allowing customers to decline the installation of an advanced energy meter; proposing coding for new law in Minnesota Statutes, chapter 216B.

The bill was read for the first time and referred to the Committee on Climate and Energy Finance and Policy.

McDonald; Franson; Dotseth; Backer; Olson, B.; Murphy; Grossell; Anderson, P. E.; Petersburg; Robbins; Scott and Hudson introduced:

H. F. No. 5150, A bill for an act relating to education; prohibiting instructional materials with sexually explicit images; proposing coding for new law in Minnesota Statutes, chapter 120B.

The bill was read for the first time and referred to the Committee on Education Policy.

Bakeberg introduced:

H. F. No. 5151, A bill for an act relating to education; authorizing certain fund transfers for fiscal years 2025, 2026, and 2027; allowing a school board to not comply with certain laws or rules.

The bill was read for the first time and referred to the Committee on Education Policy.

Vang and Noor introduced:

H. F. No. 5152, A bill for an act relating to broadband grants; renaming the Office of Broadband Development to the Office of Broadband Development and Digital Equity; modifying the duties and reporting requirements of the office; expanding the state's broadband goals; establishing a multifamily dwelling grant program; amending definitions for the purposes of broadband development; appropriating money; amending Minnesota Statutes 2022, sections 13.598, subdivision 13; 116J.39; 116J.391, subdivision 1; 116J.394; 116J.395, subdivisions 6, 8; 116J.397; 237.012, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 116J.

The bill was read for the first time and referred to the Committee on Agriculture Finance and Policy.

Niska introduced:

H. F. No. 5153, A bill for an act relating to capital investment; appropriating money for clean water infrastructure in the city of Ramsey; authorizing the sale and issuance of state bonds.

The bill was read for the first time and referred to the Committee on Capital Investment.

Lee, F.; Hansen, R.; Xiong and Reyer introduced:

H. F. No. 5154, A bill for an act relating to capital investment; establishing a metropolitan shade tree grant program; proposing coding for new law in Minnesota Statutes, chapter 473.

The bill was read for the first time and referred to the Committee on Capital Investment.

Becker-Finn introduced:

H. F. No. 5155, A bill for an act relating to economic development; modifying the public skate park construction and renovation program; modifying an earlier appropriation; appropriating money; amending Laws 2023, chapter 71, article 1, section 14, subdivision 1, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 116J; repealing Minnesota Statutes 2022, section 240A.20, subdivisions 2, 4, 5; Minnesota Statutes 2023 Supplement, section 240A.20, subdivisions 1, 3, 6, 7; Laws 2023, chapter 71, article 1, section 7.

The bill was read for the first time and referred to the Committee on Capital Investment.

Long introduced:

H. F. No. 5156, A bill for an act relating to capital investment; appropriating money for the erection of a new statue in the Statutory Hall in the United States Capitol.

The bill was read for the first time and referred to the Committee on Capital Investment.

Kozlowski and Olson, L., introduced:

H. F. No. 5157, A bill for an act relating to capital investment; appropriating money for capital improvements at the Duluth International Airport; authorizing the sale and issuance of state bonds.

The bill was read for the first time and referred to the Committee on Capital Investment.

Becker-Finn introduced:

H. F. No. 5158, A bill for an act relating to capital investment; appropriating money for site selection planning and acquisition for a new facility to be known as the Oyate Ota Center.

The bill was read for the first time and referred to the Committee on Capital Investment.

Pérez-Vega, Kozlowski and Hussein introduced:

H. F. No. 5159, A bill for an act relating to education; integrating American Indian views on the environment and ecology into statewide curriculum; appropriating money.

The bill was read for the first time and referred to the Committee on Education Policy.

Pérez-Vega introduced:

H. F. No. 5160, A bill for an act relating to economic development; extending the availability of a 2023 appropriation for a grant to the Asian Economic Development Association; amending Laws 2023, chapter 53, article 20, section 2, subdivision 2.

The bill was read for the first time and referred to the Committee on Economic Development Finance and Policy.

Pérez-Vega and Hussein introduced:

H. F. No. 5161, A bill for an act relating to education finance; authorizing a grant for St. Paul Neighborhood Network for after-school programming; appropriating money.

The bill was read for the first time and referred to the Committee on Education Finance.

Lee, F., introduced:

H. F. No. 5162, A bill for an act relating to capital investment; appropriating money for early childhood learning and child protection facilities; authorizing the sale and issuance of state bonds.

The bill was read for the first time and referred to the Committee on Capital Investment.

Lee, F., introduced:

H. F. No. 5163, A bill for an act relating to capital investment; appropriating money for library construction grants; authorizing the sale and issuance of state bonds.

The bill was read for the first time and referred to the Committee on Capital Investment.

Vang introduced:

H. F. No. 5164, A bill for an act relating to taxation; tax increment financing; providing special tax increment financing authority for the city of Brooklyn Center.

The bill was read for the first time and referred to the Committee on Taxes.

Lillie introduced:

H. F. No. 5165, A bill for an act relating to legacy; appropriating money to PROCEED, Inc. for arts and cultural work with youth.

The bill was read for the first time and referred to the Committee on Legacy Finance.

Torkelson introduced:

H. F. No. 5166, A bill for an act relating to liquor; authorizing the city of Springfield to issue an on-sale license.

The bill was read for the first time and referred to the Committee on Commerce Finance and Policy.

Demuth, Torkelson, Robbins, Kresha, Baker, Koznick, Novotny, Davis, Daniels, Dotseth, Altendorf, Scott, Niska, Knudsen, Schultz, Engen, Bennett and Petersburg introduced:

H. F. No. 5167, A bill for an act relating to state government; directing that further work on any project previously authorized by Minnesota Statutes, section 16B.2406, must be suspended until a design plan for the project has been further approved by law; requiring the Capitol Area Architectural and Planning Board to submit a recommended design plan for the State Office Building no later than January 15, 2025.

The bill was read for the first time and referred to the Committee on State and Local Government Finance and Policy.

Curran introduced:

H. F. No. 5168, A bill for an act relating to public safety; requiring reports; appropriating money for an annual grant to the Minnesota Federated Humane Societies.

The bill was read for the first time and referred to the Committee on Public Safety Finance and Policy.

Carroll introduced:

H. F. No. 5169, A bill for an act relating to state government; allowing online notary signatures; amending Minnesota Statutes 2022, sections 145C.03, by adding subdivisions; 325L.03.

The bill was read for the first time and referred to the Committee on Health Finance and Policy.

Brand and Baker introduced:

H. F. No. 5170, A bill for an act relating to workforce development; appropriating money for the commissioner of employment and economic development to contract with a vendor of child care business management solutions.

The bill was read for the first time and referred to the Committee on Workforce Development Finance and Policy.

Carroll and Acomb introduced:

H. F. No. 5171, A bill for an act relating to solar energy; establishing a program to award financial incentives to permitting authorities that install an automated software system to review and issue permits for residential solar energy projects; establishing an account; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 216C.

The bill was read for the first time and referred to the Committee on Climate and Energy Finance and Policy.

Greenman and Newton introduced:

H. F. No. 5172, A bill for an act relating to veterans; establishing a goal to convert rooms in veterans homes to single occupancy; requiring reports; proposing coding for new law in Minnesota Statutes, chapter 198.

The bill was read for the first time and referred to the Committee on Veterans and Military Affairs Finance and Policy.

Koegel, Agbaje and Hollins introduced:

H. F. No. 5173, A bill for an act relating to insurance; requiring the commissioner of commerce to create a low-cost motor vehicle insurance program for low-income residents; requiring a report; appropriating money; amending Minnesota Statutes 2022, section 65B.49, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 65B.

The bill was read for the first time and referred to the Committee on Commerce Finance and Policy.

Hornstein introduced:

H. F. No. 5174, A bill for an act relating to capital investment; appropriating money for capital improvements at an Agate Housing and Services facility in the city of Minneapolis.

The bill was read for the first time and referred to the Committee on Capital Investment.

CALENDAR FOR THE DAY

H. F. No. 3589, A bill for an act relating to trusts; clarifying in rem jurisdiction for judicial proceedings; amending Minnesota Statutes 2022, sections 501C.0202; 501C.0204, subdivision 1.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 123 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Acomb	Demuth	Hemmingsen-Jaeger	Kotzya-Witthuhn	Norris	Sencer-Mura
Agbaje	Dotseth	Her	Kozlowski	Novotny	Skraba
Altendorf	Edelson	Hicks	Koznick	O'Driscoll	Smith
Anderson, P. E.	Elkins	Hill	Kraft	Olson, B.	Stephenson
Anderson, P. H.	Engen	Hollins	Lee, F.	Olson, L.	Swedzinski
Bahner	Feist	Hornstein	Lee, K.	Pelowski	Tabke
Baker	Finke	Howard	Lillie	Pérez-Vega	Torkelson
Becker-Finn	Fischer	Hudella	Lislegard	Perryman	Urdahl
Bennett	Fogelman	Hudson	Long	Petersburg	Vang
Berg	Franson	Huot	McDonald	Pfarr	Virnig
Bierman	Frederick	Hussein	Moller	Pinto	West
Brand	Freiberg	Igo	Mueller	Pryor	Wiens
Burkel	Garofalo	Jacob	Murphy	Pursell	Witte
Carroll	Gomez	Johnson	Myers	Quam	Wolgamott
Cha	Greenman	Jordan	Nadeau	Rarick	Xiong
Clardy	Grossell	Joy	Nash	Rehm	Youakim
Coulter	Hansen, R.	Keeler	Nelson, M.	Reyer	Zelevnikar
Curran	Hanson, J.	Kiel	Neu Brindley	Robbins	Spk. Hortman
Daniels	Harder	Klevorn	Newton	Schomacker	
Davids	Hassan	Knudsen	Niska	Schultz	
Davis	Heintzeman	Koegel	Noor	Scott	

The bill was passed and its title agreed to.

H. F. No. 3925, A bill for an act relating to real property; providing for property insurance for grantee beneficiaries of transfer on death deeds; making technical, clarifying, and conforming changes to transfer on death deeds; amending Minnesota Statutes 2022, section 507.071; proposing coding for new law in Minnesota Statutes, chapter 507.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 123 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Acomb	Anderson, P. E.	Baker	Berg	Burkel	Clardy
Agbaje	Anderson, P. H.	Becker-Finn	Bierman	Carroll	Coulter
Altendorf	Bahner	Bennett	Brand	Cha	Curran

Daniels	Grossell	Jacob	McDonald	Pérez-Vega	Stephenson
Dauids	Hansen, R.	Johnson	Moller	Perryman	Swedzinski
Davis	Hanson, J.	Jordan	Mueller	Petersburg	Tabke
Demuth	Harder	Joy	Murphy	Pfarr	Torkelson
Dotseth	Hassan	Keeler	Myers	Pinto	Urdahl
Edelson	Heintzeman	Kiel	Nadeau	Pryor	Vang
Elkins	Hemmingsen-Jaeger	Klevorn	Nash	Pursell	Virnig
Engen	Her	Knudsen	Nelson, M.	Quam	West
Feist	Hicks	Koegel	Neu Brindley	Rarick	Wiens
Finke	Hill	Kotzya-Witthuhn	Newton	Rehm	Witte
Fischer	Hollins	Kozlowski	Niska	Reyer	Wolgamott
Fogelman	Hornstein	Koznick	Noor	Robbins	Xiong
Franson	Howard	Kraft	Norris	Schomacker	Youakim
Frederick	Hudella	Lee, F.	Novotny	Schultz	Zelevnikar
Freiberg	Hudson	Lee, K.	O'Driscoll	Scott	Spk. Hortman
Garofalo	Huot	Lillie	Olson, B.	Sencer-Mura	
Gomez	Hussein	Lislegard	Olson, L.	Skraba	
Greenman	Igo	Long	Pelowski	Smith	

The bill was passed and its title agreed to.

H. F. No. 4457 was reported to the House.

Feist moved to amend H. F. No. 4457, the first engrossment, as follows:

Page 1, line 14, delete "prepayment" and insert "payment"

The motion prevailed and the amendment was adopted.

H. F. No. 4457, A bill for an act relating to civil law; allowing the clients of civil legal services and volunteer attorneys to proceed without prepayment of fees, costs, and security for costs; amending Minnesota Statutes 2022, section 563.01, subdivision 3.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 123 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Acomb	Berg	Daniels	Finke	Grossell	Hill
Agbaje	Bierman	Dauids	Fischer	Hansen, R.	Hollins
Altendorf	Brand	Davis	Fogelman	Hanson, J.	Hornstein
Anderson, P. E.	Burkel	Demuth	Franson	Harder	Howard
Anderson, P. H.	Carroll	Dotseth	Frederick	Hassan	Hudella
Bahner	Cha	Edelson	Freiberg	Heintzeman	Hudson
Baker	Clardy	Elkins	Garofalo	Hemmingsen-Jaeger	Huot
Becker-Finn	Coulter	Engen	Gomez	Her	Hussein
Bennett	Curran	Feist	Greenman	Hicks	Igo

Jacob	Kraft	Nash	Pérez-Vega	Schomacker	Virnig
Johnson	Lee, F.	Nelson, M.	Perryman	Schultz	West
Jordan	Lee, K.	Neu Brindley	Petersburg	Scott	Wiens
Joy	Lillie	Newton	Pfarr	Sencer-Mura	Witte
Keeler	Lislegard	Niska	Pinto	Skraba	Wolgamott
Kiel	Long	Noor	Pryor	Smith	Xiong
Klevorn	McDonald	Norris	Pursell	Stephenson	Youakim
Knudsen	Moller	Novotny	Quam	Swedzinski	Zelevnikar
Koegel	Mueller	O'Driscoll	Rarick	Tabke	Spk. Hortman
Kotyza-Witthuhn	Murphy	Olson, B.	Rehm	Torkelson	
Kozlowski	Myers	Olson, L.	Reyer	Urdahl	
Koznick	Nadeau	Pelowski	Robbins	Vang	

The bill was passed, as amended, and its title agreed to.

H. F. No. 4109, A bill for an act relating to judiciary; amending name of competency attainment board; amending Minnesota Statutes 2023 Supplement, sections 611.55, subdivision 1; 611.56, subdivisions 1, 6; 611.57, subdivisions 1, 4.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 123 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Acomb	Demuth	Hemmingsen-Jaeger	Kotyza-Witthuhn	Norris	Sencer-Mura
Agbaje	Dotseth	Her	Kozlowski	Novotny	Skraba
Altendorf	Edelson	Hicks	Koznick	O'Driscoll	Smith
Anderson, P. E.	Elkins	Hill	Kraft	Olson, B.	Stephenson
Anderson, P. H.	Engen	Hollins	Lee, F.	Olson, L.	Swedzinski
Bahner	Feist	Hornstein	Lee, K.	Pelowski	Tabke
Baker	Finke	Howard	Lillie	Pérez-Vega	Torkelson
Becker-Finn	Fischer	Hudella	Lislegard	Perryman	Urdahl
Bennett	Fogelman	Hudson	Long	Petersburg	Vang
Berg	Franson	Huot	McDonald	Pfarr	Virnig
Bierman	Frederick	Hussein	Moller	Pinto	West
Brand	Freiberg	Igo	Mueller	Pryor	Wiens
Burkel	Garofalo	Jacob	Murphy	Pursell	Witte
Carroll	Gomez	Johnson	Myers	Quam	Wolgamott
Cha	Greenman	Jordan	Nadeau	Rarick	Xiong
Clardy	Grossell	Joy	Nash	Rehm	Youakim
Coulter	Hansen, R.	Keeler	Nelson, M.	Reyer	Zelevnikar
Curran	Hanson, J.	Kiel	Neu Brindley	Robbins	Spk. Hortman
Daniels	Harder	Klevorn	Newton	Schomacker	
Davids	Hassan	Knudsen	Niska	Schultz	
Davis	Heintzeman	Koegel	Noor	Scott	

The bill was passed and its title agreed to.

MOTIONS AND RESOLUTIONS

Freiberg moved that the name of Elkins be added as an author on H. F. No. 367. The motion prevailed.

Frazier moved that the name of Keeler be added as an author on H. F. No. 1832. The motion prevailed.

Cha moved that the name of Keeler be added as an author on H. F. No. 2177. The motion prevailed.

Huot moved that the name of Dotseth be added as an author on H. F. No. 2509. The motion prevailed.

Finke moved that the name of Virnig be added as an author on H. F. No. 2607. The motion prevailed.

Berg moved that the name of Rehm be added as an author on H. F. No. 2609. The motion prevailed.

Olson, L., moved that the name of Huot be added as an author on H. F. No. 3182. The motion prevailed.

Fischer moved that the name of Stephenson be added as an author on H. F. No. 3223. The motion prevailed.

Hansen, R., moved that the name of Hussein be added as an author on H. F. No. 3275. The motion prevailed.

Reyer moved that the name of Clardy be added as an author on H. F. No. 3324. The motion prevailed.

Freiberg moved that the name of Xiong be added as an author on H. F. No. 3338. The motion prevailed.

Koegel moved that the name of Reyser be added as an author on H. F. No. 3339. The motion prevailed.

Jordan moved that the name of Rehm be added as an author on H. F. No. 3345. The motion prevailed.

Lee, K., moved that the name of Hollins be added as an author on H. F. No. 3354. The motion prevailed.

Her moved that the name of Zeleznikar be added as an author on H. F. No. 3387. The motion prevailed.

Coulter moved that the name of Clardy be added as an author on H. F. No. 3414. The motion prevailed.

Feist moved that the name of Virnig be added as an author on H. F. No. 3483. The motion prevailed.

Stephenson moved that the name of Kotyza-Witthuhn be added as an author on H. F. No. 3488. The motion prevailed.

Feist moved that the name of Agbaje be added as an author on H. F. No. 3541. The motion prevailed.

Hollins moved that the name of Freiberg be added as an author on H. F. No. 3566. The motion prevailed.

Hollins moved that the name of Youakim be added as an author on H. F. No. 3567. The motion prevailed.

Zeleznikar moved that the name of Backer be added as an author on H. F. No. 3581. The motion prevailed.

Moller moved that the name of Curran be added as an author on H. F. No. 3614. The motion prevailed.

Nash moved that the name of Rehm be added as an author on H. F. No. 3686. The motion prevailed.

Edelson moved that the name of Moller be added as an author on H. F. No. 3726. The motion prevailed.

Johnson moved that the name of Johnson be stricken as an author on H. F. No. 3903. The motion prevailed.

Wolgamott moved that the name of Rehm be added as an author on H. F. No. 3972. The motion prevailed.

Wolgamott moved that the name of Kozlowski be added as an author on H. F. No. 4006. The motion prevailed.

Cha moved that the name of Xiong be added as an author on H. F. No. 4034. The motion prevailed.

Pinto moved that the name of Hollins be added as an author on H. F. No. 4066. The motion prevailed.

Baker moved that the name of Hollins be added as an author on H. F. No. 4190. The motion prevailed.

Lee, K., moved that the name of Xiong be added as an author on H. F. No. 4220. The motion prevailed.

Finke moved that the name of Kraft be added as an author on H. F. No. 4273. The motion prevailed.

Greenman moved that the name of Sencer-Mura be added as an author on H. F. No. 4292. The motion prevailed.

Hollins moved that the name of Freiberg be added as an author on H. F. No. 4313. The motion prevailed.

Hussein moved that the name of Moller be added as an author on H. F. No. 4315. The motion prevailed.

Bierman moved that the names of Acomb and Moller be added as authors on H. F. No. 4318. The motion prevailed.

Coulter moved that the name of Reyer be added as an author on H. F. No. 4344. The motion prevailed.

Edelson moved that the name of Zeleznikar be added as an author on H. F. No. 4366. The motion prevailed.

Dotseth moved that the name of Zeleznikar be added as an author on H. F. No. 4415. The motion prevailed.

Kozlowski moved that the name of Pursell be added as an author on H. F. No. 4550. The motion prevailed.

Tabke moved that the name of Schomacker be added as an author on H. F. No. 4553. The motion prevailed.

Hollins moved that the name of Feist be added as an author on H. F. No. 4558. The motion prevailed.

Howard moved that the name of Rehm be added as an author on H. F. No. 4569. The motion prevailed.

Bierman moved that the name of Xiong be added as an author on H. F. No. 4587. The motion prevailed.

Sencer-Mura moved that the names of Finke and Kozlowski be added as authors on H. F. No. 4651. The motion prevailed.

Wolgamott moved that the name of Clardy be added as an author on H. F. No. 4666. The motion prevailed.

Schomacker moved that the name of Olson, B., be added as an author on H. F. No. 4680. The motion prevailed.

Hicks moved that the name of Virnig be added as an author on H. F. No. 4779. The motion prevailed.

Nash moved that the name of Virnig be added as an author on H. F. No. 4793. The motion prevailed.

Feist moved that the name of Xiong be added as an author on H. F. No. 4822. The motion prevailed.

Keeler moved that the name of Hussein be added as an author on H. F. No. 4832. The motion prevailed.

Frederick moved that the name of Pfarr be added as an author on H. F. No. 4856. The motion prevailed.

Curran moved that the name of Schomacker be added as an author on H. F. No. 4875. The motion prevailed.

Tabke moved that the name of Youakim be added as an author on H. F. No. 4900. The motion prevailed.

Frazier moved that the name of Keeler be added as an author on H. F. No. 4922. The motion prevailed.

Hollins moved that the name of Bakeberg be added as an author on H. F. No. 4938. The motion prevailed.

Coulter moved that the name of Hussein be added as an author on H. F. No. 4994. The motion prevailed.

Bahner moved that the name of Howard be added as an author on H. F. No. 5032. The motion prevailed.

Franson moved that the name of Knudsen be added as an author on H. F. No. 5094. The motion prevailed.

Franson moved that the name of Knudsen be added as an author on H. F. No. 5095. The motion prevailed.

Sencer-Mura moved that the name of Curran be added as an author on H. F. No. 5105. The motion prevailed.

Wolgammott moved that the name of Novotny be added as an author on H. F. No. 5137. The motion prevailed.

Burkel moved that H. F. No. 4127 be recalled from the Committee on Capital Investment and be re-referred to the Committee on Transportation Finance and Policy. The motion prevailed.

MOTION TO SUSPEND RULES

Niska moved that the rules of the House be so far suspended so that H. F. No. 3926 be recalled from the Committee on Judiciary Finance and Civil Law, be given its second and third readings and be placed upon its final passage.

A roll call was requested and properly seconded.

LAY ON THE TABLE

Long moved that the Niska motion be laid on the table.

A roll call was requested and properly seconded.

The question was taken on the Long motion and the roll was called. There were 67 yeas and 56 nays as follows:

Those who voted in the affirmative were:

Acomb	Edelson	Hemmingsen-Jaeger	Koegel	Norris	Tabke
Agbaje	Elkins	Her	Kotyza-Witthuhn	Olson, L.	Vang
Bahner	Feist	Hicks	Kozlowski	Pelowski	Virnig
Becker-Finn	Finke	Hill	Kraft	Pérez-Vega	Wolgamott
Berg	Fischer	Hollins	Lee, F.	Pinto	Xiong
Bierman	Frederick	Hornstein	Lee, K.	Pryor	Youakim
Brand	Freiberg	Howard	Lillie	Pursell	Spk. Hortman
Carroll	Gomez	Huot	Long	Rehm	
Cha	Greenman	Hussein	Moller	Reyer	
Clardy	Hansen, R.	Jordan	Nelson, M.	Sencer-Mura	
Coulter	Hanson, J.	Keeler	Newton	Smith	
Curran	Hassan	Klevorn	Noor	Stephenson	

Those who voted in the negative were:

Altendorf	Dotseth	Igo	Murphy	Petersburg	Torkelson
Anderson, P. E.	Engen	Jacob	Myers	Pfarr	Urdahl
Anderson, P. H.	Fogelman	Johnson	Nadeau	Quam	West
Baker	Franson	Joy	Nash	Rarick	Wiens
Bennett	Garofalo	Kiel	Neu Brindley	Robbins	Witte
Burkel	Grossell	Knudsen	Niska	Schomacker	Zelevnikar
Daniels	Harder	Koznick	Novotny	Schultz	
Davids	Heintzeman	Lislegard	O'Driscoll	Scott	
Davis	Hudella	McDonald	Olson, B.	Skraba	
Demuth	Hudson	Mueller	Perryman	Swedzinski	

The motion prevailed and the Niska motion was laid on the table.

ADJOURNMENT

Long moved that when the House adjourns today it adjourn until 12:00 noon, Tuesday, April 2, 2024. The motion prevailed.

Long moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 12:00 noon, Tuesday, April 2, 2024.

PATRICK D. MURPHY, Chief Clerk, House of Representatives