

65.10

ARTICLE 6

65.11

CONFORMING CHANGES

65.12

Section 1. Minnesota Statutes 2022, section 51A.14, is amended to read:

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51A.14 INDEMNITY BONDS.

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All directors, officers, and employees of an association shall, before entering upon the performance of any of their duties, execute their individual bonds with adequate corporate surety payable to the association as an indemnity for any loss the association may sustain of money or other property by or through any fraud, dishonesty, forgery or alteration, larceny, theft, embezzlement, robbery, carjacking, burglary, holdup, wrongful or unlawful abstraction, misapplication, misplacement, destruction or misappropriation, or any other dishonest or criminal act or omission by any such director, officer, employee, or agent. Associations which employ collection agents, who for any reason are not covered by a bond as hereinabove required, shall provide for the bonding of each such agent in an amount equal to at least twice the average monthly collection of such agent. Such agents shall be required to make settlement with the association at least monthly. No bond coverage will be required of any agent which is a financial institution insured by the Federal Deposit Insurance Corporation or by the federal savings and loan insurance corporation. The amounts and form of such bonds and sufficiency of the surety thereon shall be approved by the board of directors and by the commissioner. In lieu of individual bonds, a blanket bond, protecting the association from loss through any such act or acts on the part of any such director, officer, or employee, may be obtained. Such bonds shall provide that a cancellation thereof either by the surety or by the insured shall not become effective unless and until ten days' notice in writing first shall have been given to the commissioner unless the commissioner shall have approved such cancellation earlier.

Sec. 2. Minnesota Statutes 2022, section 145A.061, subdivision 3, is amended to read:

Subd. 3. **Denial of service.** The commissioner may deny an application from any applicant who has been convicted of any of the following crimes:

Section 609.185 (murder in the first degree); section 609.19 (murder in the second degree); section 609.195 (murder in the third degree); section 609.20 (manslaughter in the first degree); section 609.205 (manslaughter in the second degree); section 609.25 (kidnapping); section 609.2661 (murder of an unborn child in the first degree); section 609.2662 (murder of an unborn child in the second degree); section 609.2663 (murder of an unborn child in the third degree); section 609.342 (criminal sexual conduct in the first degree); section 609.343 (criminal sexual conduct in the second degree); section 609.344 (criminal sexual conduct in the third degree); section 609.345 (criminal sexual conduct in the fourth degree); section 609.3451 (criminal sexual conduct in the fifth degree); section 609.3453 (criminal sexual predatory conduct); section 609.352 (solicitation of children to engage in sexual conduct); section 609.352 (communication of sexually explicit materials to children); section 609.365 (incest); section 609.377 (felony malicious punishment of a

66.18 child); section 609.378 (felony neglect or endangerment of a child); section 609.561 (arson
66.19 in the first degree); section 609.562 (arson in the second degree); section 609.563 (arson in
66.20 the third degree); section 609.749, subdivision 3, 4, or 5 (felony harassment or stalking);
66.21 section 152.021 (controlled substance crimes in the first degree); section 152.022 (controlled
66.22 substance crimes in the second degree); section 152.023 (controlled substance crimes in the
66.23 third degree); section 152.024 (controlled substance crimes in the fourth degree); section
66.24 152.025 (controlled substance crimes in the fifth degree); section 243.166 (violation of
66.25 predatory offender registration law); section 617.23, subdivision 2, clause (1), or subdivision
66.26 3, clause (1) (indecent exposure involving a minor); section 617.246 (use of minors in sexual
66.27 performance); section 617.247 (possession of pornographic work involving minors); section
66.28 609.221 (assault in the first degree); section 609.222 (assault in the second degree); section
66.29 609.223 (assault in the third degree); section 609.2231 (assault in the fourth degree); section
66.30 609.224 (assault in the fifth degree); section 609.2242 (domestic assault); section 609.2247
66.31 (domestic assault by strangulation); section 609.228 (great bodily harm caused by distribution
66.32 of drugs); section 609.23 (mistreatment of persons confined); section 609.231 (mistreatment
66.33 of residents or patients); section 609.2325 (criminal abuse); section 609.233 (criminal
66.34 neglect); section 609.2335 (financial exploitation of a vulnerable adult); section 609.234
66.35 (failure to report); section 609.24 (simple robbery); section 609.245 (aggravated robbery);
67.1 section 609.247 (carjacking); section 609.255 (false imprisonment); section 609.322
67.2 (solicitation, inducement, and promotion of prostitution and sex trafficking); section 609.324,
67.3 subdivision 1 (hiring or engaging minors in prostitution); section 609.465 (presenting false
67.4 claims to a public officer or body); section 609.466 (medical assistance fraud); section
67.5 609.52 (felony theft); section 609.82 (felony fraud in obtaining credit); section 609.527
67.6 (felony identity theft); section 609.582 (felony burglary); section 609.611 (felony insurance
67.7 fraud); section 609.625 (aggravated forgery); section 609.63 (forgery); section 609.631
67.8 (felony check forgery); section 609.66, subdivision 1e (felony drive-by shooting); section
67.9 609.71 (felony riot); section 609.713 (terroristic threats); section 609.72, subdivision 3
67.10 (disorderly conduct by a caregiver against a vulnerable adult); section 609.821 (felony
67.11 financial transaction card fraud); section 609.855, subdivision 5 (shooting at or in a public
67.12 transit vehicle or facility); or aiding and abetting, attempting, or conspiring to commit any
67.13 of the offenses in this subdivision.

67.14 Sec. 3. Minnesota Statutes 2022, section 146A.08, subdivision 1, is amended to read:

67.15 Subdivision 1. **Prohibited conduct.** (a) The commissioner may impose disciplinary
67.16 action as described in section 146A.09 against any unlicensed complementary and alternative
67.17 health care practitioner. The following conduct is prohibited and is grounds for disciplinary
67.18 action:

67.19 (b) Conviction of a crime, including a finding or verdict of guilt, an admission of guilt,
67.20 or a no-contest plea, in any court in Minnesota or any other jurisdiction in the United States,
67.21 reasonably related to engaging in complementary and alternative health care practices.
67.22 Conviction, as used in this subdivision, includes a conviction of an offense which, if
67.23 committed in this state, would be deemed a felony, gross misdemeanor, or misdemeanor,
67.24 without regard to its designation elsewhere, or a criminal proceeding where a finding or

- 67.25 verdict of guilty is made or returned but the adjudication of guilt is either withheld or not
67.26 entered.
- 67.27 (c) Conviction of any crime against a person. For purposes of this chapter, a crime against
67.28 a person means violations of the following: sections 609.185; 609.19; 609.195; 609.20;
67.29 609.205; 609.2112; 609.2113; 609.2114; 609.215; 609.221; 609.222; 609.223; 609.224;
67.30 609.2242; 609.23; 609.231; 609.2325; 609.233; 609.2335; 609.235; 609.24; 609.245;
67.31 609.247; 609.25; 609.255; 609.26, subdivision 1, clause (1) or (2); 609.265; 609.342;
67.32 609.343; 609.344; 609.345; 609.365; 609.498, subdivision 1; 609.50, subdivision 1, clause
67.33 (1); 609.561; 609.562; 609.595; and 609.72, subdivision 3; and Minnesota Statutes 2012,
67.34 section 609.21.
- 68.1 (d) Failure to comply with the self-reporting requirements of section 146A.03, subdivision
68.2 7.
- 68.3 (e) Engaging in sexual contact with a complementary and alternative health care client,
68.4 engaging in contact that may be reasonably interpreted by a client as sexual, engaging in
68.5 any verbal behavior that is seductive or sexually demeaning to the client, or engaging in
68.6 sexual exploitation of a client or former client.
- 68.7 (f) Advertising that is false, fraudulent, deceptive, or misleading.
- 68.8 (g) Conduct likely to deceive, defraud, or harm the public or demonstrating a willful or
68.9 careless disregard for the health, welfare, or safety of a complementary and alternative
68.10 health care client; or any other practice that may create danger to any client's life, health,
68.11 or safety, in any of which cases, proof of actual injury need not be established.
- 68.12 (h) Adjudication as mentally incompetent or as a person who is dangerous to self or
68.13 adjudication pursuant to chapter 253B as chemically dependent, mentally ill, developmentally
68.14 disabled, mentally ill and dangerous to the public, or as a sexual psychopathic personality
68.15 or sexually dangerous person.
- 68.16 (i) Inability to engage in complementary and alternative health care practices with
68.17 reasonable safety to complementary and alternative health care clients.
- 68.18 (j) The habitual overindulgence in the use of or the dependence on intoxicating liquors.
- 68.19 (k) Improper or unauthorized personal or other use of any legend drugs as defined in
68.20 chapter 151, any chemicals as defined in chapter 151, or any controlled substance as defined
68.21 in chapter 152.
- 68.22 (l) Revealing a communication from, or relating to, a complementary and alternative
68.23 health care client except when otherwise required or permitted by law.
- 68.24 (m) Failure to comply with a complementary and alternative health care client's request
68.25 made under sections 144.291 to 144.298 or to furnish a complementary and alternative
68.26 health care client record or report required by law.

- 68.27 (n) Splitting fees or promising to pay a portion of a fee to any other professional other
68.28 than for services rendered by the other professional to the complementary and alternative
68.29 health care client.
- 68.30 (o) Engaging in abusive or fraudulent billing practices, including violations of the federal
68.31 Medicare and Medicaid laws or state medical assistance laws.
- 69.1 (p) Failure to make reports as required by section 146A.03 or cooperate with an
69.2 investigation of the office.
- 69.3 (q) Obtaining money, property, or services from a complementary and alternative health
69.4 care client, other than reasonable fees for services provided to the client, through the use
69.5 of undue influence, harassment, duress, deception, or fraud.
- 69.6 (r) Failure to provide a complementary and alternative health care client with a copy of
69.7 the client bill of rights or violation of any provision of the client bill of rights.
- 69.8 (s) Violating any order issued by the commissioner.
- 69.9 (t) Failure to comply with any provision of sections 146A.01 to 146A.11 and the rules
69.10 adopted under those sections.
- 69.11 (u) Failure to comply with any additional disciplinary grounds established by the
69.12 commissioner by rule.
- 69.13 (v) Revocation, suspension, restriction, limitation, or other disciplinary action against
69.14 any health care license, certificate, registration, or right to practice of the unlicensed
69.15 complementary and alternative health care practitioner in this or another state or jurisdiction
69.16 for offenses that would be subject to disciplinary action in this state or failure to report to
69.17 the office that charges regarding the practitioner's license, certificate, registration, or right
69.18 of practice have been brought in this or another state or jurisdiction.
- 69.19 (w) Use of the title "doctor," "Dr.," or "physician" alone or in combination with any
69.20 other words, letters, or insignia to describe the complementary and alternative health care
69.21 practices the practitioner provides.
- 69.22 (x) Failure to provide a complementary and alternative health care client with a
69.23 recommendation that the client see a health care provider who is licensed or registered by
69.24 a health-related licensing board or the commissioner of health, if there is a reasonable
69.25 likelihood that the client needs to be seen by a licensed or registered health care provider.
- 69.26 Sec. 4. Minnesota Statutes 2022, section 244.17, subdivision 3, is amended to read:
- 69.27 Subd. 3. **Offenders not eligible.** (a) The following offenders are not eligible to be placed
69.28 in the challenge incarceration program:
- 69.29 (1) offenders who are committed to the commissioner's custody following a conviction
69.30 for murder, manslaughter, criminal sexual conduct, assault, kidnapping, robbery, carjacking,
69.31 arson, or any other offense involving death or intentional personal injury;

- 70.1 (2) offenders who were convicted within the preceding ten years of an offense described
70.2 in clause (1) and were committed to the custody of the commissioner;
- 70.3 (3) offenders who have been convicted or adjudicated delinquent within the past five
70.4 years for a violation of section 609.485;
- 70.5 (4) offenders who are committed to the commissioner's custody for an offense that
70.6 requires registration under section 243.166;
- 70.7 (5) offenders who are the subject of a current arrest warrant or detainer;
- 70.8 (6) offenders who have fewer than 180 days remaining until their supervised release
70.9 date;
- 70.10 (7) offenders who have had disciplinary confinement time added to their sentence or
70.11 who have been placed in segregation, unless 90 days have elapsed from the imposition of
70.12 the additional disciplinary confinement time or the last day of segregation;
- 70.13 (8) offenders who have received a suspended formal disciplinary sanction, unless the
70.14 suspension has expired;
- 70.15 (9) offenders whose governing sentence is for an offense from another state or the United
70.16 States; and
- 70.17 (10) offenders who have a medical condition included on the list of ineligible conditions
70.18 described in paragraph (b).
- 70.19 (b) The commissioner of corrections shall develop a list of medical conditions that will
70.20 disqualify an offender from participating in the challenge incarceration program. The
70.21 commissioner shall submit the list and any changes to it to the chairs and ranking minority
70.22 members of the senate and house committees having jurisdiction over criminal justice policy
70.23 and funding.
- 70.24 Sec. 5. Minnesota Statutes 2022, section 245C.15, subdivision 1, is amended to read:
- 70.25 Subdivision 1. **Permanent disqualification.** (a) An individual is disqualified under
70.26 section 245C.14 if: (1) regardless of how much time has passed since the discharge of the
70.27 sentence imposed, if any, for the offense; and (2) unless otherwise specified, regardless of
70.28 the level of the offense, the individual has committed any of the following offenses: sections
70.29 243.166 (violation of predatory offender registration law); 609.185 (murder in the first
70.30 degree); 609.19 (murder in the second degree); 609.195 (murder in the third degree); 609.20
70.31 (manslaughter in the first degree); 609.205 (manslaughter in the second degree); a felony
70.32 offense under 609.221 or 609.222 (assault in the first or second degree); a felony offense
71.1 under sections 609.2242 and 609.2243 (domestic assault), spousal abuse, child abuse or
71.2 neglect, or a crime against children; 609.2247 (domestic assault by strangulation); 609.228
71.3 (great bodily harm caused by distribution of drugs); 609.245 (aggravated robbery); 609.247,
71.4 subdivision 2 or 3 (carjacking in the first or second degree); 609.25 (kidnapping); 609.2661
71.5 (murder of an unborn child in the first degree); 609.2662 (murder of an unborn child in the

71.6 second degree); 609.2663 (murder of an unborn child in the third degree); 609.322
71.7 (solicitation, inducement, and promotion of prostitution); 609.324, subdivision 1 (other
71.8 prohibited acts); 609.342 (criminal sexual conduct in the first degree); 609.343 (criminal
71.9 sexual conduct in the second degree); 609.344 (criminal sexual conduct in the third degree);
71.10 609.345 (criminal sexual conduct in the fourth degree); 609.3451 (criminal sexual conduct
71.11 in the fifth degree); 609.3453 (criminal sexual predatory conduct); 609.3458 (sexual
71.12 extortion); 609.352 (solicitation of children to engage in sexual conduct); 609.365 (incest);
71.13 a felony offense under 609.377 (malicious punishment of a child); a felony offense under
71.14 609.378 (neglect or endangerment of a child); 609.561 (arson in the first degree); 609.66,
71.15 subdivision 1e (drive-by shooting); 609.749, subdivision 3, 4, or 5 (felony-level harassment
71.16 or stalking); 609.855, subdivision 5 (shooting at or in a public transit vehicle or facility);
71.17 617.23, subdivision 2, clause (1), or subdivision 3, clause (1) (indecent exposure involving
71.18 a minor); 617.246 (use of minors in sexual performance prohibited); 617.247 (possession
71.19 of pictorial representations of minors); or, for a child care background study subject,
71.20 conviction of a crime that would make the individual ineligible for employment under
71.21 United States Code, title 42, section 9858f, except for a felony drug conviction, regardless
71.22 of whether a period of disqualification under subdivisions 2 to 4, would apply if the individual
71.23 were not a child care background study subject.

71.24 (b) An individual's aiding and abetting, attempt, or conspiracy to commit any of the
71.25 offenses listed in paragraph (a), as each of these offenses is defined in Minnesota Statutes,
71.26 permanently disqualifies the individual under section 245C.14.

71.27 (c) An individual's offense in any other state or country, where the elements of the offense
71.28 are substantially similar to any of the offenses listed in paragraph (a), permanently disqualifies
71.29 the individual under section 245C.14.

71.30 (d) When a disqualification is based on a judicial determination other than a conviction,
71.31 the disqualification period begins from the date of the court order. When a disqualification
71.32 is based on an admission, the disqualification period begins from the date of an admission
71.33 in court. When a disqualification is based on an Alford Plea, the disqualification period
71.34 begins from the date the Alford Plea is entered in court. When a disqualification is based
71.35 on a preponderance of evidence of a disqualifying act, the disqualification date begins from
72.1 the date of the dismissal, the date of discharge of the sentence imposed for a conviction for
72.2 a disqualifying crime of similar elements, or the date of the incident, whichever occurs last.

72.3 (e) If the individual studied commits one of the offenses listed in paragraph (a) that is
72.4 specified as a felony-level only offense, but the sentence or level of offense is a gross
72.5 misdemeanor or misdemeanor, the individual is disqualified, but the disqualification
72.6 look-back period for the offense is the period applicable to gross misdemeanor or
72.7 misdemeanor offenses.

72.8 (f) A child care background study subject shall be disqualified if the individual is
72.9 registered, or required to be registered, on a state sex offender registry or repository or the
72.10 National Sex Offender Registry.

72.11 Sec. 6. Minnesota Statutes 2022, section 245C.15, subdivision 2, is amended to read:

72.12 Subd. 2. **15-year disqualification.** (a) An individual is disqualified under section 245C.14
72.13 if: (1) less than 15 years have passed since the discharge of the sentence imposed, if any,
72.14 for the offense; and (2) the individual has committed a felony-level violation of any of the
72.15 following offenses: sections 256.98 (wrongfully obtaining assistance); 268.182 (fraud);
72.16 393.07, subdivision 10, paragraph (c) (federal SNAP fraud); 609.165 (felon ineligible to
72.17 possess firearm); 609.2112, 609.2113, or 609.2114 (criminal vehicular homicide or injury);
72.18 609.215 (suicide); 609.223 or 609.2231 (assault in the third or fourth degree); repeat offenses
72.19 under 609.224 (assault in the fifth degree); 609.229 (crimes committed for benefit of a
72.20 gang); 609.2325 (criminal abuse of a vulnerable adult); 609.2335 (financial exploitation of
72.21 a vulnerable adult); 609.235 (use of drugs to injure or facilitate crime); 609.24 (simple
72.22 robbery); 609.247, subdivision 4 (carjacking in the third degree); 609.255 (false
72.23 imprisonment); 609.2664 (manslaughter of an unborn child in the first degree); 609.2665
72.24 (manslaughter of an unborn child in the second degree); 609.267 (assault of an unborn child
72.25 in the first degree); 609.2671 (assault of an unborn child in the second degree); 609.268
72.26 (injury or death of an unborn child in the commission of a crime); 609.27 (coercion); 609.275
72.27 (attempt to coerce); 609.466 (medical assistance fraud); 609.495 (aiding an offender);
72.28 609.498, subdivision 1 or 1b (aggravated first-degree or first-degree tampering with a
72.29 witness); 609.52 (theft); 609.521 (possession of shoplifting gear); 609.525 (bringing stolen
72.30 goods into Minnesota); 609.527 (identity theft); 609.53 (receiving stolen property); 609.535
72.31 (issuance of dishonored checks); 609.562 (arson in the second degree); 609.563 (arson in
72.32 the third degree); 609.582 (burglary); 609.59 (possession of burglary tools); 609.611
72.33 (insurance fraud); 609.625 (aggravated forgery); 609.63 (forgery); 609.631 (check forgery;
72.34 offering a forged check); 609.635 (obtaining signature by false pretense); 609.66 (dangerous
73.1 weapons); 609.67 (machine guns and short-barreled shotguns); 609.687 (adulteration);
73.2 609.71 (riot); 609.713 (terroristic threats); 609.82 (fraud in obtaining credit); 609.821
73.3 (financial transaction card fraud); 617.23 (indecent exposure), not involving a minor; repeat
73.4 offenses under 617.241 (obscene materials and performances; distribution and exhibition
73.5 prohibited; penalty); 624.713 (certain persons not to possess firearms); chapter 152 (drugs;
73.6 controlled substance); or Minnesota Statutes 2012, section 609.21; or a felony-level
73.7 conviction involving alcohol or drug use.

73.8 (b) An individual is disqualified under section 245C.14 if less than 15 years has passed
73.9 since the individual's aiding and abetting, attempt, or conspiracy to commit any of the
73.10 offenses listed in paragraph (a), as each of these offenses is defined in Minnesota Statutes.

73.11 (c) An individual is disqualified under section 245C.14 if less than 15 years has passed
73.12 since the termination of the individual's parental rights under section 260C.301, subdivision
73.13 1, paragraph (b), or subdivision 3.

73.14 (d) An individual is disqualified under section 245C.14 if less than 15 years has passed
73.15 since the discharge of the sentence imposed for an offense in any other state or country, the
73.16 elements of which are substantially similar to the elements of the offenses listed in paragraph
73.17 (a).

73.18 (e) If the individual studied commits one of the offenses listed in paragraph (a), but the
73.19 sentence or level of offense is a gross misdemeanor or misdemeanor, the individual is
73.20 disqualified but the disqualification look-back period for the offense is the period applicable
73.21 to the gross misdemeanor or misdemeanor disposition.

73.22 (f) When a disqualification is based on a judicial determination other than a conviction,
73.23 the disqualification period begins from the date of the court order. When a disqualification
73.24 is based on an admission, the disqualification period begins from the date of an admission
73.25 in court. When a disqualification is based on an Alford Plea, the disqualification period
73.26 begins from the date the Alford Plea is entered in court. When a disqualification is based
73.27 on a preponderance of evidence of a disqualifying act, the disqualification date begins from
73.28 the date of the dismissal, the date of discharge of the sentence imposed for a conviction for
73.29 a disqualifying crime of similar elements, or the date of the incident, whichever occurs last.

73.30 Sec. 7. Minnesota Statutes 2022, section 245C.15, subdivision 4a, is amended to read:

73.31 Subd. 4a. **Licensed family foster setting disqualifications.** (a) Notwithstanding
73.32 subdivisions 1 to 4, for a background study affiliated with a licensed family foster setting,
73.33 regardless of how much time has passed, an individual is disqualified under section 245C.14
74.1 if the individual committed an act that resulted in a felony-level conviction for sections:
74.2 609.185 (murder in the first degree); 609.19 (murder in the second degree); 609.195 (murder
74.3 in the third degree); 609.20 (manslaughter in the first degree); 609.205 (manslaughter in
74.4 the second degree); 609.2112 (criminal vehicular homicide); 609.221 (assault in the first
74.5 degree); 609.223, subdivision 2 (assault in the third degree, past pattern of child abuse);
74.6 609.223, subdivision 3 (assault in the third degree, victim under four); a felony offense
74.7 under sections 609.2242 and 609.2243 (domestic assault, spousal abuse, child abuse or
74.8 neglect, or a crime against children); 609.2247 (domestic assault by strangulation); 609.2325
74.9 (criminal abuse of a vulnerable adult resulting in the death of a vulnerable adult); 609.245
74.10 (aggravated robbery); 609.247, subdivision 2 or 3 (carjacking in the first or second degree);
74.11 609.25 (kidnapping); 609.255 (false imprisonment); 609.2661 (murder of an unborn child
74.12 in the first degree); 609.2662 (murder of an unborn child in the second degree); 609.2663
74.13 (murder of an unborn child in the third degree); 609.2664 (manslaughter of an unborn child
74.14 in the first degree); 609.2665 (manslaughter of an unborn child in the second degree);
74.15 609.267 (assault of an unborn child in the first degree); 609.2671 (assault of an unborn child
74.16 in the second degree); 609.268 (injury or death of an unborn child in the commission of a
74.17 crime); 609.322, subdivision 1 (solicitation, inducement, and promotion of prostitution; sex
74.18 trafficking in the first degree); 609.324, subdivision 1 (other prohibited acts; engaging in,
74.19 hiring, or agreeing to hire minor to engage in prostitution); 609.342 (criminal sexual conduct
74.20 in the first degree); 609.343 (criminal sexual conduct in the second degree); 609.344 (criminal
74.21 sexual conduct in the third degree); 609.345 (criminal sexual conduct in the fourth degree);
74.22 609.3451 (criminal sexual conduct in the fifth degree); 609.3453 (criminal sexual predatory
74.23 conduct); 609.352 (solicitation of children to engage in sexual conduct); 609.377 (malicious
74.24 punishment of a child); 609.378 (neglect or endangerment of a child); 609.561 (arson in
74.25 the first degree); 609.582, subdivision 1 (burglary in the first degree); 609.746 (interference

74.26 with privacy); 617.23 (indecent exposure); 617.246 (use of minors in sexual performance
74.27 prohibited); or 617.247 (possession of pictorial representations of minors).

74.28 (b) Notwithstanding subdivisions 1 to 4, for the purposes of a background study affiliated
74.29 with a licensed family foster setting, an individual is disqualified under section 245C.14,
74.30 regardless of how much time has passed, if the individual:

74.31 (1) committed an action under paragraph (e) that resulted in death or involved sexual
74.32 abuse, as defined in section 260E.03, subdivision 20;

74.33 (2) committed an act that resulted in a gross misdemeanor-level conviction for section
74.34 609.3451 (criminal sexual conduct in the fifth degree);

75.1 (3) committed an act against or involving a minor that resulted in a felony-level conviction
75.2 for: section 609.222 (assault in the second degree); 609.223, subdivision 1 (assault in the
75.3 third degree); 609.2231 (assault in the fourth degree); or 609.224 (assault in the fifth degree);
75.4 or

75.5 (4) committed an act that resulted in a misdemeanor or gross misdemeanor-level
75.6 conviction for section 617.293 (dissemination and display of harmful materials to minors).

75.7 (c) Notwithstanding subdivisions 1 to 4, for a background study affiliated with a licensed
75.8 family foster setting, an individual is disqualified under section 245C.14 if fewer than 20
75.9 years have passed since the termination of the individual's parental rights under section
75.10 260C.301, subdivision 1, paragraph (b), or if the individual consented to a termination of
75.11 parental rights under section 260C.301, subdivision 1, paragraph (a), to settle a petition to
75.12 involuntarily terminate parental rights. An individual is disqualified under section 245C.14
75.13 if fewer than 20 years have passed since the termination of the individual's parental rights
75.14 in any other state or country, where the conditions for the individual's termination of parental
75.15 rights are substantially similar to the conditions in section 260C.301, subdivision 1, paragraph
75.16 (b).

75.17 (d) Notwithstanding subdivisions 1 to 4, for a background study affiliated with a licensed
75.18 family foster setting, an individual is disqualified under section 245C.14 if fewer than five
75.19 years have passed since a felony-level violation for sections: 152.021 (controlled substance
75.20 crime in the first degree); 152.022 (controlled substance crime in the second degree); 152.023
75.21 (controlled substance crime in the third degree); 152.024 (controlled substance crime in the
75.22 fourth degree); 152.025 (controlled substance crime in the fifth degree); 152.0261 (importing
75.23 controlled substances across state borders); 152.0262, subdivision 1, paragraph (b)
75.24 (possession of substance with intent to manufacture methamphetamine); 152.027, subdivision
75.25 6, paragraph (c) (sale or possession of synthetic cannabinoids); 152.096 (conspiracies
75.26 prohibited); 152.097 (simulated controlled substances); 152.136 (anhydrous ammonia;
75.27 prohibited conduct; criminal penalties; civil liabilities); 152.137 (methamphetamine-related
75.28 crimes involving children or vulnerable adults); 169A.24 (felony first-degree driving while
75.29 impaired); 243.166 (violation of predatory offender registration requirements); 609.2113
75.30 (criminal vehicular operation; bodily harm); 609.2114 (criminal vehicular operation; unborn

75.31 child); 609.228 (great bodily harm caused by distribution of drugs); 609.2325 (criminal
75.32 abuse of a vulnerable adult not resulting in the death of a vulnerable adult); 609.233 (criminal
75.33 neglect); 609.235 (use of drugs to injure or facilitate a crime); 609.24 (simple robbery);
75.34 609.247, subdivision 4 (carjacking in the third degree); 609.322, subdivision 1a (solicitation,
75.35 inducement, and promotion of prostitution; sex trafficking in the second degree); 609.498,
76.1 subdivision 1 (tampering with a witness in the first degree); 609.498, subdivision 1b
76.2 (aggravated first-degree witness tampering); 609.562 (arson in the second degree); 609.563
76.3 (arson in the third degree); 609.582, subdivision 2 (burglary in the second degree); 609.66
76.4 (felony dangerous weapons); 609.687 (adulteration); 609.713 (terroristic threats); 609.749,
76.5 subdivision 3, 4, or 5 (felony-level harassment or stalking); 609.855, subdivision 5 (shooting
76.6 at or in a public transit vehicle or facility); or 624.713 (certain people not to possess firearms).

76.7 (e) Notwithstanding subdivisions 1 to 4, except as provided in paragraph (a), for a
76.8 background study affiliated with a licensed family child foster care license, an individual
76.9 is disqualified under section 245C.14 if fewer than five years have passed since:

76.10 (1) a felony-level violation for an act not against or involving a minor that constitutes:
76.11 section 609.222 (assault in the second degree); 609.223, subdivision 1 (assault in the third
76.12 degree); 609.2231 (assault in the fourth degree); or 609.224, subdivision 4 (assault in the
76.13 fifth degree);

76.14 (2) a violation of an order for protection under section 518B.01, subdivision 14;

76.15 (3) a determination or disposition of the individual's failure to make required reports
76.16 under section 260E.06 or 626.557, subdivision 3, for incidents in which the final disposition
76.17 under chapter 260E or section 626.557 was substantiated maltreatment and the maltreatment
76.18 was recurring or serious;

76.19 (4) a determination or disposition of the individual's substantiated serious or recurring
76.20 maltreatment of a minor under chapter 260E, a vulnerable adult under section 626.557, or
76.21 serious or recurring maltreatment in any other state, the elements of which are substantially
76.22 similar to the elements of maltreatment under chapter 260E or section 626.557 and meet
76.23 the definition of serious maltreatment or recurring maltreatment;

76.24 (5) a gross misdemeanor-level violation for sections: 609.224, subdivision 2 (assault in
76.25 the fifth degree); 609.2242 and 609.2243 (domestic assault); 609.233 (criminal neglect);
76.26 609.377 (malicious punishment of a child); 609.378 (neglect or endangerment of a child);
76.27 609.746 (interference with privacy); 609.749 (stalking); or 617.23 (indecent exposure); or

76.28 (6) committing an act against or involving a minor that resulted in a misdemeanor-level
76.29 violation of section 609.224, subdivision 1 (assault in the fifth degree).

76.30 (f) For purposes of this subdivision, the disqualification begins from:

76.31 (1) the date of the alleged violation, if the individual was not convicted;

76.32 (2) the date of conviction, if the individual was convicted of the violation but not
76.33 committed to the custody of the commissioner of corrections; or

77.1 (3) the date of release from prison, if the individual was convicted of the violation and
77.2 committed to the custody of the commissioner of corrections.

77.3 Notwithstanding clause (3), if the individual is subsequently reincarcerated for a violation
77.4 of the individual's supervised release, the disqualification begins from the date of release
77.5 from the subsequent incarceration.

77.6 (g) An individual's aiding and abetting, attempt, or conspiracy to commit any of the
77.7 offenses listed in paragraphs (a) and (b), as each of these offenses is defined in Minnesota
77.8 Statutes, permanently disqualifies the individual under section 245C.14. An individual is
77.9 disqualified under section 245C.14 if fewer than five years have passed since the individual's
77.10 aiding and abetting, attempt, or conspiracy to commit any of the offenses listed in paragraphs
77.11 (d) and (e).

77.12 (h) An individual's offense in any other state or country, where the elements of the
77.13 offense are substantially similar to any of the offenses listed in paragraphs (a) and (b),
77.14 permanently disqualifies the individual under section 245C.14. An individual is disqualified
77.15 under section 245C.14 if fewer than five years have passed since an offense in any other
77.16 state or country, the elements of which are substantially similar to the elements of any
77.17 offense listed in paragraphs (d) and (e).

77.18 Sec. 8. Minnesota Statutes 2022, section 245C.24, subdivision 3, is amended to read:

77.19 Subd. 3. **Ten-year bar to set aside disqualification.** (a) The commissioner may not set
77.20 aside the disqualification of an individual in connection with a license to provide family
77.21 child care for children or foster care or day care services for adults in the provider's home
77.22 if: (1) less than ten years has passed since the discharge of the sentence imposed, if any, for
77.23 the offense; or (2) when disqualified based on a preponderance of evidence determination
77.24 under section 245C.14, subdivision 1, paragraph (a), clause (2), or an admission under
77.25 section 245C.14, subdivision 1, paragraph (a), clause (1), and less than ten years has passed
77.26 since the individual committed the act or admitted to committing the act, whichever is later;
77.27 and (3) the individual has committed a violation of any of the following offenses: sections
77.28 609.165 (felon ineligible to possess firearm); criminal vehicular homicide or criminal
77.29 vehicular operation causing death under 609.2112, 609.2113, or 609.2114 (criminal vehicular
77.30 homicide or injury); 609.215 (aiding suicide or aiding attempted suicide); felony violations
77.31 under 609.223 or 609.2231 (assault in the third or fourth degree); 609.229 (crimes committed
77.32 for benefit of a gang); 609.713 (terroristic threats); 609.235 (use of drugs to injure or to
77.33 facilitate crime); 609.24 (simple robbery); 609.247, subdivision 4 (carjacking in the third
77.34 degree); 609.255 (false imprisonment); 609.562 (arson in the second degree); 609.71 (riot);
78.1 609.498, subdivision 1 or 1b (aggravated first-degree or first-degree tampering with a
78.2 witness); burglary in the first or second degree under 609.582 (burglary); 609.66 (dangerous
78.3 weapon); 609.665 (spring guns); 609.67 (machine guns and short-barreled shotguns);
78.4 609.749, subdivision 2 (gross misdemeanor harassment); 152.021 or 152.022 (controlled
78.5 substance crime in the first or second degree); 152.023, subdivision 1, clause (3) or (4) or
78.6 subdivision 2, clause (4) (controlled substance crime in the third degree); 152.024,
78.7 subdivision 1, clause (2), (3), or (4) (controlled substance crime in the fourth degree);

78.8 609.224, subdivision 2, paragraph (c) (fifth-degree assault by a caregiver against a vulnerable
78.9 adult); 609.23 (mistreatment of persons confined); 609.231 (mistreatment of residents or
78.10 patients); 609.2325 (criminal abuse of a vulnerable adult); 609.233 (criminal neglect of a
78.11 vulnerable adult); 609.2335 (financial exploitation of a vulnerable adult); 609.234 (failure
78.12 to report); 609.265 (abduction); 609.2664 to 609.2665 (manslaughter of an unborn child in
78.13 the first or second degree); 609.267 to 609.2672 (assault of an unborn child in the first,
78.14 second, or third degree); 609.268 (injury or death of an unborn child in the commission of
78.15 a crime); repeat offenses under 617.23 (indecent exposure); 617.293 (disseminating or
78.16 displaying harmful material to minors); a felony-level conviction involving alcohol or drug
78.17 use, a gross misdemeanor offense under 609.324, subdivision 1 (other prohibited acts); a
78.18 gross misdemeanor offense under 609.378 (neglect or endangerment of a child); a gross
78.19 misdemeanor offense under 609.377 (malicious punishment of a child); 609.72, subdivision
78.20 3 (disorderly conduct against a vulnerable adult); or 624.713 (certain persons not to possess
78.21 firearms); or Minnesota Statutes 2012, section 609.21.

78.22 (b) The commissioner may not set aside the disqualification of an individual if less than
78.23 ten years have passed since the individual's aiding and abetting, attempt, or conspiracy to
78.24 commit any of the offenses listed in paragraph (a) as each of these offenses is defined in
78.25 Minnesota Statutes.

78.26 (c) The commissioner may not set aside the disqualification of an individual if less than
78.27 ten years have passed since the discharge of the sentence imposed for an offense in any
78.28 other state or country, the elements of which are substantially similar to the elements of any
78.29 of the offenses listed in paragraph (a).

78.30 Sec. 9. Minnesota Statutes 2022, section 253B.02, subdivision 4e, is amended to read:

78.31 Subd. 4e. **Crime against the person.** "Crime against the person" means a violation of
78.32 or attempt to violate any of the following provisions: sections 609.185 (murder in the first
78.33 degree); 609.19 (murder in the second degree); 609.195 (murder in the third degree); 609.20
78.34 (manslaughter in the first degree); 609.205 (manslaughter in the second degree); 609.2112,
79.1 609.2113, or 609.2114 (criminal vehicular homicide or injury); 609.215 (suicide); 609.221
79.2 (assault in the first degree); 609.222 (assault in the second degree); 609.223 (assault in the
79.3 third degree); 609.224 (assault in the fifth degree); 609.2242 (domestic assault); 609.23
79.4 (mistreatment of persons confined); 609.231 (mistreatment of residents or patients); 609.2325
79.5 (criminal abuse); 609.233 (criminal neglect); 609.2335 (financial exploitation of a vulnerable
79.6 adult); 609.235 (use of drugs to injure or facilitate crime); 609.24 (simple robbery); 609.245
79.7 (aggravated robbery); 609.247 (carjacking); 609.25 (kidnapping); 609.255 (false
79.8 imprisonment); 609.265 (abduction); 609.27, subdivision 1, clause (1) or (2) (coercion);
79.9 609.28 (interfering with religious observance) if violence or threats of violence were used;
79.10 609.322, subdivision 1, paragraph (a), clause (2) (solicitation); 609.342 (criminal sexual
79.11 conduct in the first degree); 609.343 (criminal sexual conduct in the second degree); 609.344
79.12 (criminal sexual conduct in the third degree); 609.345 (criminal sexual conduct in the fourth
79.13 degree); 609.3458 (sexual extortion); 609.365 (incest); 609.498, subdivision 1 (tampering
79.14 with a witness); 609.50, clause (1) (obstructing legal process, arrest, and firefighting);

79.15 609.561 (arson in the first degree); 609.562 (arson in the second degree); 609.595 (damage
79.16 to property); and 609.72, subdivision 3 (disorderly conduct by a caregiver); and Minnesota
79.17 Statutes 2012, section 609.21.

79.18 Sec. 10. Minnesota Statutes 2022, section 253D.02, subdivision 8, is amended to read:

79.19 Subd. 8. **Harmful sexual conduct.** (a) "Harmful sexual conduct" means sexual conduct
79.20 that creates a substantial likelihood of serious physical or emotional harm to another.

79.21 (b) There is a rebuttable presumption that conduct described in the following provisions
79.22 creates a substantial likelihood that a victim will suffer serious physical or emotional harm:
79.23 section 609.342 (criminal sexual conduct in the first degree), 609.343 (criminal sexual
79.24 conduct in the second degree), 609.344 (criminal sexual conduct in the third degree), 609.345
79.25 (criminal sexual conduct in the fourth degree), or 609.3458 (sexual extortion). If the conduct
79.26 was motivated by the person's sexual impulses or was part of a pattern of behavior that had
79.27 criminal sexual conduct as a goal, the presumption also applies to conduct described in
79.28 section 609.185 (murder in the first degree), 609.19 (murder in the second degree), 609.195
79.29 (murder in the third degree), 609.20 (manslaughter in the first degree), 609.205 (manslaughter
79.30 in the second degree), 609.221 (assault in the first degree), 609.222 (assault in the second
79.31 degree), 609.223 (assault in the third degree), 609.24 (simple robbery), 609.245 (aggravated
79.32 robbery), 609.247 (carjacking), 609.25 (kidnapping), 609.255 (false imprisonment), 609.365
79.33 (incest), 609.498 (tampering with a witness), 609.561 (arson in the first degree), 609.582,
79.34 subdivision 1 (burglary in the first degree), 609.713 (terroristic threats), or 609.749,
79.35 subdivision 3 or 5 (harassment or stalking).

80.1 Sec. 11. Minnesota Statutes 2022, section 260B.171, subdivision 3, is amended to read:

80.2 Subd. 3. **Disposition order; copy to school.** (a) If a juvenile is enrolled in school, the
80.3 juvenile's probation officer shall ensure that either a mailed notice or an electronic copy of
80.4 the court's disposition order be transmitted to the superintendent of the juvenile's school
80.5 district or the chief administrative officer of the juvenile's school if the juvenile has been
80.6 adjudicated delinquent for committing an act on the school's property or an act:

80.7 (1) that would be a violation of section 609.185 (first-degree murder); 609.19
80.8 (second-degree murder); 609.195 (third-degree murder); 609.20 (first-degree manslaughter);
80.9 609.205 (second-degree manslaughter); 609.2112, 609.2113, or 609.2114 (criminal vehicular
80.10 homicide or injury); 609.221 (first-degree assault); 609.222 (second-degree assault); 609.223
80.11 (third-degree assault); 609.2231 (fourth-degree assault); 609.224 (fifth-degree assault);
80.12 609.2242 (domestic assault); 609.24 (simple robbery); 609.245 (aggravated robbery);
80.13 609.247 (carjacking); 609.25 (kidnapping); 609.255 (false imprisonment); 609.342
80.14 (first-degree criminal sexual conduct); 609.343 (second-degree criminal sexual conduct);
80.15 609.344 (third-degree criminal sexual conduct); 609.345 (fourth-degree criminal sexual
80.16 conduct); 609.3451 (fifth-degree criminal sexual conduct); 609.498 (tampering with a
80.17 witness); 609.561 (first-degree arson); 609.582, subdivision 1 or 2 (burglary); 609.713
80.18 (terroristic threats); or 609.749 (harassment or stalking), if committed by an adult; or
80.19 Minnesota Statutes 2012, section 609.21;

80.20 (2) that would be a violation of section 152.021 (first-degree controlled substance crime);
80.21 152.022 (second-degree controlled substance crime); 152.023 (third-degree controlled
80.22 substance crime); 152.024 (fourth-degree controlled substance crime); 152.025 (fifth-degree
80.23 controlled substance crime); 152.0261 (importing a controlled substance); 152.0262
80.24 (possession of substances with intent to manufacture methamphetamine); or 152.027 (other
80.25 controlled substance offenses), if committed by an adult; or

80.26 (3) that involved the possession or use of a dangerous weapon as defined in section
80.27 609.02, subdivision 6.

80.28 When a disposition order is transmitted under this subdivision, the probation officer
80.29 shall notify the juvenile's parent or legal guardian that the disposition order has been shared
80.30 with the juvenile's school.

80.31 (b) In addition, the juvenile's probation officer may transmit a copy of the court's
80.32 disposition order to the superintendent of the juvenile's school district or the chief
80.33 administrative officer of the juvenile's school if the juvenile has been adjudicated delinquent
80.34 for offenses not listed in paragraph (a) and placed on probation. The probation officer shall
81.1 notify the superintendent or chief administrative officer when the juvenile is discharged
81.2 from probation.

81.3 (c) The disposition order must be accompanied by a notice to the school that the school
81.4 may obtain additional information from the juvenile's probation officer with the consent of
81.5 the juvenile or the juvenile's parents, as applicable. The disposition order must be maintained,
81.6 shared, or released only as provided in section 121A.75.

81.7 (d) The juvenile's probation officer shall maintain a record of disposition orders released
81.8 under this subdivision and the basis for the release.

81.9 (e) No later than September 1, 2002, the criminal and juvenile justice information policy
81.10 group, in consultation with representatives of probation officers and educators, shall prepare
81.11 standard forms for use by juvenile probation officers in forwarding information to schools
81.12 under this subdivision and in maintaining a record of the information that is released. The
81.13 group shall provide a copy of any forms or procedures developed under this paragraph to
81.14 the legislature by January 15, 2003.

81.15 (f) As used in this subdivision, "school" means a charter school or a school as defined
81.16 in section 120A.22, subdivision 4, except a home school.

81.17 Sec. 12. Minnesota Statutes 2022, section 299A.296, subdivision 2, is amended to read:

81.18 Subd. 2. **Grant procedure.** (a) A local unit of government or a nonprofit
81.19 community-based entity may apply for a grant by submitting an application with the
81.20 commissioner. The applicant shall specify the following in its application:

81.21 (1) a description of each program for which funding is sought;

81.22 (2) outcomes and performance indicators for the program;

- 81.23 (3) a description of the planning process that identifies local community needs, surveys
81.24 existing programs, provides for coordination with existing programs, and involves all affected
81.25 sectors of the community;
- 81.26 (4) the geographical area to be served by the program;
- 81.27 (5) statistical information as to the number of arrests in the geographical area for violent
81.28 crimes and for crimes involving Schedule I and II controlled substances. "Violent crime"
81.29 includes a violation of or an attempt or conspiracy to violate any of the following laws:
81.30 sections 609.185; 609.19; 609.195; 609.20; 609.205; 609.2112; 609.2113; 609.2114; 609.221;
81.31 609.222; 609.223; 609.228; 609.235; 609.24; 609.245; 609.247; 609.25; 609.255; 609.2661;
81.32 609.2662; 609.2663; 609.2664; 609.2665; 609.267; 609.2671; 609.268; 609.342; 609.343;
82.1 609.344; 609.345; 609.498, subdivision 1; 609.561; 609.562; 609.582, subdivision 1;
82.2 609.687; or any provision of chapter 152 that is punishable by a maximum sentence greater
82.3 than ten years; or Minnesota Statutes 2012, section 609.21; and
- 82.4 (6) the number of economically disadvantaged youth in the geographical areas to be
82.5 served by the program.
- 82.6 (b) The commissioner shall give priority to funding community-based collaboratives,
82.7 programs that demonstrate substantial involvement by members of the community served
82.8 by the program and programs that either serve the geographical areas that have the highest
82.9 crime rates, as measured by the data supplied under paragraph (a), clause (5), or serve
82.10 geographical areas that have the largest concentrations of economically disadvantaged youth.
82.11 Up to 2.5 percent of the appropriation may be used by the commissioner to administer the
82.12 program.
- 82.13 Sec. 13. Minnesota Statutes 2022, section 299C.105, subdivision 1, is amended to read:
- 82.14 Subdivision 1. **Required collection of biological specimen for DNA testing.** (a) Sheriffs,
82.15 peace officers, and community corrections agencies operating secure juvenile detention
82.16 facilities shall take or cause to be taken biological specimens for the purpose of DNA analysis
82.17 as defined in section 299C.155, of the following:
- 82.18 (1) persons who have appeared in court and have had a judicial probable cause
82.19 determination on a charge of committing, or persons having been convicted of or attempting
82.20 to commit, any of the following:
- 82.21 (i) murder under section 609.185, 609.19, or 609.195;
- 82.22 (ii) manslaughter under section 609.20 or 609.205;
- 82.23 (iii) assault under section 609.221, 609.222, or 609.223;
- 82.24 (iv) robbery under section 609.24 ~~or~~ aggravated robbery under section 609.245, or
82.25 carjacking under section 609.247;
- 82.26 (v) kidnapping under section 609.25;

- 82.27 (vi) false imprisonment under section 609.255;
- 82.28 (vii) criminal sexual conduct under section 609.342, 609.343, 609.344, 609.345,
82.29 609.3451, subdivision 3, or 609.3453;
- 82.30 (viii) incest under section 609.365;
- 82.31 (ix) burglary under section 609.582, subdivision 1; or
- 83.1 (x) indecent exposure under section 617.23, subdivision 3;
- 83.2 (2) persons sentenced as patterned sex offenders under section 609.3455, subdivision
83.3 3a; or
- 83.4 (3) juveniles who have appeared in court and have had a judicial probable cause
83.5 determination on a charge of committing, or juveniles having been adjudicated delinquent
83.6 for committing or attempting to commit, any of the following:
- 83.7 (i) murder under section 609.185, 609.19, or 609.195;
- 83.8 (ii) manslaughter under section 609.20 or 609.205;
- 83.9 (iii) assault under section 609.221, 609.222, or 609.223;
- 83.10 (iv) robbery under section 609.24 ~~or~~ aggravated robbery under section 609.245, or
83.11 carjacking under section 609.247;
- 83.12 (v) kidnapping under section 609.25;
- 83.13 (vi) false imprisonment under section 609.255;
- 83.14 (vii) criminal sexual conduct under section 609.342, 609.343, 609.344, 609.345,
83.15 609.3451, subdivision 3, or 609.3453;
- 83.16 (viii) incest under section 609.365;
- 83.17 (ix) burglary under section 609.582, subdivision 1; or
- 83.18 (x) indecent exposure under section 617.23, subdivision 3.
- 83.19 (b) Unless the superintendent of the bureau requires a shorter period, within 72 hours
83.20 the biological specimen required under paragraph (a) must be forwarded to the bureau in
83.21 such a manner as may be prescribed by the superintendent.
- 83.22 (c) Prosecutors, courts, and probation officers shall attempt to ensure that the biological
83.23 specimen is taken on a person described in paragraph (a).
- 83.24 Sec. 14. Minnesota Statutes 2022, section 299C.67, subdivision 2, is amended to read:
- 83.25 Subd. 2. **Background check crime.** "Background check crime" means:

83.26 (a)(1) a felony violation of section 609.185 (first-degree murder); 609.19 (second-degree
83.27 murder); 609.20 (first-degree manslaughter); 609.221 (first-degree assault); 609.222
83.28 (second-degree assault); 609.223 (third-degree assault); 609.25 (kidnapping); 609.342
83.29 (first-degree criminal sexual conduct); 609.343 (second-degree criminal sexual conduct);
83.30 609.344 (third-degree criminal sexual conduct); 609.345 (fourth-degree criminal sexual
84.1 conduct); 609.3458 (sexual extortion); 609.561 (first-degree arson); or 609.749 (harassment
84.2 or stalking);

84.3 (2) an attempt to commit a crime in clause (1); or

84.4 (3) a conviction for a crime in another jurisdiction that would be a violation under clause
84.5 (1) or an attempt under clause (2) in this state; or

84.6 (b)(1) a felony violation of section 609.195 (third-degree murder); 609.205
84.7 (second-degree manslaughter); 609.2112, 609.2113, or 609.2114 (criminal vehicular homicide
84.8 or injury); 609.2231 (fourth-degree assault); 609.224 (fifth-degree assault); 609.24 (simple
84.9 robbery); 609.245 (aggravated robbery); 609.247 (carjacking); 609.255 (false imprisonment);
84.10 609.52 (theft); 609.582, subdivision 1 or 2 (burglary); 609.713 (terroristic threats); or a
84.11 nonfelony violation of section 609.749 (harassment); or Minnesota Statutes 2012, section
84.12 609.21;

84.13 (2) an attempt to commit a crime in clause (1); or

84.14 (3) a conviction for a crime in another jurisdiction that would be a violation under clause
84.15 (1) or an attempt under clause (2) in this state.

84.16 Sec. 15. Minnesota Statutes 2022, section 326.3381, subdivision 3, is amended to read:

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

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

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

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

84.29 Sec. 16. Minnesota Statutes 2022, section 609.1095, subdivision 1, is amended to read:

84.30 Subdivision 1. **Definitions.** (a) As used in this section, the following terms have the
84.31 meanings given.

85.1 (b) "Conviction" means any of the following accepted and recorded by the court: a plea
85.2 of guilty, a verdict of guilty by a jury, or a finding of guilty by the court. The term includes
85.3 a conviction by any court in Minnesota or another jurisdiction.

85.4 (c) "Prior conviction" means a conviction that occurred before the offender committed
85.5 the next felony resulting in a conviction and before the offense for which the offender is
85.6 being sentenced under this section.

85.7 (d) "Violent crime" means a violation of or an attempt or conspiracy to violate any of
85.8 the following laws of this state or any similar laws of the United States or any other state:
85.9 sections 152.137; 609.165; 609.185; 609.19; 609.195; 609.20; 609.205; 609.2112; 609.2113;
85.10 609.2114; 609.221; 609.222; 609.223; 609.228; 609.235; 609.24; 609.245; 609.247; 609.25;
85.11 609.255; 609.2661; 609.2662; 609.2663; 609.2664; 609.2665; 609.267; 609.2671; 609.268;
85.12 609.322; 609.342; 609.343; 609.344; 609.345; 609.498, subdivision 1; 609.561; 609.562;
85.13 609.582, subdivision 1; 609.66, subdivision 1e; 609.687; and 609.855, subdivision 5; any
85.14 provision of sections 609.229; 609.377; 609.378; 609.749; and 624.713 that is punishable
85.15 by a felony penalty; or any provision of chapter 152 that is punishable by a maximum
85.16 sentence of 15 years or more; or Minnesota Statutes 2012, section 609.21.

85.17 Sec. 17. Minnesota Statutes 2022, section 609.11, subdivision 9, is amended to read:

85.18 Subd. 9. **Applicable offenses.** The crimes for which mandatory minimum sentences
85.19 shall be served as provided in this section are: murder in the first, second, or third degree;
85.20 assault in the first, second, or third degree; burglary; kidnapping; false imprisonment;
85.21 manslaughter in the first or second degree; aggravated robbery; simple robbery; carjacking
85.22 in the first, second, or third degree; first-degree or aggravated first-degree witness tampering;
85.23 criminal sexual conduct under the circumstances described in sections 609.342, subdivision
85.24 1, and subdivision 1a, clauses (a) to (f) and (i); 609.343, subdivision 1, and subdivision 1a,
85.25 clauses (a) to (f) and (i); and 609.344, subdivision 1, clauses (a) to (c) and (d), under the
85.26 conditions described in section 609.341, subdivision 24, clause (2), item (i), (ii), or (iii),
85.27 and subdivision 1a, clauses (a) to (e), (h), and (i), under the conditions described in section
85.28 609.341, subdivision 24, clause (2), item (i), (ii), or (iii); escape from custody; arson in the
85.29 first, second, or third degree; drive-by shooting under section 609.66, subdivision 1e;
85.30 harassment under section 609.749, subdivision 3, paragraph (a), clause (3); possession or
85.31 other unlawful use of a firearm or ammunition in violation of section 609.165, subdivision
85.32 1b, or 624.713, subdivision 1, clause (2), a felony violation of chapter 152; or any attempt
85.33 to commit any of these offenses.

86.1 Sec. 18. Minnesota Statutes 2022, section 609.185, is amended to read:

86.2 **609.185 MURDER IN THE FIRST DEGREE.**

86.3 (a) Whoever does any of the following is guilty of murder in the first degree and shall
86.4 be sentenced to imprisonment for life:

86.5 (1) causes the death of a human being with premeditation and with intent to effect the
86.6 death of the person or of another;

- 86.7 (2) causes the death of a human being while committing or attempting to commit criminal
86.8 sexual conduct in the first or second degree with force or violence, either upon or affecting
86.9 the person or another;
- 86.10 (3) causes the death of a human being with intent to effect the death of the person or
86.11 another, while committing or attempting to commit burglary, aggravated robbery, carjacking
86.12 in the first or second degree, kidnapping, arson in the first or second degree, a drive-by
86.13 shooting, tampering with a witness in the first degree, escape from custody, or any felony
86.14 violation of chapter 152 involving the unlawful sale of a controlled substance;
- 86.15 (4) causes the death of a peace officer, prosecuting attorney, judge, or a guard employed
86.16 at a Minnesota state or local correctional facility, with intent to effect the death of that person
86.17 or another, while the person is engaged in the performance of official duties;
- 86.18 (5) causes the death of a minor while committing child abuse, when the perpetrator has
86.19 engaged in a past pattern of child abuse upon a child and the death occurs under
86.20 circumstances manifesting an extreme indifference to human life;
- 86.21 (6) causes the death of a human being while committing domestic abuse, when the
86.22 perpetrator has engaged in a past pattern of domestic abuse upon the victim or upon another
86.23 family or household member and the death occurs under circumstances manifesting an
86.24 extreme indifference to human life; or
- 86.25 (7) causes the death of a human being while committing, conspiring to commit, or
86.26 attempting to commit a felony crime to further terrorism and the death occurs under
86.27 circumstances manifesting an extreme indifference to human life.
- 86.28 (b) For the purposes of paragraph (a), clause (4), "prosecuting attorney" has the meaning
86.29 given in section 609.221, subdivision 2, paragraph (c), clause (4).
- 86.30 (c) For the purposes of paragraph (a), clause (4), "judge" has the meaning given in section
86.31 609.221, subdivision 2, paragraph (c), clause (5).
- 87.1 (d) For purposes of paragraph (a), clause (5), "child abuse" means an act committed
87.2 against a minor victim that constitutes a violation of the following laws of this state or any
87.3 similar laws of the United States or any other state: section 609.221; 609.222; 609.223;
87.4 609.224; 609.2242; 609.342; 609.343; 609.344; 609.345; 609.377; 609.378; or 609.713.
- 87.5 (e) For purposes of paragraph (a), clause (6), "domestic abuse" means an act that:
- 87.6 (1) constitutes a violation of section 609.221, 609.222, 609.223, 609.224, 609.2242,
87.7 609.342, 609.343, 609.344, 609.345, 609.713, or any similar laws of the United States or
87.8 any other state; and
- 87.9 (2) is committed against the victim who is a family or household member as defined in
87.10 section 518B.01, subdivision 2, paragraph (b).

87.11 (f) For purposes of paragraph (a), clause (7), "further terrorism" has the meaning given
87.12 in section 609.714, subdivision 1.

87.13 Sec. 19. Minnesota Statutes 2022, section 609.2661, is amended to read:

87.14 **609.2661 MURDER OF UNBORN CHILD IN THE FIRST DEGREE.**

87.15 Whoever does any of the following is guilty of murder of an unborn child in the first
87.16 degree and must be sentenced to imprisonment for life:

87.17 (1) causes the death of an unborn child with premeditation and with intent to effect the
87.18 death of the unborn child or of another;

87.19 (2) causes the death of an unborn child while committing or attempting to commit
87.20 criminal sexual conduct in the first or second degree with force or violence, either upon or
87.21 affecting the mother of the unborn child or another; or

87.22 (3) causes the death of an unborn child with intent to effect the death of the unborn child
87.23 or another while committing or attempting to commit burglary, aggravated robbery,
87.24 carjacking in the first or second degree, kidnapping, arson in the first or second degree,
87.25 tampering with a witness in the first degree, or escape from custody.

87.26 Sec. 20. Minnesota Statutes 2022, section 609.341, subdivision 22, is amended to read:

87.27 Subd. 22. **Predatory crime.** "Predatory crime" means a felony violation of section
87.28 609.185 (first-degree murder), 609.19 (second-degree murder), 609.195 (third-degree
87.29 murder), 609.20 (first-degree manslaughter), 609.205 (second-degree manslaughter), 609.221
87.30 (first-degree assault), 609.222 (second-degree assault), 609.223 (third-degree assault),
87.31 609.24 (simple robbery), 609.245 (aggravated robbery), 609.247 (carjacking), 609.25
88.1 (kidnapping), 609.255 (false imprisonment), 609.498 (tampering with a witness), 609.561
88.2 (first-degree arson), or 609.582, subdivision 1 (first-degree burglary).

88.3 Sec. 21. Minnesota Statutes 2022, section 609.52, subdivision 3, is amended to read:

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

88.5 (1) to imprisonment for not more than 20 years or to payment of a fine of not more than
88.6 \$100,000, or both, if the property is a firearm, or the value of the property or services stolen
88.7 is more than \$35,000 and the conviction is for a violation of subdivision 2, clause (3), (4),
88.8 (15), (16), or (19), or section 609.2335, subdivision 1, clause (1) or (2), item (i); or

88.9 (2) to imprisonment for not more than ten years or to payment of a fine of not more than
88.10 \$20,000, or both, if the value of the property or services stolen exceeds \$5,000, or if the
88.11 property stolen was an article representing a trade secret, an explosive or incendiary device,
88.12 or a controlled substance listed in Schedule I or II pursuant to section 152.02 with the
88.13 exception of marijuana; or

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

- 88.16 (a) the value of the property or services stolen is more than \$1,000 but not more than
88.17 \$5,000; or
- 88.18 (b) the property stolen was a controlled substance listed in Schedule III, IV, or V pursuant
88.19 to section 152.02; or
- 88.20 (c) the value of the property or services stolen is more than \$500 but not more than
88.21 \$1,000 and the person has been convicted within the preceding five years for an offense
88.22 under this section, section 256.98; 268.182; 609.24; 609.245; 609.247; 609.53; 609.582,
88.23 subdivision 1, 2, or 3; 609.625; 609.63; 609.631; or 609.821, or a statute from another state,
88.24 the United States, or a foreign jurisdiction, in conformity with any of those sections, and
88.25 the person received a felony or gross misdemeanor sentence for the offense, or a sentence
88.26 that was stayed under section 609.135 if the offense to which a plea was entered would
88.27 allow imposition of a felony or gross misdemeanor sentence; or
- 88.28 (d) the value of the property or services stolen is not more than \$1,000, and any of the
88.29 following circumstances exist:
- 88.30 (i) the property is taken from the person of another or from a corpse, or grave or coffin
88.31 containing a corpse; or
- 89.1 (ii) the property is a record of a court or officer, or a writing, instrument or record kept,
89.2 filed or deposited according to law with or in the keeping of any public officer or office; or
- 89.3 (iii) the property is taken from a burning, abandoned, or vacant building or upon its
89.4 removal therefrom, or from an area of destruction caused by civil disaster, riot, bombing,
89.5 or the proximity of battle; or
- 89.6 (iv) the property consists of public funds belonging to the state or to any political
89.7 subdivision or agency thereof; or
- 89.8 (v) the property stolen is a motor vehicle; or
- 89.9 (4) to imprisonment for not more than one year or to payment of a fine of not more than
89.10 \$3,000, or both, if the value of the property or services stolen is more than \$500 but not
89.11 more than \$1,000; or
- 89.12 (5) in all other cases where the value of the property or services stolen is \$500 or less,
89.13 to imprisonment for not more than 90 days or to payment of a fine of not more than \$1,000,
89.14 or both, provided, however, in any prosecution under subdivision 2, clauses (1), (2), (3),
89.15 (4), (13), and (19), the value of the money or property or services received by the defendant
89.16 in violation of any one or more of the above provisions within any six-month period may
89.17 be aggregated and the defendant charged accordingly in applying the provisions of this
89.18 subdivision; provided that when two or more offenses are committed by the same person
89.19 in two or more counties, the accused may be prosecuted in any county in which one of the
89.20 offenses was committed for all of the offenses aggregated under this paragraph.

89.21 Sec. 22. Minnesota Statutes 2022, section 609.526, subdivision 2, is amended to read:

89.22 Subd. 2. **Crime described.** Any precious metal dealer or scrap metal dealer or any person
89.23 employed by a dealer, who receives, possesses, transfers, buys, or conceals any stolen
89.24 property or property obtained by robbery or carjacking, knowing or having reason to know
89.25 the property was stolen or obtained by robbery or carjacking, may be sentenced as follows:

89.26 (1) if the value of the property received, bought, or concealed is \$1,000 or more, to
89.27 imprisonment for not more than ten years or to payment of a fine of not more than \$50,000,
89.28 or both;

89.29 (2) if the value of the property received, bought, or concealed is less than \$1,000 but
89.30 more than \$500, to imprisonment for not more than three years or to payment of a fine of
89.31 not more than \$25,000, or both;

90.1 (3) if the value of the property received, bought, or concealed is \$500 or less, to
90.2 imprisonment for not more than 90 days or to payment of a fine of not more than \$1,000,
90.3 or both.

90.4 Any person convicted of violating this section a second or subsequent time within a
90.5 period of one year may be sentenced as provided in clause (1).

90.6 Sec. 23. Minnesota Statutes 2022, section 609.531, subdivision 1, is amended to read:

90.7 Subdivision 1. **Definitions.** For the purpose of sections 609.531 to 609.5318, the
90.8 following terms have the meanings given them.

90.9 (a) "Conveyance device" means a device used for transportation and includes, but is not
90.10 limited to, a motor vehicle, trailer, snowmobile, airplane, and vessel and any equipment
90.11 attached to it. The term "conveyance device" does not include property which is, in fact,
90.12 itself stolen or taken in violation of the law.

90.13 (b) "Weapon used" means a dangerous weapon as defined under section 609.02,
90.14 subdivision 6, that the actor used or had in possession in furtherance of a crime.

90.15 (c) "Property" means property as defined in section 609.52, subdivision 1, clause (1).

90.16 (d) "Contraband" means property which is illegal to possess under Minnesota law.

90.17 (e) "Appropriate agency" means the Bureau of Criminal Apprehension, the Department
90.18 of Commerce Fraud Bureau, the Minnesota Division of Driver and Vehicle Services, the
90.19 Minnesota State Patrol, a county sheriff's department, the Three Rivers Park District
90.20 Department of Public Safety, the Department of Natural Resources Division of Enforcement,
90.21 the University of Minnesota Police Department, the Department of Corrections Fugitive
90.22 Apprehension Unit, a city, metropolitan transit, or airport police department; or a
90.23 multijurisdictional entity established under section 299A.642 or 299A.681.

90.24 (f) "Designated offense" includes:

- 90.25 (1) for weapons used: any violation of this chapter, chapter 152 or 624;
- 90.26 (2) for driver's license or identification card transactions: any violation of section 171.22;
- 90.27 and
- 90.28 (3) for all other purposes: a felony violation of, or a felony-level attempt or conspiracy
- 90.29 to violate, section 325E.17; 325E.18; 609.185; 609.19; 609.195; 609.2112; 609.2113;
- 90.30 609.2114; 609.221; 609.222; 609.223; 609.2231; 609.2335; 609.24; 609.245; 609.247;
- 90.31 609.25; 609.255; 609.282; 609.283; 609.322; 609.342, subdivision 1, or subdivision 1a,
- 90.32 clauses (a) to (f) and (i); 609.343, subdivision 1, or subdivision 1a, clauses (a) to (f) and (i);
- 91.1 609.344, subdivision 1, or subdivision 1a, clauses (a) to (e), (h), or (i); 609.345, subdivision
- 91.2 1, or subdivision 1a, clauses (a) to (e), (h), and (i); 609.352; 609.42; 609.425; 609.466;
- 91.3 609.485; 609.487; 609.52; 609.525; 609.527; 609.528; 609.53; 609.54; 609.551; 609.561;
- 91.4 609.562; 609.563; 609.582; 609.59; 609.595; 609.611; 609.631; 609.66, subdivision 1e;
- 91.5 609.671, subdivisions 3, 4, 5, 8, and 12; 609.687; 609.821; 609.825; 609.86; 609.88; 609.89;
- 91.6 609.893; 609.895; 617.246; 617.247; or a gross misdemeanor or felony violation of section
- 91.7 609.891 or 624.7181; or any violation of section 609.324; or a felony violation of, or a
- 91.8 felony-level attempt or conspiracy to violate, Minnesota Statutes 2012, section 609.21.
- 91.9 (g) "Controlled substance" has the meaning given in section 152.01, subdivision 4.
- 91.10 (h) "Prosecuting authority" means the attorney who is responsible for prosecuting an
- 91.11 offense that is the basis for a forfeiture under sections 609.531 to 609.5318.
- 91.12 (i) "Asserting person" means a person, other than the driver alleged to have used a vehicle
- 91.13 in the transportation or exchange of a controlled substance intended for distribution or sale,
- 91.14 claiming an ownership interest in a vehicle that has been seized or restrained under this
- 91.15 section.
- 91.16 Sec. 24. Minnesota Statutes 2022, section 609.631, subdivision 4, is amended to read:
- 91.17 Subd. 4. **Sentencing.** A person who is convicted under subdivision 2 or 3 may be
- 91.18 sentenced as follows:
- 91.19 (1) to imprisonment for not more than 20 years or to payment of a fine of not more than
- 91.20 \$100,000, or both, if the forged check or checks are used to obtain or in an attempt to obtain,
- 91.21 property or services of more than \$35,000 or the aggregate amount of the forged check or
- 91.22 checks is more than \$35,000;
- 91.23 (2) to imprisonment for not more than ten years or to payment of a fine of not more than
- 91.24 \$20,000, or both, if the forged check or checks are used to obtain or in an attempt to obtain,
- 91.25 property or services of more than \$2,500 or the aggregate amount of the forged check or
- 91.26 checks is more than \$2,500;
- 91.27 (3) to imprisonment for not more than five years or to payment of a fine of not more
- 91.28 than \$10,000, or both, if:

91.29 (a) the forged check or checks are used to obtain or in an attempt to obtain, property or
91.30 services of more than \$250 but not more than \$2,500, or the aggregate face amount of the
91.31 forged check or checks is more than \$250 but not more than \$2,500; or

92.1 (b) the forged check or checks are used to obtain or in an attempt to obtain, property or
92.2 services of no more than \$250, or have an aggregate face value of no more than \$250, and
92.3 the person has been convicted within the preceding five years for an offense under this
92.4 section, section 609.24; 609.245; 609.247; 609.52; 609.53; 609.582, subdivision 1, 2, or 3;
92.5 609.625; 609.63; or 609.821, or a statute from another state in conformity with any of those
92.6 sections, and the person received a felony or gross misdemeanor sentence for the offense,
92.7 or a sentence that was stayed under section 609.135 if the offense to which a plea was
92.8 entered would allow imposition of a felony or gross misdemeanor sentence; and

92.9 (4) to imprisonment for not more than one year or to payment of a fine of not more than
92.10 \$3,000, or both, if the forged check or checks are used to obtain or in an attempt to obtain,
92.11 property or services of no more than \$250, or the aggregate face amount of the forged check
92.12 or checks is no more than \$250.

92.13 In any prosecution under this subdivision, the value of the checks forged or offered by
92.14 the defendant in violation of this subdivision within any six-month period may be aggregated
92.15 and the defendant charged accordingly in applying the provisions of this section. When two
92.16 or more offenses are committed by the same person in two or more counties, the accused
92.17 may be prosecuted in any county in which one of the checks was forged or offered for all
92.18 of the offenses aggregated under this paragraph.

92.19 Sec. 25. Minnesota Statutes 2022, section 609.632, subdivision 4, is amended to read:

92.20 Subd. 4. **Penalty.** (a) A person who is convicted of violating subdivision 1 or 2 may be
92.21 sentenced to imprisonment for not more than 20 years or to payment of a fine of not more
92.22 than \$100,000, or both.

92.23 (b) A person who is convicted of violating subdivision 3 may be sentenced as follows:

92.24 (1) to imprisonment for not more than 20 years or to payment of a fine of not more than
92.25 \$100,000, or both, if the counterfeited item is used to obtain or in an attempt to obtain
92.26 property or services having a value of more than \$35,000, or the aggregate face value of
92.27 the counterfeited item is more than \$35,000;

92.28 (2) to imprisonment for not more than ten years or to payment of a fine of not more than
92.29 \$20,000, or both, if the counterfeited item is used to obtain or in an attempt to obtain property
92.30 or services having a value of more than \$5,000, or the aggregate face value of the
92.31 counterfeited item is more than \$5,000;

92.32 (3) to imprisonment for not more than five years or to payment of a fine of not more
92.33 than \$10,000, or both, if:

- 93.1 (i) the counterfeited item is used to obtain or in an attempt to obtain property or services
93.2 having a value of more than \$1,000 or the aggregate face value of the counterfeited item is
93.3 more than \$1,000; or
- 93.4 (ii) the counterfeited item is used to obtain or in an attempt to obtain property or services
93.5 having a value of no more than \$1,000, or the aggregate face value of the counterfeited item
93.6 is no more than \$1,000, and the person has been convicted within the preceding five years
93.7 for an offense under this section, section 609.24; 609.245; 609.247; 609.52; 609.53; 609.582,
93.8 subdivision 1, 2, or 3; 609.625; 609.63; or 609.821, or a statute from another state or the
93.9 United States in conformity with any of those sections, and the person received a felony or
93.10 gross misdemeanor sentence for the offense, or a sentence that was stayed under section
93.11 609.135 if the offense to which a plea was entered would allow the imposition of a felony
93.12 or gross misdemeanor sentence; or
- 93.13 (4) to imprisonment for not more than one year or to payment of a fine of not more than
93.14 \$3,000, or both, if the counterfeited item is used to obtain or in an attempt to obtain property
93.15 or services having a value of no more than \$1,000, or the aggregate face value of the
93.16 counterfeited item is no more than \$1,000.
- 93.17 Sec. 26. Minnesota Statutes 2022, section 609.821, subdivision 3, is amended to read:
- 93.18 Subd. 3. **Sentence.** (a) A person who commits financial transaction card fraud may be
93.19 sentenced as follows:
- 93.20 (1) for a violation of subdivision 2, clause (1), (2), (5), (8), or (9):
- 93.21 (i) to imprisonment for not more than 20 years or to payment of a fine of not more than
93.22 \$100,000, or both, if the value of the property the person obtained or attempted to obtain
93.23 was more than \$35,000, or the aggregate amount of the transactions under this subdivision
93.24 was more than \$35,000; or
- 93.25 (ii) to imprisonment for not more than ten years or to payment of a fine of not more than
93.26 \$20,000, or both, if the value of the property the person obtained or attempted to obtain was
93.27 more than \$2,500, or the aggregate amount of the transactions under this subdivision was
93.28 more than \$2,500; or
- 93.29 (iii) to imprisonment for not more than five years or to payment of a fine of not more
93.30 than \$10,000, or both, if the value of the property the person obtained or attempted to obtain
93.31 was more than \$250 but not more than \$2,500, or the aggregate amount of the transactions
93.32 under this subdivision was more than \$250 but not more than \$2,500; or
- 94.1 (iv) to imprisonment for not more than five years or to payment of a fine of not more
94.2 than \$10,000, or both, if the value of the property the person obtained or attempted to obtain
94.3 was not more than \$250, or the aggregate amount of the transactions under this subdivision
94.4 was not more than \$250, and the person has previously been convicted within the preceding
94.5 five years for an offense under this section, section 609.24; 609.245; 609.247; 609.52;
94.6 609.53; 609.582, subdivision 1, 2, or 3; 609.625; 609.63; or 609.631, or a statute from

- 94.7 another state in conformity with any of those sections, and the person received a felony or
94.8 gross misdemeanor sentence for the offense, or a sentence that was stayed under section
94.9 609.135 if the offense to which a plea was entered would allow imposition of a felony or
94.10 gross misdemeanor sentence; or
- 94.11 (v) to imprisonment for not more than one year or to payment of a fine of not more than
94.12 \$3,000, or both, if the value of the property the person obtained or attempted to obtain was
94.13 not more than \$250, or the aggregate amount of the transactions under this subdivision was
94.14 not more than \$250;
- 94.15 (2) for a violation of subdivision 2, clause (3) or (4), to imprisonment for not more than
94.16 three years or to payment of a fine of not more than \$5,000, or both; or
- 94.17 (3) for a violation of subdivision 2, clause (6) or (7):
- 94.18 (i) if no property, other than a financial transaction card, has been obtained by the
94.19 defendant by means of the false statement or false report, to imprisonment for not more
94.20 than one year or to payment of a fine of not more than \$3,000, or both; or
- 94.21 (ii) if property, other than a financial transaction card, is so obtained, in the manner
94.22 provided in clause (1).
- 94.23 (b) In any prosecution under paragraph (a), clause (1), the value of the transactions made
94.24 or attempted within any six-month period may be aggregated and the defendant charged
94.25 accordingly in applying the provisions of this section. When two or more offenses are
94.26 committed by the same person in two or more counties, the accused may be prosecuted in
94.27 any county in which one of the card transactions occurred for all of the transactions
94.28 aggregated under this paragraph.
- 94.29 Sec. 27. Minnesota Statutes 2022, section 609B.161, is amended to read:
- 94.30 **609B.161 PRIVATE DETECTIVE OR PROTECTIVE AGENT BUSINESS**
94.31 **LICENSE; DISQUALIFICATION.**
- 94.32 Under section 326.3381, a person is disqualified from holding a private detective or
94.33 protective agent business license if that person has been convicted of:
- 95.1 (1) a felony by the courts of this or any other state or of the United States;
- 95.2 (2) acts which, if committed in Minnesota, would be criminal sexual conduct; assault;
95.3 theft; larceny; burglary; robbery; carjacking; unlawful entry; extortion; defamation; buying
95.4 or receiving stolen property; using, possessing, manufacturing, or carrying weapons
95.5 unlawfully; using, possessing, or carrying burglary tools unlawfully; escape; or possession,
95.6 production, sale, or distribution of narcotics unlawfully; or
- 95.7 (3) acts in any other country which, if committed in Minnesota, would be a felony or
95.8 considered as any of the other offenses listed in clause (2) and for which a full pardon or
95.9 similar relief has not been granted.

95.10 Sec. 28. Minnesota Statutes 2022, section 611A.031, is amended to read:

95.11 **611A.031 VICTIM INPUT REGARDING PRETRIAL DIVERSION.**

95.12 A prosecutor shall make every reasonable effort to notify and seek input from the victim
95.13 prior to referring a person into a pretrial diversion program in lieu of prosecution for a
95.14 violation of sections 609.185, 609.19, 609.195, 609.20, 609.205, 609.221, 609.222, 609.223,
95.15 609.224, 609.2242, 609.24, 609.245, 609.247, 609.25, 609.255, 609.342, 609.343, 609.344,
95.16 609.345, 609.365, 609.498, 609.561, 609.582, subdivision 1, 609.687, 609.713, and 609.749.

95.17 Sec. 29. Minnesota Statutes 2022, section 611A.036, subdivision 7, is amended to read:

95.18 Subd. 7. **Definition.** As used in this section, "violent crime" means a violation or attempt
95.19 to violate any of the following: section 609.185 (murder in the first degree); 609.19 (murder
95.20 in the second degree); 609.195 (murder in the third degree); 609.20 (manslaughter in the
95.21 first degree); 609.205 (manslaughter in the second degree); 609.2112, 609.2113, or 609.2114
95.22 (criminal vehicular homicide or injury); 609.221 (assault in the first degree); 609.222 (assault
95.23 in the second degree); 609.223 (assault in the third degree); 609.2231 (assault in the fourth
95.24 degree); 609.2241 (knowing transfer of communicable disease); 609.2242 (domestic assault);
95.25 609.2245 (female genital mutilation); 609.2247 (domestic assault by strangulation); 609.228
95.26 (great bodily harm caused by distribution of drugs); 609.23 (mistreatment of persons
95.27 confined); 609.231 (mistreatment of residents or patients); 609.2325 (criminal abuse);
95.28 609.233 (criminal neglect); 609.235 (use of drugs to injure or facilitate crime); 609.24
95.29 (simple robbery); 609.245 (aggravated robbery); 609.247 (carjacking); 609.25 (kidnapping);
95.30 609.255 (false imprisonment); 609.265 (abduction); 609.2661 (murder of an unborn child
95.31 in the first degree); 609.2662 (murder of an unborn child in the second degree); 609.2663
95.32 (murder of an unborn child in the third degree); 609.2664 (manslaughter of an unborn child
95.33 in the first degree); 609.2665 (manslaughter of an unborn child in the second degree);
96.1 609.267 (assault of an unborn child in the first degree); 609.2671 (assault of an unborn child
96.2 in the second degree); 609.2672 (assault of an unborn child in the third degree); 609.268
96.3 (injury or death of an unborn child in commission of a crime); 609.282 (labor trafficking);
96.4 609.322 (solicitation, inducement, and promotion of prostitution; sex trafficking); 609.342
96.5 (criminal sexual conduct in the first degree); 609.343 (criminal sexual conduct in the second
96.6 degree); 609.344 (criminal sexual conduct in the third degree); 609.345 (criminal sexual
96.7 conduct in the fourth degree); 609.3451 (criminal sexual conduct in the fifth degree);
96.8 609.3453 (criminal sexual predatory conduct); 609.3458 (sexual extortion); 609.352
96.9 (solicitation of children to engage in sexual conduct); 609.377 (malicious punishment of a
96.10 child); 609.378 (neglect or endangerment of a child); 609.561, subdivision 1 (arson in the
96.11 first degree; dwelling); 609.582, subdivision 1, paragraph (a) or (c) (burglary in the first
96.12 degree; occupied dwelling or involving an assault); 609.66, subdivision 1e, paragraph (b)
96.13 (drive-by shooting; firing at or toward a person, or an occupied building or motor vehicle);
96.14 or 609.749, subdivision 2 (harassment); or Minnesota Statutes 2012, section 609.21.

96.15 Sec. 30. Minnesota Statutes 2022, section 611A.08, subdivision 6, is amended to read:

96.16 Subd. 6. **Violent crime; definition.** For purposes of this section, "violent crime" means
96.17 an offense named in sections 609.185; 609.19; 609.195; 609.20; 609.205; 609.221; 609.222;
96.18 609.223; 609.2231; 609.24; 609.245; 609.247; 609.25; 609.255; 609.342; 609.343; 609.344;
96.19 609.345; 609.3458; 609.561; 609.562; 609.563; and 609.582, or an attempt to commit any
96.20 of these offenses. "Violent crime" includes crimes in other states or jurisdictions which
96.21 would have been within the definition set forth in this subdivision if they had been committed
96.22 in this state.

96.23 Sec. 31. Minnesota Statutes 2022, section 624.712, subdivision 5, is amended to read:

96.24 Subd. 5. **Crime of violence.** "Crime of violence" means: felony convictions of the
96.25 following offenses: sections 609.185 (murder in the first degree); 609.19 (murder in the
96.26 second degree); 609.195 (murder in the third degree); 609.20 (manslaughter in the first
96.27 degree); 609.205 (manslaughter in the second degree); 609.215 (aiding suicide and aiding
96.28 attempted suicide); 609.221 (assault in the first degree); 609.222 (assault in the second
96.29 degree); 609.223 (assault in the third degree); 609.2231 (assault in the fourth degree);
96.30 609.224 (assault in the fifth degree); 609.2242 (domestic assault); 609.2247 (domestic
96.31 assault by strangulation); 609.229 (crimes committed for the benefit of a gang); 609.235
96.32 (use of drugs to injure or facilitate crime); 609.24 (simple robbery); 609.245 (aggravated
96.33 robbery); 609.247 (carjacking); 609.25 (kidnapping); 609.255 (false imprisonment); 609.322
96.34 (solicitation, inducement, and promotion of prostitution; sex trafficking); 609.342 (criminal
97.1 sexual conduct in the first degree); 609.343 (criminal sexual conduct in the second degree);
97.2 609.344 (criminal sexual conduct in the third degree); 609.345 (criminal sexual conduct in
97.3 the fourth degree); 609.377 (malicious punishment of a child); 609.378 (neglect or
97.4 endangerment of a child); 609.486 (commission of crime while wearing or possessing a
97.5 bullet-resistant vest); 609.52 (involving theft of a firearm and theft involving the theft of a
97.6 controlled substance, an explosive, or an incendiary device); 609.561 (arson in the first
97.7 degree); 609.562 (arson in the second degree); 609.582, subdivision 1 or 2 (burglary in the
97.8 first and second degrees); 609.66, subdivision 1e (drive-by shooting); 609.67 (unlawfully
97.9 owning, possessing, operating a machine gun or short-barreled shotgun); 609.71 (riot);
97.10 609.713 (terroristic threats); 609.749 (harassment); 609.855, subdivision 5 (shooting at a
97.11 public transit vehicle or facility); and chapter 152 (drugs, controlled substances); and an
97.12 attempt to commit any of these offenses.

97.13 Sec. 32. Minnesota Statutes 2022, section 626A.05, subdivision 2, is amended to read:

97.14 Subd. 2. **Offenses for which interception of wire or oral communication may be**
97.15 **authorized.** A warrant authorizing interception of wire, electronic, or oral communications
97.16 by investigative or law enforcement officers may only be issued when the interception may
97.17 provide evidence of the commission of, or of an attempt or conspiracy to commit, any of
97.18 the following offenses:

97.19 (1) a felony offense involving murder, manslaughter, assault in the first, second, and
97.20 third degrees, aggravated robbery, carjacking in the first or second degree, kidnapping,

97.21 criminal sexual conduct in the first, second, and third degrees, prostitution, bribery, perjury,
97.22 escape from custody, theft, receiving stolen property, embezzlement, burglary in the first,
97.23 second, and third degrees, forgery, aggravated forgery, check forgery, or financial transaction
97.24 card fraud, as punishable under sections 609.185, 609.19, 609.195, 609.20, 609.221, 609.222,
97.25 609.223, 609.2231, 609.245, 609.247, subdivision 2 or 3, 609.25, 609.321 to 609.324,
97.26 609.342, 609.343, 609.344, 609.42, 609.48, 609.485, subdivision 4, paragraph (a), clause
97.27 (1), 609.52, 609.53, 609.54, 609.582, 609.625, 609.63, 609.631, 609.821, and 609.825;

97.28 (2) an offense relating to gambling or controlled substances, as punishable under section
97.29 609.76 or chapter 152; or

97.30 (3) an offense relating to restraint of trade defined in section 325D.53, subdivision 1 or
97.31 2, as punishable under section 325D.56, subdivision 2.

98.1 Sec. 33. Minnesota Statutes 2022, section 629.361, is amended to read:

98.2 **629.361 PEACE OFFICERS RESPONSIBLE FOR CUSTODY OF STOLEN**
98.3 **PROPERTY.**

98.4 A peace officer arresting a person charged with committing or aiding in the committing
98.5 of a robbery, aggravated robbery, carjacking, or theft shall use reasonable diligence to secure
98.6 the property alleged to have been stolen. After seizure of the property, the officer shall be
98.7 answerable for it while it remains in the officer's custody. The officer shall annex a schedule
98.8 of the property to the return of the warrant. Upon request of the county attorney, the law
98.9 enforcement agency that has custody of the property alleged to have been stolen shall deliver
98.10 the property to the custody of the county attorney for use as evidence at an omnibus hearing
98.11 or at trial. The county attorney shall make a receipt for the property and be responsible for
98.12 the property while it is in the county attorney's custody. When the offender is convicted,
98.13 whoever has custody of the property shall turn it over to the owner.

98.14 Sec. 34. **EFFECTIVE DATE.**

98.15 This article is effective August 1, 2023.