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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FOURTH SESSION

H. F. No. 3871

03/02/2026 Authored by Moller
The bill was read for the first time and referred to the Committee on Public Safety Finance and Policy

1.1 A bill for an act
1.2 relating to public safety; providing for venue in child sexual abuse material law;
1.3 providing for on-scene preview of digital evidence in child sexual abuse material
1.4 investigations; prohibiting possession, sale, creation, dissemination, and purchase
1.5 of child-like sex dolls; modifying the defense of duress to include victims of
1.6 trafficking; amending Minnesota Statutes 2024, sections 243.166, subdivision 1b;
1.7 609.08; 617.246, by adding a subdivision; Minnesota Statutes 2025 Supplement,
1.8 section 617.247, by adding a subdivision; proposing coding for new law in
1.9 Minnesota Statutes, chapter 617.

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

1.11 ARTICLE 1
1.12 CHILD SEXUAL ABUSE MATERIAL

1.13 Section 1. Minnesota Statutes 2024, section 617.246, is amended by adding a subdivision
1.14 to read:

1.15 Subd. 8. Venue. Notwithstanding anything to the contrary in section 627.01, an offense
1.16 committed under this section may be prosecuted in:

- 1.17 (1) the county where the offense occurred;
1.18 (2) the county of residence of the accused or victim; or
1.19 (3) if venue cannot be located in the counties specified under clause (1) or (2), the county
1.20 where any sexual performance or child sexual abuse material is produced, reproduced,
1.21 found, stored, received, promoted, disseminated, or possessed in violation of this section.

2.1 Sec. 2. Minnesota Statutes 2025 Supplement, section 617.247, is amended by adding a
2.2 subdivision to read:

2.3 Subd. 10. **Venue.** Notwithstanding anything to the contrary in section 627.01, an offense
2.4 committed under this section may be prosecuted in:

2.5 (1) the county where the offense occurred;

2.6 (2) the county of residence of the accused or victim; or

2.7 (3) if venue cannot be located in the counties specified under clause (1) or (2), the county
2.8 where any sexual performance or child sexual abuse material is produced, reproduced,
2.9 found, stored, received, promoted, disseminated, or possessed in violation of this section.

2.10 Sec. 3. [617.275] **CHILD SEXUAL ABUSE MATERIAL; ON-SCENE DIGITAL**
2.11 **EVIDENCE PREVIEW.**

2.12 Subdivision 1. **Authority.** When a court issues a search warrant authorizing the search
2.13 and seizure of electronic devices or digital media for evidence of child sexual abuse material,
2.14 the warrant also authorizes law enforcement officers and forensic investigators to conduct
2.15 an on-scene forensic preview of the device or media at the location of execution.

2.16 Subd. 2. **Preview.** The on-scene forensic preview of an electronic device or digital media
2.17 is limited to the examination reasonably necessary to identify, confirm, and document the
2.18 presence or absence of child sexual abuse material, as defined in section 617.246, subdivision
2.19 1, paragraph (f). Any additional forensic analysis of a device or media beyond the initial
2.20 preview must be conducted in a digital forensic laboratory or other controlled environment
2.21 pursuant to a separate court-issued search warrant specific to that device or media.

2.22 Subd. 3. **Safeguards.** (a) On-scene forensic previews must be conducted using forensic
2.23 methods designed to preserve the integrity of data and ensure admissibility in court.

2.24 (b) If a preview establishes that a seized device contains no relevant evidence, law
2.25 enforcement shall return the device to the owner or possessor as soon as practicable,
2.26 consistent with section 626.04.

2.27 Subd. 4. **Warrant.** A separate search warrant is not required for the limited on-scene
2.28 forensic preview authorized under this section, provided that the underlying warrant expressly
2.29 authorizes the search for child sexual abuse material.

2.30 Subd. 5. **Scope.** Nothing in this section diminishes or alters the constitutional protections
2.31 afforded under the Fourth Amendment of the United States Constitution, or Minnesota
2.32 Constitution, article I, section 10.

3.1 **EFFECTIVE DATE.** This section is effective August 1, 2026, and applies to search
 3.2 warrants issued on or after that date.

3.3 Sec. 4. **CHILD SEXUAL ABUSE MATERIAL INVESTIGATIONS; LEGISLATIVE**
 3.4 **FINDINGS.**

3.5 The legislature finds that:

3.6 (1) digital evidence in child sexual abuse material (CSAM) investigations has grown
 3.7 exponentially, with investigators often confronted by thousands of files on a single device,
 3.8 contributing to significant backlogs in forensic laboratories;

3.9 (2) timely identification of CSAM is critical to protecting children from ongoing
 3.10 victimization and to apprehending offenders who may be actively producing, distributing,
 3.11 or consuming the material;

3.12 (3) current practices often require the prolonged seizure and retention of personal
 3.13 electronic devices that ultimately contain no evidentiary value, creating unnecessary burdens
 3.14 for innocent citizens and impeding the prompt return of property;

3.15 (4) on-scene forensic previews are a recognized law enforcement practice that allows
 3.16 investigators to quickly determine whether a device contains evidence of CSAM, prioritize
 3.17 devices for further examination, and reduce unnecessary seizures;

3.18 (5) Minnesota law does not expressly authorize on-scene forensic previews under a valid
 3.19 search warrant, creating uncertainty for investigators and risking the loss or destruction of
 3.20 critical evidence during delays; and

3.21 (6) establishing statutory authority for on-scene forensic previews under judicially
 3.22 authorized search warrants provides clarity, balances the urgent need for effective CSAM
 3.23 investigations with individual privacy rights, and ensures that all evidence is obtained in a
 3.24 manner consistent with constitutional protections.

3.25 **ARTICLE 2**

3.26 **PROHIBITION ON CHILD-LIKE SEX DOLLS**

3.27 Section 1. Minnesota Statutes 2024, section 243.166, subdivision 1b, is amended to read:

3.28 Subd. 1b. **Registration required.** (a) A person shall register under this section if:

3.29 (1) the person was charged with or petitioned for a felony violation of or attempt to
 3.30 violate, or aiding, abetting, or conspiracy to commit, any of the following, and convicted

4.1 of or adjudicated delinquent for that offense or another offense arising out of the same set
4.2 of circumstances:

4.3 (i) murder under section 609.185, paragraph (a), clause (2);

4.4 (ii) kidnapping under section 609.25;

4.5 (iii) criminal sexual conduct under section 609.342; 609.343; 609.344; 609.345; 609.3451,
4.6 subdivision 3, paragraph (b); or 609.3453;

4.7 (iv) indecent exposure under section 617.23, subdivision 3; or

4.8 (v) surreptitious intrusion under the circumstances described in section 609.746,
4.9 subdivision 1, paragraph (h);

4.10 (2) the person was charged with or petitioned for a violation of, or attempt to violate, or
4.11 aiding, abetting, or conspiring to commit any of the following and convicted of or adjudicated
4.12 delinquent for that offense or another offense arising out of the same set of circumstances:

4.13 (i) criminal abuse in violation of Minnesota Statutes 2020, section 609.2325, subdivision
4.14 1, paragraph (b);

4.15 (ii) solicitation, inducement, or promotion of the prostitution of a minor or engaging in
4.16 the sex trafficking of a minor in violation of section 609.322;

4.17 (iii) a prostitution offense in violation of section 609.324, subdivision 1, paragraph (a);

4.18 (iv) soliciting a minor to engage in sexual conduct in violation of section 609.352,
4.19 subdivision 2 or 2a, clause (1);

4.20 (v) using a minor in a sexual performance in violation of section 617.246; ~~or~~

4.21 (vi) possessing or disseminating a pornographic work involving a minor in violation of
4.22 section 617.247;

4.23 (vii) possession of a child-like sex doll in violation of section 617.248; or

4.24 (viii) creation of child-like sex dolls in violation of section 617.249;

4.25 (3) the person was sentenced as a patterned sex offender under section 609.3455,
4.26 subdivision 3a; or

4.27 (4) the person was charged with or petitioned for, including pursuant to a court martial,
4.28 violating a law of the United States, including the Uniform Code of Military Justice, similar
4.29 to an offense or involving similar circumstances to an offense described in clause (1), (2),
4.30 or (3), and convicted of or adjudicated delinquent for that offense or another offense arising
4.31 out of the same set of circumstances.

5.1 (b) A person also shall register under this section if:

5.2 (1) the person was charged with or petitioned for an offense in another state similar to
5.3 an offense or involving similar circumstances to an offense described in paragraph (a),
5.4 clause (1), (2), or (3), and convicted of or adjudicated delinquent for that offense or another
5.5 offense arising out of the same set of circumstances;

5.6 (2) the person enters this state to reside, work, or attend school, or enters this state and
5.7 remains for 14 days or longer or for an aggregate period of time exceeding 30 days during
5.8 any calendar year; and

5.9 (3) ten years have not elapsed since the person was released from confinement or, if the
5.10 person was not confined, since the person was convicted of or adjudicated delinquent for
5.11 the offense that triggers registration, unless the person is subject to a longer registration
5.12 period under the laws of another state in which the person has been convicted or adjudicated,
5.13 or is subject to lifetime registration.

5.14 If a person described in this paragraph is subject to a longer registration period in another
5.15 state or is subject to lifetime registration, the person shall register for that time period
5.16 regardless of when the person was released from confinement, convicted, or adjudicated
5.17 delinquent.

5.18 (c) A person also shall register under this section if the person was committed pursuant
5.19 to a court commitment order under Minnesota Statutes 2012, section 253B.185, chapter
5.20 253D, Minnesota Statutes 1992, section 526.10, or a similar law of another state or the
5.21 United States, regardless of whether the person was convicted of any offense.

5.22 (d) A person also shall register under this section if:

5.23 (1) the person was charged with or petitioned for a felony violation or attempt to violate
5.24 any of the offenses listed in paragraph (a), clause (1), or a similar law of another state or
5.25 the United States, or the person was charged with or petitioned for a violation of any of the
5.26 offenses listed in paragraph (a), clause (2), or a similar law of another state or the United
5.27 States;

5.28 (2) the person was found not guilty by reason of mental illness or mental deficiency
5.29 after a trial for that offense, or found guilty but mentally ill after a trial for that offense, in
5.30 states with a guilty but mentally ill verdict; and

5.31 (3) the person was committed pursuant to a court commitment order under section
5.32 253B.18 or a similar law of another state or the United States.

6.1 Sec. 2. **[617.248] POSSESSION OF A CHILD-LIKE SEX DOLL.**

6.2 **Subdivision 1. Definition.** "Child-like sex doll" means an anatomically correct doll,
6.3 mannequin, or robot with features that are intended to depict or resemble a minor and that
6.4 is intended for use in sex acts.

6.5 **Subd. 2. Dissemination prohibited.** (a) A person who knowingly, or with reason to
6.6 know, disseminates a child-like sex doll to an adult or a minor is guilty of a felony and may
6.7 be sentenced to imprisonment for not more than five years or to payment of a fine of not
6.8 more than \$7,000, or both.

6.9 (b) A person who violates paragraph (a) is guilty of a felony and may be sentenced to
6.10 imprisonment for not more than ten years or to payment of a fine of not more than \$15,000,
6.11 or both, if:

6.12 (1) the person has a prior conviction or delinquency adjudication for violating this section
6.13 or section 617.246, 617.247, or 617.249;

6.14 (2) the violation occurs when the person is a registered predatory offender under section
6.15 243.166; or

6.16 (3) the violation involved a child-like sex doll depicting a minor under 14 years of age.

6.17 **Subd. 3. Possession prohibited.** (a) A person who knowingly, or with reason to know,
6.18 possesses a child-like sex doll is guilty of a felony and may be sentenced to imprisonment
6.19 for not more than three years or to payment of a fine of not more than \$3,000, or both.

6.20 (b) A person who violates paragraph (a) is guilty of a felony and may be sentenced to
6.21 imprisonment for not more than seven years or to payment of a fine of not more than \$7,000,
6.22 or both, if:

6.23 (1) the person has a prior conviction or delinquency adjudication for violating this section
6.24 or section 617.246, 617.247, or 617.249;

6.25 (2) the violation occurs when the person is a registered predatory offender under section
6.26 243.166; or

6.27 (3) the violation involved a child-like sex doll depicting a minor under 14 years of age.

6.28 **Subd. 4. Exception.** This section does not apply to the performance of official duties
6.29 by peace officers, court personnel, or attorneys, nor to licensed physicians, psychologists,
6.30 or social workers or persons acting at the direction of a licensed physician, psychologist,
6.31 or social worker in the course of a bona fide treatment or professional education program.

7.1 Subd. 5. **Second offense.** If a person is convicted of a second or subsequent violation
 7.2 of this section within 15 years of the prior conviction, the court shall order a mental
 7.3 examination of the person. The examiner shall report to the court whether treatment of the
 7.4 person is necessary.

7.5 Subd. 6. **Conditional release term.** Notwithstanding the statutory maximum sentence
 7.6 otherwise applicable to the offense or any provision of the sentencing guidelines, when a
 7.7 court commits a person to the custody of the commissioner of corrections for violating this
 7.8 section, the court shall provide that after the person has been released from prison, the
 7.9 commissioner shall place the person on conditional release for five years. If the person has
 7.10 previously been convicted of a violation of this section; section 609.342, 609.343, 609.344,
 7.11 609.345, 609.3451, 609.3453, 617.246, 617.247, or 617.249; or any similar statute of the
 7.12 United States, this state, or any state, the commissioner shall place the person on conditional
 7.13 release for 15 years. The terms of conditional release are governed by section 609.3455,
 7.14 subdivision 8.

7.15 **Sec. 3. [617.249] CREATION OF CHILD-LIKE SEX DOLLS PROHIBITED.**

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

7.18 (b) "Child-like sex doll" has the meaning given in section 617.248.

7.19 (c) "Minor" means any person under 18 years of age.

7.20 (d) "Promote" means to produce, direct, publish, manufacture, issue, or advertise.

7.21 Subd. 2. **Use of minor.** (a) It is unlawful for a person to promote, employ, use, or permit
 7.22 a minor to engage in or assist others to engage minors in the modeling for the creation of a
 7.23 child-like sex doll if the person knows or has reason to know that the conduct intended is
 7.24 to create a child-like sex doll.

7.25 (b) A person who violates paragraph (a) is guilty of a felony and may be sentenced to
 7.26 imprisonment for not more than seven years or to payment of a fine of not more than \$7,000,
 7.27 or both.

7.28 (c) A person who violates paragraph (a) is guilty of a felony and may be sentenced to
 7.29 imprisonment for not more than ten years or to payment of a fine of not more than \$15,000,
 7.30 or both, if:

7.31 (1) the person has a prior conviction or delinquency adjudication for violating this section
 7.32 or section 617.246, 617.247, or 617.248;

8.1 (2) the violation occurs when the person is a registered predatory offender under section
8.2 243.166; or

8.3 (3) the violation involved a minor under 14 years of age.

8.4 Subd. 3. **Operation or ownership of business.** (a) It is unlawful for a person who owns
8.5 or operates a business to intentionally disseminate or reproduce a child-like sex doll where
8.6 a minor was used or employed in the modeling for the creation of the child-like sex doll.

8.7 (b) A person who violates paragraph (a) is guilty of a felony and may be sentenced to
8.8 imprisonment for not more than seven years or to payment of a fine of not more than \$7,000,
8.9 or both.

8.10 (c) A person who violates paragraph (a) is guilty of a felony and may be sentenced to
8.11 imprisonment for not more than ten years or to payment of a fine of not more than \$15,000,
8.12 or both, if:

8.13 (1) the person has a prior conviction or delinquency adjudication for violating this section
8.14 or section 617.246, 617.247, or 617.248;

8.15 (2) the violation occurs when the person is a registered predatory offender under section
8.16 243.166; or

8.17 (3) the violation involved a minor under 14 years of age.

8.18 Subd. 4. **Dissemination.** (a) A person who intentionally disseminates for profit to an
8.19 adult or a minor a child-like sex doll that used or employed a minor in the modeling for the
8.20 creation of the child-like sex doll is guilty of a felony and may be sentenced to imprisonment
8.21 for not more than seven years or to payment of a fine of not more than \$7,000, or both.

8.22 (b) A person who violates paragraph (a) is guilty of a felony and may be sentenced to
8.23 imprisonment for not more than ten years or to payment of a fine of not more than \$15,000,
8.24 or both, if:

8.25 (1) the person has a prior conviction or delinquency adjudication for violating this section
8.26 or section 617.246, 617.247, or 617.248;

8.27 (2) the violation occurs when the person is a registered predatory offender under section
8.28 243.166; or

8.29 (3) the violation involved a minor under 14 years of age.

8.30 Subd. 5. **Consent; mistake.** Neither consent to the modeling for the creation of a
8.31 child-like sex doll by a minor or the minor's parent, guardian, or custodian nor mistake as
8.32 to the minor's age is a defense to a charge of violation of this section.

9.1 Subd. 6. **Conditional release term.** Notwithstanding the statutory maximum sentence
 9.2 otherwise applicable to the offense or any provision of the sentencing guidelines, when a
 9.3 court commits a person to the custody of the commissioner of corrections for violating this
 9.4 section, the court shall provide that after the person has been released from prison, the
 9.5 commissioner shall place the person on conditional release for five years. If the person has
 9.6 previously been convicted of a violation of this section; section 609.342, 609.343, 609.344,
 9.7 609.345, 609.3451, 609.3453, 617.246, 617.247, or 617.248; or any similar statute of the
 9.8 United States, this state, or any state, the commissioner shall place the person on conditional
 9.9 release for 15 years. The terms of conditional release are governed by section 609.3455,
 9.10 subdivision 8.

9.11 **ARTICLE 3**

9.12 **DURESS DEFENSE**

9.13 Section 1. Minnesota Statutes 2024, section 609.08, is amended to read:

9.14 **609.08 DURESS.**

9.15 Subdivision 1. **Compulsion by threat of death.** Except as provided in section 609.20,
 9.16 clause (3), when any crime is committed or participated in by two or more persons, any one
 9.17 of whom participates only under compulsion by another engaged therein, who by threats
 9.18 creates a reasonable apprehension in the mind of such participator that in case of refusal
 9.19 that participator is liable to instant death, such threats and apprehension constitute duress
 9.20 which will excuse such participator from criminal liability.

9.21 Subd. 2. **Duress; victims of labor or sex trafficking.** (a) A defendant may assert the
 9.22 affirmative defense of duress to excuse criminal liability for any offense that is not a crime
 9.23 of violence, as defined in section 624.712, subdivision 5, by proving by a preponderance
 9.24 of the evidence that, at the time the offense was committed, the defendant was a victim of
 9.25 labor or sex trafficking, as defined in sections 609.281, subdivision 6, and 609.321,
 9.26 subdivision 7b, and the conduct or alleged conduct underlying the offense was directly
 9.27 related to the defendant having been a victim of labor or sex trafficking.

9.28 (b) If a defendant is found not guilty of a criminal offense based on the successful
 9.29 assertion of the affirmative defense of duress under this subdivision, the court must order
 9.30 all records relating to the arrest, indictment or information, trial, or verdict be sealed; that
 9.31 the existence of the record not be disclosed; and that the record not be opened except by
 9.32 court order.

APPENDIX
Article locations for 26-06122

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