

1.1 moves to amend H.F. No. 5245 as follows:

1.2 Delete everything after the enacting clause and insert:

1.3 "ARTICLE 1

1.4 JUDICIARY APPROPRIATIONS

1.5 Section 1. APPROPRIATIONS.

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

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

| | | |
|------|--------------------------------------|--------------------|
| 1.13 | <u>APPROPRIATIONS</u> | |
| 1.14 | <u>Available for the Year</u> | |
| 1.15 | <u>Ending June 30</u> | |
| 1.16 | <u>2024</u> | <u>2025</u> |

1.17 Sec. 2. SUPREME COURT

| | | | | | |
|------|---|-----------|------------------|-----------|------------------|
| 1.18 | <u>Subdivision 1. Total Appropriation</u> | <u>\$</u> | <u>2,250,000</u> | <u>\$</u> | <u>1,750,000</u> |
|------|---|-----------|------------------|-----------|------------------|

1.19 The amounts that may be spent for each
1.20 purpose are specified in the following
1.21 subdivisions.

| | | | | | |
|------|--|--|------------------|--|------------------|
| 1.22 | <u>Subd. 2. Supreme Court Operations</u> | | <u>2,250,000</u> | | <u>1,750,000</u> |
|------|--|--|------------------|--|------------------|

1.23 (a) Safe and Secure Courthouse Initiative

1.24 \$500,000 in fiscal year 2024 is for a
1.25 competitive grant program for courthouse

3.1 \$170,000 in fiscal year 2025 is to reimburse
3.2 certified court interpreters for travel time.

3.3 **(f) Jury Program Deficit**

3.4 \$788,000 each year is to address the current
3.5 deficit in Minnesota's jury program. The base
3.6 for this appropriation is \$0 beginning in fiscal
3.7 year 2026.

3.8 **(g) Trauma Services for Jurors**

3.9 \$25,000 each year is to provide vicarious
3.10 trauma services for jurors.

3.11 **Sec. 4. BOARD OF CIVIL LEGAL AID.**

3.12 The general fund appropriation base for the Board of Civil Legal Aid is \$34,167,000
3.13 beginning in fiscal year 2026 for staffing and other costs needed to establish and perform
3.14 the duties of the Board of Civil Legal Aid.

3.15 Sec. 5. Laws 2023, chapter 52, article 1, section 2, subdivision 3, is amended to read:

3.16 Subd. 3. **Civil Legal Services** 33,560,000 33,560,000

3.17 The general fund base is ~~\$34,167,000~~ \$0
3.18 beginning in fiscal year 2026.

3.19 **Legal Services to Low-Income Clients in**
3.20 **Family Law Matters**

3.21 \$1,017,000 each year is to improve the access
3.22 of low-income clients to legal representation
3.23 in family law matters. This appropriation must
3.24 be distributed under Minnesota Statutes,
3.25 section 480.242, to the qualified legal services
3.26 program described in Minnesota Statutes,
3.27 section 480.242, subdivision 2, paragraph (a).
3.28 Any unencumbered balance remaining in the
3.29 first year does not cancel and is available in
3.30 the second year.

ARTICLE 2

BOARD OF CIVIL LEGAL AID

Section 1. Minnesota Statutes 2022, section 480.24, subdivision 2, is amended to read:

Subd. 2. **Eligible client.** "Eligible client" means an individual that is financially unable to afford legal assistance, as determined by a recipient on the basis of eligibility guidelines established by the ~~supreme court~~ State Board of Civil Legal Aid pursuant to section 480.243, subdivision 1.

Sec. 2. Minnesota Statutes 2022, section 480.24, subdivision 4, is amended to read:

Subd. 4. **Recipient.** "Recipient" means a qualified legal services program that receives funds ~~from the supreme court~~ pursuant to section 480.242 to provide legal services to eligible clients.

Sec. 3. [480.2415] STATE BOARD OF CIVIL LEGAL AID.

Subdivision 1. Structure; membership. (a) The State Board of Civil Legal Aid is a part of, but is not subject to the administrative control of, the judicial branch of government.

(b) The board shall consist of 11 members as follows:

(1) six members appointed by the supreme court; and

(2) five members appointed by the governor.

(c) All candidates shall have demonstrated a commitment in maintaining high quality civil legal services to people of low or moderate means. The appointing entities shall seek board members who reflect the diverse populations served by civil legal aid through attorney and nonattorney members.

(d) The appointing entities may not appoint an active judge to be a member of the board, but may appoint a retired judge. The appointing entities may not appoint a person who is closely affiliated with any entity awarded funding pursuant to section 480.242 or any entity seeking funding pursuant to section 480.242. The board may set term limits for board members. An appointing authority may not make an appointment that exceeds the term limits established by the board.

(e) The terms, compensation, and removal of board members shall be as provided in section 15.0575, except that the board may establish a per diem in excess of the amount provided in law. The members shall elect the chair from among the membership for a term of two years.

5.1 Subd. 2. **Duties and responsibilities.** (a) The State Board of Civil Legal Aid shall work
5.2 to ensure access to high quality civil legal services in every Minnesota county.

5.3 (b) The board shall:

5.4 (1) approve and recommend to the legislature a budget for the board and the civil legal
5.5 services grants distributed subject to section 480.242;

5.6 (2) establish procedures for distribution of funding under section 480.242; and

5.7 (3) establish civil program standards, administrative policies, or procedures necessary
5.8 to ensure quality advocacy for persons unable to afford private counsel.

5.9 (c) The board may propose statutory changes to the legislature and rule changes to the
5.10 supreme court that are in the best interests of persons unable to afford private counsel.

5.11 (d) The board shall not interfere with the discretion or judgment of civil legal services
5.12 programs in their zealous advocacy.

5.13 Subd. 3. **State civil legal aid program administrator.** The State Board of Civil Legal
5.14 Aid shall appoint a program administrator who serves at the pleasure of the board. The
5.15 program administrator is not required to be licensed to practice law. The program
5.16 administrator shall attend all meetings of the board, but may not vote, and shall:

5.17 (1) carry out all administrative functions necessary for the efficient and effective operation
5.18 of the board and the civil legal aid delivery system, including but not limited to hiring,
5.19 supervising, and disciplining program staff;

5.20 (2) implement, as necessary, resolutions, standards, rules, regulations, and policies of
5.21 the board;

5.22 (3) keep the board fully advised as to its financial condition, and prepare and submit to
5.23 the board the annual program and State Board of Civil Legal Aid budget and other financial
5.24 information as requested by the board;

5.25 (4) recommend to the board the adoption of rules and regulations necessary for the
5.26 efficient operation of the board and the civil legal aid program; and

5.27 (5) perform other duties prescribed by the board.

5.28 Subd. 4. **Administration.** The board may contract for administrative support services.

5.29 Subd. 5. **Access to records.** Access to records of the State Board of Civil Legal Aid is
5.30 subject to the Rules of Public Access for Records of the Judicial Branch, excluding the
5.31 appeals process in rule 9. Pursuant to section 13.90, the board is not subject to chapter 13.

6.1 Sec. 4. Minnesota Statutes 2022, section 480.242, subdivision 2, is amended to read:

6.2 Subd. 2. **Review of applications; selection of recipients.** At times and in accordance
6.3 with any procedures ~~as the supreme court adopts in the form of court rules~~ adopted by the
6.4 State Board of Civil Aid, applications for the expenditure of civil legal services funds shall
6.5 be accepted from qualified legal services programs or from local government agencies and
6.6 nonprofit organizations seeking to establish qualified alternative dispute resolution programs.
6.7 The applications shall be reviewed by the ~~advisory committee, and the advisory committee,~~
6.8 ~~subject to review by the supreme court~~ State Board of Civil Legal Aid, which shall distribute
6.9 the funds available for this expenditure to qualified legal services programs or to qualified
6.10 alternative dispute resolution programs submitting applications. The funds shall be distributed
6.11 in accordance with the following formula:

6.12 (a) Eighty-five percent of the funds distributed shall be distributed to qualified legal
6.13 services programs that have demonstrated an ability as of July 1, 1982, to provide legal
6.14 services to persons unable to afford private counsel with funds provided by the federal Legal
6.15 Services Corporation. The allocation of funds among the programs selected shall be based
6.16 upon the number of persons with incomes below the poverty level established by the United
6.17 States Census Bureau who reside in the geographical area served by each program, as
6.18 determined by the ~~supreme court~~ State Board of Civil Legal Aid on the basis of the most
6.19 recent national census. All funds distributed pursuant to this clause shall be used for the
6.20 provision of legal services in civil and farm legal assistance matters as prioritized by program
6.21 boards of directors to eligible clients.

6.22 (b) Fifteen percent of the funds distributed may be distributed (1) to other qualified legal
6.23 services programs for the provision of legal services in civil matters to eligible clients,
6.24 including programs which organize members of the private bar to perform services and
6.25 programs for qualified alternative dispute resolution, (2) to programs for training mediators
6.26 operated by nonprofit alternative dispute resolution corporations, or (3) to qualified legal
6.27 services programs to provide family farm legal assistance for financially distressed state
6.28 farmers. The family farm legal assistance must be directed at farm financial problems
6.29 including, but not limited to, liquidation of farm property including bankruptcy, farm
6.30 foreclosure, repossession of farm assets, restructuring or discharge of farm debt, farm credit
6.31 and general debtor-creditor relations, and tax considerations. If all the funds to be distributed
6.32 pursuant to this clause cannot be distributed because of insufficient acceptable applications,
6.33 the remaining funds shall be distributed pursuant to clause (a).

6.34 A person is eligible for legal assistance under this section if the person is an eligible
6.35 client as defined in section 480.24, subdivision 2, or:

7.1 (1) is a state resident;

7.2 (2) is or has been a farmer or a family shareholder of a family farm corporation within
7.3 the preceding 24 months;

7.4 (3) has a debt-to-asset ratio greater than 50 percent; and

7.5 (4) satisfies the income eligibility guidelines established under section 480.243,
7.6 subdivision 1.

7.7 Qualifying farmers and small business operators whose bank loans are held by the Federal
7.8 Deposit Insurance Corporation are eligible for legal assistance under this section.

7.9 Sec. 5. Minnesota Statutes 2022, section 480.242, subdivision 3, is amended to read:

7.10 Subd. 3. **Timing of distribution of funds.** The funds to be distributed to recipients
7.11 selected in accordance with the provisions of subdivision 2 shall be distributed by the
7.12 ~~supreme court~~ State Board of Civil Legal Aid no less than twice per calendar year.

7.13 Sec. 6. Minnesota Statutes 2022, section 480.243, subdivision 1, is amended to read:

7.14 Subdivision 1. **Committee eligibility guidelines.** The ~~supreme court, with the advice~~
7.15 ~~of the advisory committee,~~ State Board of Civil Legal Aid shall establish guidelines ~~in the~~
7.16 ~~form of court rules~~ to be used by recipients to determine the eligibility of individuals and
7.17 organizations for legal services provided with funds received pursuant to section 480.242.
7.18 The guidelines shall be designed solely to assist recipients in determining whether an
7.19 individual or organization is able to afford or secure legal assistance from private counsel
7.20 with respect to the particular matter for which assistance is requested.

7.21 Sec. 7. **STATE BOARD OF CIVIL LEGAL AID; STAFF.**

7.22 Staff currently employed to support the advisory committee created pursuant to Minnesota
7.23 Statutes, section 480.242, shall transfer to the State Board of Civil Legal Aid upon the
7.24 effective date consistent with Minnesota Statutes, section 15.039, subdivision 7.

7.25 Sec. 8. **REPEALER.**

7.26 Minnesota Statutes 2022, section 480.242, subdivision 1, is repealed.

7.27 Sec. 9. **EFFECTIVE DATE.**

7.28 Sections 1 to 8 are effective on July 1, 2025.

8.1 **ARTICLE 3**8.2 **SAFE AT HOME**

8.3 Section 1. Minnesota Statutes 2022, section 5B.02, is amended to read:

8.4 **5B.02 DEFINITIONS.**

8.5 (a) For purposes of this chapter and unless the context clearly requires otherwise, the
8.6 definitions in this section have the meanings given them.

8.7 (b) "Address" means an individual's work address, school address, or residential street
8.8 address, as specified on the individual's application to be a program participant under this
8.9 chapter.

8.10 (c) "Applicant" means an adult, a parent or guardian acting on behalf of an eligible
8.11 minor, or a guardian acting on behalf of an incapacitated person, as defined in section
8.12 524.5-102.

8.13 (d) "Domestic violence" means an act as defined in section 518B.01, subdivision 2,
8.14 paragraph (a), and includes a threat of such acts committed against an individual in a domestic
8.15 situation, regardless of whether these acts or threats have been reported to law enforcement
8.16 officers.

8.17 (e) "Eligible person" means an adult, a minor, or an incapacitated person, as defined in
8.18 section 524.5-102 for whom there is good reason to believe (1) that the eligible person is a
8.19 victim of domestic violence, sexual assault, or harassment or stalking, or (2) that the eligible
8.20 person fears for the person's safety, the safety of another person who resides in the same
8.21 household, or the safety of persons on whose behalf the application is made. In order to be
8.22 an eligible person, an individual must reside in Minnesota in order to be an eligible person
8.23 or must certify that the individual intends to reside in Minnesota within 60 days. A person
8.24 registered or required to register as a predatory offender under section 243.166 or 243.167,
8.25 or the law of another jurisdiction, is not an eligible person.

8.26 (f) "Mail" means first class letters and flats delivered via the United States Postal Service,
8.27 including priority, express, and certified mail, and excluding (1) periodicals and catalogues,
8.28 and (2) packages and parcels unless they are clearly identifiable as nonrefrigerated
8.29 pharmaceuticals or clearly indicate that they are sent by the federal government or a state
8.30 or county government agency of the continental United States, Hawaii, District of Columbia,
8.31 or United States territories.

8.32 (g) "Program participant" means an individual certified as a program participant under
8.33 section 5B.03.

9.1 (h) "Harassment" or "stalking" means acts criminalized under section 609.749 and
9.2 includes a threat of such acts committed against an individual, regardless of whether these
9.3 acts or threats have been reported to law enforcement officers.

9.4 Sec. 2. Minnesota Statutes 2022, section 5B.03, subdivision 3, is amended to read:

9.5 Subd. 3. **Certification.** (a) Upon filing a completed application, the secretary of state
9.6 shall certify the eligible person as a program participant. Unless the program participant is
9.7 not a Minnesota resident, program participants shall must be certified for four years following
9.8 the date of filing unless the certification is canceled, withdrawn or invalidated before that
9.9 date. Applicants from outside of Minnesota must be certified for 60 days. Upon receiving
9.10 notice that the participant has moved to Minnesota, the participant must be certified for four
9.11 years following the date of filing unless the certification is canceled, withdrawn, or
9.12 invalidated before that date. The secretary of state shall by rule establish a renewal procedure.

9.13 (b) Certification under this subdivision is for the purpose of participation in the
9.14 confidentiality program established under this chapter only. Certification must not be used
9.15 as evidence or be considered for any purpose in any civil, criminal, or administrative
9.16 proceeding related to the behavior or actions giving rise to the application under subdivision
9.17 1.

9.18 Sec. 3. Minnesota Statutes 2022, section 5B.04, is amended to read:

9.19 **5B.04 CERTIFICATION CANCELLATION.**

9.20 (a) If the program participant obtains a legal change of identity, the participant loses
9.21 certification as a program participant.

9.22 (b) The secretary of state may cancel a program participant's certification if there is a
9.23 change in the program participant's legal name or contact information, unless the program
9.24 participant or the person who signed as the applicant on behalf of an eligible person provides
9.25 the secretary of state with prior notice in writing of the change.

9.26 (c) The secretary of state may cancel certification of a program participant if mail
9.27 forwarded by the secretary to the program participant's address is returned as nondeliverable.

9.28 (d) The secretary of state may cancel a program participant's certification if the program
9.29 participant is no longer an eligible person.

9.30 (e) The secretary of state shall cancel certification of a program participant who applies
9.31 using false information.

10.1 (f) The secretary of state shall cancel certification of a program participant who does
10.2 not reside in Minnesota within 60 days of Safe at Home certification.

10.3 Sec. 4. Minnesota Statutes 2022, section 5B.05, is amended to read:

10.4 **5B.05 USE OF DESIGNATED ADDRESS.**

10.5 (a) When a program participant presents the address designated by the secretary of state
10.6 to any person or entity, that address must be accepted as the address of the program
10.7 participant. The person ~~may~~ or entity must not require the program participant to submit
10.8 any address that could be used to physically locate the participant either as a substitute or
10.9 in addition to the designated address, or as a condition of receiving a service or benefit,
10.10 unless the service or benefit would be impossible to provide without knowledge of the
10.11 program participant's physical location. Notwithstanding a person's or entity's knowledge
10.12 of a program participant's physical location, the person or entity must use the program
10.13 participant's designated address for all mail correspondence with the program participant,
10.14 unless the participant owns real property through a limited liability company or trust. A
10.15 person or entity may only mail to an alternative address if the participant owns real property
10.16 through a trust or a limited liability company and the participant has requested that the
10.17 person or entity mail correspondence regarding that ownership to an alternate address.

10.18 (b) A program participant may use the address designated by the secretary of state as
10.19 the program participant's work address.

10.20 (c) The Office of the Secretary of State shall forward all mail sent to the designated
10.21 address to the proper program participants.

10.22 (d) If a program participant has notified a person or entity in writing, on a form prescribed
10.23 by the program, that the individual is a program participant and of the requirements of this
10.24 section, the person or entity must not knowingly disclose the participant's name or address
10.25 identified by the participant on the notice. If identified on the notice, the ~~individual~~ person
10.26 or entity receiving the notice must not knowingly disclose the program participant's name,
10.27 home address, work address, or school address, unless the person to whom the address is
10.28 disclosed also lives, works, or goes to school at the address disclosed, or the participant has
10.29 provided written consent to disclosure of the participant's name, home address, work address,
10.30 or school address for the purpose for which the disclosure will be made. This paragraph
10.31 applies to the actions and reports of guardians ad litem, except that guardians ad litem may
10.32 disclose the program participant's name. This paragraph does not apply to records of the
10.33 judicial branch governed by rules adopted by the supreme court or government entities
10.34 governed by section 13.045.

11.1 Sec. 5. Minnesota Statutes 2022, section 13.045, subdivision 3, is amended to read:

11.2 Subd. 3. **Classification of identity and location data; amendment of records; sharing**
11.3 **and dissemination.** (a) Identity and location data for which a program participant seeks
11.4 protection under subdivision 2, paragraph (a), that are not otherwise classified by law as
11.5 not public are private data on individuals.

11.6 (b) Notwithstanding any provision of law to the contrary, private or confidential location
11.7 data on a program participant who submits a notice under subdivision 3, paragraph (a), may
11.8 not be shared with any other government entity or nongovernmental entity unless:

11.9 (1) the program participant has expressly consented in writing to sharing or dissemination
11.10 of the data for the purpose for which the sharing or dissemination will occur;

11.11 (2) the data are subject to sharing or dissemination pursuant to court order under section
11.12 13.03, subdivision 6;

11.13 (3) the data are subject to sharing pursuant to section 5B.07, subdivision 2;

11.14 (4) the location data related to county of residence are needed to provide public assistance
11.15 or other government services, or to allocate financial responsibility for the assistance or
11.16 services;

11.17 (5) the data are necessary to perform a government entity's health, safety, or welfare
11.18 functions, including the provision of emergency 911 services, the assessment and
11.19 investigation of child or vulnerable adult abuse or neglect, or the assessment or inspection
11.20 of services or locations for compliance with health, safety, or professional standards; or

11.21 (6) the data are necessary to aid an active law enforcement investigation of the program
11.22 participant.

11.23 (c) Data disclosed under paragraph (b), clauses (4) to (6), may be used only for the
11.24 purposes authorized in this subdivision and may not be further disclosed to any other person
11.25 or government entity. Government entities receiving or sharing private or confidential data
11.26 under this subdivision shall establish procedures to protect the data from further disclosure.

11.27 (d) Real property record data are governed by subdivision 4a.

11.28 (e) Notwithstanding sections 15.17 and 138.17, a government entity may amend records
11.29 to replace a participant's location data with the participant's designated address."

11.30 Amend the title accordingly