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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FOURTH SESSION

H. F. No. 3946

03/05/2026 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; modifying the definition of domestic abuse for purposes
1.3 of obtaining an order for protection; requiring law enforcement agencies to report
1.4 certain information in domestic abuse cases; authorizing certain arrests for suspected
1.5 nonfelony domestic abuse; requiring a person arrested for suspected domestic
1.6 abuse to be held in custody until the person's first court appearance; establishing
1.7 the Task Force on Improving Responses to Domestic Violence Crimes; requiring
1.8 annual reports; appropriating money; amending Minnesota Statutes 2024, sections
1.9 611A.0311, subdivision 1; 629.341, subdivision 1; 629.72, subdivisions 1a, 6;
1.10 Minnesota Statutes 2025 Supplement, sections 299C.80, subdivision 6; 518B.01,
1.11 subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 626;
1.12 repealing Minnesota Statutes 2024, section 629.72, subdivision 3.

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

1.14 Section 1. Minnesota Statutes 2025 Supplement, section 299C.80, subdivision 6, is amended
1.15 to read:

1.16 Subd. 6. Reporting. (a) As provided for in chapter 13, the superintendent must make
1.17 all inactive investigative data for officer-involved death investigations that are public under
1.18 section 13.82, subdivision 7, or other applicable law available on the bureau's website within
1.19 30 days of the case becoming inactive as defined in section 13.82, subdivision 7, except
1.20 any video that does not record, describe, or otherwise document actions and circumstances
1.21 surrounding the officer-involved death.

1.22 (b) By February 1 of each year, the superintendent shall report to the commissioner, the
1.23 governor, and the chairs and ranking minority members of the legislative committees with
1.24 jurisdiction over public safety finance and policy the following information about the unit:
1.25 the number of investigations initiated; the number of incidents that began with a law
1.26 enforcement response to a situation involving suspected or alleged domestic abuse, as

2.1 defined in section 626.5537, subdivision 1; the number of incidents investigated; the
2.2 outcomes or current status of each investigation; the charging decisions made by the
2.3 prosecuting authority of incidents investigated by the unit; the number of plea agreements
2.4 reached in incidents investigated by the unit; and any other information relevant to the unit's
2.5 mission.

2.6 (c) Nothing in this subdivision modifies the requirements of chapter 13 or the
2.7 classification of data.

2.8 Sec. 2. Minnesota Statutes 2025 Supplement, section 518B.01, subdivision 2, is amended
2.9 to read:

2.10 Subd. 2. **Definitions.** As used in this section, the following terms have the meanings
2.11 given:

2.12 (a) "Domestic abuse" means the following, if committed against a family or household
2.13 member by a family or household member:

2.14 (1) physical harm, bodily injury, or assault;

2.15 (2) the infliction of fear of imminent physical harm, bodily injury, or assault; ~~or~~

2.16 (3) any unwanted act or series of acts that causes or is intended to cause the family or
2.17 household member to feel frightened, threatened, oppressed, persecuted, or intimidated,
2.18 including but not limited to:

2.19 (i) manifesting a purpose or intent to prevent the family or household member from
2.20 having lawful contact with the person's child;

2.21 (ii) manifesting a purpose or intent to injure the property or rights of the family or
2.22 household member;

2.23 (iii) manifesting a purpose or intent to injure any pet or companion animal owned,
2.24 possessed, or kept by the family or household member;

2.25 (iv) following, monitoring, or pursuing the family or household member, whether in
2.26 person or through any available technological or other means;

2.27 (v) returning to the property of the family or household member if the actor is without
2.28 claim of right to the property or consent of one with authority to consent;

2.29 (vi) repeatedly making telephone calls, sending text messages, or inducing the family
2.30 or household member to make telephone calls to the actor, whether or not conversation
2.31 ensues;

3.1 (vii) making or causing the telephone of the family or household member to continuously
3.2 ring or receive notifications;

3.3 (viii) repeatedly mailing or delivering or causing the delivery by any means, including
3.4 electronically, of letters, telegrams, messages, packages, through assistive devices for people
3.5 with vision impairments or hearing loss, or any communication made through any available
3.6 technologies or other objects; or

3.7 (ix) using the personal information of the family or household member, without consent,
3.8 to invite, encourage, or solicit a third party to engage in a sexual act with the family or
3.9 household member;

3.10 (4) controlling or attempting to control the behavior of the family or household member
3.11 by engaging in conduct that unreasonably limits the person's freedom, undermines the
3.12 person's autonomy, isolates the person, deprives the person of basic needs, or limits access
3.13 to the person's financial resources; or

3.14 ~~(3)~~ (5) terroristic threats, within the meaning of section 609.713, subdivision 1; criminal
3.15 sexual conduct, within the meaning of section 609.342, 609.343, 609.344, 609.345, or
3.16 609.3451; sexual extortion within the meaning of section 609.3458; or interference with an
3.17 emergency call within the meaning of section 609.78, subdivision 2.

3.18 (b) "Family or household members" means:

3.19 (1) spouses and former spouses;

3.20 (2) parents and children;

3.21 (3) persons related by blood;

3.22 (4) persons who are presently residing together or who have resided together in the past;

3.23 (5) persons who have a child in common regardless of whether they have been married
3.24 or have lived together at any time;

3.25 (6) a man and woman if the woman is pregnant and the man is alleged to be the father,
3.26 regardless of whether they have been married or have lived together at any time; and

3.27 (7) persons involved in a significant romantic or sexual relationship.

3.28 Issuance of an order for protection on the ground in clause (6) does not affect a
3.29 determination of paternity under sections 257.51 to 257.74. In determining whether persons
3.30 are or have been involved in a significant romantic or sexual relationship under clause (7),
3.31 the court shall consider the length of time of the relationship; type of relationship; frequency

4.1 of interaction between the parties; and, if the relationship has terminated, length of time
4.2 since the termination.

4.3 (c) "Qualified domestic violence-related offense" has the meaning given in section
4.4 609.02, subdivision 16.

4.5 (d) "Custodian" means any person other than the petitioner or respondent who has:

4.6 (1) physical or legal custody under section 257.541, subdivision 1, physical or legal
4.7 custody pursuant to any court order, or physical custody with the consent of a custodial
4.8 parent; or

4.9 (2) court-ordered parenting time.

4.10 Sec. 3. Minnesota Statutes 2024, section 611A.0311, subdivision 1, is amended to read:

4.11 Subdivision 1. **Definitions.** (a) "Domestic abuse" has the meaning given in section
4.12 518B.01, subdivision 2.

4.13 (b) "Domestic abuse case" means a prosecution for:

4.14 (1) a crime that involves domestic abuse;

4.15 (2) violation of a condition of release following an arrest for a crime that involves
4.16 domestic abuse; ~~or~~

4.17 (3) violation of a domestic abuse order for protection issued pursuant to section 518B.01;

4.18 (4) violation of a harassment restraining order issued pursuant to section 609.748
4.19 committed against a family or household member by a family or household member;

4.20 (5) harassment or stalking within the meaning of section 609.749 committed against a
4.21 family or household member by a family or household member; or

4.22 (6) violation of a domestic abuse no contact order issued pursuant to section 629.75.

4.23 Sec. 4. [626.5537] DOMESTIC ABUSE; REPORTING.

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

4.26 (b) "Domestic abuse" has the meaning given in section 518B.01, subdivision 2, paragraph
4.27 (a), and also includes the following, if committed against a family or household member
4.28 by a family or household member:

5.1 (1) violation of an order for protection within the meaning of section 518B.01, subdivision
5.2 14;

5.3 (2) violation of a harassment restraining order within the meaning of section 609.748,
5.4 subdivision 6;

5.5 (3) harassment or stalking within the meaning of section 609.749; and

5.6 (4) violation of a domestic abuse no contact order within the meaning of section 629.75,
5.7 subdivision 2.

5.8 (c) "Family or household member" has the meaning given in section 518B.01, subdivision
5.9 2, paragraph (b).

5.10 Subd. 2. **Collection of information; reporting.** The head of a local law enforcement
5.11 agency or state law enforcement department that employs peace officers, as defined in
5.12 section 626.84, subdivision 1, paragraph (c), must report every incident a peace officer
5.13 reasonably believes, or a victim alleges, constitutes an act of domestic abuse to the
5.14 commissioner of public safety by January 15 each year. The superintendent of the Bureau
5.15 of Criminal Apprehension must adopt a reporting form to be used by law enforcement
5.16 agencies in making the reports required under this section. The reports must include all of
5.17 the following for each incident:

5.18 (1) the date of the incident;

5.19 (2) the location of the incident;

5.20 (3) the crime suspected to have been committed;

5.21 (4) whether the response began as a call for service alleging an act of domestic abuse;

5.22 (5) whether a suspect was arrested at the time of the incident;

5.23 (6) whether a suspect was arrested at a later date and, if so, the time between the incident
5.24 and the arrest;

5.25 (7) whether the alleged offender possessed, or was reported to possess, a firearm at the
5.26 time of the incident;

5.27 (8) whether the case was referred for prosecution;

5.28 (9) whether the determination that the incident constituted an act of domestic abuse was
5.29 based on an officer's reasonable belief or on the victim's allegation; and

5.30 (10) any additional information the superintendent deems necessary for the acquisition
5.31 of accurate and relevant data.

6.1 Subd. 3. **Annual report.** The commissioner of public safety must summarize and analyze
6.2 the information received under subdivision 2 and provide an annual report to the chairs and
6.3 ranking minority members of the legislative committees with jurisdiction over public safety.
6.4 The annual report may be included in the department's annual uniform crime report.

6.5 Sec. 5. Minnesota Statutes 2024, section 629.341, subdivision 1, is amended to read:

6.6 Subdivision 1. **Arrest.** Notwithstanding section 629.34 or any other law or rule, a peace
6.7 officer may arrest a person anywhere without a warrant, including at the person's residence,
6.8 if the peace officer has probable cause to believe that ~~within the preceding 72 hours, exclusive~~
6.9 ~~of the day probable cause was established,~~ the person has committed nonfelony domestic
6.10 abuse, as defined in section 518B.01, subdivision 2. The arrest may be made even though
6.11 the assault did not take place in the presence of the peace officer.

6.12 Sec. 6. Minnesota Statutes 2024, section 629.72, subdivision 1a, is amended to read:

6.13 Subd. 1a. **Detention in lieu of citation; release.** (a) Notwithstanding any other law or
6.14 rule, an arresting officer may not issue a citation in lieu of arrest and detention to an
6.15 individual charged with harassing or stalking, domestic abuse, violation of an order for
6.16 protection, or violation of a domestic abuse no contact order.

6.17 (b) Notwithstanding any other law or rule, an individual who is arrested on a charge of
6.18 harassing or stalking any person, domestic abuse, violation of an order for protection, or
6.19 violation of a domestic abuse no contact order, must be brought to the police station or
6.20 county jail and must be detained until the person's first court appearance. ~~The officer in~~
6.21 ~~charge of the police station or the county sheriff in charge of the jail shall issue a citation~~
6.22 ~~in lieu of continued detention unless it reasonably appears to the officer or sheriff that release~~
6.23 ~~of the person (1) poses a threat to the alleged victim or another family or household member,~~
6.24 ~~(2) poses a threat to public safety, or (3) involves a substantial likelihood the arrested person~~
6.25 ~~will fail to appear at subsequent proceedings.~~

6.26 (c) ~~If the arrested person is not issued a citation by the officer in charge of the police~~
6.27 ~~station or the county sheriff,~~ The arrested person must be brought before the nearest available
6.28 judge of the district court in the county in which the alleged harassing or stalking, domestic
6.29 abuse, violation of an order for protection, or violation of a domestic abuse no contact order
6.30 took place without unnecessary delay as provided by court rule.

7.1 Sec. 7. Minnesota Statutes 2024, section 629.72, subdivision 6, is amended to read:

7.2 Subd. 6. **Notice; release of arrested person.** (a) Immediately after ~~issuance of a citation~~
 7.3 ~~in lieu of continued detention under subdivision 1, or~~ the entry of an order for release under
 7.4 subdivision 2, but before the arrested person is released, the agency having custody of the
 7.5 arrested person or its designee must make a reasonable and good faith effort to inform orally
 7.6 the alleged victim, local law enforcement agencies known to be involved in the case, if
 7.7 different from the agency having custody, and, at the victim's request any local battered
 7.8 women's and domestic abuse programs established under section 611A.32 or sexual assault
 7.9 programs of:

7.10 (1) the conditions of release, if any;

7.11 (2) the time of release;

7.12 (3) the time, date, and place of the next scheduled court appearance of the arrested person
 7.13 and the victim's right to be present at the court appearance; and

7.14 (4) if the arrested person is charged with domestic abuse, the location and telephone
 7.15 number of the area program that provides services to victims of domestic abuse as designated
 7.16 by the Office of Justice Programs in the Department of Public Safety.

7.17 (b) As soon as practicable after an order for conditional release is entered, the agency
 7.18 having custody of the arrested person or its designee must personally deliver or mail to the
 7.19 alleged victim a copy of the written order and written notice of the information in paragraph
 7.20 (a), clauses (2) and (3).

7.21 (c) Data on the victim and the notice provided by the custodial authority are private data
 7.22 on individuals as defined in section 13.02, subdivision 12, and are accessible only to the
 7.23 victim.

7.24 Sec. 8. **TASK FORCE ON IMPROVING RESPONSES TO DOMESTIC VIOLENCE**
 7.25 **CRIMES.**

7.26 Subdivision 1. **Establishment.** The Task Force on Improving Responses to Domestic
 7.27 Violence Crimes is established to review law enforcement, prosecutorial, and community
 7.28 responses to domestic violence crimes and make policy and funding recommendations to
 7.29 the legislature to improve those responses and increase public safety.

7.30 Subd. 2. **Membership.** (a) The commissioner of public safety must invite representatives
 7.31 from city and county prosecuting agencies, statewide crime victim coalitions, the Minnesota
 7.32 judicial branch, the Minnesota Board of Public Defense, the Department of Public Safety,

8.1 the Office for Missing and Murdered Indigenous Relatives, the Office for Missing and
8.2 Murdered Black Women and Girls, local law enforcement agencies, Tribal governments,
8.3 and other interested parties to participate in the task force.

8.4 (b) The commissioner must ensure that the membership of the task force is balanced
8.5 among the various representatives, reflects a broad spectrum of viewpoints, reflects the
8.6 geographic diversity of the state, and is inclusive of marginalized communities as well as
8.7 victim and survivor voices.

8.8 (c) Members serve at the pleasure of the commissioner of public safety or until the task
8.9 force expires. The commissioner may fill vacancies consistent with the qualifications of the
8.10 vacating member invited to participate in the task force.

8.11 (d) Members of the task force serve without compensation.

8.12 Subd. 3. **Officers; meetings.** (a) The commissioner of public safety or the commissioner's
8.13 designee must convene the first meeting of the task force by September 1, 2026.

8.14 (b) At the first meeting, the members of the task force must elect a chair and may elect
8.15 other officers as the members deem necessary.

8.16 (c) The task force must meet monthly or as determined by the chair. The task force must
8.17 meet frequently enough to accomplish the tasks identified in this section.

8.18 (d) Meetings of the task force are subject to Minnesota Statutes, chapter 13D.

8.19 Subd. 4. **Duties.** (a) The task force must review current practices related to cases of
8.20 domestic violence and recommend policies, training, statutory changes, and funding to make
8.21 investigations more effective, support and protect victims, improve prosecutions, and increase
8.22 awareness of issues connected to domestic violence throughout the criminal justice system.

8.23 (b) The task force's first responsibility must be to develop a model policy on the use of
8.24 lethality assessments by peace officers and recommend training for peace officers, law
8.25 enforcement agencies, and others regarding the use of lethality assessments. The model
8.26 policy must require peace officers interviewing a victim of domestic abuse to assess the
8.27 potential danger to the victim and recommend specific actions for peace officers to take if
8.28 the results of the assessment indicate the victim is in need of immediate protection or services.
8.29 The model policy may include a lethality assessment form for use by peace officers.

8.30 (c) At a minimum, the task force must:

8.31 (1) review current training related to domestic violence cases that is provided to 911
8.32 telecommunicators, peace officers, prosecuting attorneys, and judges;

9.1 (2) develop updated training guidelines and establish recommendations for regular review
9.2 of those guidelines;

9.3 (3) review current practices for interviewing victims of domestic violence, children who
9.4 are victims or witnesses of domestic violence, and other witnesses;

9.5 (4) make recommendations for improved interviewing practices, including policies for
9.6 following up on interviews and providing protection and support for witnesses;

9.7 (5) identify barriers victims of domestic violence encounter when reporting incidents
9.8 of domestic violence, participating in an investigation or prosecution, and accessing services;

9.9 (6) recommend standard policies and practices to reduce the barriers victims of domestic
9.10 violence encounter;

9.11 (7) identify crimes that frequently occur in conjunction with incidents of domestic
9.12 violence, such as property damage and theft, and make recommendations regarding
9.13 investigating, documenting, and prosecuting those offenses;

9.14 (8) identify conditions, such as traumatic brain injuries, that frequently result from
9.15 repeated incidents of domestic violence and recommend policies and procedures for working
9.16 with victims and witnesses who may be suffering from those conditions;

9.17 (9) make recommendations for public awareness campaigns to improve the ability of
9.18 the general public to identify signs of domestic violence and properly report observations;

9.19 (10) review practices in Minnesota and other jurisdictions regarding the use of specialty
9.20 courts or dedicated calendars to address cases involving domestic violence and family law
9.21 to determine if dedicated courts improve outcomes for victims, reduce recidivism, increase
9.22 consistency, or have any other benefits;

9.23 (11) review current practices related to the involvement of victim advocates;

9.24 (12) make recommendations for best practices related to supporting victims of domestic
9.25 violence through the use of victim advocates, including identifying the appropriate scope
9.26 of services, recommending the point of initial engagement, suggesting the appropriate
9.27 frequency of contacts, and other recommendations related to improving the quality and
9.28 consistency of contacts;

9.29 (13) review prosecutorial policies adopted under Minnesota Statutes, section 611A.0311,
9.30 and make recommendations for updates to those policies;

9.31 (14) identify appropriate data prosecutors should collect and report related to cases
9.32 involving domestic violence to ensure consistency and transparency in the prosecution of

10.1 cases involving domestic violence and the appropriate protection and support of victims
 10.2 and witnesses; and

10.3 (15) review existing data to assess the regularity of cases in which multiple parties are
 10.4 arrested following an incident of domestic violence and make recommendations related to
 10.5 whether arrests should be limited to the predominant aggressor.

10.6 (d) The task force may consider additional information, request presentations or
 10.7 contributions from any other organization or person, and consider other issues consistent
 10.8 with the purpose of the task force.

10.9 Subd. 5. **Reports.** (a) By January 15, 2027, the task force must submit a preliminary
 10.10 report to the chairs, cochairs, and ranking minority members of the legislative committees
 10.11 with jurisdiction over public safety that includes the model policy and recommendations
 10.12 for the training described in subdivision 4, paragraph (b).

10.13 (b) By January 15, 2028, the task force must submit a final report to the chairs, cochairs,
 10.14 and ranking minority members of the legislative committees with jurisdiction over public
 10.15 safety on the work of the task force, including any recommendations for legislation or
 10.16 funding.

10.17 Subd. 6. **Expiration.** The task force expires the day after submitting its final report under
 10.18 subdivision 5.

10.19 Sec. 9. **TASK FORCE ON IMPROVING RESPONSES TO DOMESTIC VIOLENCE**
 10.20 **CRIMES; APPROPRIATION.**

10.21 \$..... in fiscal year 2026 and \$..... in fiscal year 2027 are appropriated from the general
 10.22 fund to the commissioner of public safety to provide support for the Task Force on Improving
 10.23 Responses to Domestic Violence Crimes. The base for this appropriation is \$0 beginning
 10.24 in fiscal year 2028.

10.25 Sec. 10. **REPEALER.**

10.26 Minnesota Statutes 2024, section 629.72, subdivision 3, is repealed.

APPENDIX
Repealed Minnesota Statutes: 26-06558

629.72 BAIL; DOMESTIC ABUSE; HARASSMENT; VIOLATION OF ORDER FOR PROTECTION; OR NO CONTACT ORDER.

Subd. 3. **Release.** If the arrested person is not issued a citation by the officer in charge of the police station or the county sheriff pursuant to subdivision 1, and is not brought before a judge within the time limits prescribed by court rule, the arrested person shall be released by the arresting authorities, and a citation must be issued in lieu of continued detention.