

1.1 ..... moves to amend H.F. No. 1233, the delete everything amendment  
1.2 (A13-0408), as follows:

1.3 Page 319, after line 6, insert:

1.4 "Sec. ... Minnesota Statutes 2012, section 260B.007, subdivision 6, is amended to read:

1.5 Subd. 6. **Delinquent child.** (a) Except as otherwise provided in paragraphs (b)  
1.6 and (c), "delinquent child" means a child:

1.7 (1) who has violated any state or local law, except as provided in section 260B.225,  
1.8 subdivision 1, and except for juvenile offenders as described in subdivisions 16 to 18;

1.9 (2) who has violated a federal law or a law of another state and whose case has been  
1.10 referred to the juvenile court if the violation would be an act of delinquency if committed  
1.11 in this state or a crime or offense if committed by an adult;

1.12 (3) who has escaped from confinement to a state juvenile correctional facility after  
1.13 being committed to the custody of the commissioner of corrections; or

1.14 (4) who has escaped from confinement to a local juvenile correctional facility after  
1.15 being committed to the facility by the court.

1.16 (b) The term delinquent child does not include a child alleged to have committed  
1.17 murder in the first degree after becoming 16 years of age, but the term delinquent child  
1.18 does include a child alleged to have committed attempted murder in the first degree.

1.19 (c) The term delinquent child does not include a child ~~under the age of 16 years~~  
1.20 alleged to have engaged in conduct which would, if committed by an adult, violate any  
1.21 federal, state, or local law relating to being hired, offering to be hired, or agreeing to be  
1.22 hired by another individual to engage in sexual penetration or sexual conduct.

1.23 **EFFECTIVE DATE.** This section is effective August 1, 2014, and applies to  
1.24 offenses committed on or after that date.

1.25 Sec. ... Minnesota Statutes 2012, section 260B.007, subdivision 16, is amended to read:

2.1 Subd. 16. **Juvenile petty offender; juvenile petty offense.** (a) "Juvenile petty  
2.2 offense" includes a juvenile alcohol offense, a juvenile controlled substance offense,  
2.3 a violation of section 609.685, or a violation of a local ordinance, which by its terms  
2.4 prohibits conduct by a child under the age of 18 years which would be lawful conduct if  
2.5 committed by an adult.

2.6 (b) Except as otherwise provided in paragraph (c), "juvenile petty offense" also  
2.7 includes an offense that would be a misdemeanor if committed by an adult.

2.8 (c) "Juvenile petty offense" does not include any of the following:

2.9 (1) a misdemeanor-level violation of section 518B.01, 588.20, 609.224, 609.2242,  
2.10 609.324, subdivision 2 or 3, 609.5632, 609.576, 609.66, 609.746, 609.748, 609.79,  
2.11 or 617.23;

2.12 (2) a major traffic offense or an adult court traffic offense, as described in section  
2.13 260B.225;

2.14 (3) a misdemeanor-level offense committed by a child whom the juvenile court  
2.15 previously has found to have committed a misdemeanor, gross misdemeanor, or felony  
2.16 offense; or

2.17 (4) a misdemeanor-level offense committed by a child whom the juvenile court  
2.18 has found to have committed a misdemeanor-level juvenile petty offense on two or  
2.19 more prior occasions, unless the county attorney designates the child on the petition  
2.20 as a juvenile petty offender notwithstanding this prior record. As used in this clause,  
2.21 "misdemeanor-level juvenile petty offense" includes a misdemeanor-level offense that  
2.22 would have been a juvenile petty offense if it had been committed on or after July 1, 1995.

2.23 (d) A child who commits a juvenile petty offense is a "juvenile petty offender." The  
2.24 term juvenile petty offender does not include a child ~~under the age of 16 years~~ alleged  
2.25 to have violated any law relating to being hired, offering to be hired, or agreeing to be  
2.26 hired by another individual to engage in sexual penetration or sexual conduct which, if  
2.27 committed by an adult, would be a misdemeanor.

2.28 **EFFECTIVE DATE.** This section is effective August 1, 2014, and applies to  
2.29 offenses committed on or after that date.

2.30 Sec. ... Minnesota Statutes 2012, section 260C.007, subdivision 6, is amended to read:

2.31 Subd. 6. **Child in need of protection or services.** "Child in need of protection or  
2.32 services" means a child who is in need of protection or services because the child:

2.33 (1) is abandoned or without parent, guardian, or custodian;

2.34 (2)(i) has been a victim of physical or sexual abuse as defined in section 626.556,  
2.35 subdivision 2, (ii) resides with or has resided with a victim of child abuse as defined in

3.1 subdivision 5 or domestic child abuse as defined in subdivision 13, (iii) resides with or  
3.2 would reside with a perpetrator of domestic child abuse as defined in subdivision 13 or  
3.3 child abuse as defined in subdivision 5 or 13, or (iv) is a victim of emotional maltreatment  
3.4 as defined in subdivision 15;

3.5 (3) is without necessary food, clothing, shelter, education, or other required care  
3.6 for the child's physical or mental health or morals because the child's parent, guardian,  
3.7 or custodian is unable or unwilling to provide that care;

3.8 (4) is without the special care made necessary by a physical, mental, or emotional  
3.9 condition because the child's parent, guardian, or custodian is unable or unwilling to  
3.10 provide that care;

3.11 (5) is medically neglected, which includes, but is not limited to, the withholding of  
3.12 medically indicated treatment from a disabled infant with a life-threatening condition. The  
3.13 term "withholding of medically indicated treatment" means the failure to respond to the  
3.14 infant's life-threatening conditions by providing treatment, including appropriate nutrition,  
3.15 hydration, and medication which, in the treating physician's or physicians' reasonable  
3.16 medical judgment, will be most likely to be effective in ameliorating or correcting all  
3.17 conditions, except that the term does not include the failure to provide treatment other  
3.18 than appropriate nutrition, hydration, or medication to an infant when, in the treating  
3.19 physician's or physicians' reasonable medical judgment:

3.20 (i) the infant is chronically and irreversibly comatose;

3.21 (ii) the provision of the treatment would merely prolong dying, not be effective in  
3.22 ameliorating or correcting all of the infant's life-threatening conditions, or otherwise be  
3.23 futile in terms of the survival of the infant; or

3.24 (iii) the provision of the treatment would be virtually futile in terms of the survival  
3.25 of the infant and the treatment itself under the circumstances would be inhumane;

3.26 (6) is one whose parent, guardian, or other custodian for good cause desires to be  
3.27 relieved of the child's care and custody, including a child who entered foster care under a  
3.28 voluntary placement agreement between the parent and the responsible social services  
3.29 agency under section 260C.227;

3.30 (7) has been placed for adoption or care in violation of law;

3.31 (8) is without proper parental care because of the emotional, mental, or physical  
3.32 disability, or state of immaturity of the child's parent, guardian, or other custodian;

3.33 (9) is one whose behavior, condition, or environment is such as to be injurious or  
3.34 dangerous to the child or others. An injurious or dangerous environment may include, but  
3.35 is not limited to, the exposure of a child to criminal activity in the child's home;

4.1 (10) is experiencing growth delays, which may be referred to as failure to thrive, that  
4.2 have been diagnosed by a physician and are due to parental neglect;

4.3 (11) ~~has engaged in prostitution as defined in section 609.321, subdivision 9~~ is a  
4.4 sexually exploited youth;

4.5 (12) has committed a delinquent act or a juvenile petty offense before becoming  
4.6 ten years old;

4.7 (13) is a runaway;

4.8 (14) is a habitual truant;

4.9 (15) has been found incompetent to proceed or has been found not guilty by reason  
4.10 of mental illness or mental deficiency in connection with a delinquency proceeding, a  
4.11 certification under section 260B.125, an extended jurisdiction juvenile prosecution, or a  
4.12 proceeding involving a juvenile petty offense; or

4.13 (16) has a parent whose parental rights to one or more other children were  
4.14 involuntarily terminated or whose custodial rights to another child have been involuntarily  
4.15 transferred to a relative and there is a case plan prepared by the responsible social services  
4.16 agency documenting a compelling reason why filing the termination of parental rights  
4.17 petition under section 260C.301, subdivision 3, is not in the best interests of the child; ~~or~~

4.18 ~~(17) is a sexually exploited youth.~~

4.19 **EFFECTIVE DATE.** This section is effective August 1, 2014.

4.20 Sec. ... Minnesota Statutes 2012, section 260C.007, subdivision 31, is amended to read:

4.21 Subd. 31. **Sexually exploited youth.** "Sexually exploited youth" means an  
4.22 individual who:

4.23 (1) is alleged to have engaged in conduct which would, if committed by an adult,  
4.24 violate any federal, state, or local law relating to being hired, offering to be hired, or  
4.25 agreeing to be hired by another individual to engage in sexual penetration or sexual conduct;

4.26 (2) is a victim of a crime described in section 609.342, 609.343, 609.344, 609.345,  
4.27 609.3451, 609.3453, 609.352, 617.246, or 617.247;

4.28 (3) is a victim of a crime described in United States Code, title 18, section 2260;  
4.29 2421; 2422; 2423; 2425; 2425A; or 2256; or

4.30 (4) is a sex trafficking victim as defined in section 609.321, subdivision 7b.

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

4.32 Page 320, line 22, before "Minnesota" insert "(a)"

4.33 Page 320, after line 22, insert:

4.34 "(b) Minnesota Statutes 2012, section 609.093, is repealed."

5.1 Page 320, before line 23, insert:

5.2 "EFFECTIVE DATE. Paragraph (b) is effective the day following final enactment."

5.3 Page 409, after line 10, insert:

5.4 "Sec. ... [145.4716] SAFE HARBOR FOR SEXUALLY EXPLOITED YOUTH.

5.5 Subdivision 1. Director. The commissioner of health shall establish a position for a  
5.6 director of child sex trafficking prevention.

5.7 Subd. 2. Duties of director. The director of child sex trafficking prevention is  
5.8 responsible for the following:

5.9 (1) developing and providing comprehensive training on sexual exploitation of  
5.10 youth for social service professionals, medical professionals, public health workers, and  
5.11 criminal justice professionals;

5.12 (2) collecting, organizing, maintaining, and disseminating information on sexual  
5.13 exploitation and services across the state, including maintaining a list of resources on the  
5.14 Department of Health Web site;

5.15 (3) monitoring and applying for federal funding for antitrafficking efforts that may  
5.16 benefit victims in the state;

5.17 (4) managing grant programs established under this act;

5.18 (5) identifying best practices in serving sexually exploited youth, as defined in  
5.19 section 260C.007, subdivision 31;

5.20 (6) providing oversight of and technical support to regional navigators pursuant to  
5.21 section 145.4717;

5.22 (7) conducting a comprehensive evaluation of the statewide program for safe harbor  
5.23 of sexually exploited youth; and

5.24 (8) developing a policy, consistent with the requirements of chapter 13, for sharing  
5.25 data related to sexually exploited youth, as defined in section 260C.007, subdivision 31,  
5.26 among regional navigators and community-based advocates.

5.27 Sec. ... [145.4717] REGIONAL NAVIGATOR GRANTS.

5.28 The commissioner of health, through its director of child sex trafficking prevention,  
5.29 established in section 145.4716, shall provide grants to regional navigators serving six  
5.30 regions of the state to be determined by the commissioner. Each regional navigator must  
5.31 develop and annually submit a work plan to the director of child sex trafficking prevention.  
5.32 The work plans must include, but are not limited to, the following information:

5.33 (1) a needs statement specific to the region, including an examination of the  
5.34 population at risk;

- 6.1 (2) regional resources available to sexually exploited youth, as defined in section  
 6.2 260C.007, subdivision 31;  
 6.3 (3) grant goals and measurable outcomes; and  
 6.4 (4) grant activities including timelines.

6.5 Sec. ... **[145.4718] PROGRAM EVALUATION.**

6.6 (a) The director of child sex trafficking prevention, established under section  
 6.7 145.4716, must conduct, or contract for, comprehensive evaluation of the statewide  
 6.8 program for safe harbor for sexually exploited youth. The first evaluation must be  
 6.9 completed by June 30, 2015, and must be submitted to the commissioner of health by  
 6.10 September 1, 2015, and every two years thereafter. The evaluation must consider whether  
 6.11 the program is reaching intended victims and whether support services are available,  
 6.12 accessible, and adequate for sexually exploited youth, as defined in section 260C.007,  
 6.13 subdivision 31.

6.14 (b) In conducting the evaluation, the director of child sex trafficking prevention must  
 6.15 consider evaluation of outcomes, including whether the program increases identification  
 6.16 of sexually exploited youth, coordination of investigations, access to services and housing  
 6.17 available for sexually exploited youth, and improved effectiveness of services. The  
 6.18 evaluation must also include examination of the ways in which penalties under section  
 6.19 609.3241 are assessed, collected, and distributed to ensure funding for investigation,  
 6.20 prosecution, and victim services to combat sexual exploitation of youth."

6.21 Page 466, after line 9, insert:

6.22 **"Safe Harbor for Sexually Exploited**  
 6.23 **Youth.** (a) \$1,000,000 in each fiscal year  
 6.24 is for supportive service grants for the safe  
 6.25 harbor for sexually exploited youth program,  
 6.26 under Minnesota Statutes, section 145.4716,  
 6.27 including advocacy services, civil legal  
 6.28 services, health care services, mental and  
 6.29 chemical health services, education and  
 6.30 employment services, aftercare and relapse  
 6.31 prevention, and family reunification services.  
 6.32 This appropriation shall be added to the base.

6.33 (b) \$381,000 in each fiscal year is for  
 6.34 grants to six regional navigators under

7.1 Minnesota Statutes, section 145.4717. This  
7.2 appropriation shall be added to the base.

7.3 (c) \$82,500 in each fiscal year is for the  
7.4 director of child sex trafficking prevention  
7.5 position. This appropriation shall be added  
7.6 to the base.

7.7 (d) \$72,900 in fiscal year 2015 is for  
7.8 program evaluation required under  
7.9 Minnesota Statutes, section 145.4718. This  
7.10 appropriation shall be added to the base."

7.11         Renumber the sections in sequence and correct the internal references

7.12         Amend the title accordingly