

..... moves to amend H.F. No. 2300 as follows:

Delete everything after the enacting clause and insert:

"ARTICLE 1"

JUDICIARY APPROPRIATIONS

Section 1. APPROPRIATIONS.

The sums shown in the columns marked "Appropriations" are appropriated to the agencies and for the purposes specified in this article. The appropriations are from the general fund, or another named fund, and are available for the fiscal years indicated for each purpose. The figures "2026" and "2027" used in this article mean that the appropriations listed under them are available for the fiscal year ending June 30, 2026, or June 30, 2027, respectively. "The first year" is fiscal year 2026. "The second year" is fiscal year 2027. "The biennium" is fiscal years 2026 and 2027.

		<u>APPROPRIATIONS</u>	
		<u>Available for the Year</u>	
		<u>Ending June 30</u>	
		<u>2026</u>	<u>2027</u>
Sec. 2. <u>SUPREME COURT</u>	\$	<u>58,753,000</u>	\$ <u>50,223,000</u>
<u>(a) Contingent Account</u>			
<u>\$5,000 each year is for a contingent account</u>			
<u>for expenses necessary for the normal</u>			
<u>operation of the court for which no other</u>			
<u>reimbursement is provided.</u>			
<u>(b) Digital Accessibility</u>			

2.1 \$1,124,000 the first year is to ensure equal
2.2 access to online court resources. This
2.3 appropriation is available until June 30, 2028.

2.4 (c) Court Cyber Security

2.5 \$3,500,000 the first year is for the judicial
2.6 branch cyber security program. This
2.7 appropriation is available until June 30, 2028.

2.8 (d) Justice Partner Access

2.9 \$4,000,000 the first year is to improve justice
2.10 partner access to documents and court
2.11 information. This appropriation is available
2.12 until June 30, 2028.

2.13	Sec. 3. COURT OF APPEALS	\$	15,578,000	\$	15,609,000
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2.14	Sec. 4. DISTRICT COURTS	\$	407,318,000	\$	392,528,000
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2.15 (a) Psychological Services

2.16 \$10,634,000 the first year is for the
2.17 psychological and psychiatric examiner
2.18 services program, which delivers statutorily
2.19 mandated psychological examinations for civil
2.20 commitment, criminal competency, and
2.21 criminal responsibility evaluations. This
2.22 appropriation is available until June 30, 2028.

2.23 (b) Interpreter Services

2.24 \$2,580,000 the first year is for mandated
2.25 interpreter services. This appropriation is
2.26 available until June 30, 2028.

2.27 (c) Increased Cost of Jury Program

2.28 \$1,576,000 the first year is for increased costs
2.29 of jury programs. This appropriation is
2.30 available until June 30, 2028.

2.31	Sec. 5. BOARD OF CIVIL LEGAL AID	\$	35,353,000	\$	35,353,000
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3.1 **Legal Services to Low-Income Clients in**
 3.2 **Family Law Matters**

3.3 \$1,017,000 each year is to improve the access
 3.4 of low-income clients to legal representation
 3.5 in family law matters. This appropriation must
 3.6 be distributed under Minnesota Statutes,
 3.7 section 480.242, to the qualified legal services
 3.8 program described in Minnesota Statutes,
 3.9 section 480.242, subdivision 2, paragraph (a).
 3.10 Any unencumbered balance remaining in the
 3.11 first year does not cancel and is available in
 3.12 the second year.

3.13 Sec. 6. **GUARDIAN AD LITEM BOARD** \$ **26,607,000** \$ **26,625,000**

3.14 **Volunteer Guardians ad Litem**

3.15 \$229,000 the first year and \$247,000 the
 3.16 second year are for supervising volunteer
 3.17 guardians ad litem.

3.18 Sec. 7. **TAX COURT** \$ **2,306,000** \$ **2,307,000**

3.19 Sec. 8. **UNIFORM LAWS COMMISSION** \$ **115,000** \$ **115,000**

3.20 Sec. 9. **BOARD ON JUDICIAL STANDARDS** \$ **654,000** \$ **655,000**

3.21 **(a) Availability of Appropriation**

3.22 If the appropriation for either year is
 3.23 insufficient, the appropriation for the other
 3.24 fiscal year is available.

3.25 **(b) Major Disciplinary Actions**

3.26 \$125,000 each year is for special investigative
 3.27 and hearing costs for major disciplinary
 3.28 actions undertaken by the board. This
 3.29 appropriation does not cancel. Any
 3.30 unencumbered and unspent balances remain
 3.31 available for these expenditures until June 30,
 3.32 2029.

4.1	Sec. 10. <u>BOARD OF PUBLIC DEFENSE</u>	<u>\$</u>	<u>167,130,000</u>	<u>\$</u>	<u>167,130,000</u>
4.2	Sec. 11. <u>HUMAN RIGHTS</u>	<u>\$</u>	<u>8,847,000</u>	<u>\$</u>	<u>8,854,000</u>
4.3	Sec. 12. <u>OFFICE OF APPELLATE COUNSEL</u>				
4.4	<u>AND TRAINING</u>	<u>\$</u>	<u>1,361,000</u>	<u>\$</u>	<u>1,361,000</u>
4.5	Sec. 13. <u>COMPETENCY ATTAINMENT</u>				
4.6	<u>BOARD</u>	<u>\$</u>	<u>10,900,000</u>	<u>\$</u>	<u>11,165,000</u>
4.7	Sec. 14. <u>CANNABIS EXPUNGEMENT BOARD</u>	<u>\$</u>	<u>5,356,000</u>	<u>\$</u>	<u>5,371,000</u>
4.8	Sec. 15. <u>SECRETARY OF STATE</u>	<u>\$</u>	<u>-0-</u>	<u>\$</u>	<u>18,000</u>

4.9 **Personal Information of Judicial Officials**

4.10 \$18,000 the second year is to protect personal
4.11 information of judicial officials contained in
4.12 real property records pursuant to Minnesota
4.13 Statutes, section 480.50. This appropriation is
4.14 onetime.

4.15 Sec. 16. **OFFICE OF APPELLATE COUNSEL AND TRAINING; REDUCTION.**

4.16 The commissioner of management and budget shall reduce the appropriation to the
4.17 Office of Appellate Counsel and Training for fiscal years 2024 and 2025 in Laws 2023,
4.18 chapter 52, article 1, section 11, by \$2,000,000.

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

4.20 Sec. 17. **STATE COMPETENCY ATTAINMENT BOARD; REDUCTION.**

4.21 The commissioner of management and budget shall reduce the appropriation to the State
4.22 Competency Attainment Board for fiscal years 2024 and 2025 in Laws 2023, chapter 52,
4.23 article 1, as amended by Laws 2023, chapter 73, section 3, by \$11,000,000.

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

4.25 Sec. 18. **CANNABIS EXPUNGEMENT BOARD; REDUCTION.**

4.26 The commissioner of management and budget shall reduce the appropriation to the
4.27 Cannabis Expungement Board for fiscal years 2024 and 2025 in Laws 2023, chapter 63,
4.28 article 9, section 4, by \$10,000,000.

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

5.1 Sec. 19. **JUSTICE PARTNER ACCESS; FEE.**

5.2 The Minnesota Judicial Branch may charge a fee to private attorneys for improved access
5.3 to documents and court information and retain any money collected. The fee may be imposed
5.4 by rule or policy.

5.5 **ARTICLE 2**
5.6 **JUDICIARY POLICY**

5.7 Section 1. **[13.891] RESTORATIVE PRACTICE PARTICIPANT DATA.**

5.8 (a) For purposes of this section, "restorative practice participant" has the meaning given
5.9 in section 595.02, subdivision 1b, paragraph (a), clause (2).

5.10 (b) Data collected, created, or maintained by a government entity that identifies an
5.11 individual as a restorative practice participant is private data on individuals but may be
5.12 disclosed for the purposes described in section 595.02, subdivision 1b, paragraph (b), clauses
5.13 (1) to (3), or paragraph (c). This section does not apply to personnel data, as defined in
5.14 section 13.43, subdivision 1, or to an individual who receives payment to facilitate a
5.15 restorative practice, as defined in section 142A.76, subdivision 1.

5.16 Sec. 2. Minnesota Statutes 2024, section 142A.76, subdivision 8, is amended to read:

5.17 Subd. 8. **Report.** By February 15 of each year, the director shall report to the chairs and
5.18 ranking minority members of the legislative committees and divisions with jurisdiction over
5.19 public safety, human services, and education, on the work of the Office of Restorative
5.20 Practices, any grants issued pursuant to this section, and the status of local restorative
5.21 practices initiatives in the state that were reviewed in the previous year. The status report
5.22 should include information provided by the grantees on their program's impact on recidivism,
5.23 public safety, and local financial investments in restorative practices. Grantees must provide
5.24 this information to the Office of Restorative Practices by November 15 of each year.

5.25 Sec. 3. Minnesota Statutes 2024, section 260C.419, subdivision 2, is amended to read:

5.26 Subd. 2. **Statewide Office of Appellate Counsel and Training; establishment.** (a)
5.27 The Statewide Office of Appellate Counsel and Training is ~~established as an independent~~
5.28 ~~state office~~ created as an agency in the executive branch, with powers and duties established
5.29 by law. The office shall be responsible for:

(1) establishing and maintaining a system for providing appellate representation to parents in juvenile protection matters, as provided in section 260C.163, subdivision 3, paragraph (c), and in Tribal court jurisdictions;

(2) providing training to all parent attorneys practicing in the state on topics relevant to their practice and establishing practice standards and training requirements for parent attorneys practicing in the state; and

(3) collaborating with the Minnesota Department of Children, Youth, and Families to coordinate and secure federal Title IV-E support for counties and Tribes interested in accessing federal funding.

(b) The office shall be governed by a board as provided in subdivision 3.

Sec. 4. Minnesota Statutes 2024, section 260C.419, subdivision 3, is amended to read:

Subd. 3. **State Board of Appellate Counsel and Training; structure; membership.** (a)

The State Board of Appellate Counsel and Training is established to direct the Statewide Office of Appellate Counsel and Training. The board shall consist of seven members, including:

(1) four public members appointed by the governor; and

(2) three members appointed by the supreme court, at least one of whom must have experience representing parents in juvenile court and who include two attorneys admitted to practice law in the state and one public member.

(b) The appointing authorities may not appoint any of the following to be a member of the board:

(1) a person who is a judge;

(2) a person who is a registered lobbyist;

(3) a person serving as a guardian ad litem or counsel for a guardian ad litem;

(4) a person who serves as counsel for children in juvenile court;

(5) a person under contract with or employed by the Department of Children, Youth, and Families or a county department of human or social services; or

(6) a current city or county attorney or assistant city or county attorney.

(c) All members shall demonstrate an interest in maintaining a high quality, independent appellate defense system for parents in juvenile protection proceedings who are unable to obtain adequate representation, a robust program for parent attorneys in Minnesota, and an

efficient coordination effort, in collaboration with the Department of Children, Youth, and Families, to secure and utilize Title IV-E funding. At least one member of the board appointed by the governor must be a representative from a federally recognized Indian Tribe. No more than five members of the board may belong to the same political party. At least three members of the board shall be from judicial districts other than the First, Second, Fourth, and Tenth Judicial Districts. To the extent practicable, the membership of the board must include persons with disabilities, reflect the ethnic diversity of the state, take into consideration race and gender, and include persons from throughout the state. The members shall be well acquainted with representing parents in district court and appellate proceedings related to child protection matters as well as the law that affects a parent attorney's work, including chapter 260C, the Rules of Juvenile Protection Procedure, the Rules of Civil Appellate Procedure, the Indian Child Welfare Act, and the Minnesota Indian Family Preservation Act. The terms, compensation, and removal of members shall be as provided in section 15.0575. The governor shall designate one member to serve as the initial chair. Upon the expiration of the initial chair's term, board members shall elect a chair from among the membership and the chair shall serve a term of two years.

Sec. 5. Minnesota Statutes 2024, section 260C.419, subdivision 4, is amended to read:

Subd. 4. **Head appellate counsel for parents; assistant ~~and contracted~~ attorneys; other employees.** (a) Beginning January 1, 2024, and for every four years after that date, the board shall appoint a head appellate counsel in charge of executing the responsibilities of the office who shall provide for sufficient appellate counsel for parents and other personnel necessary to discharge the functions of the office. The head appellate counsel shall serve a four-year term and may be removed only for cause upon the order of the board. The head appellate counsel shall be a full-time ~~qualified~~ attorney, licensed to practice law in this state, and serve in the unclassified service of the state. Vacancies of the office shall be filled by the appointing authority for the unexpired term. The head appellate counsel shall devote full time to the performance of duties and shall not engage in the general practice of law. ~~The compensation~~ salary of the head appellate counsel shall be set ~~by the board and shall be commensurate with county attorneys in the state~~ according to section 43A.18, subdivision 3.

(b) ~~Consistent with the decisions of the board,~~ The head appellate counsel shall employ ~~assistants or hire independent contractors~~ or appoint attorneys to serve as assistant appellate counsel for parents. Each assistant appellate counsel ~~and independent contractor~~ serves at the pleasure of the head appellate counsel. ~~The compensation of~~ salary ranges for assistant appellate counsel ~~and independent contractors~~ shall be set ~~by the board and shall be~~

8.1 ~~commensurate with county attorneys in the state~~ in consultation with Minnesota Management
8.2 and Budget.

8.3 (c) A person serving as appellate counsel shall be ~~a qualified~~ an attorney licensed to
8.4 practice law in this state. A person serving as appellate counsel practicing in Tribal court
8.5 shall be a licensed attorney qualified to practice law in Tribal courts in the state. Assistant
8.6 appellate counsel and contracted appellate counsel may engage in the general practice of
8.7 law where not employed or contracted to provide services on a full-time basis.

8.8 (d) The head appellate counsel shall, consistent with the responsibilities under subdivision
8.9 2, employ or hire the following:

8.10 (1) one managing appellate attorney;

8.11 (2) two staff attorneys;

8.12 (3) one director of training;

8.13 (4) one program administrator to support Title IV-E reimbursement in collaboration
8.14 with the Department of Children, Youth, and Families; and

8.15 (5) one office administrator.

8.16 (e) ~~Each employee~~ All attorneys identified in paragraph (d) ~~serves~~ serve at the pleasure
8.17 of the head appellate counsel. ~~The~~ Other employees shall serve in the classified service.
8.18 ~~Compensation of each employee~~ for all employees shall be set by the board ~~and shall be~~
8.19 ~~commensurate with county attorneys in the state.~~ in accordance with the collective bargaining
8.20 agreements or compensation plans covering the terms and conditions for executive branch
8.21 employees.

8.22 (f) Any person serving as managing appellate attorney, staff attorney, and director of
8.23 training shall be a qualified attorney licensed to practice law in the state.

8.24 (g) A person serving as the program administrator and office administrator must be
8.25 chosen solely on the basis of training, experience, and qualifications.

8.26 Sec. 6. Minnesota Statutes 2024, section 480.243, is amended by adding a subdivision to
8.27 read:

8.28 Subd. 3. Report to legislature. The State Board of Civil Legal Aid shall report to the
8.29 chairs and ranking minority members of the legislative committees with jurisdiction over
8.30 judiciary on data related to the cases and individuals and families serviced by each of the
8.31 grant recipients providing legal services with funds received pursuant to section 480.242.
8.32 The data shall be provided for each individual organization and, when possible, for each

9.1 geographic region the organization works in, and provided in the aggregate to protect the
9.2 privacy of the individuals and families served by the organization. Reports under this section
9.3 shall be submitted by July 15 each year.

9.4 Sec. 7. Minnesota Statutes 2024, section 480.35, is amended by adding a subdivision to
9.5 read:

9.6 Subd. 8. **Annual report to the legislature.** By January 15 each year, the State Guardian
9.7 Ad Litem Board must submit a report to the chairs and ranking minority members of the
9.8 legislative committees with jurisdiction over judiciary finance, in compliance with sections
9.9 3.195 and 3.197. The report must not contain data on individuals but may contain summary
9.10 data, as those terms are defined in section 13.02. The report must include the number of:

9.11 (1) board employees and volunteers;

9.12 (2) children served by guardians ad litem in court cases, including Native American
9.13 children in Minnesota Indian Family Preservation Act cases and federal Indian Child Welfare
9.14 Act cases;

9.15 (3) court reports filed by guardians ad litem;

9.16 (4) cases assigned;

9.17 (5) hours worked;

9.18 (6) complaints regarding a guardian submitted to the board;

9.19 (7) investigations of complaints performed by the board; and

9.20 (8) complaints that result in discipline to a guardian ad litem.

9.21 Information in clauses (4) to (8) must be disaggregated by paid staff and volunteers.

9.22 Sec. 8. Minnesota Statutes 2024, section 484.44, is amended to read:

9.23 **484.44 DEPUTY SHERIFF AND COURT ADMINISTRATOR; ST. LOUIS**
9.24 **COUNTY.**

9.25 There shall be at all times a chief deputy sheriff of St. Louis County and a chief deputy
9.26 court administrator of the district court of St. Louis County and such other deputies as may
9.27 be necessary, resident at the city of Virginia, or the city of Ely, or the city of Hibbing, and
9.28 their appointment shall be made in the same manner as other deputy sheriffs and deputy
9.29 clerks of the district court in said county. The salaries of such deputies shall be fixed and
9.30 paid in the same manner as other such deputies. The office of said deputy sheriff at Virginia,

Hibbing, and Ely shall not in any sense be considered or deemed the office of the sheriff for any purpose except the performance of duties relating solely to proceedings tried or to be tried at said places; but the office of the deputy court administrator at said places shall be equally deemed the office of the court administrator of court for all purposes ~~except the filing of papers in actions or proceedings to be tried at Duluth~~. Marriage licenses and naturalization papers may be issued by said deputy court administrator.

Sec. 9. Minnesota Statutes 2024, section 484.51, is amended to read:

484.51 PAPERS WHERE FILED; ST. LOUIS COUNTY.

~~After~~ Regardless of the place of trial of any cause is determined, as provided in sections 484.44 to 484.52, all papers, orders and documents pertaining to all causes ~~to be tried at Virginia and filed in court shall be filed and be kept on file at the court administrator's office in the city of Virginia, and all causes to be tried in Hibbing and all papers, orders and documents pertaining thereto shall be filed and be kept on file at the court administrator's office in the city of Hibbing~~ can be filed at any court location in St. Louis County.

In all actions tried at the city of Virginia or the city of Hibbing, the court administrator, as soon as final judgment is entered, shall forthwith cause such judgment to be docketed in the court administrator's office at the county seat; and when so docketed the same shall become a lien on real estate and have the same effect as judgments entered in causes tried at the county seat.

In all actions tried at the city of Virginia or the city of Hibbing, involving the title of real estate, upon final judgment being entered, all the papers in said cause shall be filed in the court administrator's office at the county seat and the final judgment or decree recorded therein, and a certified copy of all papers in the case shall be made by the court administrator and retained at the court administrator's office in the city of Virginia or in the court administrator's office in the city of Hibbing where the action was originally tried, without additional charge to the parties to said action.

Sec. 10. Minnesota Statutes 2024, section 518.68, subdivision 1, is amended to read:

Subdivision 1. **Requirement.** Every court order or judgment and decree under this chapter or chapter 518A that provides for child support, spousal maintenance, custody, or parenting time must contain certain notices as set out in subdivision 2. The information in the notices must be concisely stated in plain language. ~~The notices must be~~ and in clearly legible print, ~~but may not exceed two pages~~. An order or judgment and decree without the notice remains subject to all statutes. The court may waive all or part of the notice required

11.1 under subdivision 2 relating to parental rights under section 518.17, subdivision 3, if it finds
11.2 it is necessary to protect the welfare of a party or child.

11.3 Sec. 11. Minnesota Statutes 2024, section 518B.01, subdivision 2, is amended to read:

11.4 Subd. 2. **Definitions.** As used in this section, the following terms ~~shall~~ have the meanings
11.5 given ~~them~~:

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

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

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

11.10 (3) terroristic threats, within the meaning of section 609.713, subdivision 1; criminal
11.11 sexual conduct, within the meaning of section 609.342, 609.343, 609.344, 609.345, or
11.12 609.3451; sexual extortion within the meaning of section 609.3458; or interference with an
11.13 emergency call within the meaning of section 609.78, subdivision 2.

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

11.15 (1) spouses and former spouses;

11.16 (2) parents and children;

11.17 (3) persons related by blood;

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

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

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

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

11.24 Issuance of an order for protection on the ground in clause (6) does not affect a
11.25 determination of paternity under sections 257.51 to 257.74. In determining whether persons
11.26 are or have been involved in a significant romantic or sexual relationship under clause (7),
11.27 the court shall consider the length of time of the relationship; type of relationship; frequency
11.28 of interaction between the parties; and, if the relationship has terminated, length of time
11.29 since the termination.

12.1 (c) "Qualified domestic violence-related offense" has the meaning given in section
12.2 609.02, subdivision 16.

12.3 (d) "Custodian" means any person other than the petitioner or respondent who ~~is under~~
12.4 ~~a legal obligation to provide care and support for a minor child of a petitioner or who is in~~
12.5 ~~fact providing care and support for a minor child of a petitioner. Custodian does not include~~
12.6 ~~any person caring for a minor child if the petitioner's parental rights have been terminated.~~
12.7 has:

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

12.11 (2) court-ordered parenting time.

12.12 Sec. 12. Minnesota Statutes 2024, section 524.5-420, is amended to read:

12.13 **524.5-420 REPORTS; APPOINTMENT OF VISITOR; MONITORING; COURT**
12.14 **ORDERS.**

12.15 (a) A conservator shall report to the court for administration of the estate annually unless
12.16 the court otherwise directs, upon resignation or removal, upon termination of the
12.17 conservatorship, and at other times as the court directs. A copy of the report must be provided
12.18 to the person subject to conservatorship and to interested persons of record with the court.
12.19 An order, after notice and hearing, allowing an intermediate report of a conservator
12.20 adjudicates liabilities concerning the matters adequately disclosed in the accounting. An
12.21 order, after notice and hearing, allowing a final report adjudicates all previously unsettled
12.22 liabilities relating to the conservatorship.

12.23 (b) A report must state or contain a listing of the assets of the estate under the
12.24 conservator's control and a listing of the receipts, disbursements, and distributions during
12.25 the reporting period.

12.26 (c) The report must also state an address or post office box and a telephone number
12.27 where the conservator can be contacted.

12.28 (d) A conservator shall report to the court in writing within 30 days of the occurrence
12.29 of any of the events listed in this paragraph. The conservator must report any of the
12.30 occurrences in this paragraph and follow the same reporting requirements in this paragraph
12.31 for any employee of the conservator responsible for exercising powers and duties under the
12.32 conservatorship. A copy of the report must be provided to the person subject to

13.1 conservatorship and to interested persons of record with the court. A conservator shall report
13.2 when:

13.3 (1) the conservator is removed for cause from serving as a guardian or conservator, and
13.4 if so, the case number and court location;

13.5 (2) the conservator has a professional license from an agency listed under section
13.6 524.5-118, subdivision 2a, denied, conditioned, suspended, revoked, or canceled, and if so,
13.7 the licensing agency and license number, and the basis for denial, condition, suspension,
13.8 revocation, or cancellation of the license;

13.9 (3) the conservator is found civilly liable in an action that involves fraud,
13.10 misrepresentation, material omission, misappropriation, theft, or conversion, and if so, the
13.11 case number and court location;

13.12 (4) the conservator files for or receives protection under the bankruptcy laws, and if so,
13.13 the case number and court location;

13.14 (5) a civil monetary judgment is entered against the conservator, and if so, the case
13.15 number, court location, and outstanding amount owed;

13.16 (6) the conservator is convicted of a crime other than a petty misdemeanor or traffic
13.17 offense, and if so, the case number and court location; or

13.18 (7) an order for protection or harassment restraining order is issued against the
13.19 conservator, and if so, the case number and court location.

13.20 (e) A person subject to conservatorship or an interested person of record with the court
13.21 may submit to the court a written statement disputing account statements regarding the
13.22 administration of the estate or addressing any disciplinary or legal action that is contained
13.23 in the reports and may petition the court for any order that is in the best interests of the
13.24 person subject to conservatorship and the estate or for other appropriate relief.

13.25 (f) An interested person may notify the court in writing that the interested person does
13.26 not wish to receive copies of reports required under this section after which time neither
13.27 the court nor any other person is required to give notice to any person who has waived
13.28 notice.

13.29 (g) The court may appoint a visitor to review a report or plan, interview the person
13.30 subject to conservatorship or conservator, and make any other investigation the court directs.
13.31 In connection with a report, the court may order a conservator to submit the assets of the
13.32 estate to an appropriate examination to be made in a manner the court directs.

(h) The court shall establish a system for monitoring of conservatorships, including the filing and review of conservators' reports and plans. If an annual report is not filed within 60 days of the required date, the court shall issue an order to show cause. Unless otherwise ordered by the court, a report under this section shall be filed publicly.

(i) If there is no acting guardian, a conservator that becomes aware of the death of the person subject to conservatorship shall notify in writing; orally; or by phone, text message, email, or electronic service, all known interested persons as defined by section 524.5-102, subdivision 7, clauses (iii), (iv), (v), (vi), (ix), and (xi), and the court as soon as is reasonably practical, that the person subject to conservatorship has died. The conservator may delegate this task under reasonable circumstances.

(j) If a conservator fails to comply with this section, the court may decline to appoint that person as a guardian or conservator, or may remove a person as guardian or conservator.

Sec. 13. Minnesota Statutes 2024, section 595.02, is amended by adding a subdivision to read:

Subd. 1b. **Inadmissibility; exceptions.** (a) For purposes of this subdivision:

(1) "restorative practice" has the meaning given in section 142A.76, subdivision 1; and

(2) "restorative practice participant" means a facilitator, a person who has caused harm, a person who has been harmed, a community member, and any other person attending a restorative practice.

(b) Statements made or documents offered in the course of a restorative practice are not subject to discovery or admissible as evidence in a civil or criminal proceeding. This paragraph does not apply:

(1) to statements or documents that are the subject of a report made pursuant to section 626.557 or chapter 260E;

(2) if a restorative practice participant reasonably believed that disclosure of a statement or document was necessary to prevent reasonably certain death, great bodily harm, or commission of a crime; or

(3) if the statement or document constitutes evidence of professional misconduct by a restorative practice participant acting in the capacity of their professional or occupational license.

(c) Notwithstanding paragraph (b), if a court orders a person who caused harm to participate in a restorative practice, a person overseeing the restorative practice may disclose

15.1 information necessary to demonstrate whether the person who caused harm participated as
15.2 ordered.

15.3 (d) Evidence that is otherwise admissible or subject to discovery does not become
15.4 inadmissible or protected from discovery solely because it was discussed or used in a
15.5 restorative practice.

15.6 Sec. 14. Minnesota Statutes 2024, section 611.45, subdivision 3, is amended to read:

15.7 Subd. 3. **Dismissal of criminal charge.** (a) If the court finds the defendant incompetent,
15.8 and the charge is a misdemeanor other than a targeted misdemeanor, the charge must be
15.9 dismissed.

15.10 (b) In targeted misdemeanor and gross misdemeanor cases, the charges must be dismissed
15.11 30 days after the date of the finding of incompetency, unless the prosecutor, before the
15.12 expiration of the 30-day period, files a written notice of intent to prosecute when the
15.13 defendant attains competency. If a notice has been filed and the charge is a targeted
15.14 misdemeanor, charges must be dismissed within one year after the finding of incompetency.
15.15 If a notice has been filed and the charge is a gross misdemeanor, charges must be dismissed
15.16 within two years after the finding of incompetency.

15.17 (c) In felony cases, except as provided in paragraph (d), the charges must be dismissed
15.18 three years after the date of the finding of incompetency, unless the prosecutor, before the
15.19 expiration of the three-year period, files a written notice of intent to prosecute when the
15.20 defendant attains competency. If a notice has been filed, charges must be dismissed within
15.21 five years after the finding of incompetency or ten years if the maximum sentence for the
15.22 crime with which the defendant is charged is ten years or more.

15.23 (d) The requirement that felony charges be dismissed under paragraph (c) does not apply
15.24 if:

15.25 (1) the court orders continuing supervision or monitoring pursuant to section 611.49; or

15.26 (2) the defendant is charged with a violation of sections 609.2112 (criminal vehicular
15.27 homicide); 609.2114, subdivision 1 (criminal vehicular operation, death to an unborn child);
15.28 609.2661 (murder of an unborn child in the first degree); 609.2662 (murder of an unborn
15.29 child in the second degree); 609.2663 (murder of an unborn child in the third degree);
15.30 609.2664 (manslaughter of an unborn child in the first degree); or 609.2665 (manslaughter
15.31 of an unborn child in the second degree); or a crime of violence as defined in section 624.712,
15.32 subdivision 5, except for a violation of chapter 152.

(e) Nothing in this subdivision requires dismissal of any charge if the court finds the defendant competent and enters an order directing that the criminal proceedings shall resume.

Sec. 15. Minnesota Statutes 2024, section 611.46, subdivision 2, is amended to read:

Subd. 2. **Supervision Forensic navigator monitoring.** (a) Upon a finding of incompetency, if the defendant is entitled to release, the court must determine whether the defendant requires pretrial supervision. The court must weigh public safety risks against the defendant's interests in remaining free from supervision while presumed innocent in the criminal proceedings. The court may use a validated and equitable risk assessment tool to determine whether supervision is necessary.

(b) If the court determines that the defendant requires pretrial supervision, the court ~~shall~~ may direct the forensic navigator to ~~conduct pretrial supervision and report violations to the court. The forensic navigator shall be responsible for the supervision of the defendant until ordered otherwise by the court.~~ monitor the defendant's compliance or noncompliance with the conditions of release as provided in section 611.55, subdivision 3, paragraph (c). A forensic navigator may not conduct searches, seize property or persons, or issue sanctions.

(c) Upon application by the prosecutor, forensic navigator, other entity or its designee assigned to supervise the defendant, or court services alleging that the defendant violated a condition of release and is a risk to public safety, the court shall follow the procedures under Rules of Criminal Procedure, rule 6. Any hearing on the alleged violation of release conditions shall be held no more than 15 days after the date of issuance of a summons or within 72 hours if the defendant is apprehended on a warrant.

(d) If the court finds a violation, the court may revise the conditions of release and bail as appropriate pursuant to Minnesota Rules of Criminal Procedure and must consider the defendant's need for ongoing access to a competency attainment program or alternative program under this section.

(e) The court must review conditions of release and bail on request of any party and may amend the conditions of release or make any other reasonable order upon receipt of information that the pretrial detention of a defendant has interfered with the defendant attaining competency.

17.1 Sec. 16. Minnesota Statutes 2024, section 611.49, subdivision 2, is amended to read:

17.2 Subd. 2. **Procedure.** (a) If the court finds that there is a substantial probability that the
17.3 defendant will attain competency within the reasonably foreseeable future, the court shall
17.4 find the defendant incompetent and proceed under section 611.46.

17.5 (b) If the court finds that there is not a substantial probability the defendant will attain
17.6 competency within the reasonably foreseeable future, the court may not order the defendant
17.7 to participate in or continue to participate in a competency attainment program in a locked
17.8 treatment facility. The court must release the defendant from any custody holds pertaining
17.9 to the underlying criminal case and require the forensic navigator to develop a bridge plan.

17.10 (c) If the court finds that there is not a substantial probability the defendant will attain
17.11 competency within the foreseeable future, the court may issue an order to the designated
17.12 agency in the county of financial responsibility or the county where the defendant is present
17.13 to conduct a prepetition screening pursuant to section 253B.07.

17.14 (d) If the court finds that there is not a substantial probability that the defendant will
17.15 attain competency within the foreseeable future, the court must dismiss the case unless:

17.16 (1) the person is charged with a violation of section 609.2112 (criminal vehicular
17.17 homicide); 609.2114, subdivision 1 (criminal vehicular operation, death to an unborn child);
17.18 609.2661 (murder of an unborn child in the first degree); 609.2662 (murder of an unborn
17.19 child in the second degree); 609.2663 (murder of an unborn child in the third degree);
17.20 609.2664 (manslaughter of an unborn child in the first degree); or 609.2665 (manslaughter
17.21 of an unborn child in the second degree); or a crime of violence as defined in section 624.712,
17.22 subdivision 5, except for a violation of chapter 152; or

17.23 (2) there is a showing of a danger to public safety if the matter is dismissed.

17.24 (e) If the court does not dismiss the charges, the court must order continued supervision
17.25 or monitoring under subdivision 3.

17.26 Sec. 17. Minnesota Statutes 2024, section 611.49, subdivision 3, is amended to read:

17.27 Subd. 3. **Continued supervision or monitoring.** (a) If the court orders the continued
17.28 supervision or monitoring of a defendant, any party may request a hearing on the issue of
17.29 continued supervision or monitoring by filing a notice no more than ten days after the order
17.30 for continued supervision or monitoring.

17.31 (b) When continued supervision is ordered, the court must identify the ~~supervisory~~
17.32 agency responsible for the supervision of the defendant ~~and may identify a forensic navigator~~

18.1 ~~as the responsible entity.~~ Alternatively, the court may direct the forensic navigator to monitor
18.2 the defendant's compliance or noncompliance with the conditions of release as provided in
18.3 section 611.55, subdivision 3, paragraph (c). A forensic navigator may not conduct searches,
18.4 seize property or persons, or issue sanctions.

18.5 (c) Notwithstanding the reporting requirements of section 611.46, subdivision 6, the
18.6 court examiner must provide an updated report to the court one year after the initial order
18.7 for continued supervision or monitoring as to the defendant's competency and a description
18.8 of the efforts made to assist the defendant in attaining competency. The court shall hold a
18.9 review hearing within 30 days of receipt of the report.

18.10 (d) If continued supervision or monitoring is ordered at the review hearing under
18.11 paragraph (c), the court must set a date for a review hearing no later than two years after
18.12 the most recent order for continuing supervision or monitoring. The court must order review
18.13 of the defendant's status, including an updated competency examination and report by the
18.14 court examiner. The court examiner must submit the updated report to the court. At the
18.15 review hearing, the court must determine if the defendant has attained competency, whether
18.16 there is a substantial probability that the defendant will attain competency within the
18.17 foreseeable future, and whether the absence of continuing supervision or monitoring of the
18.18 defendant is a danger to public safety. Notwithstanding subdivision 2, paragraph (d), the
18.19 court may hear any motions to dismiss pursuant to the interest of justice at the review
18.20 hearing.

18.21 (e) Continued supervision or monitoring of a defendant in cases where the most serious
18.22 charge is a targeted misdemeanor or gross misdemeanor is subject to the limitations
18.23 established in section 611.45, subdivision 3, paragraph (b).

18.24 (f) The court may not order continued supervision or monitoring of a defendant charged
18.25 with a felony for more than ten years unless the defendant is charged with a violation of
18.26 section 609.2112 (criminal vehicular homicide); 609.2114, subdivision 1 (criminal vehicular
18.27 operation, death to an unborn child); 609.2661 (murder of an unborn child in the first degree);
18.28 609.2662 (murder of an unborn child in the second degree); 609.2663 (murder of an unborn
18.29 child in the third degree); 609.2664 (manslaughter of an unborn child in the first degree);
18.30 or 609.2665 (manslaughter of an unborn child in the second degree); or a crime of violence
18.31 as defined in section 624.712, subdivision 5, except for a violation of chapter 152.

18.32 (g) At any time, the head of the program may discharge the defendant from the program
18.33 or facility. The head of the program must notify the court, prosecutor, defense counsel,
18.34 forensic navigator, and any entity responsible for the supervision of the defendant prior to

19.1 any planned discharge. Absent emergency circumstances, this notification shall be made
19.2 five days prior to the discharge. If the defendant is discharged from the program or facility
19.3 under emergency circumstances, notification of emergency discharge shall include a
19.4 description of the emergency circumstances and may include a request for emergency
19.5 transportation. The court shall make a determination on a request for emergency
19.6 transportation within 24 hours. Nothing in this section prohibits a law enforcement agency
19.7 from transporting a defendant pursuant to any other authority.

19.8 (h) The court may provide, partner, or contract for pretrial supervision services or
19.9 continued supervision if the defendant is found incompetent and unlikely to attain competency
19.10 in the foreseeable future.

19.11 Sec. 18. Minnesota Statutes 2024, section 611.55, subdivision 3, is amended to read:

19.12 Subd. 3. **Duties.** (a) Forensic navigators shall assist and ~~supervise~~ monitor defendants
19.13 when appointed to do so by a court. Forensic navigators shall be impartial in all legal matters
19.14 relating to the criminal case. Nothing shall be construed to permit the forensic navigator to
19.15 provide legal counsel as a representative of the court, prosecutor, or defense counsel.

19.16 (b) Forensic navigators shall provide services to assist defendants with mental illnesses
19.17 and cognitive impairments. Services may include, but are not limited to:

19.18 (1) developing bridge plans;

19.19 (2) assisting defendants in participating in court-ordered examinations and hearings;

19.20 (3) coordinating timely placement in court-ordered competency attainment programs;

19.21 (4) providing competency attainment education;

19.22 (5) reporting to the court on the progress of defendants found incompetent to stand trial;

19.23 (6) providing coordinating services to help defendants access mental health services,
19.24 medical care, stable housing and housing assistance, financial assistance, social services,
19.25 transportation, precharge and pretrial diversion, and other necessary services provided by
19.26 other programs and community service providers;

19.27 (7) communicating with and offering supportive resources to defendants and family
19.28 members of defendants; and

19.29 (8) providing consultation and education to court officials on emerging issues and
19.30 innovations in serving defendants with mental illnesses in the court system.

(c) When ordered to ~~supervise a defendant, a forensic navigator shall report to the court~~
~~on~~ monitor a defendant's compliance or noncompliance with conditions of ~~pretrial supervision~~
~~and any order of the court~~ release under section 611.46, subdivision 2, paragraph (b), the
forensic navigator shall provide updates to the court on a regular basis or when requested
by the court or either party.

(d) If a defendant's charges are dismissed, the appointed forensic navigator may continue
assertive outreach with the individual for up to 90 days to assist in attaining stability in the
community.

Sec. 19. Minnesota Statutes 2024, section 611.56, subdivision 1, is amended to read:

Subdivision 1. **Establishment; membership.** (a) The Minnesota Competency Attainment
Board is established in the judicial branch. The board is not subject to the administrative
control of the judiciary. The board shall consist of seven members, including:

(1) three members appointed by the supreme court, at least one of whom must be a
defense attorney, one a county attorney, and one public member; and

(2) four members appointed by the governor, at least one of whom must be a mental
health professional with experience in competency attainment.

(b) The appointing authorities may not appoint an active judge to be a member of the
board, but may appoint a retired judge.

(c) All members must demonstrate an interest in maintaining a high quality, independent
forensic navigator program and a thorough process for certification of competency attainment
programs. Members shall be familiar with the Minnesota Rules of Criminal Procedure,
particularly rule 20; chapter 253B; and sections 611.40 to 611.59. ~~Following the initial~~
~~terms of appointment, at least one member appointed by the supreme court must have~~
~~previous experience working as a forensic navigator.~~ At least three members of the board
shall live outside the First, Second, Fourth, and Tenth Judicial Districts. The terms,
compensation, and removal of members shall be as provided in section 15.0575. The members
shall elect the chair from among the membership for a term of two years.

Sec. 20. Minnesota Statutes 2024, section 611.59, subdivision 1, is amended to read:

Subdivision 1. **Availability and certification.** The board ~~must~~ will use available resources
to provide or contract for enough competency attainment services to meet the needs of adult
defendants in each judicial district who are found incompetent to proceed and do not have
access to competency attainment services as a part of any other programming in which they

21.1 are ordered to participate. The board, in consultation with the Certification Advisory
21.2 Committee, shall develop procedures to certify that the standards in this section are met,
21.3 including procedures for regular recertification of competency attainment programs. The
21.4 board shall maintain a list of programs it has certified on the board's website and shall update
21.5 the list of competency attainment programs at least once every year.

21.6 Sec. 21. Minnesota Statutes 2024, section 611.59, subdivision 4, is amended to read:

21.7 Subd. 4. **Program evaluations.** (a) The ~~board~~ state court administrator shall ~~collect~~
21.8 prepare and make available to the board the following data:

21.9 (1) the total number of competency examinations ordered in each judicial district
21.10 separated by county;

21.11 (2) the age, race, and number of unique defendants and for whom at least one competency
21.12 examination was ordered in each judicial district separated by county;

21.13 (3) the age, race, and number of unique defendants found incompetent at least once in
21.14 each judicial district separated by county; and

21.15 (4) all available data on the level of charge and adjudication of cases with a defendant
21.16 found incompetent ~~and whether a forensic navigator was assigned to the case.~~

21.17 (b) By February 15 of each year, the board must report to the legislative committees and
21.18 divisions with jurisdiction over human services, public safety, and the judiciary on the data
21.19 collected under this subdivision and may include recommendations for statutory or funding
21.20 changes related to competency attainment.

21.21 ARTICLE 3

21.22 REAL PROPERTY; FORECLOSURES

21.23 Section 1. Minnesota Statutes 2024, section 580.07, subdivision 1, is amended to read:

21.24 Subdivision 1. **Postponement by mortgagee.** (a) The sale may be postponed, from time
21.25 to time, by the party conducting the foreclosure. The party requesting the postponement
21.26 must, at the party's expense:

21.27 (1) publish, only once, a notice of the postponement and the rescheduled date of the sale,
21.28 if known, as soon as practicable, in the newspaper in which the notice under section 580.03
21.29 was published; and

21.30 (2) send by first class mail to the occupant, postmarked within three business days of
21.31 the postponed sale, notice:

22.1 (i) of the postponement; and

22.2 (ii) if known, of the rescheduled date of the sale and the date on or before which the
22.3 mortgagor must vacate the property if the sheriff's sale is not further postponed, the mortgage
22.4 is not reinstated under section 580.30, the property is not redeemed under section 580.23,
22.5 or the redemption period is not reduced under section 582.032. The notice must state that
22.6 the time to vacate the property is 11:59 p.m. on the specified date.

22.7 (b) If the rescheduled date of the sale is not known at the time of the initial publication
22.8 and notice to the occupant of postponement, the foreclosing party must, at its expense if
22.9 and when a new date of sale is scheduled:

22.10 (1) publish, only once, notice of the rescheduled date of the sale, as soon as practicable,
22.11 in the newspaper in which the notice under section 580.03 and the notice of postponement
22.12 under paragraph (a) was published; and

22.13 (2) send by first class mail to the occupant, postmarked within ten days of the rescheduled
22.14 sale, notice:

22.15 (i) of the date of the rescheduled sale; and

22.16 (ii) of the date on or before which the mortgagor must vacate the property if the mortgage
22.17 is not reinstated under section 580.30 or the property redeemed under section 580.23. The
22.18 notice must state that the time to vacate the property is 11:59 p.m. on the specified date.

22.19 (c) The right of a mortgagee to postpone a foreclosure sale under this section applies to
22.20 a foreclosure by action taken under chapter 581.

22.21 **EFFECTIVE DATE.** This section is effective August 1, 2025, for judicial foreclosures
22.22 with the lis pendens recorded on or after the effective date.

22.23 Sec. 2. Minnesota Statutes 2024, section 580.07, subdivision 2, is amended to read:

22.24 Subd. 2. **Postponement by mortgagor or owner.** (a) If all or a part of the property to
22.25 be sold is classified as homestead under section 273.124 and contains one to four dwelling
22.26 units, the mortgagor or owner may, in the manner provided in this subdivision, postpone
22.27 the sale to the first date that is not a Saturday, Sunday, or legal holiday and is:

22.28 (1) five months after the originally scheduled date of sale if the original redemption
22.29 period was six months under section 580.23, subdivision 1; or

22.30 (2) 11 months after the originally scheduled date of sale if the original redemption period
22.31 was 12 months under section 580.23, subdivision 2. To postpone a foreclosure sale pursuant
22.32 to this subdivision, at any time after the first publication of the notice of mortgage foreclosure

23.1 sale under section 580.03 but at least 15 days prior to the scheduled sale date specified in
23.2 that notice, the mortgagor shall: (1) execute a sworn affidavit in the form set forth in
23.3 subdivision 3, (2) record the affidavit in the office of each county recorder and registrar of
23.4 titles where the mortgage was recorded, and (3) file with the sheriff conducting the sale and
23.5 deliver to the attorney foreclosing the mortgage a copy of the recorded affidavit, showing
23.6 the date and office in which the affidavit was recorded. Recording of the affidavit and
23.7 postponement of the foreclosure sale pursuant to this subdivision shall automatically reduce
23.8 the mortgagor's redemption period under section 580.23 to five weeks. The postponement
23.9 of a foreclosure sale pursuant to this subdivision does not require any change in the contents
23.10 of the notice of sale, service of the notice of sale if the occupant was served with the notice
23.11 of sale prior to postponement under this subdivision, or publication of the notice of sale if
23.12 publication was commenced prior to postponement under this subdivision, notwithstanding
23.13 the service and publication time periods specified in section 580.03, but the sheriff's
23.14 certificate of sale shall indicate the actual date of the foreclosure sale and the actual length
23.15 of the mortgagor's redemption period. No notice of postponement need be published. An
23.16 affidavit complying with subdivision 3 shall be prima facie evidence of the facts stated
23.17 therein, and shall be entitled to be recorded. The right to postpone a foreclosure sale pursuant
23.18 to this subdivision may be exercised only once, regardless whether the mortgagor reinstates
23.19 the mortgage prior to the postponed mortgage foreclosure sale.

23.20 (b) If the automatic stay under United States Code, title 11, section 362, applies to the
23.21 mortgage foreclosure after a mortgagor or owner requests postponement of the sheriff's sale
23.22 under this section, then when the automatic stay is no longer applicable, the mortgagor's or
23.23 owner's election to shorten the redemption period to five weeks under this section remains
23.24 applicable to the mortgage foreclosure.

23.25 (c) Except for the circumstances set forth in paragraph (b), this section does not reduce
23.26 the mortgagor's redemption period under section 580.23 for any subsequent foreclosure of
23.27 the mortgage.

23.28 (d) The right of a mortgagor or owner to postpone a foreclosure sale under this section
23.29 applies to a foreclosure by action taken under chapter 581.

23.30 **EFFECTIVE DATE.** This section is effective August 1, 2025, for judicial foreclosures
23.31 with the lis pendens recorded on or after the effective date.

24.1 Sec. 3. Minnesota Statutes 2024, section 581.02, is amended to read:

24.2 **581.02 APPLICATION, CERTAIN SECTIONS.**

24.3 (a) The provisions of sections 580.08, 580.09, 580.12, 580.22, 580.25, and 580.27, so
24.4 far as they relate to the form of the certificate of sale, shall apply to and govern the
24.5 foreclosure of mortgages by action.

24.6 (b) Section 580.07 applies to actions for the foreclosure of mortgages taken under this
24.7 chapter.

24.8 **EFFECTIVE DATE.** This section is effective August 1, 2025, for judicial foreclosures
24.9 with the lis pendens recorded on or after the effective date.

24.10 **ARTICLE 4**

24.11 **UNIFORM SPECIAL DEPOSITS ACT**

24.12 Section 1. **[47.90] TITLE.**

24.13 Sections 47.90 to 47.985 may be cited as the "Uniform Special Deposits Act."

24.14 Sec. 2. **[47.905] DEFINITIONS.**

24.15 (a) For purposes of sections 47.90 to 47.985, the following terms have the meanings
24.16 given.

24.17 (b) "Account agreement" means an agreement that:

24.18 (1) is in a record between a bank and one or more depositors;

24.19 (2) may have one or more beneficiaries as additional parties; and

24.20 (3) states the intention of the parties to establish a special deposit governed by sections
24.21 47.90 to 47.985.

24.22 (c) "Bank" means a person engaged in the business of banking and includes a savings
24.23 bank; savings and loan association; credit union; trust company; and a banking institution,
24.24 as defined in section 48.01, subdivision 2. Each branch or separate office of a bank is a
24.25 separate bank for the purpose of sections 47.90 to 47.985.

24.26 (d) "Beneficiary" means a person that:

24.27 (1) is identified as a beneficiary in an account agreement; or

24.28 (2) if not identified as a beneficiary in an account agreement, may be entitled to payment
24.29 from a special deposit:

- 25.1 (i) under the account agreement; or
- 25.2 (ii) on termination of the special deposit.
- 25.3 (e) "Contingency" means an event or circumstance stated in an account agreement that
- 25.4 is not certain to occur but must occur before the bank is obligated to pay a beneficiary.
- 25.5 (f) "Creditor process" means attachment, garnishment, levy, notice of lien, sequestration,
- 25.6 or similar process issued by or on behalf of a creditor or other claimant.
- 25.7 (g) "Depositor" means a person that establishes or funds a special deposit.
- 25.8 (h) "Good faith" means honesty in fact and observance of reasonable commercial
- 25.9 standards of fair dealing.
- 25.10 (i) "Knowledge" of a fact means:
- 25.11 (1) with respect to a beneficiary, actual knowledge of the fact; or
- 25.12 (2) with respect to a bank holding a special deposit:
- 25.13 (i) if the bank:
- 25.14 (A) has established a reasonable routine for communicating material information to an
- 25.15 individual to whom the bank has assigned responsibility for the special deposit; and
- 25.16 (B) maintains reasonable compliance with the routine, actual knowledge of the fact by
- 25.17 that individual; or
- 25.18 (ii) if the bank has not established and maintained reasonable compliance with a routine
- 25.19 described in item (i) or otherwise exercised due diligence, implied knowledge of the fact
- 25.20 that would have come to the attention of an individual to whom the bank has assigned
- 25.21 responsibility for the special deposit.
- 25.22 (j) "Obligated to pay a beneficiary" means a beneficiary is entitled under the account
- 25.23 agreement to receive from the bank a payment when:
- 25.24 (1) a contingency has occurred; and
- 25.25 (2) the bank has knowledge the contingency has occurred.
- 25.26 "Obligation to pay a beneficiary" has a corresponding meaning.
- 25.27 (k) "Permissible purpose" means a governmental, regulatory, commercial, charitable,
- 25.28 or testamentary objective of the parties stated in an account agreement. Permissible purpose
- 25.29 includes an objective to:
- 25.30 (1) hold funds:

26.1 (i) in escrow, including for a purchase and sale, lease, buyback, or other transaction;

26.2 (ii) as a security deposit of a tenant;

26.3 (iii) that may be distributed to a person as remuneration, retirement or other benefit, or

26.4 compensation under a judgment, consent decree, court order, or other decision of a tribunal;

26.5 or

26.6 (iv) for distribution to a defined class of persons after identification of the class members

26.7 and their interest in the funds;

26.8 (2) provide assurance with respect to an obligation created by contract, such as earnest

26.9 money to ensure a transaction closes;

26.10 (3) settle an obligation that arises in the operation of a payment system, securities

26.11 settlement system, or other financial market infrastructure;

26.12 (4) provide assurance with respect to an obligation that arises in the operation of a

26.13 payment system, securities settlement system, or other financial market infrastructure; or

26.14 (5) hold margin, other cash collateral, or funds that support the orderly functioning of

26.15 financial market infrastructure or the performance of an obligation with respect to the

26.16 infrastructure.

26.17 (l) "Person" means an individual; estate; business or nonprofit entity; government or

26.18 governmental subdivision, agency, or instrumentality; or other legal entity. Person includes

26.19 a protected series, however denominated, of an entity if the protected series is established

26.20 under law that limits, or limits if conditions specified under law are satisfied, the ability of

26.21 a creditor of the entity or of any other protected series of the entity to satisfy a claim from

26.22 assets of the protected series.

26.23 (m) "Record" means information:

26.24 (1) inscribed on a tangible medium; or

26.25 (2) stored in an electronic or other medium and retrievable in perceivable form.

26.26 (n) "Special deposit" means a deposit that satisfies section 47.92.

26.27 (o) "State" means a state of the United States, the District of Columbia, Puerto Rico, the

26.28 United States Virgin Islands, or any other territory or possession subject to the jurisdiction

26.29 of the United States. State includes an agency or instrumentality of the state.

27.1 Sec. 3. **[47.91] SCOPE; CHOICE OF LAW; FORUM.**

27.2 (a) Sections 47.90 to 47.985 apply to a special deposit under an account agreement that
27.3 states the intention of the parties to establish a special deposit governed by sections 47.90
27.4 to 47.985, regardless of whether a party to the account agreement or a transaction related
27.5 to the special deposit, or the special deposit itself, has a reasonable relation to this state.

27.6 (b) The parties to an account agreement may choose a forum in this state for settling a
27.7 dispute arising out of the special deposit, regardless of whether a party to the account
27.8 agreement or a transaction related to the special deposit, or the special deposit itself, has a
27.9 reasonable relation to this state.

27.10 (c) Sections 47.90 to 47.985 do not affect:

27.11 (1) a right or obligation relating to a deposit other than a special deposit under sections
27.12 47.90 to 47.985; or

27.13 (2) the voidability of a deposit or transfer that is fraudulent or voidable under other law.

27.14 Sec. 4. **[47.915] VARIATION BY AGREEMENT OF AMENDMENT.**

27.15 (a) The effect of sections 47.905 to 47.925, 47.935 to 47.96, and 47.975 may not be
27.16 varied by agreement, except as provided in those sections. Subject to paragraph (b), the
27.17 effect of sections 47.93, 47.965, and 47.97 may be varied by agreement.

27.18 (b) A provision in an account agreement or other record that substantially excuses liability
27.19 or substantially limits remedies for failure to perform an obligation under sections 47.90 to
27.20 47.985 is not sufficient to vary the effect of a provision of sections 47.90 to 47.985.

27.21 (c) If a beneficiary is a party to an account agreement, the bank and the depositor may
27.22 amend the agreement without the consent of the beneficiary only if the agreement expressly
27.23 permits the amendment.

27.24 (d) If a beneficiary is not a party to an account agreement and the bank and the depositor
27.25 know the beneficiary has knowledge of the agreement's terms, the bank and the depositor
27.26 may amend the agreement without the consent of the beneficiary only if the amendment
27.27 does not adversely and materially affect a payment right of the beneficiary.

27.28 (e) If a beneficiary is not a party to an account agreement and the bank and the depositor
27.29 do not know whether the beneficiary has knowledge of the agreement's terms, the bank and
27.30 the depositor may amend the agreement without the consent of the beneficiary only if the
27.31 amendment is made in good faith.

28.1 Sec. 5. **[47.92] REQUIREMENTS OF SPECIAL DEPOSIT.**

28.2 A deposit is a special deposit if it is:

28.3 (1) a deposit of funds in a bank under an account agreement;

28.4 (2) for the benefit of at least two beneficiaries, one or more of which may be a depositor;

28.5 (3) denominated in a medium of exchange that is currently authorized or adopted by a
28.6 domestic or foreign government;

28.7 (4) for a permissible purpose stated in the account agreement; and

28.8 (5) subject to a contingency.

28.9 Sec. 6. **[47.925] PERMISSIBLE PURPOSE.**

28.10 (a) A special deposit must serve at least one permissible purpose stated in the account
28.11 agreement from the time the special deposit is created in the account agreement until
28.12 termination of the special deposit.

28.13 (b) If, before termination of the special deposit, the bank or a court determines the special
28.14 deposit no longer satisfies paragraph (a), sections 47.935 to 47.96 cease to apply to any
28.15 funds deposited in the special deposit after the special deposit ceases to satisfy paragraph
28.16 (a).

28.17 (c) If, before termination of a special deposit, the bank determines the special deposit
28.18 no longer satisfies paragraph (a), the bank may take action it believes is necessary under
28.19 the circumstances, including terminating the special deposit.

28.20 Sec. 7. **[47.93] PAYMENT TO BENEFICIARY BY BANK.**

28.21 (a) Unless the account agreement provides otherwise, the bank is obligated to pay a
28.22 beneficiary if there are sufficient actually and finally collected funds in the balance of the
28.23 special deposit.

28.24 (b) Except as provided in paragraph (c), the obligation to pay the beneficiary is excused
28.25 if the funds available in the special deposit are insufficient to cover such payment.

28.26 (c) Unless the account agreement provides otherwise, if the funds available in the special
28.27 deposit are insufficient to cover an obligation to pay a beneficiary, a beneficiary may elect
28.28 to be paid the funds that are available or, if there is more than one beneficiary, a pro rata
28.29 share of the funds available. Payment to the beneficiary making the election under this

29.1 paragraph discharges the bank's obligation to pay a beneficiary and does not constitute an
29.2 accord and satisfaction with respect to another person obligated to the beneficiary.

29.3 (d) Unless the account agreement provides otherwise, the obligation of the bank obligated
29.4 to pay a beneficiary is immediately due and payable.

29.5 (e) The bank may discharge its obligation under this section by:

29.6 (1) crediting another transaction account of the beneficiary; or

29.7 (2) taking other action that:

29.8 (i) is permitted under the account agreement for the bank to obtain a discharge; or

29.9 (ii) otherwise would constitute a discharge under law.

29.10 (f) If the bank obligated to pay a beneficiary has incurred an obligation to discharge the
29.11 obligation of another person, the obligation of the other person is discharged if action by
29.12 the bank under paragraph (e) would constitute a discharge of the obligation of the other
29.13 person under law that determines whether an obligation is satisfied.

29.14 **Sec. 8. [47.935] PROPERTY INTEREST OF DEPOSITOR OR BENEFICIARY.**

29.15 (a) Neither a depositor nor a beneficiary has a property interest in a special deposit.

29.16 (b) Any property interest with respect to a special deposit is only in the right to receive
29.17 payment if the bank is obligated to pay a beneficiary and not in the special deposit itself.
29.18 Any property interest under this paragraph is determined under other law.

29.19 **Sec. 9. [47.94] WHEN CREDITOR PROCESS ENFORCEABLE AGAINST BANK.**

29.20 (a) Subject to paragraph (b), creditor process with respect to a special deposit is not
29.21 enforceable against the bank holding the special deposit.

29.22 (b) Creditor process is enforceable against the bank holding a special deposit with respect
29.23 to an amount the bank is obligated to pay a beneficiary or a depositor if the process:

29.24 (1) is served on the bank;

29.25 (2) provides sufficient information to permit the bank to identify the depositor or the
29.26 beneficiary from the bank's books and records; and

29.27 (3) gives the bank a reasonable opportunity to act on the process.

29.28 (c) Creditor process served on a bank before it is enforceable against the bank under
29.29 paragraph (b) does not create a right of the creditor against the bank or a duty of the bank

30.1 to the creditor. Other law determines whether creditor process creates a lien enforceable
30.2 against the beneficiary on a contingent interest of a beneficiary, including a depositor as a
30.3 beneficiary, even if not enforceable against the bank.

30.4 Sec. 10. **[47.945] INJUNCTION OR SIMILAR RELIEF.**

30.5 A court may enjoin, or grant similar relief that would have the effect of enjoining, a
30.6 bank from paying a depositor or beneficiary only if payment would constitute a material
30.7 fraud or facilitate a material fraud with respect to a special deposit.

30.8 Sec. 11. **[47.96] RECOUPMENT OR SET OFF.**

30.9 (a) Except as provided in paragraph (b) or (c), a bank may not exercise a right of
30.10 recoupment or set off against a special deposit.

30.11 (b) An account agreement may authorize the bank to debit the special deposit:

30.12 (1) when the bank becomes obligated to pay a beneficiary, in an amount that does not
30.13 exceed the amount necessary to discharge the obligation;

30.14 (2) for a fee assessed by the bank that relates to an overdraft in the special deposit
30.15 account;

30.16 (3) for costs incurred by the bank that relate directly to the special deposit; or

30.17 (4) to reverse an earlier credit posted by the bank to the balance of the special deposit
30.18 account, if the reversal occurs under an event or circumstance warranted under other law
30.19 of this state governing mistake and restitution.

30.20 (c) The bank holding a special deposit may exercise a right of recoupment or set off
30.21 against an obligation to pay a beneficiary, even if the bank funds payment from the special
30.22 deposit.

30.23 Sec. 12. **[47.965] DUTIES AND LIABILITY OF BANK.**

30.24 (a) A bank does not have a fiduciary duty to any person with respect to a special deposit.

30.25 (b) When the bank holding a special deposit becomes obligated to pay a beneficiary, a
30.26 debtor-creditor relationship arises between the bank and beneficiary.

30.27 (c) The bank holding a special deposit has a duty to a beneficiary to comply with the
30.28 account agreement and sections 47.90 to 47.985.

30.29 (d) If the bank holding a special deposit does not comply with the account agreement
30.30 or sections 47.90 to 47.985, the bank is liable to a depositor or beneficiary only for damages

31.1 proximately caused by the noncompliance. Except as provided by other law of this state,
31.2 the bank is not liable for consequential, special, or punitive damages.

31.3 (e) The bank holding a special deposit may rely on records presented in compliance with
31.4 the account agreement to determine whether the bank is obligated to pay a beneficiary.

31.5 (f) If the account agreement requires payment on presentation of a record, the bank shall
31.6 determine within a reasonable time whether the record is sufficient to require payment. If
31.7 the agreement requires action by the bank on presentation of a record, the bank is not liable
31.8 for relying in good faith on the genuineness of the record if the record appears on its face
31.9 to be genuine.

31.10 (g) Unless the account agreement provides otherwise, the bank is not required to
31.11 determine whether a permissible purpose stated in the agreement continues to exist.

31.12 Sec. 13. **[47.97] TERM AND TERMINATION.**

31.13 (a) Unless otherwise provided in the account agreement, a special deposit terminates
31.14 five years after the date the special deposit was first funded.

31.15 (b) Unless otherwise provided in the account agreement, if the bank cannot identify or
31.16 locate a beneficiary entitled to payment when the special deposit is terminated, and a balance
31.17 remains in the special deposit, the bank shall pay the balance to the depositor or depositors
31.18 as a beneficiary or beneficiaries.

31.19 (c) A bank that pays the remaining balance as provided under paragraph (b) has no
31.20 further obligation with respect to the special deposit.

31.21 Sec. 14. **[47.975] PRINCIPLES OF LAW AND EQUITY.**

31.22 Chapter 336; consumer protection law; law governing deposits generally; law related
31.23 to escheat and abandoned or unclaimed property; and the principles of law and equity,
31.24 including law related to capacity to contract, principal and agent, estoppel, fraud,
31.25 misrepresentation, duress, coercion, mistake, and bankruptcy, supplement sections 47.90
31.26 to 47.985 except to the extent inconsistent with sections 47.90 to 47.985.

31.27 Sec. 15. **[47.98] UNIFORMITY OF APPLICATION AND CONSTRUCTION.**

31.28 In applying and construing this uniform act, a court shall consider the promotion of
31.29 uniformity of the law among jurisdictions that enact it.

32.1 Sec. 16. [47.985] TRANSITIONAL PROVISION.

32.2 Sections 47.90 to 47.985 apply to:

32.3 (1) a special deposit made under an account agreement executed on or after August 1,
32.4 2025; and

32.5 (2) a deposit made under an agreement executed before August 1, 2025, if:

32.6 (i) all parties entitled to amend the agreement agree to make the deposit a special deposit
32.7 governed by sections 47.90 to 47.985; and

32.8 (ii) the special deposit referenced in the amended agreement satisfies section 47.92.

32.9 **ARTICLE 5**

32.10 **GOVERNMENT DATA PRACTICES**

32.11 Section 1. Minnesota Statutes 2024, section 13.03, subdivision 3, is amended to read:

32.12 Subd. 3. **Request for access to data.** (a) Upon request to a responsible authority or
32.13 designee, a person shall be permitted to inspect and copy public government data at
32.14 reasonable times and places, and, upon request, shall be informed of the data's meaning. If
32.15 a person requests access for the purpose of inspection, the responsible authority may not
32.16 assess a charge or require the requesting person to pay a fee to inspect data.

32.17 (b) For purposes of this section, "inspection" includes, but is not limited to, the visual
32.18 inspection of paper and similar types of government data. Inspection does not include
32.19 printing copies by the government entity, unless printing a copy is the only method to provide
32.20 for inspection of the data. In the case of data stored in electronic form and made available
32.21 in electronic form on a remote access basis to the public by the government entity, inspection
32.22 includes remote access to the data by the public and the ability to print copies of or download
32.23 the data on the public's own computer equipment. Nothing in this section prohibits a
32.24 government entity from charging a reasonable fee for remote access to data under a specific
32.25 statutory grant of authority. A government entity may charge a fee for remote access to data
32.26 where either the data or the access is enhanced at the request of the person seeking access.

32.27 (c) The responsible authority or designee shall provide copies of public data upon request.
32.28 If a person requests copies or electronic transmittal of the data to the person, the responsible
32.29 authority may require the requesting person to pay the actual costs of searching for and
32.30 retrieving government data, including the cost of employee time, and for making, certifying,
32.31 and electronically transmitting the copies of the data or the data, but may not charge for
32.32 separating public from not public data. However, if 100 or fewer pages of black and white,

33.1 letter or legal size paper copies are requested, actual costs shall not be used, and instead,
33.2 the responsible authority may charge no more than 25 cents for each page copied. If the
33.3 responsible authority or designee is not able to provide copies at the time a request is made,
33.4 copies shall be supplied as soon as reasonably possible.

33.5 (d) When a request under this subdivision involves any person's receipt of copies of
33.6 public government data that has commercial value and is a substantial and discrete portion
33.7 of or an entire formula, pattern, compilation, program, device, method, technique, process,
33.8 database, or system developed with a significant expenditure of public funds by the
33.9 government entity, the responsible authority may charge a reasonable fee for the information
33.10 in addition to the costs of making and certifying the copies. Any fee charged must be clearly
33.11 demonstrated by the government entity to relate to the actual development costs of the
33.12 information. The responsible authority, upon the request of any person, shall provide
33.13 sufficient documentation to explain and justify the fee being charged.

33.14 (e) The responsible authority of a government entity that maintains public government
33.15 data in a computer storage medium shall provide to any person making a request under this
33.16 section a copy of any public data contained in that medium, in electronic form, if the
33.17 government entity can reasonably make the copy or have a copy made. This does not require
33.18 a government entity to provide the data in an electronic format or program that is different
33.19 from the format or program in which the data are maintained by the government entity. The
33.20 entity may require the requesting person to pay the actual cost of providing the copy.

33.21 (f) If the responsible authority or designee determines that the requested data is classified
33.22 so as to deny the requesting person access, the responsible authority or designee shall inform
33.23 the requesting person of the determination either orally at the time of the request, or in
33.24 writing as soon after that time as possible, and shall cite the specific statutory section,
33.25 temporary classification, or specific provision of federal law on which the determination is
33.26 based. Upon the request of any person denied access to data, the responsible authority or
33.27 designee shall certify in writing that the request has been denied and cite the specific statutory
33.28 section, temporary classification, or specific provision of federal law upon which the denial
33.29 was based.

33.30 (g) If a responsible authority has notified the requesting person that responsive data or
33.31 copies are available for inspection or collection, and the requesting person does not inspect
33.32 the data or collect the copies within five days of the notification, the responsible authority
33.33 may suspend any further response to the request until the requesting person inspects the
33.34 data that has been made available, or collects and pays for the copies that have been produced.

34.1 Sec. 2. Minnesota Statutes 2024, section 13.32, subdivision 2, is amended to read:

34.2 Subd. 2. **Student health and census data; data on parents.** (a) Health data concerning
34.3 students, including but not limited to, data concerning immunizations, notations of special
34.4 physical or mental problems and records of school nurses are educational data. Access by
34.5 parents to student health data shall be pursuant to section 13.02, subdivision 8.

34.6 (b) Pupil census data, including emergency information and family information are
34.7 educational data.

34.8 ~~(c) Data concerning parents are private data on individuals but may be treated as directory~~
34.9 ~~information if the same procedures that are used by a school district to designate student~~
34.10 ~~data as directory information under subdivision 5 are followed.~~

34.11 **EFFECTIVE DATE.** This section is effective the day following final enactment.
34.12 Beginning upon the effective date of this section, a parent's personal contact information
34.13 subject to this section must be treated by an educational agency or institution as private data
34.14 on individuals regardless of whether that contact information was previously designated as
34.15 or treated as directory information under Minnesota Statutes, section 13.32, subdivision 2.

34.16 Sec. 3. Minnesota Statutes 2024, section 13.32, subdivision 5, is amended to read:

34.17 Subd. 5. **Directory information; data on parents.** (a) Educational data designated as
34.18 directory information is public data on individuals to the extent required under federal law.
34.19 Directory information must be designated pursuant to the provisions of:

34.20 (1) this subdivision; and

34.21 (2) United States Code, title 20, section 1232g, and Code of Federal Regulations, title
34.22 34, section 99.37, which were in effect on January 3, 2012.

34.23 (b) When conducting the directory information designation and notice process required
34.24 by federal law, an educational agency or institution shall give parents and students notice
34.25 of the right to refuse to let the agency or institution designate specified data about the student
34.26 as directory information. This notice may be given by any means reasonably likely to inform
34.27 the parents and students of the right.

34.28 (c) An educational agency or institution may not designate a student's or parent's home
34.29 address, telephone number, email address, or other personal contact information as directory
34.30 information under this subdivision. This paragraph does not apply to a postsecondary
34.31 institution.

(d) When requested, educational agencies or institutions must share personal student or parent contact information and directory information, whether public or private, with the Minnesota Department of Education, as required for federal reporting purposes.

(e) When requested, educational agencies or institutions may share personal student or parent contact information and directory information for students served in special education with postsecondary transition planning and services under section 125A.08, paragraph (b), clause (1), whether public or private, with the Department of Employment and Economic Development, as required for coordination of services to students with disabilities under sections 125A.08, paragraph (b), clause (1); 125A.023; and 125A.027.

(f) Data concerning parents is private data on individuals but may be treated as directory information if the same procedures that are used by a school district to designate student data as directory information under this subdivision are followed, except that a parent's home address, telephone number, email address, or other personal contact information may not be treated as directory information under this subdivision.

EFFECTIVE DATE. This section is effective the day following final enactment. Beginning upon the effective date of this section, a parent's personal contact information subject to this section must be treated by an educational agency or institution as private data on individuals regardless of whether that contact information was previously designated as or treated as directory information under Minnesota Statutes, section 13.32, subdivision 2.

Sec. 4. Minnesota Statutes 2024, section 13.43, subdivision 2, is amended to read:

Subd. 2. **Public data.** (a) Except for employees described in subdivision 5 and subject to the limitations described in subdivision 5a, the following personnel data on current and former employees, volunteers, and independent contractors of a government entity is public:

(1) name; employee identification number, which must not be the employee's Social Security number; actual gross salary; salary range; terms and conditions of employment relationship; contract fees; actual gross pension; the value and nature of employer paid fringe benefits; and the basis for and the amount of any added remuneration, including expense reimbursement, in addition to salary;

(2) job title and bargaining unit; job description; education and training background; and previous work experience;

(3) date of first and last employment;

(4) the existence and status of any complaints or charges against the employee, regardless of whether the complaint or charge resulted in a disciplinary action;

(5) the final disposition of any disciplinary action together with the specific reasons for the action and data documenting the basis of the action, excluding data that would identify confidential sources who are employees of the public body;

(6) the complete terms of any agreement settling any dispute arising out of an employment relationship, including a buyout agreement as defined in section 123B.143, subdivision 2, paragraph (a); except that the agreement must include specific reasons for the agreement if it involves the payment of more than \$10,000 of public money;

(7) work location; a work telephone number; badge number; work-related continuing education; and honors and awards received; and

(8) payroll time sheets or other comparable data that are only used to account for employee's work time for payroll purposes, except to the extent that release of time sheet data would reveal the employee's reasons for the use of sick or other medical leave or other not public data.

(b) For purposes of this subdivision, a final disposition occurs when the government entity makes its final decision about the disciplinary action, regardless of the possibility of any later proceedings or court proceedings. Final disposition includes a resignation by an individual when the resignation occurs after the final decision of the government entity, or arbitrator. In the case of arbitration proceedings arising under collective bargaining agreements, a final disposition occurs at the conclusion of the arbitration proceedings, or upon the failure of the employee to elect arbitration within the time provided by the collective bargaining agreement. A disciplinary action does not become public data if an arbitrator sustains a grievance and reverses all aspects of any disciplinary action.

(c) The government entity may display a photograph of a current or former employee to a prospective witness as part of the government entity's investigation of any complaint or charge against the employee.

(d) A complainant has access to a statement provided by the complainant to a government entity in connection with a complaint or charge against an employee.

(e) Notwithstanding paragraph (a), clause (5), and subject to paragraph (f), upon completion of an investigation of a complaint or charge against a public official, or if a public official resigns or is terminated from employment while the complaint or charge is pending, all data relating to the complaint or charge are public, unless access to the data would jeopardize an active investigation or reveal confidential sources. For purposes of this paragraph, "public official" means:

- 37.1 (1) the head of a state agency and deputy and assistant state agency heads;
- 37.2 (2) members of boards or commissions required by law to be appointed by the governor
- 37.3 or other elective officers;
- 37.4 (3) members of the Metropolitan Council appointed by the governor under section
- 37.5 473.123, subdivision 3;
- 37.6 ~~(3)~~ (4) executive or administrative heads of departments, bureaus, divisions, or institutions
- 37.7 within state government; and
- 37.8 ~~(4)~~ (5) the following employees:
- 37.9 (i) the chief administrative officer, or the individual acting in an equivalent position, in
- 37.10 all political subdivisions;
- 37.11 (ii) individuals required to be identified by a political subdivision pursuant to section
- 37.12 471.701;
- 37.13 (iii) in a city with a population of more than 7,500 or a county with a population of more
- 37.14 than 5,000: managers; chiefs; heads or directors of departments, divisions, bureaus, or
- 37.15 boards; and any equivalent position; ~~and~~
- 37.16 (iv) in a school district: business managers; human resource directors; athletic directors
- 37.17 whose duties include at least 50 percent of their time spent in administration, personnel,
- 37.18 supervision, and evaluation; chief financial officers; directors; individuals defined as
- 37.19 superintendents and principals under Minnesota Rules, part 3512.0100; and in a charter
- 37.20 school, individuals employed in comparable positions; and
- 37.21 (v) in the Metropolitan Council, a public corporation and political subdivision of the
- 37.22 state established under chapter 473: the chair of the Metropolitan Council appointed by the
- 37.23 governor; the regional administrator appointed as the principal administrative officer by the
- 37.24 Metropolitan Council under section 473.125; the deputy regional administrator; the general
- 37.25 counsel appointed by the Metropolitan Council under section 473.123, subdivision 8; the
- 37.26 executive heads of divisions, including the general managers and executive directors; the
- 37.27 executive head responsible for compliance with Equal Employment Opportunity provisions
- 37.28 of federal law; and the chief law enforcement officer of the Metropolitan Transit Police
- 37.29 appointed by the regional administrator under section 473.407, subdivision 4.
- 37.30 (f) Data relating to a complaint or charge against an employee identified under paragraph
- 37.31 (e), clause ~~(4)~~ (5), are public only if:

(1) the complaint or charge results in disciplinary action or the employee resigns or is terminated from employment while the complaint or charge is pending; or

(2) potential legal claims arising out of the conduct that is the subject of the complaint or charge are released as part of a settlement agreement.

This paragraph and paragraph (e) do not authorize the release of data that are made not public under other law.

Sec. 5. Minnesota Statutes 2024, section 13.991, is amended to read:

13.991 JUDICIAL OFFICIAL DATA; PERSONAL INFORMATION.

(a) Subject to paragraph (b), the personal information of all judicial officials collected, created, or maintained by a government entity is private data on individuals. For purposes of this section, the terms "personal information" and "judicial official" have the meanings given in section 480.40, subdivision 1.

(b) If the responsible authority or government entity violates this chapter, the remedies and penalties under this chapter are available only if the judicial official making a claim previously provided written notification to the responsible authority confirming on a form provided by the Minnesota judicial branch that they are entitled to protection under section 480.40. If the subject of the data is an adult child of a judicial official who does not reside with the judicial official, the remedies and penalties under this chapter are available only if the adult child previously provided written notification to the responsible authority confirming their status as the child of a judicial official. In the case of county records, the form shall be filed with the responsible authority that maintains the personal information for which the judicial officer is seeking protection. A form submitted under this section is private data on individuals. A notice filed under this paragraph expires five years following the date of filing, unless it is renewed prior to the expiration date.

(c) ~~This section shall not apply to~~ Notwithstanding paragraph (a), section 480.50 shall govern personal information contained in: of all judicial officials contained in real property records, as defined in section 480.50, subdivision 1, paragraph (f).

~~(1) real property records as defined in section 13.045, subdivision 1, clause (5);~~

~~(2) Uniform Commercial Code filings and tax liens maintained by the secretary of state;~~
~~and~~

~~(3) any other records maintained by a government entity evidencing title to, or any lien, judgment, or other encumbrance on, real or personal property.~~

39.1 **EFFECTIVE DATE.** This section is effective January 1, 2026.

39.2 Sec. 6. Minnesota Statutes 2024, section 144E.123, subdivision 3, is amended to read:

39.3 Subd. 3. **Review.** Prehospital care data may be reviewed by the director or its designees.
39.4 The data shall be classified as private data on individuals under chapter 13, the Minnesota
39.5 Government Data Practices Act. The director may share with the Washington/Baltimore
39.6 High Intensity Drug Trafficking Area's Overdose Detection Mapping Application Program
39.7 (ODMAP), data that identifies where and when an overdose incident happens, fatality status,
39.8 suspected drug type, naloxone administration, and first responder type. ODMAP may:

39.9 (1) allow secure access to the system by authorized users to report information about an
39.10 overdose incident;

39.11 (2) allow secure access to the system by authorized users to view, in near real-time,
39.12 information about overdose incidents reported;

39.13 (3) produce a map in near real-time of the approximate locations of confirmed or
39.14 suspected overdose incidents reported; and

39.15 (4) enable access to overdose incident information that assists in state and local decisions
39.16 regarding the allocation of public health, public safety, and educational resources for the
39.17 purposes of monitoring and reporting data related to suspected overdoses.

39.18 Sec. 7. Minnesota Statutes 2024, section 480.40, subdivision 1, is amended to read:

39.19 Subdivision 1. **Definitions.** (a) For purposes of this section and section 480.45, the
39.20 following terms have the meanings given.

39.21 (b) "Judicial official" means:

39.22 (1) every Minnesota district court judge, senior judge, retired judge, and every judge of
39.23 the Minnesota Court of Appeals and every active, senior, recalled, or retired federal judge
39.24 who resides in Minnesota;

39.25 (2) a justice of the Minnesota Supreme Court;

39.26 (3) employees of the Minnesota judicial branch;

39.27 (4) judicial referees and magistrate judges; and

39.28 (5) current and retired judges and current employees of the Office of Administrative
39.29 Hearings, Workers' Compensation Court of Appeals, and Tax Court.

40.1 (c) "Personal information" does not include publicly available information. Personal
40.2 information means:

40.3 (1) a residential address of a judicial official;

40.4 (2) a residential address of the spouse, domestic partner, or children of a judicial official;

40.5 (3) a nonjudicial branch issued telephone number or email address of a judicial official;

40.6 (4) the name of any child of a judicial official; and

40.7 (5) the name of any child care facility or school that is attended by a child of a judicial
40.8 official if combined with an assertion that the named facility or school is attended by the
40.9 child of a judicial official.

40.10 (d) "Publicly available information" means information that is lawfully made available
40.11 through federal, state, or local government records or information that a business has a
40.12 reasonable basis to believe is lawfully made available to the general public through widely
40.13 distributed media, by a judicial official, or by a person to whom the judicial official has
40.14 disclosed the information, unless the judicial official has restricted the information to a
40.15 specific audience.

40.16 (e) "Law enforcement support organizations" do not include charitable organizations.

40.17 (f) "Real property records" has the meaning given in section 480.50, subdivision 1,
40.18 paragraph (f).

40.19 **EFFECTIVE DATE.** This section is effective January 1, 2026.

40.20 Sec. 8. Minnesota Statutes 2024, section 480.40, subdivision 3, is amended to read:

40.21 Subd. 3. **Exceptions.** (a) Subdivision 2 ~~does~~ and section 480.50 do not apply to:

40.22 (1) the dissemination of personal information if the information is relevant to and
40.23 displayed as part of a news story, commentary, editorial, or other speech on a matter of
40.24 public concern;

40.25 (2) personal information that the judicial official voluntarily disseminates publicly after
40.26 August 1, 2024;

40.27 (3) the dissemination of personal information made at the request of the judicial official
40.28 or which is necessary to effectuate the request of a judicial official;

40.29 (4) a commercial entity using personal information internally, providing access to
40.30 businesses under common ownership or affiliated by corporate control, or selling or providing

41.1 data for a transaction or service requested by or concerning the individual whose personal
41.2 information is being transferred;

41.3 (5) a commercial entity providing publicly available information through real-time or
41.4 near real-time alert services for health or safety purposes;

41.5 (6) a commercial entity engaged in the collection, maintenance, disclosure, sale,
41.6 communication, or use of any personal information bearing on a consumer's credit worthiness,
41.7 credit standing, credit capacity, character, general reputation, personal characteristics, or
41.8 mode of living by a consumer reporting agency, furnisher, or user that provides information
41.9 for use in a consumer report, and by a user of a consumer report, but only to the extent that
41.10 such activity is regulated by and authorized under the federal Fair Credit Reporting Act,
41.11 United States Code, title 15, section 1681, et seq.;

41.12 (7) a consumer reporting agency subject to the federal Fair Credit Reporting Act, United
41.13 States Code, title 15, section 1681, et seq.;

41.14 (8) a commercial entity using personal information collected, processed, sold, or disclosed
41.15 in compliance with the federal Driver's Privacy Protection Act of 1994, United States Code,
41.16 title 18, section 2721, et seq.;

41.17 (9) a commercial entity using personal information to do any of the following: prevent,
41.18 detect, protect against, or respond to security incidents, identity theft, fraud, harassment,
41.19 malicious or deceptive activities, or any illegal activity; preserve the integrity or security
41.20 of systems; or investigate, report, or prosecute any person responsible for any such action;

41.21 (10) a financial institution, affiliate of a financial institution, or data subject to title V
41.22 of the federal Gramm-Leach-Bliley Act, United States Code, title 15, section 6801, et seq.;

41.23 (11) a covered entity or business associate for purposes of the federal privacy regulations
41.24 promulgated under the federal Health Insurance Portability and Accountability Act of 1996,
41.25 specifically United States Code, title 42, section 1320d-2 note;

41.26 (12) insurance and insurance support organizations;

41.27 (13) law enforcement agencies or law enforcement support organizations and vendors
41.28 that provide data support services to law enforcement agencies; and

41.29 (14) the collection and sale or licensing of covered information incidental to conducting
41.30 the activities described in clauses (4) to (13); and.

41.31 ~~(15) personal information contained in:~~

41.32 ~~(i) real property records as defined in section 13.045, subdivision 1, clause (5);~~

42.1 ~~(ii) uniform commercial code filings and tax liens maintained by the secretary of state;~~
42.2 ~~and~~

42.3 ~~(iii) any other records maintained by a government entity evidencing title to, or any lien,~~
42.4 ~~judgment, or other encumbrance on, real or personal property.~~

42.5 (b) Subdivision 2 does not apply to:

42.6 (1) personal information of judicial officials collected, created, or maintained in real
42.7 property records; or

42.8 (2) the dissemination of personal information in real property records by a licensed
42.9 attorney or any employees in the office of the licensed attorney, when reasonably necessary
42.10 for the provision of legal services.

42.11 **EFFECTIVE DATE.** This section is effective January 1, 2026.

42.12 Sec. 9. Minnesota Statutes 2024, section 480.45, subdivision 2, is amended to read:

42.13 Subd. 2. **Removal of personal information; exception.** (a) Upon receipt of an affidavit
42.14 requesting removal of the personal information of a judicial official that meets the
42.15 requirements of subdivision 1, the person, business, association, or government entity shall
42.16 remove the publicly posted personal information within 30 days. If the person, business,
42.17 association, or government entity fails to remove the publicly posted personal information
42.18 within 30 days after an affidavit is submitted, the judicial official may file a civil action in
42.19 a court of competent jurisdiction seeking a court order compelling compliance, including
42.20 injunctive and declarative relief.

42.21 (b) Paragraph (a) shall not apply to personal information disseminated directly by a
42.22 government entity contained in: real property records, as defined in section 480.50,
42.23 subdivision 1, paragraph (f).

42.24 ~~(1) real property records as defined in section 13.045, subdivision 1, clause (5);~~

42.25 ~~(2) uniform commercial code filings and tax liens maintained by the secretary of state;~~
42.26 ~~and~~

42.27 ~~(3) any other records maintained by a government entity evidencing title to, or any lien,~~
42.28 ~~judgment, or other encumbrance on, real or personal property.~~

42.29 **EFFECTIVE DATE.** This section is effective January 1, 2026.

43.1 Sec. 10. [480.50] PERSONAL INFORMATION IN REAL PROPERTY RECORDS.

43.2 Subdivision 1. Definitions. (a) For the purposes of this section, the following terms have
43.3 the meanings given.

43.4 (b) "County recorder" has the meaning given in section 13.045, subdivision 1, clause
43.5 (4).

43.6 (c) "Government entity" has the meaning given in section 13.02, subdivision 7a.

43.7 (d) "Judicial official" has the meaning given in section 480.40, subdivision 1, paragraph
43.8 (b), except that it does not include employees of the Minnesota judicial branch.

43.9 (e) "Personal information" has the meaning given in section 480.40, subdivision 1,
43.10 paragraph (c).

43.11 (f) "Real property records" means any of the following:

43.12 (1) real property records as defined in section 13.045, subdivision 1, clause (5);

43.13 (2) Uniform Commercial Code filings and tax liens maintained by the Secretary of State;
43.14 and

43.15 (3) any other records maintained by a county recorder or other government entity
43.16 evidencing title to, or any lien, judgment, or other encumbrance on, real or personal property.

43.17 (g) "Responsible authority" has the meaning given in section 13.02, subdivision 16.

43.18 Subd. 2. Classification of data. (a) Subject to the provisions of this section, the personal
43.19 information of all judicial officials collected, created, or maintained in real property records
43.20 is private data on individuals, as defined in section 13.02, subdivision 12.

43.21 (b) If the responsible authority or government entity violates this section, the remedies
43.22 and penalties under chapter 13 are available only if the judicial official making a claim
43.23 previously provided a real property notice that complies with subdivision 3. If the subject
43.24 of the data is the spouse, domestic partner, or adult child of a judicial official who does not
43.25 reside with the judicial official, the remedies and penalties under chapter 13 are available
43.26 only if the spouse, domestic partner, or adult child previously provided a notification under
43.27 subdivision 3 to the responsible authority confirming their status as the spouse, domestic
43.28 partner, or adult child of a judicial official. In the case of county records, the notification
43.29 shall be filed with the responsible authority that maintains the personal information for
43.30 which the judicial officer is seeking protection. A notification submitted under this section
43.31 is private data on individuals, as defined in section 13.02, subdivision 12.

44.1 Subd. 3. **Notification.** (a) For the classification in subdivision 2 to apply to personal
44.2 information in real property records, a judicial official must submit a real property notice
44.3 in writing to the county recorder in the county where the property identified in the real
44.4 property notice is located and to the Office of the Secretary of State. To affect real property
44.5 records maintained by any other government entity, a judicial official must submit a real
44.6 property notice in writing to the other government entity's responsible authority. If the
44.7 personal information is that of the spouse, domestic partner, or adult child of a judicial
44.8 official who does not reside with the judicial official, the spouse, domestic partner, or adult
44.9 child must submit a real property notice. The real property notice is classified as private
44.10 data on individuals, as defined in section 13.02, subdivision 12. A real property notice must
44.11 be on a form provided by the judicial branch and must include:

44.12 (1) the full legal name of the individual submitting the form;

44.13 (2) the last four digits of the individual's Social Security number;

44.14 (3) the individual's date of birth;

44.15 (4) the individual's telephone number and email;

44.16 (5) the residential address of the individual in Minnesota;

44.17 (6) the legal description, parcel identification number, and street address, if any, of the
44.18 real property affected by the notice; and

44.19 (7) a certification that the individual is a judicial official or the spouse, domestic partner,
44.20 or adult child of a judicial official that contains the notarized signature of the individual.

44.21 (b) A notice submitted by a judicial official employed by the state must include the
44.22 employer's business address and a verification of current employment signed by the
44.23 employer's human resources office.

44.24 (c) A notice submitted pursuant to this subdivision by a spouse, domestic partner, or
44.25 adult child of a judicial official not residing with the judicial official must include a notarized
44.26 verification that the individual is the spouse, domestic partner, or adult child of a judicial
44.27 official.

44.28 (d) Only one parcel of real property may be included in each notice, but a judicial official
44.29 may submit more than one notice. A government entity may require a judicial official to
44.30 provide additional information necessary to identify the records of the judicial official or
44.31 the real property described in the notice. An individual submitting a notice must submit a
44.32 new real property notice if their legal name changes.

45.1 Subd. 4. Access to real property records. (a) If an individual submits a notice under
45.2 subdivision 3, the county recorder or other government entity must not disclose the
45.3 individual's personal information in conjunction with the property identified in the written
45.4 notice, unless:

45.5 (1) the individual has consented to sharing or dissemination of the personal information
45.6 for the purpose identified in a writing signed by the individual and acknowledged by a
45.7 notary public;

45.8 (2) the personal information is subject to dissemination pursuant to a court order under
45.9 section 13.03, subdivision 6;

45.10 (3) the personal information is shared with a government entity for the purpose of
45.11 administering assessment and taxation laws;

45.12 (4) the personal information is disseminated pursuant to subdivision 5; or

45.13 (5) the personal information is shared with the examiner of titles or deputy examiner as
45.14 necessary to perform their statutory duties under chapters 508 and 508A, including the
45.15 dissemination of personal information in Reports of Examiner.

45.16 (b) This subdivision does not prevent the county recorder from returning original
45.17 documents to the person who submitted the documents for recording. Each county recorder
45.18 shall establish procedures for recording documents to comply with this subdivision. These
45.19 procedures may include masking personal information and making documents or certificates
45.20 of title containing the personal information private and not viewable except as allowed by
45.21 this paragraph. The procedure must comply with the requirements of chapters 386, 507,
45.22 508, and 508A, and other laws as appropriate, to the extent these requirements do not conflict
45.23 with this section. The procedures must provide public notice of the existence of recorded
45.24 documents and certificates of title that are not publicly viewable and the provisions for
45.25 viewing them under this subdivision. Notice that a document or certificate is private and
45.26 viewable only under this subdivision or subdivision 5 is deemed constructive notice of the
45.27 document or certificate.

45.28 (c) A real property notice submitted under subdivision 3 shall apply retroactively to all
45.29 online and digital real property records, except digitized or scanned images of tract pages
45.30 and books, but only to the extent the individual submitting the notice provides the parcel
45.31 identification number, document number, or certificate of title number of each record for
45.32 which protection is sought. Otherwise, paragraph (a) applies only to the real property records
45.33 recorded or filed concurrently with the real property notice specified in subdivision 3 and

to real property records affecting the same real property recorded subsequent to the county recorder or other government entity's receipt of the real property notice.

(d) The county recorder or other government entity shall have 60 days from the date of receipt of a real property notice under subdivision 3 to process the request. If the judicial official cites exigent circumstances, the county recorder or other government entity shall process the request as soon as practicable.

(e) The prohibition on disclosure in paragraph (a) continues until:

(1) the judicial official has consented to the termination of the real property notice in a writing signed by the judicial official and acknowledged by a notary public;

(2) the real property notice is terminated pursuant to a court order;

(3) the judicial official no longer holds a record interest in the real property identified in the real property notice;

(4) the judicial official is deceased and a copy of the death certificate has been filed with the county recorder or other government entity to which a notice was given under subdivision 3; or

(5) the judicial official no longer qualifies as a judicial official. Notification that the judicial official no longer qualifies as a judicial official must be given by the judicial official to each county recorder or other government entity to which a notice under subdivision 3 was given within 90 days after the judicial official no longer qualifies as a judicial official.

(f) Upon termination of the prohibition of disclosure, the county recorder shall make publicly viewable all documents and certificates of title relative to the judicial official that were previously partially or wholly private and not viewable.

Subd. 5. Access to personal information in real property records; title examination. (a) Upon request, the judicial official shall verify that the judicial official's real property is the property subject to a bona fide title exam.

(b) The county recorder or other government entity shall provide a judicial official's unredacted real property records upon request of any of the following persons:

(1) a licensed title insurance company representative, a licensed title insurance agent, a licensed abstractor, or an attorney licensed to practice law in Minnesota;

(2) a mortgage loan originator;

(3) a real estate broker or a real estate salesperson; and

(4) an individual or entity that has made or received an offer for the purchase of real property to or from a judicial official whose address is subject to nondisclosure, provided the request is accompanied by a written consent from the judicial official.

(c) A request made under paragraph (a) or (b) must be made on a notarized form and include:

(1) the full legal name, title, address, and place of employment, if applicable, of the person requesting the real property records;

(2) the lawful purpose for requesting the real property records;

(3) the requestor's relationship, if any, to the judicial official;

(4) the legal description of the property subject to the title examination; and

(5) proof of the requestor's licensure.

(d) Personal information provided under this subdivision may be used only for the purposes authorized in this subdivision or the lawful purposes set forth in the request for disclosure form and may not be further disseminated to any other person. A person receiving private data under this subdivision shall establish procedures to protect the data from further dissemination.

Subd. 6. Service fees to county recorder or other government entity. The county recorder or any other government entity is authorized to charge the following service fees:

(1) \$40 for each real property notice under subdivision 3;

(2) \$40 for each consent submitted under subdivision 4, paragraph (a), clause (1), and subdivision 4, paragraph (e), clause (1); and

(3) \$40 for each request submitted under subdivision 5.

These service fees shall not be considered county recorder fees under section 357.18 or registrar of titles fees under section 508.82 or 508A.82 and shall be deposited into the county recorder or other government entity's general fund.

EFFECTIVE DATE. This section is effective January 1, 2026."

Amend the title accordingly