1.1   .... moves to amend H.F. No. 4277 as follows:

1.2   Page 1, after line 7, insert:

1.3   "Section 2. Minnesota Statutes 2025 Supplement, section 142B.68, subdivision 1, is

1.4   amended to read:

1.5   Subdivision 1. **Definitions.** (a) For the purposes of this section, the terms defined in this

1.6   subdivision have the meanings given.

1.7   (b) "Child care program" means:

1.8   (1) a family or group family child care home licensed under Minnesota Rules, chapter

1.9   9502;

1.10   (2) a child care center licensed under Minnesota Rules, chapter 9503; and

1.11   (3) a license-exempt child care center certified under chapter 142C.

1.12   ~~(b)~~ (c) "Facility" means the indoor space in which child care is provided that is owned,

1.13   leased, or operated by a ~~licensed child care center~~ child care program and does not include

1.14   any outdoor space.

1.15   ~~(c)~~ (d) "Video security camera" means a closed-circuit video camera or other closed

1.16   circuit device that captures or records video."

1.17   Page 1, line 17, delete "2027" and insert "2029" and delete everything after "a" and insert

1.18   "child care program"

1.19   Page 1, delete lines 18 and 19

1.20   Page 1, line 20, delete "the previous calendar year"

2.1   Page 1, line 21, after "facility" insert a period and delete "as provided under subdivision

2.2   3" and insert "A child care program subject to this section must install cameras that meet

2.3   the requirements of subdivision 3 in all rooms accessible to children of any age"

2.4   Page 1, after line 21, insert:

2.5   "Sec. 4. Minnesota Statutes 2025 Supplement, section 142B.68, subdivision 3, is amended

2.6   to read:

2.7   Subd. 3. **Requirements for video security cameras.** (a) A ~~licensed child care center~~

2.8   child care program must have at least one video security camera in each room designated

2.9   for infants or toddlers. The camera must be positioned to provide maximum visibility of

2.10   the room. If one camera is not sufficient to view at least 80 percent of the square footage

2.11   of the room, the ~~center~~ child care program must place an additional camera or cameras in

2.12   the room to achieve maximum visibility of the room.

2.13   (b) The video security cameras must:

2.14   (1) be turned on and recording at all times the ~~licensed child care center~~ child care

2.15   program is in operation;

2.16   (2) record and display the accurate date and time;

2.17   (3) have a display resolution of 720p or higher; and

2.18   (4) have a frames per second rate of 15 or higher.

2.19   (c) A ~~licensed child care center~~ child care program is exempt from having cameras that

2.20   meet the requirements under paragraph (b), clauses (3) and (4), if the ~~center~~ child care

2.21   program has cameras as required in paragraph (a) prior to July 1, 2026.

2.22   Sec. 5. Minnesota Statutes 2025 Supplement, section 142B.68, subdivision 4, is amended

2.23   to read:

2.24   Subd. 4. **Retention and disposal of recordings; access to recordings.** (a) A ~~licensed~~

2.25   ~~child care center~~ child care program must retain video security camera recordings for 28

2.26   calendar days after the date of the recording. Except as provided under paragraphs (b), (c),

2.27   and (d), a ~~licensed child care center~~ child care program must dispose of video security

2.28   camera recordings after 28 calendar days.

2.29   (b) A ~~licensed child care center~~ child care program that receives notice from a law

2.30   enforcement official of a suspected crime committed against a child at the ~~center~~ child care

3.1   program may not dispose of any video security camera recordings until the law enforcement

3.2   investigation of the suspected crime is complete.

3.3   (c) A ~~licensed child care center~~ child care program must retain video security camera

3.4   recordings related to an incident that the ~~center~~ child care program must report to the

3.5   commissioner under Minnesota Rules, ~~part~~ parts 9502.0375 and 9503.0130, for six months

3.6   from the date of the incident.

3.7   (d) A ~~licensed child care center~~ child care program may retain video security camera

3.8   recordings to use for training ~~center~~ child care program employees. Any recordings used

3.9   for training purposes must redact, as defined under section 13.825, subdivision 1, identifying

3.10   information on children shown or heard in the recording, unless a parent or legal guardian

3.11   has provided written consent that the ~~center~~ child care program may use unredacted

3.12   recordings of the parent's or guardian's child.

3.13   (e) A ~~licensed child care center~~ child care program must adhere to additional requirements

3.14   issued by the commissioner regarding retention and disposal of video security camera

3.15   recordings.

3.16   (f) A ~~licensed child care center~~ child care program must ~~establish appropriate~~ adhere to

3.17   the procedures established by the commissioner under subdivision 11, paragraph (a), clause

3.18   (1), for security safeguards for video security camera recordings~~, including procedures for~~

3.19   ~~ensuring that the recordings are only accessible to persons whose work assignment reasonably~~

3.20   ~~requires access to the recordings, and are only accessed by those persons for purposes~~

3.21   ~~described in the procedure~~. All queries and responses and all actions in which the recordings

3.22   are accessed, shared, or disseminated must be recorded, including the day and time of the

3.23   action and who was involved in the action. Data created pursuant to this paragraph are

3.24   subject to the same requirements as the underlying recording under this section.

3.25   Sec. 6. Minnesota Statutes 2025 Supplement, section 142B.68, subdivision 5, is amended

3.26   to read:

3.27   Subd. 5. **Dissemination of recordings.** (a) A ~~licensed child care center~~ child care program

3.28   must not sell, share, transmit, or disseminate a video security camera recording to any person

3.29   except as authorized by this subdivision.

3.30   (b) A ~~child care center~~ child care program must disseminate a video security camera

3.31   recording pursuant to a valid court order, search warrant, or subpoena in a civil, criminal,

3.32   or administrative proceeding, including an investigation by the commissioner.

4.1　　　(c) An employee of a ~~licensed child care center~~ child care program who is the subject

4.2　　　of proposed disciplinary action by the ~~center~~ child care program based upon evidence

4.3　　　obtained by a video security camera must be given access to that evidence for purposes of

4.4　　　defending against the proposed action. An employee who obtains a recording or a copy of

4.5　　　the recording must treat the recording or copy confidentially and must not further disseminate

4.6　　　it to any other person except as required under law. The employee must not keep the

4.7　　　recording or copy or a portion of the recording or copy after the recording is no longer

4.8　　　needed for purposes of defending against a proposed action.

4.9　　　　Sec. 7. Minnesota Statutes 2025 Supplement, section 142B.68, subdivision 6, is amended

4.10　　to read:

4.11　　　　Subd. 6. **Exception.** Notwithstanding the requirement to have closed-circuit video

4.12　　security cameras under this section and subdivision 5, paragraph (a), a ~~licensed child care~~

4.13　　~~center~~ child care program that, as of July 1, ~~2026~~ 2027, provided remote viewing of video

4.14　　footage for parents and legal guardians may continue to do so in the same manner.

4.15　　　　Sec. 8. Minnesota Statutes 2025 Supplement, section 142B.68, subdivision 7, is amended

4.16　　to read:

4.17　　　　Subd. 7. **Hold harmless.** (a) The commissioner may not issue a fix-it ticket, correction

4.18　　order, or order of conditional license against a child care center or family child care provider

4.19　　license holder for a licensing violation that does not imminently endanger the health or

4.20　　safety of the children served by the center or family child care provider, if the only source

4.21　　of evidence for the violation is video security camera recordings reviewed as part of an

4.22　　investigation under subdivision 5, paragraph (b). This paragraph expires upon implementation

4.23　　of the child care weighted risk system under section 142B.171. The commissioner shall

4.24　　notify the revisor of statutes when the system has been implemented.

4.25　　　　(b) Upon implementation of the child care weighted risk system under section 142B.171,

4.26　　the commissioner may not take a licensing action against a child care center or family child

4.27　　care provider license holder for a violation that counts as 6.5 or below for a child care center

4.28　　or family child care provider in the weighted risk system, if the only source of evidence for

4.29　　the violation is video security camera recordings reviewed as part of an investigation under

4.30　　subdivision 5, paragraph (b).

5.1   Sec. 9. Minnesota Statutes 2025 Supplement, section 142B.68, subdivision 8, is amended

5.2   to read:

5.3   Subd. 8. **Written policy required.** (a) A ~~licensed child care center~~ child care program

5.4   must have a written policy on the ~~center's~~ program's use of video security cameras that

5.5   includes the following:

5.6   (1) the days and times the video security cameras in the facility are in use;

5.7   (2) the locations of all areas monitored by video security cameras in the facility;

5.8   (3) the ~~center's~~ program's retention and disposal policies and procedures for the video

5.9   security camera recordings;

5.10   (4) the ~~center's~~ program's policies governing access to the video security camera

5.11   recordings; and

5.12   (5) the ~~center's~~ program's security safeguards and procedures regarding employee access

5.13   to the recordings.

5.14   (b) A child care program may use the materials created by the commissioner under

5.15   subdivision 11 to fulfill the requirements of this subdivision.

5.16   Sec. 10. Minnesota Statutes 2025 Supplement, section 142B.68, subdivision 9, is amended

5.17   to read:

5.18   Subd. 9. **Notices.** (a) A ~~licensed child care center~~ child care program must notify all

5.19   parents and legal guardians who apply to enroll or enroll a child in the ~~center~~ program about

5.20   the use of video security cameras in the facility. At the time of a child's enrollment, the

5.21   ~~center~~ program must provide parents and legal guardians with the video security camera

5.22   policy required under subdivision 8.

5.23   (b) A ~~licensed child care center~~ child care program must post a sign at each facility

5.24   entrance accessible to visitors that states: "Video security cameras are present to record

5.25   persons and activities."

5.26   (c) A child care program may use the materials created by the commissioner under

5.27   subdivision 11 to fulfill the requirements of this subdivision.

5.28   Sec. 11. Minnesota Statutes 2025 Supplement, section 142B.68, subdivision 10, is amended

5.29   to read:

5.30   Subd. 10. **Data practices.** (a) Video footage collected or maintained by the commissioner

5.31   under this section is classified as welfare data under section 13.46 unless otherwise specified.

6.1   (b) If a child care program operates in a public school, video footage collected or

6.2   maintained by the commissioner under this section is classified as educational data under

6.3   section 13.32.

6.4   Sec. 12 Minnesota Statutes 2025 Supplement, section 142B.68, is amended by adding a

6.5   subdivision to read:

6.6   Subd. 11. **Commissioner duties.** By January 1, 2027, the commissioner must create the

6.7   following materials for use by a child care program to fulfill requirements under this section:

6.8   (1) procedures for the security safeguards for video security camera recordings, including

6.9   procedures for ensuring that the recordings are only accessible to persons whose work

6.10   assignment reasonably requires access to the recordings, and are only accessed by those

6.11   persons for purposes described in the procedure;

6.12   (2) a template for the written policy required under subdivision 8;

6.13   (3) a template for the notice to parents and legal guardians required under subdivision

6.14   9, paragraph (a); and

6.15   (4) a sign for facility entrances required under subdivision 9, paragraph (b)."

6.16   Renumber the sections in sequence and correct the internal references

6.17   Amend the title accordingly