

1.1 Senator ..... moves to amend H.F. No. 470 as follows:

1.2 Delete everything after the enacting clause and insert:

1.3 "ARTICLE 1

1.4 APPROPRIATIONS

1.5 Section 1. APPROPRIATIONS.

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

1.9 The figures "2018" and "2019" used in this article mean that the appropriations listed under  
1.10 them are available for the fiscal year ending June 30, 2018, or June 30, 2019, respectively.

1.11 "The first year" is fiscal year 2018. "The second year" is fiscal year 2019. "The biennium"  
1.12 is fiscal years 2018 and 2019. Appropriations for the fiscal year ending June 30, 2017, are  
1.13 effective the day following final enactment.

1.14 APPROPRIATIONS  
1.15 Available for the Year  
1.16 Ending June 30

1.17 2017 2018 2019

1.18 Sec. 2. SUPREME COURT

1.19 Subdivision 1. Total Appropriation \$ 51,537,000 \$ 52,927,000

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

1.23 Subd. 2. Supreme Court Operations 37,817,000 39,207,000

1.24 (a) Contingent Account

1.25 \$5,000 each year is for a contingent account  
1.26 for expenses necessary for the normal  
1.27 operation of the court for which no other  
1.28 reimbursement is provided.

1.29 (b) Judges' Compensation

1.30 Judges' compensation is increased by two and  
1.31 one-half percent each year.

1.32 (c) Harassment Restraining Orders

2.1 \$993,000 each year is to implement the  
 2.2 changes related to harassment restraining  
 2.3 orders required in article 3. The base for this  
 2.4 activity is \$993,000 in fiscal year 2020 and  
 2.5 zero in fiscal year 2021.

2.6 **(d) Information Security and Risk**  
 2.7 **Management**

2.8 \$492,000 each year is for an information  
 2.9 security and risk management program.

2.10 **Subd. 3. Civil Legal Services** 13,720,000 13,720,000

2.11 **Legal Services to Low-Income Clients in**  
 2.12 **Family Law Matters.** \$948,000 each year is  
 2.13 to improve the access of low-income clients  
 2.14 to legal representation in family law matters.  
 2.15 This appropriation must be distributed under  
 2.16 Minnesota Statutes, section 480.242, to the  
 2.17 qualified legal services program described in  
 2.18 Minnesota Statutes, section 480.242,  
 2.19 subdivision 2, paragraph (a). Any  
 2.20 unencumbered balance remaining in the first  
 2.21 year does not cancel and is available in the  
 2.22 second year.

2.23 **Sec. 3. COURT OF APPEALS** \$ 12,311,000 \$ 12,629,000

2.24 **(a) Judges' Compensation**  
 2.25 Judges' compensation is increased by two and  
 2.26 one-half percent each year.

2.27 **(b) Base Amount**  
 2.28 The general fund base shall be \$12,494,000  
 2.29 in fiscal years 2020 and 2021.

2.30 **Sec. 4. DISTRICT COURTS** \$ 289,607,000 \$ 297,588,000

2.31 **(a) Judges' Compensation**

3.1 Judges' compensation is increased by two and  
3.2 one-half percent each year.

3.3 **(b) New Trial Judges**

3.4 \$884,000 the first year and \$818,000 the  
3.5 second year are for two new trial court judge  
3.6 units.

3.7 **(c) Mandated Services**

3.8 \$1,164,000 each year is for mandated court  
3.9 services.

3.10 **(d) Treatment Courts Stability**

3.11 \$309,000 each year is for treatment courts  
3.12 stability.

3.13 **Sec. 5. GUARDIAN AD LITEM BOARD**      **\$**      **16,157,000** **\$**      **16,713,000**

3.14 **Compliance Positions.** \$400,000 the first year  
3.15 and \$600,000 the second year are for new  
3.16 positions to maintain compliance with federal  
3.17 and state mandates.

3.18 **Sec. 6. TAX COURT**      **\$**      **1,508,000** **\$**      **1,518,000**

3.19 \$104,000 each year is for a case management  
3.20 system.

3.21 **Sec. 7. UNIFORM LAWS COMMISSION**      **\$**      **93,000** **\$**      **93,000**

3.22 **Sec. 8. BOARD ON JUDICIAL STANDARDS**      **\$**      **486,000** **\$**      **486,000**

3.23 **Major Disciplinary Actions.** \$125,000 each  
3.24 year is for special investigative and hearing  
3.25 costs for major disciplinary actions undertaken  
3.26 by the board. This appropriation does not  
3.27 cancel. Any unencumbered and unspent  
3.28 balances remain available for these  
3.29 expenditures until June 30, 2021.

4.1 **Sec. 9. BOARD OF PUBLIC DEFENSE**                    **\$            85,949,000 \$            88,310,000**

4.2 **New Attorneys**

4.3 \$500,000 the first year and \$1,000,000 the  
 4.4 second year are for additional public  
 4.5 defenders.

4.6 **Sec. 10. SENTENCING GUIDELINES**                    **\$            655,000 \$            669,000**

4.7 **Sec. 11. PUBLIC SAFETY**

4.8 **Subdivision 1. Total Appropriation**                    **\$            195,674,000 \$            192,497,000**

4.9                    Appropriations by Fund

	<u>2018</u>	<u>2019</u>
4.10		
4.11 <u>General</u>	<u>102,397,000</u>	<u>99,018,000</u>
4.12 <u>Special Revenue</u>	<u>13,569,000</u>	<u>13,708,000</u>
4.13 <u>State Government</u>		
4.14 <u>Special Revenue</u>	<u>103,000</u>	<u>103,000</u>
4.15 <u>Environmental</u>	<u>73,000</u>	<u>73,000</u>
4.16 <u>Trunk Highway</u>	<u>2,365,000</u>	<u>2,401,000</u>
4.17 <u>911 Fund</u>	<u>77,167,000</u>	<u>77,194,000</u>

4.18 The amounts that may be spent for each  
 4.19 purpose are specified in the following  
 4.20 subdivisions.

4.21 **Subd. 2. Emergency Management**                    **9,270,000                    4,128,000**

4.22                    Appropriations by Fund

4.23 <u>General</u>	<u>7,672,000</u>	<u>2,530,000</u>
4.24 <u>Environmental</u>	<u>73,000</u>	<u>73,000</u>
4.25 <u>Special Revenue</u>		
4.26 <u>Fund</u>	<u>1,525,000</u>	<u>1,525,000</u>

4.27 **(a) Hazmat and Chemical Assessment**

4.28 **Teams**

4.29 \$850,000 each year is from the fire safety  
 4.30 account in the special revenue fund. These  
 4.31 amounts must be used to fund the hazardous  
 4.32 materials and chemical assessment teams. Of  
 4.33 this amount, \$100,000 the first year is for

5.1 cases for which there is no identified  
5.2 responsible party.

5.3 **(b) Emergency Response Teams**

5.4 \$675,000 each year is from the fire safety  
5.5 account in the special revenue fund to maintain  
5.6 four emergency response teams: one under the  
5.7 jurisdiction of the St. Cloud Fire Department  
5.8 or a similarly located fire department if  
5.9 necessary; one under the jurisdiction of the  
5.10 Duluth Fire Department; one under the  
5.11 jurisdiction of the St. Paul Fire Department;  
5.12 and one under the jurisdiction of the Moorhead  
5.13 Fire Department. The commissioner must  
5.14 allocate the appropriation as follows: (1)  
5.15 \$225,000 each year to the St. Cloud Fire  
5.16 Department; (2) \$225,000 each year to the  
5.17 Duluth Fire Department; (3) \$125,000 each  
5.18 year to the St. Paul Fire Department; and (4)  
5.19 \$100,000 each year to the Moorhead Fire  
5.20 Department. These are onetime appropriations.

5.21 **(c) Roseau County Disaster Reimbursement**

5.22 \$1,250,000 the first year is from the general  
5.23 fund for distribution to Roseau County for  
5.24 reimbursement of costs to repair public  
5.25 infrastructure damaged by the 1999 and 2002  
5.26 floods.

5.27 **(d) Supplemental Nonprofit Security Grants**

5.28 \$150,000 the first year is from the general fund  
5.29 for supplemental nonprofit security grants  
5.30 under this paragraph.

5.31 Nonprofit organizations whose applications  
5.32 for funding through the Federal Emergency  
5.33 Management Agency's nonprofit security grant  
5.34 program have been approved by the Division

6.1 of Homeland Security and Emergency  
6.2 Management are eligible for grants under this  
6.3 paragraph. No additional application shall be  
6.4 required for grants under this paragraph, and  
6.5 an application for a grant from the federal  
6.6 program is also an application for funding  
6.7 from the state supplemental program.

6.8 Eligible organizations may receive grants of  
6.9 up to \$75,000, except that the total received  
6.10 by any individual from both the federal  
6.11 nonprofit security grant program and the state  
6.12 supplemental nonprofit security grant program  
6.13 shall not exceed \$75,000. Grants shall be  
6.14 awarded in an order consistent with the  
6.15 ranking given to applicants for the federal  
6.16 nonprofit security grant program. No grants  
6.17 under the state supplemental nonprofit security  
6.18 grant program shall be awarded until the  
6.19 announcement of the recipients and the  
6.20 amount of the grants awarded under the federal  
6.21 nonprofit security grant program.

6.22 The commissioner may use up to one percent  
6.23 of the appropriation received under this  
6.24 paragraph to pay costs incurred by the  
6.25 department in administering the supplemental  
6.26 nonprofit security grant program.

6.27 **(e) Disaster Contingency Account**

6.28 \$3,781,000 the first year is from the general  
6.29 fund for transfer to the disaster assistance  
6.30 contingency account in Minnesota Statutes,  
6.31 section 12.221.

6.32 **(f) Bomb Squad Reimbursements**

7.1 \$50,000 each year is from the general fund for  
 7.2 reimbursements to local governments for  
 7.3 bomb squad services.

7.4 **Subd. 3. Criminal Apprehension** 55,137,000 56,866,000

7.5	<u>Appropriations by Fund</u>		
7.6	<u>General</u>	<u>52,765,000</u>	<u>54,458,000</u>
7.7	<u>State Government</u>		
7.8	<u>Special Revenue</u>	<u>7,000</u>	<u>7,000</u>
7.9	<u>Trunk Highway</u>	<u>2,365,000</u>	<u>2,401,000</u>

7.10 **(a) DWI Lab Analysis; Trunk Highway**

7.11 **Fund**

7.12 Notwithstanding Minnesota Statutes, section  
 7.13 161.20, subdivision 3, \$2,365,000 the first  
 7.14 year and \$2,401,000 the second year are from  
 7.15 the trunk highway fund for laboratory analysis  
 7.16 related to driving-while-impaired cases.

7.17 **(b) Predatory Registration System**

7.18 \$1,250,000 the second year is to be used to  
 7.19 build the predatory registration system. This  
 7.20 appropriation is available until June 30, 2020.  
 7.21 The base for fiscal year 2020 is \$2,850,000  
 7.22 and the base for fiscal year 2021 is \$400,000  
 7.23 to maintain the system.

7.24 **(c) BCA Investment Initiative**

7.25 \$535,000 each year is:

7.26 (1) for an additional firearms examiner;

7.27 (2) for additional staff in the drug chemistry

7.28 lab;

7.29 (3) for a criminal investigator; and

7.30 (4) for maintenance of the criminal history

7.31 system.

7.32 **(d) Harassment Restraining Orders**

8.1 \$169,000 the first year and \$47,000 the second  
 8.2 year are for the Bureau of Criminal  
 8.3 Apprehension to implement the changes  
 8.4 related to harassment restraining orders  
 8.5 required in article 3.

8.6 **Subd. 4. Fire Marshal** 6,274,000      6,408,000

8.7                    Appropriations by Fund  
 8.8 Special Revenue                    6,274,000      6,408,000

8.9 The special revenue fund appropriation is from  
 8.10 the fire safety account in the special revenue  
 8.11 fund and is for activities under Minnesota  
 8.12 Statutes, section 299F.012.

8.13 **Inspections**

8.14 \$300,000 each year is for inspection of nursing  
 8.15 homes and boarding care facilities.

8.16 **Subd. 5. Firefighter Training and Education**  
 8.17 **Board** 5,015,000      5,015,000

8.18                    Appropriations by Fund  
 8.19 Special Revenue                    5,015,000      5,015,000

8.20 The special revenue fund appropriation is from  
 8.21 the fire safety account in the special revenue  
 8.22 fund and is for activities under Minnesota  
 8.23 Statutes, section 299F.012.

8.24 **(a) Firefighter Training and Education**

8.25 \$4,265,000 each year is for firefighter training  
 8.26 and education.

8.27 **(b) Task Force 1**

8.28 \$500,000 each year is for the Minnesota Task  
 8.29 Force 1.

8.30 **(c) Air Rescue**

8.31 \$250,000 each year is for the Minnesota Air  
 8.32 Rescue Team.

8.33 **(d) Unappropriated Revenue**



9.1 Any additional unappropriated money  
 9.2 collected in fiscal year 2017 is appropriated  
 9.3 to the commissioner of public safety for the  
 9.4 purposes of Minnesota Statutes, section  
 9.5 299F.012. The commissioner may transfer  
 9.6 appropriations and base amounts between  
 9.7 activities in this subdivision.

9.8 **Subd. 6. Alcohol and Gambling Enforcement** 2,536,000 2,574,000

9.9	<u>Appropriations by Fund</u>		
9.10	<u>General</u>	<u>1,781,000</u>	<u>1,814,000</u>
9.11	<u>Special Revenue</u>	<u>755,000</u>	<u>760,000</u>

9.12 \$685,000 the first year and \$690,000 the  
 9.13 second year are from the alcohol enforcement  
 9.14 account in the special revenue fund. Of this  
 9.15 appropriation, \$500,000 each year shall be  
 9.16 transferred to the general fund.

9.17 \$70,000 each year is from the lawful gambling  
 9.18 regulation account in the special revenue fund.

9.19 **Field Agent or Alcohol Educator**

9.20 \$90,000 each year is from the general fund for  
 9.21 a field agent or an alcohol educator.

9.22 **Subd. 7. Office of Justice Programs** 40,275,000 40,312,000

9.23	<u>Appropriations by Fund</u>		
9.24	<u>General</u>	<u>40,179,000</u>	<u>40,216,000</u>
9.25	<u>State Government</u>		
9.26	<u>Special Revenue</u>	<u>96,000</u>	<u>96,000</u>

9.27 **(a) OJP Administration Costs**

9.28 Up to 2.5 percent of the grant funds  
 9.29 appropriated in this subdivision may be used  
 9.30 by the commissioner to administer the grant  
 9.31 program.

9.32 **(b) Violent Crime Enforcement**

9.33 \$375,000 each year is for additional grants for  
 9.34 Statewide Violent Crime Enforcement Teams.

10.1 **(c) Combating Terrorism Recruitment**

10.2 \$250,000 each year is for grants to local law  
10.3 enforcement agencies to develop strategies  
10.4 and make efforts to combat the recruitment of  
10.5 Minnesota residents by terrorist organizations  
10.6 such as ISIS and al-Shabaab. This is a onetime  
10.7 appropriation.

10.8 **(d) Sex Trafficking Prevention Grants**

10.9 \$180,000 each year is for grants to state and  
10.10 local units of government for the following  
10.11 purposes:

10.12 (1) to support new or existing  
10.13 multijurisdictional entities to investigate sex  
10.14 trafficking crimes; and

10.15 (2) to provide technical assistance, including  
10.16 training and case consultation, to law  
10.17 enforcement agencies statewide.

10.18 **(e) Pathway to Policing Reimbursement Grants**

10.19 \$400,000 each year is for reimbursement  
10.20 grants to local units of government that operate  
10.21 pathway to policing programs intended to  
10.22 bring persons with nontraditional backgrounds  
10.23 into law enforcement. Applicants for  
10.24 reimbursement grants may receive up to 50  
10.25 percent of the cost of compensating and  
10.26 training pathway to policing participants.

10.27 Reimbursement grants shall be proportionally  
10.28 allocated based on the number of grant  
10.29 applications approved by the commissioner.

10.30 **Subd. 8. Emergency Communication Networks**

77,167,000

77,194,000

10.31 This appropriation is from the state  
10.32 government special revenue fund for 911  
10.33 emergency telecommunications services.

11.1 This appropriation includes funds for  
11.2 information technology project services and  
11.3 support subject to the provisions of Minnesota  
11.4 Statutes, section 16E.0466. Any ongoing  
11.5 information technology costs will be  
11.6 incorporated into the service level agreement  
11.7 and will be paid to the Office of MN.IT  
11.8 Services by the Department of Public Safety  
11.9 under the rates and mechanism specified in  
11.10 that agreement.

11.11 **(a) Public Safety Answering Points**

11.12 \$13,664,000 each year is to be distributed as  
11.13 provided in Minnesota Statutes, section  
11.14 403.113, subdivision 2.

11.15 **(b) Medical Resource Communication Centers**

11.16 \$683,000 each year is for grants to the  
11.17 Minnesota Emergency Medical Services  
11.18 Regulatory Board for the Metro East and  
11.19 Metro West Medical Resource  
11.20 Communication Centers that were in operation  
11.21 before January 1, 2000.

11.22 **(c) ARMER Debt Service**

11.23 \$23,261,000 each year is to the commissioner  
11.24 of management and budget to pay debt service  
11.25 on revenue bonds issued under Minnesota  
11.26 Statutes, section 403.275.

11.27 Any portion of this appropriation not needed  
11.28 to pay debt service in a fiscal year may be used  
11.29 by the commissioner of public safety to pay  
11.30 cash for any of the capital improvements for  
11.31 which bond proceeds were appropriated by  
11.32 Laws 2005, chapter 136, article 1, section 9,  
11.33 subdivision 8; or Laws 2007, chapter 54,  
11.34 article 1, section 10, subdivision 8.

12.1 **(d) ARMER State Backbone Operating**

12.2 **Costs**

12.3 \$9,650,000 each year is to the commissioner  
12.4 of transportation for costs of maintaining and  
12.5 operating the statewide radio system  
12.6 backbone.

12.7 **(e) ARMER Improvements**

12.8 \$1,000,000 each year is to the Statewide  
12.9 Emergency Communications Board for  
12.10 improvements to those elements of the  
12.11 statewide public safety radio and  
12.12 communication system that support mutual  
12.13 aid communications and emergency medical  
12.14 services or provide interim enhancement of  
12.15 public safety communication interoperability  
12.16 in those areas of the state where the statewide  
12.17 public safety radio and communication system  
12.18 is not yet implemented, and grants to local  
12.19 units of government to further the strategic  
12.20 goals set forth by the Statewide Emergency  
12.21 Communications Board strategic plan.

12.22 **Sec. 12. PEACE OFFICER STANDARDS AND**  
12.23 **TRAINING (POST) BOARD**

12.24 **Subdivision 1. Total Appropriation**                      \$                      **10,641,000** \$                      **10,651,000**

12.25                              Appropriations by Fund

12.26	<u>2018</u>	<u>2019</u>
12.27 <u>General</u>	<u>6,500,000</u>	<u>6,500,000</u>
12.28 <u>Special Revenue</u>	<u>4,141,000</u>	<u>4,151,000</u>

12.29 The amounts that may be spent for each  
12.30 purpose are specified in the following  
12.31 subdivisions.

12.32 **Subd. 2. Excess Amounts Transferred**

12.33 The special revenue fund appropriation is from  
12.34 the peace officer training account. Any new

13.1 receipts credited to that account in the first  
13.2 year in excess of \$4,141,000 must be  
13.3 transferred and credited to the general fund.

13.4 Any new receipts credited to that account in  
13.5 the second year in excess of \$4,151,000 must  
13.6 be transferred and credited to the general fund.

13.7 **Subd. 3. Peace Officer Training Reimbursements**

13.8 \$2,859,000 each year is from the peace officer  
13.9 training account in the special revenue fund  
13.10 for reimbursements to local governments for  
13.11 peace officer training costs.

13.12 **Subd. 4. Peace Officer Training Assistance**

13.13 \$6,500,000 each year is from the general fund  
13.14 to support and strengthen law enforcement  
13.15 training and implement best practices. The  
13.16 base for this activity is \$6,500,000 in fiscal  
13.17 years 2020 and 2021, and zero in fiscal year  
13.18 2022 and thereafter.

13.19 **Subd. 5. De-escalation Training**

13.20 \$100,000 each year is from the peace officer  
13.21 training account in the special revenue fund  
13.22 for training state and local community safety  
13.23 personnel in the use of crisis de-escalation  
13.24 techniques. When selecting a service provider  
13.25 for this training, the board may consult with  
13.26 any postsecondary institution, any state or  
13.27 local governmental official, or any  
13.28 nongovernmental authority the board  
13.29 determines to be relevant. Among any other  
13.30 criteria the board may establish, the training  
13.31 provider must have a demonstrated  
13.32 understanding of the transitions and challenges  
13.33 that veterans may experience during their  
13.34 re-entry into society following combat service.  
13.35 The board must ensure that training

14.1 opportunities provided are reasonably  
14.2 distributed statewide.

14.3 **Sec. 13. PRIVATE DETECTIVE BOARD**            **\$            191,000 \$            192,000**

14.4 **Sec. 14. CORRECTIONS**

14.5 **Subdivision 1. Total**  
14.6 **Appropriation**                                    **\$            9,200,000 \$            579,582,000 \$            578,354,000**

14.7 The amounts that may be spent for each  
14.8 purpose are specified in the following  
14.9 subdivisions.

14.10 **Subd. 2. Correctional**  
14.11 **Institutions**                                    **9,200,000            423,027,000            420,883,000**

14.12 **(a) Offender Health Care**

14.13 \$9,200,000 in fiscal year 2017 is to fund a  
14.14 deficiency in the base budget for the offender  
14.15 health care contract.

14.16 \$11,400,000 the first year is for the offender  
14.17 health care contract.

14.18 Prior to entering into a new health care  
14.19 contract, the commissioner must identify and  
14.20 directly solicit bids from at least five health  
14.21 care organizations that provide, or are willing  
14.22 to provide, health care to prison inmates. In  
14.23 the department's next report required under  
14.24 Minnesota Statutes, section 241.016, after  
14.25 entering a new health care contract, the  
14.26 commissioner shall:

14.27 (1) provide the names and a summary of each  
14.28 bid proposal from the health care organizations  
14.29 that submitted a proposal to provide health  
14.30 care to state inmates; and

14.31 (2) explain, in detail, why the commissioner  
14.32 selected the chosen provider.

15.1 The base for offender health care is \$6,809,000  
15.2 in fiscal years 2020 and 2021.

15.3 **(b) Federal Prison Rape Elimination Act**

15.4 \$943,000 the first year and \$1,068,000 the  
15.5 second year are to comply with requirements  
15.6 of the federal Prison Rape Elimination Act.

15.7 **(c) Operational Costs**

15.8 \$750,000 each year is to increase the relevant  
15.9 base budgets for operational costs including  
15.10 offender food and plant operations.

15.11 **(d) Mentally Ill Offenders**

15.12 \$600,000 the first year and \$1,000,000 the  
15.13 second year are to expand services for  
15.14 mentally ill offenders including behavioral  
15.15 health and security personnel.

15.16 **(e) Restrictive Housing Reforms**

15.17 \$500,000 each year is to implement restrictive  
15.18 housing reforms that will reduce the risk of  
15.19 future misconduct and comply with federal  
15.20 guidelines and accreditation standards.

15.21 Subd. 3. Community Services 129,002,000 129,645,000

15.22 **(a) DOC Supervision Services**

15.23 \$696,000 each year is for Department of  
15.24 Corrections probation and supervised release  
15.25 agents.

15.26 **(b) Community Corrections Act**

15.27 \$2,100,000 each year is added to the  
15.28 Community Corrections Act subsidy, as  
15.29 described in Minnesota Statutes, section  
15.30 401.14.

15.31 **(c) County Probation Officer**

15.32 **Reimbursement**

16.1 \$230,000 each year is added to the county  
 16.2 probation officers reimbursement, as described  
 16.3 in Minnesota Statutes, section 244.19,  
 16.4 subdivision 6.

16.5 **(d) Alternatives to Incarceration Pilot Program**  
 16.6 **Fund**

16.7 \$160,000 each year is to fund grants to  
 16.8 facilitate access to community treatment  
 16.9 options under article 3, section 31.

16.10 **(e) Out-Patient Sex Offender Treatment**

16.11 \$150,000 each year is to increase out-patient  
 16.12 sex offender treatment for offenders on  
 16.13 community supervision.

16.14 **Subd. 4. Operations Support** 27,553,000 27,826,000

16.15 **Critical Technology Needs**

16.16 \$1,500,000 each year is to support critical  
 16.17 technology needs.

16.18 **ARTICLE 2**

16.19 **COURTS**

16.20 Section 1. Minnesota Statutes 2016, section 2.722, subdivision 1, is amended to read:

16.21 Subdivision 1. **Description.** Effective July 1, 1959, the state is divided into ten judicial  
 16.22 districts composed of the following named counties, respectively, in each of which districts  
 16.23 judges shall be chosen as hereinafter specified:

16.24 1. Goodhue, Dakota, Carver, Le Sueur, McLeod, Scott, and Sibley; 36 judges; and four  
 16.25 permanent chambers shall be maintained in Red Wing, Hastings, Shakopee, and Glencoe  
 16.26 and one other shall be maintained at the place designated by the chief judge of the district;

16.27 2. Ramsey; 26 judges;

16.28 3. Wabasha, Winona, Houston, Rice, Olmsted, Dodge, Steele, Waseca, Freeborn, Mower,  
 16.29 and Fillmore; 23 judges; and permanent chambers shall be maintained in Faribault, Albert  
 16.30 Lea, Austin, Rochester, and Winona;

16.31 4. Hennepin; 60 judges;



17.1 5. Blue Earth, Watonwan, Lyon, Redwood, Brown, Nicollet, Lincoln, Cottonwood,  
17.2 Murray, Nobles, Pipestone, Rock, Faribault, Martin, and Jackson; 16 judges; and permanent  
17.3 chambers shall be maintained in Marshall, Windom, Fairmont, New Ulm, and Mankato;

17.4 6. Carlton, St. Louis, Lake, and Cook; 15 judges;

17.5 7. Benton, Douglas, Mille Lacs, Morrison, Otter Tail, Stearns, Todd, Clay, Becker, and  
17.6 Wadena; ~~28~~ 29 judges; and permanent chambers shall be maintained in Moorhead, Fergus  
17.7 Falls, Little Falls, and St. Cloud;

17.8 8. Chippewa, Kandiyohi, Lac qui Parle, Meeker, Renville, Swift, Yellow Medicine, Big  
17.9 Stone, Grant, Pope, Stevens, Traverse, and Wilkin; 11 judges; and permanent chambers  
17.10 shall be maintained in Morris, Montevideo, and Willmar;

17.11 9. Norman, Polk, Marshall, Kittson, Red Lake, Roseau, Mahnomen, Pennington, Aitkin,  
17.12 Itasca, Crow Wing, Hubbard, Beltrami, Lake of the Woods, Clearwater, Cass and  
17.13 Koochiching; ~~23~~ 24 judges; and permanent chambers shall be maintained in Crookston,  
17.14 Thief River Falls, Bemidji, Brainerd, Grand Rapids, and International Falls; and

17.15 10. Anoka, Isanti, Wright, Sherburne, Kanabec, Pine, Chisago, and Washington; 45  
17.16 judges; and permanent chambers shall be maintained in Anoka, Stillwater, and other places  
17.17 designated by the chief judge of the district.

17.18 Sec. 2. Minnesota Statutes 2016, section 13.69, subdivision 1, is amended to read:

17.19 Subdivision 1. **Classifications.** (a) The following government data of the Department  
17.20 of Public Safety are private data:

17.21 (1) medical data on driving instructors, licensed drivers, and applicants for parking  
17.22 certificates and special license plates issued to physically disabled persons;

17.23 (2) other data on holders of a disability certificate under section 169.345, except that (i)  
17.24 data that are not medical data may be released to law enforcement agencies, and (ii) data  
17.25 necessary for enforcement of sections 169.345 and 169.346 may be released to parking  
17.26 enforcement employees or parking enforcement agents of statutory or home rule charter  
17.27 cities and towns;

17.28 (3) Social Security numbers in driver's license and motor vehicle registration records,  
17.29 except that Social Security numbers must be provided to the Department of Revenue for  
17.30 purposes of tax administration, the Department of Labor and Industry for purposes of  
17.31 workers' compensation administration and enforcement, the judicial branch for purposes of

18.1 debt collection, and the Department of Natural Resources for purposes of license application  
18.2 administration; and

18.3 (4) data on persons listed as standby or temporary custodians under section 171.07,  
18.4 subdivision 11, except that the data must be released to:

18.5 (i) law enforcement agencies for the purpose of verifying that an individual is a designated  
18.6 caregiver; or

18.7 (ii) law enforcement agencies who state that the license holder is unable to communicate  
18.8 at that time and that the information is necessary for notifying the designated caregiver of  
18.9 the need to care for a child of the license holder.

18.10 The department may release the Social Security number only as provided in clause (3)  
18.11 and must not sell or otherwise provide individual Social Security numbers or lists of Social  
18.12 Security numbers for any other purpose.

18.13 (b) The following government data of the Department of Public Safety are confidential  
18.14 data: data concerning an individual's driving ability when that data is received from a member  
18.15 of the individual's family.

18.16 Sec. 3. [134A.17] TRANSFERS TO COUNTY.

18.17 If the Sherburne County law library, through its trustees, has a fiscal reserve that is  
18.18 projected to sustain its operations for a period of over five years, the Sherburne County law  
18.19 library may transfer up to half of the money in its fiscal reserve, but not to exceed \$200,000,  
18.20 to Sherburne County to defray costs of constructing a new building to house the law library  
18.21 and courts.

18.22 Sec. 4. Minnesota Statutes 2016, section 243.49, is amended to read:

18.23 **243.49 COMMITMENT PAPERS; DUTY OF COURT ADMINISTRATOR.**

18.24 Upon a plea of guilty or finding of guilty after trial, the court administrator of every  
18.25 court which sentences a defendant for a felony or gross misdemeanor to the custody of the  
18.26 commissioner of corrections or to the superintendent of the workhouse or work farm, shall  
18.27 provide the officer or person having custody of the defendant a certified record for  
18.28 commitment, including ~~(1) a copy of the indictment and plea, (2) a transcript of the sentencing~~  
18.29 ~~proceedings, with the date thereof, together with the defendant's statement under oath, if~~  
18.30 ~~obtained, as to the defendant's true name, residence, if any, the date and place of birth, the~~  
18.31 ~~names and addresses of parents and other relatives and of employers and others who know~~  
18.32 ~~the defendant well, social and other affiliations, past occupations and employments, former~~

19.1 ~~places of residence and the period of time and the dates the defendant has resided in each;~~  
19.2 ~~citizenship, the number, dates, places and causes of any prior convictions, and (3) if the~~  
19.3 ~~person pleaded guilty, a transcript of the sentencing proceedings.~~ The record shall also  
19.4 include the trial judge's impressions of the defendant's mental and physical condition, general  
19.5 character, capacity, disposition, habits and special needs. ~~The court reporter shall provide~~  
19.6 ~~the required transcripts.~~ The certified record for commitment may be used as evidence in  
19.7 any postconviction proceeding brought by the defendant. The court administrator shall also  
19.8 deliver to the sheriff or other officer or person conveying the defendant to the correctional  
19.9 facility, workhouse, or work farm designated by the commissioner of corrections or the  
19.10 judge a warrant of commitment together with a certified copy of the warrant directing the  
19.11 conveyor to deliver the person and the certified record for commitment to the principal  
19.12 officer in charge of the correctional facility, workhouse, or work farm. Upon the delivery  
19.13 of any person, the principal officer in charge of the correctional facility, workhouse, or work  
19.14 farm shall keep the certified copy of the warrant of commitment and endorse the principal  
19.15 officer's receipt upon the original, which shall be filed with the sentencing court. The court  
19.16 administrator shall retain ~~one copy of the required transcripts, and a tape recording and the~~  
19.17 court reporter's notes of all ~~other~~ proceedings.

19.18 Sec. 5. Minnesota Statutes 2016, section 271.21, subdivision 2, is amended to read:

19.19 Subd. 2. **Jurisdiction.** At the election of the taxpayer, the Small Claims Division shall  
19.20 have jurisdiction only in the following matters:

19.21 (a) cases involving valuation, assessment, or taxation of real or personal property, if:

19.22 (i) the issue is a denial of a current year application for the homestead classification for  
19.23 the taxpayer's property;

19.24 (ii) only one parcel is included in the petition, the entire parcel is classified as homestead  
19.25 class 1a or 1b under section 273.13, and the parcel contains no more than one dwelling unit;

19.26 (iii) the entire property is classified as agricultural homestead class 2a or 1b under section  
19.27 273.13; or

19.28 (iv) the assessor's estimated market value of the property included in the petition is less  
19.29 than \$300,000; or

19.30 (b) any case not involving valuation, assessment, or taxation of real and personal property  
19.31 in which the amount in controversy does not exceed ~~\$5,000~~ \$15,000, including penalty and  
19.32 interest.

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

20.1 Sec. 6. Minnesota Statutes 2016, section 299A.707, subdivision 2, is amended to read:

20.2 Subd. 2. **Account purpose, grants.** Money in this account shall be allocated by a grant  
20.3 program administered by the commissioner of public safety through the Office of Justice  
20.4 Programs. Local units of government and nonprofit organizations are eligible for grants to  
20.5 establish or operate chemical dependency and mental health treatment programs, programs  
20.6 that improve supervision, including pretrial and precharge supervision, and programs to  
20.7 reduce recidivism of controlled substances offenders on probation or supervised release or  
20.8 participating in drug treatment courts or to fund local participation in drug treatment court  
20.9 initiatives approved by the Judicial Council.

20.10 Sec. 7. Minnesota Statutes 2016, section 357.42, is amended to read:

20.11 **357.42 DRUG TREATMENT COURT FEES.**

20.12 (a) When a court establishes a drug treatment court process, the court may establish one  
20.13 or more fees for services provided to defendants participating in the process.

20.14 (b) In each fiscal year, the court shall deposit the drug treatment court participation fees  
20.15 in the special revenue fund and credit the fees to a separate account for the trial courts. The  
20.16 balance in this account is appropriated to the trial courts and does not cancel but is available  
20.17 until expended. Expenditures from this account must be made for drug treatment court  
20.18 purposes.

20.19 Sec. 8. Minnesota Statutes 2016, section 358.116, is amended to read:

20.20 **358.116 COURT DOCUMENTS.**

20.21 Unless specifically required by court rule, a pleading, motion, affidavit, or other document  
20.22 filed with a court of the Minnesota judicial branch, or presented to a judge or judicial officer  
20.23 in support of a request for a court order, warrant, or other relief, is not required to be  
20.24 notarized. Signing a document filed with the court or presented to a judge or judicial officer  
20.25 constitutes "verification upon oath or affirmation" as defined in section 358.41, clause (3),  
20.26 without administration of an oath under section 358.07, provided that the signature, as  
20.27 defined by court rules, is affixed immediately below a declaration using substantially the  
20.28 following language: "I declare under penalty of perjury that everything I have stated in this  
20.29 document is true and correct." In addition to the signature, the date of signing and the county  
20.30 and state where the document was signed shall be noted on the document. A person who  
20.31 signs knowing that the document is false in any material respect is guilty of perjury under  
20.32 section 609.48, even if the date, county, and state of signing are omitted from the document.

21.1 Sec. 9. Minnesota Statutes 2016, section 480.242, subdivision 2, is amended to read:

21.2 Subd. 2. **Review of applications; selection of recipients.** At times and in accordance  
21.3 with any procedures as the Supreme Court adopts in the form of court rules, applications  
21.4 for the expenditure of civil legal services funds shall be accepted from qualified legal services  
21.5 programs or from local government agencies and nonprofit organizations seeking to establish  
21.6 qualified alternative dispute resolution programs. The applications shall be reviewed by the  
21.7 advisory committee, and the advisory committee, subject to review by the Supreme Court,  
21.8 shall distribute the funds available for this expenditure to qualified legal services programs  
21.9 or to qualified alternative dispute resolution programs submitting applications. The funds  
21.10 shall be distributed in accordance with the following formula:

21.11 (a) Eighty-five percent of the funds distributed shall be distributed to qualified legal  
21.12 services programs that have demonstrated an ability as of July 1, 1982, to provide legal  
21.13 services to persons unable to afford private counsel with funds provided by the federal Legal  
21.14 Services Corporation. The allocation of funds among the programs selected shall be based  
21.15 upon the number of persons with incomes below the poverty level established by the United  
21.16 States Census Bureau who reside in the geographical area served by each program, as  
21.17 determined by the Supreme Court on the basis of the most recent national census. All funds  
21.18 distributed pursuant to this clause shall be used for the provision of legal services in civil  
21.19 and farm legal assistance matters as prioritized by program boards of directors to eligible  
21.20 clients.

21.21 (b) Fifteen percent of the funds distributed may be distributed (1) to other qualified legal  
21.22 services programs for the provision of legal services in civil matters to eligible clients,  
21.23 including programs which organize members of the private bar to perform services and  
21.24 programs for qualified alternative dispute resolution, (2) to programs for training mediators  
21.25 operated by nonprofit alternative dispute resolution corporations, or (3) to qualified legal  
21.26 services programs to provide family farm legal assistance for financially distressed state  
21.27 farmers. The family farm legal assistance must be directed at farm financial problems  
21.28 including, but not limited to, liquidation of farm property including bankruptcy, farm  
21.29 foreclosure, repossession of farm assets, restructuring or discharge of farm debt, farm credit  
21.30 and general debtor-creditor relations, and tax considerations. If all the funds to be distributed  
21.31 pursuant to this clause cannot be distributed because of insufficient acceptable applications,  
21.32 the remaining funds shall be distributed pursuant to clause (a).

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

- 22.1 (1) is a state resident;
- 22.2 (2) is or has been a farmer or a family shareholder of a family farm corporation within  
22.3 the preceding 24 months;
- 22.4 (3) has a debt-to-asset ratio greater than 50 percent; and
- 22.5 ~~(4) has a reportable federal adjusted gross income of \$15,000 or less in the previous~~  
22.6 ~~year; and~~
- 22.7 ~~(5) is financially unable to retain legal representation~~ (4) satisfies the income eligibility  
22.8 guidelines established under section 480.243, subdivision 1.

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

22.11 Sec. 10. Minnesota Statutes 2016, section 484.70, subdivision 7, is amended to read:

22.12 Subd. 7. **Referee duties.** The duties and powers of referees shall be as follows:

22.13 (a) Hear and report all matters assigned by the chief judge.

22.14 (b) Recommend findings of fact, conclusions of law, temporary and interim orders, and  
22.15 final orders for judgment.

22.16 All recommended orders and findings of a referee shall be subject to confirmation by a  
22.17 judge.

22.18 (c) Upon the conclusion of the hearing in each case, the referee shall transmit to a judge  
22.19 the court file together with recommended findings and orders in writing. The recommended  
22.20 findings and orders of a referee become the findings and orders of the court when confirmed  
22.21 by a judge. The order of the court shall be proof of such confirmation, and also of the fact  
22.22 that the matter was duly referred to the referees.

22.23 (d) Review of any recommended order or finding of a referee by a judge may be by  
22.24 notice served and filed within ten days of effective notice of the recommended order or  
22.25 finding. The notice of review shall specify the grounds for review and the specific provisions  
22.26 of the recommended findings or orders disputed, and the court, upon receipt of a notice of  
22.27 review, shall set a time and place for a review hearing.

22.28 (e) All orders and findings recommended by a referee become an effective order when  
22.29 countersigned by a judge and remain effective during the pendency of a review, including  
22.30 a remand to the referee, unless a judge:

22.31 (1) expressly stays the effect of the order;

23.1 (2) changes the order during the pendency of the review; or

23.2 (3) changes or vacates the order upon completion of the review.

23.3 (f) Notwithstanding paragraphs (d) and (e), referee orders and decrees in probate or civil  
 23.4 commitment court proceedings, if appealed, must be appealed directly to the Court of  
 23.5 Appeals, in the same manner as judicial orders and decrees.

23.6 Sec. 11. Minnesota Statutes 2016, section 484.702, is amended by adding a subdivision  
 23.7 to read:

23.8 Subd. 6. Expedited child support process. Hearings and proceedings conducted in the  
 23.9 expedited child support process under this section may be reported by use of electronic  
 23.10 recording equipment provided that the equipment meets the minimum standards established  
 23.11 by the state court administrator. Electronic recording equipment must be operated and  
 23.12 monitored by a person who meets the minimum qualifications established by the state court  
 23.13 administrator.

23.14 Sec. 12. Minnesota Statutes 2016, section 486.05, subdivision 1, is amended to read:

23.15 Subdivision 1. **Salaries.** The salary for each court reporter shall be set ~~annually by the~~  
 23.16 ~~district administrator~~ as provided in judicial branch personnel policies and collective  
 23.17 bargaining agreements within the range established under section 480.181 as provided in  
 23.18 the judicial branch personnel rules.

23.19 Sec. 13. Minnesota Statutes 2016, section 486.06, is amended to read:

23.20 **486.06 CHARGE FOR TRANSCRIPT.**

23.21 In addition to the salary set in section 486.05, the court reporter may charge for a  
 23.22 transcript of a record ordered by any person other than the judge ~~50 cents per original folio~~  
 23.23 ~~thereof and ten cents per folio for each manifold or other copy thereof when so ordered that~~  
 23.24 ~~it can be made with the original transcript. The chief judge of the judicial district may by~~  
 23.25 ~~order establish new transcript fee ceilings annually~~ at a rate set by the chief justice.

23.26 A court reporter may impose a fee authorized under this section only if the transcript is  
 23.27 delivered to the person who ordered it within a reasonable time after it was ordered.

23.28 Sec. 14. Minnesota Statutes 2016, section 513.41, is amended to read:

23.29 **513.41 DEFINITIONS.**

23.30 As used in sections 513.41 to 513.51:

24.1 (1) "Affiliate" means:

24.2 (i) a person that directly or indirectly owns, controls, or holds with power to vote, 20  
24.3 percent or more of the outstanding voting securities of the debtor, other than a person that  
24.4 holds the securities,

24.5 (A) as a fiduciary or agent without sole discretionary power to vote the securities; or

24.6 (B) solely to secure a debt, if the person has not in fact exercised the power to vote;

24.7 (ii) a corporation 20 percent or more of whose outstanding voting securities are directly  
24.8 or indirectly owned, controlled, or held with power to vote, by the debtor or a person that  
24.9 directly or indirectly owns, controls, or holds with power to vote, 20 percent or more of the  
24.10 outstanding voting securities of the debtor, other than a person that holds the securities,

24.11 (A) as a fiduciary or agent without sole discretionary power to vote the securities; or

24.12 (B) solely to secure a debt, if the person has not in fact exercised the power to vote;

24.13 (iii) a person whose business is operated by the debtor under a lease or other agreement,  
24.14 or a person substantially all of whose assets are controlled by the debtor; or

24.15 (iv) a person that operates the debtor's business under a lease or other agreement or  
24.16 controls substantially all of the debtor's assets.

24.17 (2) "Asset" means property of a debtor, but the term does not include:

24.18 (i) property to the extent it is encumbered by a valid lien;

24.19 (ii) property to the extent it is generally exempt under nonbankruptcy law; or

24.20 (iii) an interest in property held in tenancy by the entireties to the extent it is not subject  
24.21 to process by a creditor holding a claim against only one tenant.

24.22 (3) "Claim" means a right to payment, whether or not the right is reduced to judgment,  
24.23 liquidated, unliquidated, fixed, contingent, matured, unmatured, disputed, undisputed, legal,  
24.24 equitable, secured, or unsecured.

24.25 (4) "Creditor" means a person that has a claim.

24.26 (5) "Debt" means liability on a claim.

24.27 (6) "Debtor" means a person that is liable on a claim.

24.28 (7) "Electronic" means relating to technology having electrical, digital, magnetic, wireless,  
24.29 optical, electromagnetic, or similar capabilities.

24.30 (8) "Insider" includes:



- 25.1 (i) if the debtor is an individual,
- 25.2 (A) a relative of the debtor or of a general partner of the debtor;
- 25.3 (B) a partnership in which the debtor is a general partner;
- 25.4 (C) a general partner in a partnership described in subitem (B); or
- 25.5 (D) a corporation of which the debtor is a director, officer, or a person in control;
- 25.6 (ii) if the debtor is a corporation,
- 25.7 (A) a director of the debtor;
- 25.8 (B) an officer of the debtor;
- 25.9 (C) a person in control of the debtor;
- 25.10 (D) a partnership in which the debtor is a general partner;
- 25.11 (E) a general partner in a partnership described in subitem (D); or
- 25.12 (F) a relative of a general partner, director, officer, or person in control of the debtor;
- 25.13 (iii) if the debtor is a partnership,
- 25.14 (A) a general partner in the debtor;
- 25.15 (B) a relative of a general partner in, or a general partner of, or a person in control of
- 25.16 the debtor;
- 25.17 (C) another partnership in which the debtor is a general partner;
- 25.18 (D) a general partner in a partnership described in subitem (C); or
- 25.19 (E) a person in control of the debtor;
- 25.20 (iv) an affiliate, or an insider of an affiliate as if the affiliate were the debtor; and
- 25.21 (v) a managing agent of the debtor.
- 25.22 (9) "Lien" means a charge against or an interest in property to secure payment of a debt
- 25.23 or performance of an obligation, and includes a security interest created by agreement, a
- 25.24 judicial lien obtained by legal or equitable process or proceedings, a common-law lien, or
- 25.25 a statutory lien.
- 25.26 (10) "Organization" means a person other than an individual.
- 25.27 (11) "Person" means an individual, estate, business or nonprofit entity, public corporation,
- 25.28 government or governmental subdivision, agency, or instrumentality, or other legal entity.

26.1 (12) "Property" means anything that may be subject of ownership.

26.2 (13) "Record" means information that is inscribed on a tangible medium or that is stored  
26.3 in an electronic or other medium and is retrievable in perceivable form.

26.4 (14) "Relative" means an individual related by consanguinity within the third degree as  
26.5 determined by the common law, a spouse, or an individual related to a spouse within the  
26.6 third degree as so determined, and includes an individual in an adoptive relationship within  
26.7 the third degree.

26.8 (15) "Sign" means, with present intent to authenticate or adopt a record:

26.9 (i) to execute or adopt a tangible symbol; or

26.10 (ii) to attach to or logically associate with the record an electronic symbol, sound, or  
26.11 process.

26.12 (16) "Transfer" means every mode, direct or indirect, absolute or conditional, voluntary  
26.13 or involuntary, of disposing of or parting with an asset or an interest in an asset, and includes  
26.14 payment of money, release, lease, license, and creation of a lien or other encumbrance.

26.15 Transfer does not include a donation or contribution of money or an asset made to a qualified  
26.16 charitable or religious organization or entity, whether made by a debtor or by any other  
26.17 person and whether or not the donation or contribution requires or results in a payment  
26.18 being made by a debtor to the charitable or religious organization pursuant to a promissory  
26.19 note, stock, bond, debenture, or by any other method, unless the donation or contribution  
26.20 was made within two years of commencement of an action under sections 513.41 to 513.51  
26.21 against the qualified charitable or religious organization or entity, was made by the debtor,  
26.22 and:

26.23 (i) the debtor made the donation or charitable contribution with actual intent to hinder,  
26.24 delay, or defraud any creditor of the debtor; or

26.25 (ii) the debtor made the donation or charitable contribution and:

26.26 (A) was insolvent at the time of the contribution or would be rendered insolvent by  
26.27 reason of the contribution;

26.28 (B) was engaged or was about to engage in a business or a transaction for which the  
26.29 remaining assets of the debtor were unreasonably small in relation to the business or  
26.30 transaction; or

27.1 (C) intended to incur, or the charitable or religious organization or entity believed or  
27.2 had reason to believe that the debtor would incur, debts beyond the debtor's ability to pay  
27.3 as the debts become due.

27.4 A transfer of a charitable contribution to a qualified charitable or religious organization  
27.5 or entity is not considered a transfer covered under item (ii) if the amount of that contribution  
27.6 did not exceed 15 percent of the gross annual income of the debtor for the year in which  
27.7 the transfer of the contribution was made; or the contribution exceeded that amount but the  
27.8 transfer was consistent with practices of the debtor in making charitable contributions.

27.9 Transfer does include a return on investment made directly by a qualified charitable or  
27.10 religious organization or entity. A charitable or religious organization shall not be deemed  
27.11 to have made an investment by reason of accepting the donation or contribution of a  
27.12 promissory note, stock, bond, debenture, or other nonmonetary asset nor by extending or  
27.13 modifying the terms of repayment of the promissory note, stock, bond, debenture, or other  
27.14 similar nonmonetary asset. "Qualified charitable or religious organization or entity" means  
27.15 an organization or entity described in United States Code, title 26, section 170(c)(1), (2),  
27.16 or (3).

27.17 (17) "Valid lien" means a lien that is effective against the holder of a judicial lien  
27.18 subsequently obtained by legal or equitable process or proceedings.

27.19 **EFFECTIVE DATE.** This section is effective the day following final enactment, and  
27.20 applies to all pending cases and to causes of action arising before, on, or after that date.

27.21 Sec. 15. Minnesota Statutes 2016, section 518.179, subdivision 2, is amended to read:

27.22 Subd. 2. **Applicable crimes.** This section applies to the following crimes or similar  
27.23 crimes under the laws of the United States, or any other state:

27.24 (1) murder in the first, second, or third degree under section 609.185, 609.19, or 609.195;

27.25 (2) manslaughter in the first degree under section 609.20;

27.26 (3) assault in the first, second, or third degree under section 609.221, 609.222, or 609.223;

27.27 (4) kidnapping under section 609.25;

27.28 (5) depriving another of custodial or parental rights under section 609.26;

27.29 (6) soliciting, inducing, promoting, or receiving profit derived from prostitution involving  
27.30 a minor under section 609.322;

27.31 (7) criminal sexual conduct in the first degree under section 609.342;

- 28.1 (8) criminal sexual conduct in the second degree under section 609.343;
- 28.2 (9) criminal sexual conduct in the third degree under section 609.344, subdivision 1,
- 28.3 paragraph (c), (f), or (g);
- 28.4 (10) solicitation of a child to engage in sexual conduct under section 609.352;
- 28.5 (11) incest under section 609.365;
- 28.6 (12) malicious punishment of a child under section 609.377;
- 28.7 (13) neglect of a child under section 609.378;
- 28.8 (14) terroristic threats under section 609.713; ~~or~~
- 28.9 (15) felony stalking under section 609.749, subdivision 4; or
- 28.10 (16) domestic assault by strangulation under section 609.2247.

28.11 Sec. 16. Minnesota Statutes 2016, section 609.48, is amended by adding a subdivision to

28.12 read:

28.13 Subd. 5. **Venue.** A violation of subdivision 1, clause (4), may be prosecuted in the county

28.14 where the statement, under penalty of perjury, was signed, or the county of the district court

28.15 in which the statement was filed.

28.16 Sec. 17. Minnesota Statutes 2016, section 609.748, subdivision 4, is amended to read:

28.17 Subd. 4. **Temporary restraining order; relief by court.** (a) The court may issue a

28.18 temporary restraining order that provides any or all of the following:

- 28.19 (1) orders the respondent to cease or avoid the harassment of another person; or
- 28.20 (2) orders the respondent to have no contact with another person.

28.21 (b) The court may issue an order under paragraph (a) if the petitioner files a petition in

28.22 compliance with subdivision 3 and if the court finds reasonable grounds to believe that the

28.23 respondent has engaged in harassment. When a petition alleges harassment as defined by

28.24 subdivision 1, paragraph (a), clause (1), the petition must further allege an immediate and

28.25 present danger of harassment before the court may issue a temporary restraining order under

28.26 this section. When signed by a referee, the temporary order becomes effective upon the

28.27 referee's signature.

28.28 (c) Notice need not be given to the respondent before the court issues a temporary

28.29 restraining order under this subdivision. A copy of the restraining order must be served on

28.30 the respondent along with the order for hearing and petition, as provided in subdivision 3.

29.1 If the respondent is a juvenile, whenever possible, a copy of the restraining order, along  
29.2 with notice of the pendency of the case and the time and place of the hearing, shall also be  
29.3 served by mail at the last known address upon any parent or guardian of the juvenile  
29.4 respondent who is not the petitioner. A temporary restraining order may be entered only  
29.5 against the respondent named in the petition.

29.6 (d) The temporary restraining order is in effect until a hearing is held on the issuance of  
29.7 a restraining order under subdivision 5. The court shall hold the hearing on the issuance of  
29.8 a restraining order if the petitioner requests a hearing. The hearing may be continued by the  
29.9 court upon a showing that the respondent has not been served with a copy of the temporary  
29.10 restraining order despite the exercise of due diligence or if service is made by published  
29.11 notice under subdivision 3 and the petitioner files the affidavit required under that  
29.12 subdivision.

29.13 (e) If the temporary restraining order has been issued and the respondent requests a  
29.14 hearing, the hearing shall be scheduled by the court upon receipt of the respondent's request.  
29.15 Service of the notice of hearing must be made upon the petitioner not less than five days  
29.16 prior to the hearing. The court shall serve the notice of the hearing upon the petitioner by  
29.17 mail in the manner provided in the Rules of Civil Procedure for pleadings subsequent to a  
29.18 complaint and motions and shall also mail notice of the date and time of the hearing to the  
29.19 respondent. In the event that service cannot be completed in time to give the respondent or  
29.20 petitioner the minimum notice required under this subdivision, the court may set a new  
29.21 hearing date.

29.22 (f) A request for a hearing under this subdivision must be made within 45 20 days ~~after~~  
29.23 ~~the temporary restraining order is issued~~ of the date of completed service of the petition.

29.24 Sec. 18. Minnesota Statutes 2016, section 631.52, subdivision 2, is amended to read:

29.25 Subd. 2. **Application.** Subdivision 1 applies to the following crimes or similar crimes  
29.26 under the laws of the United States or any other state:

29.27 (1) murder in the first, second, or third degree under section 609.185, 609.19, or 609.195;

29.28 (2) manslaughter in the first degree under section 609.20;

29.29 (3) assault in the first, second, or third degree under section 609.221, 609.222, or 609.223;

29.30 (4) kidnapping under section 609.25;

29.31 (5) depriving another of custodial or parental rights under section 609.26;

- 30.1 (6) soliciting, inducing, promoting, or receiving profit derived from prostitution involving  
30.2 a minor under section 609.322;
- 30.3 (7) criminal sexual conduct in the first degree under section 609.342;
- 30.4 (8) criminal sexual conduct in the second degree under section 609.343;
- 30.5 (9) criminal sexual conduct in the third degree under section 609.344, subdivision 1,  
30.6 paragraph (c), (f), or (g);
- 30.7 (10) solicitation of a child to engage in sexual conduct under section 609.352;
- 30.8 (11) incest under section 609.365;
- 30.9 (12) malicious punishment of a child under section 609.377;
- 30.10 (13) neglect of a child under section 609.378;
- 30.11 (14) terroristic threats under section 609.713; ~~or~~
- 30.12 (15) felony stalking under section 609.749; or
- 30.13 (16) domestic assault by strangulation under section 609.2247.

30.14 Sec. 19. Minnesota Statutes 2016, section 634.36, is amended to read:

30.15 **634.36 EVIDENCE OF VIDEOTAPES, AUDIOTAPES, OR OTHER**  
30.16 **RECORDINGS.**

30.17 In any hearing or trial of a criminal offense or petty misdemeanor or proceeding pursuant  
30.18 to section 169A.53, subdivision 3, evidence of a videotape, audiotape, or electronic or digital  
30.19 recording prepared by a peace officer, using recording equipment in a law enforcement  
30.20 vehicle or on the officer's person, while in the performance of official duties shall not be  
30.21 excluded on the ground that a written transcript of the recording was not prepared and  
30.22 available at or prior to trial. As used in this section, "peace officer" has the meaning given  
30.23 in section 169A.03, subdivision 18.

30.24 **EFFECTIVE DATE.** This section is effective July 1, 2017, and applies to trials and  
30.25 hearings beginning on or after that date.

30.26 Sec. 20. **REPEALER.**

30.27 Minnesota Statutes 2016, sections 486.05, subdivision 1a; and 525.112, are repealed.

31.1 **ARTICLE 3**31.2 **CORRECTIONS AND PUBLIC SAFETY**

31.3 Section 1. Minnesota Statutes 2016, section 3.739, subdivision 1, is amended to read:

31.4 Subdivision 1. **Permissible claims.** Claims and demands arising out of the circumstances  
31.5 described in this subdivision shall be presented to, heard, and determined as provided in  
31.6 subdivision 2:

31.7 (1) an injury to or death of an inmate of a state, regional, or local correctional facility  
31.8 or county jail ~~who has been conditionally released and ordered to perform~~ while performing  
31.9 compensated or uncompensated work in the community for a state agency, a political  
31.10 subdivision or public corporation of this state, a nonprofit educational, medical, or social  
31.11 service agency, or a private business or individual, ~~as a condition of the release,~~ while  
31.12 performing the work;

31.13 (2) an injury to or death of a person sentenced by a court, granted a suspended sentence  
31.14 by a court, or subject to a court disposition order, and who, ~~under court order,~~ is performing  
31.15 work ~~(a) (i) in restitution, (b) (ii) in lieu of or to work off fines or court ordered,~~ court-ordered  
31.16 costs, or other statutorily authorized correctional fees, ~~(c) (iii) in lieu of incarceration, or~~  
31.17 ~~(d) (iv) as a term or condition of a sentence, suspended sentence, or disposition order,~~ while  
31.18 performing the work;

31.19 (3) an injury to or death of a person, who has been diverted from the court system and  
31.20 who is performing work as described in ~~paragraph~~ clause (1) or (2) under a written agreement  
31.21 signed by the person, and if a juvenile, by a parent or guardian; and

31.22 (4) an injury to or death of any person caused by an individual who was performing  
31.23 work as described in ~~paragraph~~ clause (1), (2), or (3).

31.24 Sec. 2. Minnesota Statutes 2016, section 152.105, is amended to read:

31.25 **152.105 DISPOSAL.**

31.26 Subdivision 1. Disposal of controlled substances. Controlled substances listed in section  
31.27 152.02, subdivisions 3 to 6, may be collected and disposed of only pursuant to the provisions  
31.28 of Code of Federal Regulations, title 21, parts 1300, 1301, 1304, 1305, 1307, and 1317, that  
31.29 are applicable to the disposal of controlled substances. Disposal of controlled substances  
31.30 and legend and nonlegend drugs must also comply with the requirements of section 116.07  
31.31 governing the disposal of hazardous waste, and the rules promulgated thereunder.

32.1 Subd. 2. Sheriff to maintain collection receptacle. The sheriff of each county shall  
32.2 maintain or contract for the maintenance of at least one collection receptacle for the disposal  
32.3 of noncontrolled substances, pharmaceutical controlled substances, and other legend drugs,  
32.4 as permitted by federal law. For purposes of this section, "legend drug" has the meaning  
32.5 given in section 151.01, subdivision 17. The collection receptacle must comply with federal  
32.6 law. In maintaining and operating the collection receptacle, the sheriff shall follow all  
32.7 applicable provisions of Code of Federal Regulations, title 21, parts 1300, 1301, 1304, 1305,  
32.8 1307, and 1317, as amended through May 1, 2017.

32.9 Sec. 3. Minnesota Statutes 2016, section 171.015, is amended by adding a subdivision to  
32.10 read:

32.11 Subd. 7. Rulemaking limitation. (a) Notwithstanding any law to the contrary, the  
32.12 commissioner is prohibited from adopting any final rule that amends, conflicts with, or has  
32.13 the effect of modifying requirements in Minnesota Rules, parts 7410.0100 to 7410.0800.

32.14 (b) This subdivision does not constitute authorization for the commissioner to adopt  
32.15 rules absent authority otherwise provided by other law.

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

32.17 Sec. 4. Minnesota Statutes 2016, section 241.01, subdivision 3a, is amended to read:

32.18 Subd. 3a. **Commissioner, powers and duties.** The commissioner of corrections has the  
32.19 following powers and duties:

32.20 (a) To accept persons committed to the commissioner by the courts of this state for care,  
32.21 custody, and rehabilitation.

32.22 (b) To determine the place of confinement of committed persons in a correctional facility  
32.23 or other facility of the Department of Corrections and to prescribe reasonable conditions  
32.24 and rules for their employment, conduct, instruction, and discipline within or outside the  
32.25 facility. Inmates shall not exercise custodial functions or have authority over other inmates.

32.26 (c) To administer the money and property of the department.

32.27 (d) To administer, maintain, and inspect all state correctional facilities.

32.28 (e) To transfer authorized positions and personnel between state correctional facilities  
32.29 as necessary to properly staff facilities and programs.

32.30 (f) To utilize state correctional facilities in the manner deemed to be most efficient and  
32.31 beneficial to accomplish the purposes of this section, but not to close the Minnesota



33.1 Correctional Facility-Stillwater or the Minnesota Correctional Facility-St. Cloud without  
33.2 legislative approval. The commissioner may place juveniles and adults at the same state  
33.3 minimum security correctional facilities, if there is total separation of and no regular contact  
33.4 between juveniles and adults, except contact incidental to admission, classification, and  
33.5 mental and physical health care.

33.6 (g) To organize the department and employ personnel the commissioner deems necessary  
33.7 to discharge the functions of the department, including a chief executive officer for each  
33.8 facility under the commissioner's control who shall serve in the unclassified civil service  
33.9 and may, under the provisions of section 43A.33, be removed only for cause.

33.10 (h) To define the duties of these employees and to delegate to them any of the  
33.11 commissioner's powers, duties and responsibilities, subject to the commissioner's control  
33.12 and the conditions the commissioner prescribes.

33.13 (i) To annually develop a comprehensive set of goals and objectives designed to clearly  
33.14 establish the priorities of the Department of Corrections. This report shall be submitted to  
33.15 the governor commencing January 1, 1976. The commissioner may establish ad hoc advisory  
33.16 committees.

33.17 (j) Any time the commissioner requests funding from the legislature to expand the bed  
33.18 capacity of an existing adult male correctional facility by more than 75 beds or build a new  
33.19 adult male correctional facility, the commissioner must include in its budget or bonding  
33.20 proposal an analysis and explanation of why the existing prison facility located in Appleton,  
33.21 Minnesota, is not suitable to meet the department's needs.

33.22 Sec. 5. Minnesota Statutes 2016, section 243.05, subdivision 1, is amended to read:

33.23 Subdivision 1. **Conditional release.** (a) The commissioner of corrections may parole  
33.24 any person sentenced to confinement in any state correctional facility for adults under the  
33.25 control of the commissioner of corrections, provided that:

33.26 (1) no inmate serving a life sentence for committing murder before May 1, 1980, other  
33.27 than murder committed in violation of clause (1) of section 609.185 who has not been  
33.28 previously convicted of a felony shall be paroled without having served 20 years, less the  
33.29 diminution that would have been allowed for good conduct had the sentence been for 20  
33.30 years;

33.31 (2) no inmate serving a life sentence for committing murder before May 1, 1980, who  
33.32 has been previously convicted of a felony or though not previously convicted of a felony  
33.33 is serving a life sentence for murder in the first degree committed in violation of clause (1)

34.1 of section 609.185 shall be paroled without having served 25 years, less the diminution  
34.2 which would have been allowed for good conduct had the sentence been for 25 years;

34.3 (3) any inmate sentenced prior to September 1, 1963, who would be eligible for parole  
34.4 had the inmate been sentenced after September 1, 1963, shall be eligible for parole; and

34.5 (4) any new rule or policy or change of rule or policy adopted by the commissioner of  
34.6 corrections which has the effect of postponing eligibility for parole has prospective effect  
34.7 only and applies only with respect to persons committing offenses after the effective date  
34.8 of the new rule or policy or change.

34.9 (b) Upon being paroled and released, an inmate is and remains in the legal custody and  
34.10 under the control of the commissioner, subject at any time to be returned to a facility of the  
34.11 Department of Corrections established by law for the confinement or treatment of convicted  
34.12 persons and the parole rescinded by the commissioner.

34.13 (c) The written order of the commissioner of corrections, is sufficient authority for any  
34.14 peace officer, state correctional investigator, or state parole and probation agent to retake  
34.15 and place in actual custody any person on parole or supervised release. In addition, when  
34.16 it appears necessary in order to prevent escape or enforce discipline, any state parole and  
34.17 probation agent or state correctional investigator may, without order of warrant, take and  
34.18 detain a parolee or person on supervised release or work release and bring the person to the  
34.19 commissioner for action.

34.20 (d) The written order of the commissioner of corrections is sufficient authority for any  
34.21 peace officer, state correctional investigator, or state parole and probation agent to retake  
34.22 and place in actual custody any person on probation under the supervision of the  
34.23 commissioner pursuant to section 609.135. Additionally, when it appears necessary in order  
34.24 to prevent escape or enforce discipline, any state parole and probation agent or state  
34.25 correctional investigator may, without an order, retake and detain a probationer and bring  
34.26 the probationer before the court for further proceedings under section 609.14.

34.27 (e) The written order of the commissioner of corrections is sufficient authority for any  
34.28 peace officer, state correctional investigator, or state parole and probation agent to detain  
34.29 any person on pretrial release who absconds from pretrial release or fails to abide by the  
34.30 conditions of pretrial release.

34.31 (f) Persons conditionally released, and those on probation under the supervision of the  
34.32 commissioner of corrections pursuant to section 609.135 may be placed within or outside  
34.33 the boundaries of the state at the discretion of the commissioner of corrections or the court,  
34.34 and the limits fixed for these persons may be enlarged or reduced according to their conduct.

35.1 (g) Except as otherwise provided in subdivision 1b, in considering applications for  
35.2 conditional release or discharge, the commissioner is not required to hear oral argument  
35.3 from any attorney or other person not connected with an adult correctional facility of the  
35.4 Department of Corrections in favor of or against the parole or release of any inmates. The  
35.5 commissioner may institute inquiries by correspondence, taking testimony, or otherwise,  
35.6 as to the previous history, physical or mental condition, and character of the inmate and, to  
35.7 that end, has the authority to require the attendance of the chief executive officer of any  
35.8 state adult correctional facility and the production of the records of these facilities, and to  
35.9 compel the attendance of witnesses. The commissioner is authorized to administer oaths to  
35.10 witnesses for these purposes.

35.11 (h) Unless the district court directs otherwise, state parole and probation agents may  
35.12 require a person who is under the supervision of the commissioner of corrections to perform  
35.13 community work service for violating a condition of probation imposed by the court.  
35.14 Community work service may be imposed for the purpose of protecting the public, to aid  
35.15 the offender's rehabilitation, or both. Agents may impose up to eight hours of community  
35.16 work service for each violation and up to a total of 24 hours per offender per 12-month  
35.17 period, beginning with the date on which community work service is first imposed. The  
35.18 commissioner may authorize an additional 40 hours of community work services, for a total  
35.19 of 64 hours per offender per 12-month period, beginning with the date on which community  
35.20 work service is first imposed. At the time community work service is imposed, parole and  
35.21 probation agents are required to provide written notice to the offender that states:

35.22 (1) the condition of probation that has been violated;

35.23 (2) the number of hours of community work service imposed for the violation; and

35.24 (3) the total number of hours of community work service imposed to date in the 12-month  
35.25 period.

35.26 An offender may challenge the imposition of community work service by filing a petition  
35.27 in district court. An offender must file the petition within five days of receiving written  
35.28 notice that community work service is being imposed. If the offender challenges the  
35.29 imposition of community work service, the state bears the burden of showing, by a  
35.30 preponderance of the evidence, that the imposition of community work service is reasonable  
35.31 under the circumstances.

35.32 Community work service includes sentencing to service.

35.33 (i) Prior to revoking a nonviolent controlled substance offender's parole or probation  
35.34 based on a technical violation, when the offender does not present a risk to the public and

36.1 the offender is amenable to continued supervision in the community, a parole or probation  
36.2 agent must identify community options to address and correct the violation including, but  
36.3 not limited to, inpatient chemical dependency treatment. If a probation or parole agent  
36.4 determines that community options are appropriate, the agent shall seek to restructure the  
36.5 offender's terms of release to incorporate those options. If an offender on probation stipulates  
36.6 in writing to restructure the terms of release, a probation agent must forward a report to the  
36.7 district court containing:

36.8 (1) the specific nature of the technical violation of probation;

36.9 (2) the recommended restructure to the terms of probation; and

36.10 (3) a copy of the offender's signed stipulation indicating that the offender consents to  
36.11 the restructuring of probation.

36.12 The recommended restructuring of probation becomes effective when confirmed by a  
36.13 judge. The order of the court shall be proof of such confirmation and amend the terms of  
36.14 the sentence imposed by the court under section 609.135. If a nonviolent controlled substance  
36.15 offender's parole or probation is revoked, the offender's agent must first attempt to place  
36.16 the offender in a local jail. For purposes of this paragraph, "nonviolent controlled substance  
36.17 offender" is a person who meets the criteria described under section 244.0513, subdivision  
36.18 2, clauses (1), (2), and (5), and "technical violation" means any violation of a court order  
36.19 of probation or a condition of parole, except an allegation of a subsequent criminal act that  
36.20 is alleged in a formal complaint, citation, or petition.

36.21 Sec. 6. Minnesota Statutes 2016, section 243.17, subdivision 1, is amended to read:

36.22 Subdivision 1. **Allowed expenses.** ~~The necessary expenses of sheriffs and other peace~~  
36.23 ~~officers~~ commissioner of management and budget shall pay out of the state treasury to the  
36.24 commissioner of corrections each fiscal year the amount necessary to offset expenses  
36.25 incurred in conveying to convey convicted persons and children adjudicated delinquent and  
36.26 committed to the custody of the commissioner of corrections to the appropriate adult or  
36.27 juvenile correctional facility as designated by the commissioner of corrections, including  
36.28 per diem and expenses of correctional officers, shall be allowed by the commissioner of  
36.29 management and budget and paid out of the state treasury. The commissioner of management  
36.30 and budget may allow and pay for the necessary expenses incurred by the sheriff, deputy,  
36.31 or other peace officer in going to and returning from the correctional facility and \$10 per  
36.32 day for each correctional officer. Not more than one correctional officer shall be allowed  
36.33 for one prisoner, but one additional correctional officer shall be allowed for every two  
36.34 additional prisoners. All bills shall be in writing, fully itemized, verified, and accompanied

37.1 ~~by the receipt of the chief executive officer of the facility for the delivery of the convicted~~  
37.2 ~~or adjudicated persons, in a form prescribed by the commissioner of management and~~  
37.3 ~~budget.~~ The total amount of payments shall not exceed \$500,000 each fiscal year. Payments  
37.4 shall be made one or two times each fiscal year based on a fee schedule agreed to by the  
37.5 Department of Corrections and the Minnesota Sheriffs' Association.

37.6 Sec. 7. Minnesota Statutes 2016, section 244.05, subdivision 3, is amended to read:

37.7 Subd. 3. **Sanctions for violation.** If an inmate violates the conditions of the inmate's  
37.8 supervised release imposed by the commissioner, the commissioner may:

37.9 (1) continue the inmate's supervised release term, with or without modifying or enlarging  
37.10 the conditions imposed on the inmate; or

37.11 (2) revoke the inmate's supervised release and reimprison the inmate for the appropriate  
37.12 period of time.

37.13 Prior to revoking a nonviolent controlled substance offender's supervised release based  
37.14 on a technical violation, when the offender does not present a risk to the public and the  
37.15 offender is amenable to continued supervision in the community, the commissioner must  
37.16 identify community options to address and correct the violation including, but not limited  
37.17 to, inpatient chemical dependency treatment. If the commissioner determines that community  
37.18 options are appropriate, the commissioner shall restructure the inmate's terms of release to  
37.19 incorporate those options. If a nonviolent controlled substance offender's supervised release  
37.20 is revoked, the offender's agent must first attempt to place the offender in a local jail. For  
37.21 purposes of this subdivision, "nonviolent controlled substance offender" is a person who  
37.22 meets the criteria described under section 244.0513, subdivision 2, clauses (1), (2), and (5),  
37.23 and "technical violation" means a violation of a condition of supervised release, except an  
37.24 allegation of a subsequent criminal act that is alleged in a formal complaint, citation, or  
37.25 petition.

37.26 The period of time for which a supervised release may be revoked may not exceed the  
37.27 period of time remaining in the inmate's sentence, except that if a sex offender is sentenced  
37.28 and conditionally released under Minnesota Statutes 2004, section 609.108, subdivision 5,  
37.29 the period of time for which conditional release may be revoked may not exceed the balance  
37.30 of the conditional release term.

38.1 Sec. 8. Minnesota Statutes 2016, section 244.198, is amended by adding a subdivision to  
38.2 read:

38.3 Subd. 1a. **Alternatives to incarceration.** At a sanctions conference regarding a  
38.4 nonviolent controlled substance offender, when the offender does not present a risk to the  
38.5 public and the offender is amenable to continued supervision in the community, a probation  
38.6 agency must identify community options to address and correct the violation including, but  
38.7 not limited to, inpatient chemical dependency treatment. If the agency determines that  
38.8 community options are appropriate, the county probation officer shall recommend a sanction  
38.9 that incorporates those options. For purposes of this subdivision, "nonviolent controlled  
38.10 substance offender" is a person who meets the criteria described under section 244.0513,  
38.11 subdivision 2, clauses (1), (2), and (5).

38.12 Sec. 9. Minnesota Statutes 2016, section 299A.55, subdivision 2, is amended to read:

38.13 Subd. 2. **Railroad and pipeline safety account.** (a) A railroad and pipeline safety  
38.14 account is created in the special revenue fund. The account consists of funds collected under  
38.15 subdivision 4 and funds donated, allotted, transferred, or otherwise provided to the account.

38.16 (b) \$104,000 is annually appropriated from the railroad and pipeline safety account to  
38.17 the commissioner of the Pollution Control Agency for environmental protection activities  
38.18 related to railroad discharge preparedness under chapter 115E.

38.19 (c) \$600,000 in fiscal year 2018 and \$600,000 in fiscal year 2019 are appropriated from  
38.20 the railroad and pipeline safety account to the commissioner of transportation for improving  
38.21 safety at railroad grade crossings.

38.22 (d) Following the appropriation in ~~paragraph~~ paragraphs (b) and (c), the remaining  
38.23 money in the account is annually appropriated to the commissioner of public safety for the  
38.24 purposes specified in subdivision 3.

38.25 Sec. 10. Minnesota Statutes 2016, section 299C.46, subdivision 6, is amended to read:

38.26 Subd. 6. **Orders for protection and no contact orders.** (a) As used in this subdivision,  
38.27 "no contact orders" include orders issued as pretrial orders under section 629.72, subdivision  
38.28 2, orders under section 629.75, and orders issued as probationary or sentencing orders at  
38.29 the time of disposition in a criminal domestic abuse case.

38.30 (b) The data communications network must include orders for protection issued under  
38.31 section 518B.01 ~~and~~ harassment restraining orders, and no contact orders issued against  
38.32 adults and juveniles. A no contact order must be accompanied by a photograph of the

39.1 offender for the purpose of enforcement of the order, if a photograph is available and verified  
39.2 by the court to be an image of the defendant.

39.3 (c) Data from orders for protection, harassment restraining orders, or no contact orders  
39.4 and data entered by law enforcement to assist in the enforcement of those orders are classified  
39.5 as private data on individuals as defined in section 13.02, subdivision 12. Data about the  
39.6 offender can be shared with the victim for purposes of enforcement of the order.

39.7 Sec. 11. Minnesota Statutes 2016, section 609.14, is amended by adding a subdivision to  
39.8 read:

39.9 Subd. 2a. Alternatives to incarceration. (a) A probation agent must present the court  
39.10 with local options to address and correct the violation including, but not limited to, inpatient  
39.11 chemical dependency treatment when the defendant at a summary hearing provided by  
39.12 subdivision 2 is:

39.13 (1) a nonviolent controlled substance offender;

39.14 (2) subject to supervised probation;

39.15 (3) appearing based on a technical violation; and

39.16 (4) admitting or found to have violated any of the conditions of probation.

39.17 (b) For purposes of this subdivision, "nonviolent controlled substance offender" is a  
39.18 person who meets the criteria described under section 244.0513, subdivision 2, clauses (1),  
39.19 (2), and (5), and "technical violation" has the meaning given in section 244.196, subdivision  
39.20 6.

39.21 Sec. 12. Minnesota Statutes 2016, section 609.475, is amended to read:

39.22 **609.475 IMPERSONATING OFFICER A MILITARY SERVICE MEMBER,**  
39.23 **VETERAN, OR PUBLIC OFFICIAL.**

39.24 Whoever falsely impersonates a police or military officer an active or reserve component  
39.25 military service member, veteran, or public official with intent to mislead another into  
39.26 believing that the impersonator is actually such officer or official wrongfully obtain money,  
39.27 property, or any other tangible benefit is guilty of a misdemeanor.

39.28 **EFFECTIVE DATE.** This section is effective August 1, 2017, and applies to crimes  
39.29 committed on or after that date.

40.1 Sec. 13. **[609.4751] IMPERSONATING A PEACE OFFICER.**

40.2 Subdivision 1. **Misdemeanor.** Whoever falsely impersonates a peace officer with intent  
40.3 to mislead another into believing that the impersonator is actually an officer is guilty of a  
40.4 misdemeanor.

40.5 Subd. 2. **Gross misdemeanor.** Whoever violates subdivision 1 while committing any  
40.6 of the following acts is guilty of a gross misdemeanor:

40.7 (1) gaining access to a public building or government facility that is not open to the  
40.8 public;

40.9 (2) without legal authority, directing or ordering another person to act or refrain from  
40.10 acting;

40.11 (3) violating section 169.64, subdivision 2, 3, or 4, or the siren provisions of section  
40.12 169.68; or

40.13 (4) operating a motor vehicle marked:

40.14 (i) with the word or words "police," "patrolman," "sheriff," "deputy," "trooper," "state  
40.15 patrol," "conservation officer," "agent," or "marshal"; or

40.16 (ii) with any lettering, marking, or insignia, or colorable imitation thereof, including,  
40.17 but not limited to, stars, badges, or shields identifying the vehicle as a law enforcement  
40.18 vehicle, and which a reasonable person would believe is a law enforcement vehicle governed  
40.19 under section 169.98, subdivision 1.

40.20 Subd. 3. **Felony.** Whoever violates this section within five years of a previous violation  
40.21 of this section is guilty of a felony and may be sentenced to imprisonment for not more than  
40.22 two years or to payment of a fine of not more than \$4,000, or both.

40.23 **EFFECTIVE DATE.** This section is effective August 1, 2017, and applies to crimes  
40.24 committed on or after that date.

40.25 Sec. 14. Minnesota Statutes 2016, section 609.595, subdivision 1, is amended to read:

40.26 Subdivision 1. **Criminal damage to property in the first degree.** Whoever intentionally  
40.27 causes damage to physical property of another without the latter's consent may be sentenced  
40.28 to imprisonment for not more than five years or to payment of a fine of not more than  
40.29 \$10,000, or both, if:

40.30 (1) the damage to the property caused a reasonably foreseeable risk of bodily harm; or



41.1 (2) the property damaged was a public safety motor vehicle, the defendant knew the  
 41.2 vehicle was a public safety motor vehicle, and the damage to the vehicle caused a substantial  
 41.3 interruption or impairment of public safety service or a reasonably foreseeable risk of bodily  
 41.4 harm; or

41.5 (3) the property damaged belongs to a common carrier and the damage impairs the  
 41.6 service to the public rendered by the carrier; or

41.7 ~~(3)~~ (4) the damage reduces the value of the property by more than \$1,000 measured by  
 41.8 the cost of repair and replacement; or

41.9 (4) (5) the damage reduces the value of the property by more than \$500 measured by  
 41.10 the cost of repair and replacement and the defendant has been convicted within the preceding  
 41.11 three years of an offense under this subdivision or subdivision 2.

41.12 In any prosecution under clause ~~(3)~~ (4), the value of any property damaged by the  
 41.13 defendant in violation of that clause within any six-month period may be aggregated and  
 41.14 the defendant charged accordingly in applying the provisions of this section; provided that  
 41.15 when two or more offenses are committed by the same person in two or more counties, the  
 41.16 accused may be prosecuted in any county in which one of the offenses was committed for  
 41.17 all of the offenses aggregated under this paragraph.

41.18 **EFFECTIVE DATE.** This section is effective August 1, 2017, and applies to crimes  
 41.19 committed on or after that date.

41.20 Sec. 15. Minnesota Statutes 2016, section 609.595, subdivision 2, is amended to read:

41.21 Subd. 2. **Criminal damage to property in the third degree.** (a) Except as otherwise  
 41.22 provided in subdivision 1a, whoever intentionally causes damage to another person's physical  
 41.23 property without the other person's consent may be sentenced to imprisonment for not more  
 41.24 than one year or to payment of a fine of not more than \$3,000, or both, if: (1) the damage  
 41.25 reduces the value of the property by more than \$500 but not more than \$1,000 as measured  
 41.26 by the cost of repair and replacement; or (2) the damage was to a public safety motor vehicle  
 41.27 and the defendant knew the vehicle was a public safety motor vehicle.

41.28 (b) Whoever intentionally causes damage to another person's physical property without  
 41.29 the other person's consent because of the property owner's or another's actual or perceived  
 41.30 race, color, religion, sex, sexual orientation, disability as defined in section 363A.03, age,  
 41.31 or national origin may be sentenced to imprisonment for not more than one year or to  
 41.32 payment of a fine of not more than \$3,000, or both, if the damage reduces the value of the  
 41.33 property by not more than \$500.

42.1 (c) In any prosecution under paragraph (a), clause (1), the value of property damaged  
42.2 by the defendant in violation of that paragraph within any six-month period may be  
42.3 aggregated and the defendant charged accordingly in applying this section. When two or  
42.4 more offenses are committed by the same person in two or more counties, the accused may  
42.5 be prosecuted in any county in which one of the offenses was committed for all of the  
42.6 offenses aggregated under this paragraph.

42.7 **EFFECTIVE DATE.** This section is effective August 1, 2017, and applies to crimes  
42.8 committed on or after that date.

42.9 Sec. 16. Minnesota Statutes 2016, section 609.595, is amended by adding a subdivision  
42.10 to read:

42.11 Subd. 4. **Definitions.** (a) As used in this section, "public safety motor vehicle" includes:

42.12 (1) marked vehicles used by law enforcement agencies and specially marked vehicles  
42.13 permitted under section 169.98, subdivision 2a, owned or leased by the state or a political  
42.14 subdivision;

42.15 (2) fire apparatuses, including fire-suppression support vehicles, owned or leased by the  
42.16 state or a political subdivision;

42.17 (3) ambulances owned or leased by the state or a political subdivision;

42.18 (4) vehicles owned by ambulance services licensed under section 144E.10 that are  
42.19 equipped and specifically intended for emergency response or providing ambulance services;  
42.20 and

42.21 (5) marked vehicles used by conservation officers of the Division of Enforcement and  
42.22 Field Service of the Department of Natural Resources.

42.23 (b) As used in subdivision 1, clause (2), and subdivision 2, paragraph (a), clause (2),  
42.24 "damage" includes tampering with a public safety motor vehicle and acts that obstruct or  
42.25 interfere with the vehicle's use.

42.26 **EFFECTIVE DATE.** This section is effective August 1, 2017, and applies to crimes  
42.27 committed on or after that date.

42.28 Sec. 17. Minnesota Statutes 2016, section 609.605, is amended by adding a subdivision  
42.29 to read:

42.30 Subd. 4a. **Trespass on a school bus.** (a) As used in this subdivision, "school bus" has  
42.31 the meaning given in section 169.011, subdivision 71.

43.1 (b) As used in this subdivision, "pupils" means persons in grades prekindergarten through  
43.2 grade 12.

43.3 (c) A person who boards a school bus when the bus is on its route or otherwise in  
43.4 operation, or while it has pupils on it, and who refuses to leave the bus on demand of the  
43.5 bus operator, is guilty of a misdemeanor.

43.6 **EFFECTIVE DATE.** This section is effective August 1, 2017, and applies to violations  
43.7 committed on or after that date.

43.8 Sec. 18. **[609.6057] GEOGRAPHIC RESTRICTION.**

43.9 Subdivision 1. **Definition.** As used in this section "geographic restriction" means a  
43.10 limitation prohibiting a defendant in a criminal proceeding or a juvenile offender in a  
43.11 delinquency proceeding from entering a designated property or geographic area.

43.12 Subd. 2. **Prohibited conduct; penalty.** A person who knows of a geographic restriction  
43.13 order issued against the person and intentionally enters or remains in the restricted area is  
43.14 guilty of a misdemeanor.

43.15 Subd. 3. **Notice.** (a) A geographic restriction may be issued as a pretrial order before  
43.16 final disposition of the underlying criminal case, as a postconviction probationary order, or  
43.17 both. A geographic restriction order is independent of any condition of pretrial release or  
43.18 probation imposed on the defendant. A geographic restriction order may be issued in addition  
43.19 to a similar restriction imposed as a condition of pretrial release or probation.

43.20 (b) A court may issue a geographic restriction upon a finding that its issuance will serve  
43.21 the interests of protecting public safety or property. In making that determination, a court  
43.22 shall consider the following factors:

43.23 (1) whether a defendant's presence in a restricted area creates a risk to public safety or  
43.24 property;

43.25 (2) a defendant's criminal history;

43.26 (3) the likelihood of future criminal activity within the restricted area; and

43.27 (4) any other factors deemed relevant by the court.

43.28 (c) A court may grant any exceptions to a geographic restriction that it deems necessary  
43.29 in order to avoid the imposition of a significant hardship upon a defendant. In determining  
43.30 whether to grant an exception, a court shall also consider the impact of the exception on the  
43.31 interests of protecting public safety or property.

44.1 (d) A geographic restriction order under this section shall be issued in a proceeding that  
44.2 is separate from but which may be held immediately following a proceeding in which any  
44.3 pretrial release or sentencing issues are decided.

44.4 (e) A court issuing a geographic restriction order under this section shall notify a  
44.5 defendant:

44.6 (1) of the area subject to a geographic restriction; and

44.7 (2) that violation of the geographic restriction order is a crime.

44.8 Subd. 4. Cancellation. (a) A court shall cancel a pretrial geographic restriction order at  
44.9 the final disposition of the underlying criminal case.

44.10 (b) A court shall cancel a postconviction geographic restriction order when an offender  
44.11 completes a period of probationary supervision or is committed to the commissioner of  
44.12 corrections.

44.13 (c) A court may cancel a postconviction geographic restriction order at any time during  
44.14 which an offender is under probationary supervision.

44.15 **EFFECTIVE DATE.** This section is effective August 1, 2017, and applies to crimes  
44.16 committed on or after that date.

44.17 Sec. 19. Minnesota Statutes 2016, section 609.74, is amended to read:

44.18 **609.74 PUBLIC NUISANCE.**

44.19 (a) Whoever by an act or failure to perform a legal duty intentionally does any of the  
44.20 following is guilty of maintaining a public nuisance, which is a misdemeanor:

44.21 (1) maintains or permits a condition which unreasonably annoys, injures or endangers  
44.22 the safety, health, morals, comfort, or repose of any considerable number of members of  
44.23 the public; or

44.24 (2) except as provided in paragraph (b), interferes with, obstructs, or renders dangerous  
44.25 for passage, any public highway or right-of-way, or waters used by the public; or

44.26 (3) is guilty of any other act or omission declared by law to be a public nuisance and for  
44.27 which no sentence is specifically provided.

44.28 (b) It is a gross misdemeanor for a person to interfere with or obstruct traffic that is  
44.29 entering, exiting, or on a freeway or entering, exiting, or on a public roadway within the  
44.30 boundaries of airport property with the intent to interfere with, obstruct, or otherwise disrupt  
44.31 traffic. This paragraph does not apply to the actions of law enforcement or other emergency

45.1 responders, road or airport authorities, or utility officials, or their agents, employees, or  
45.2 contractors when carrying out duties imposed by law or contract. For purposes of this  
45.3 paragraph: (1) "airport" means an airport that has a control tower and airline service; and  
45.4 (2) "freeway" means any section of a divided highway where the only access and egress for  
45.5 vehicular traffic is from entrance and exit ramps.

45.6 **EFFECTIVE DATE.** This section is effective August 1, 2017, and applies to crimes  
45.7 committed on or after that date.

45.8 Sec. 20. Minnesota Statutes 2016, section 609.748, subdivision 3, is amended to read:

45.9 Subd. 3. **Contents of petition; hearing; notice.** (a) A petition for relief must allege  
45.10 facts sufficient to show the following:

45.11 (1) the name of the alleged harassment victim;

45.12 (2) the name of the respondent; and

45.13 (3) that the respondent has engaged in harassment.

45.14 A petition for relief must state whether the petitioner has had a previous restraining order  
45.15 in effect against the respondent. The petition shall be accompanied by an affidavit made  
45.16 under oath stating the specific facts and circumstances from which relief is sought. The  
45.17 court shall provide simplified forms and clerical assistance to help with the writing and  
45.18 filing of a petition under this section and shall advise the petitioner of the right to sue in  
45.19 forma pauperis under section 563.01. The court shall advise the petitioner of the right to  
45.20 request a hearing. If the petitioner does not request a hearing, the court shall advise the  
45.21 petitioner that the respondent may request a hearing and that notice of the hearing date and  
45.22 time will be provided to the petitioner by mail at least five days before the hearing. Upon  
45.23 receipt of the petition and a request for a hearing by the petitioner, the court shall order a  
45.24 hearing. Personal service must be made upon the respondent not less than five days before  
45.25 the hearing. If personal service cannot be completed in time to give the respondent the  
45.26 minimum notice required under this paragraph, the court may set a new hearing date. Nothing  
45.27 in this section shall be construed as requiring a hearing on a matter that has no merit.

45.28 (b) Notwithstanding paragraph (a), the order for a hearing and a temporary order issued  
45.29 under subdivision 4 may be served on the respondent by means of a one-week published  
45.30 notice under section 645.11, if:

45.31 (1) the petitioner files an affidavit with the court stating that an attempt at personal  
45.32 service made by a sheriff peace officer was unsuccessful because the respondent is avoiding  
45.33 service by concealment or otherwise; and

46.1 (2) a copy of the petition and order for hearing and any temporary restraining order has  
46.2 been mailed to the respondent at the respondent's residence or place of business, if the  
46.3 respondent is an organization, or the respondent's residence or place of business is not known  
46.4 to the petitioner.

46.5 (c) Regardless of the method of service, if the respondent is a juvenile, whenever possible,  
46.6 the court also shall have notice of the pendency of the case and of the time and place of the  
46.7 hearing served by mail at the last known address upon any parent or guardian of the juvenile  
46.8 respondent who is not the petitioner.

46.9 (d) A request for a hearing under this subdivision must be made within 20 days of service  
46.10 of the petition.

46.11 Sec. 21. Minnesota Statutes 2016, section 609.748, subdivision 3a, is amended to read:

46.12 Subd. 3a. **Filing fee; cost of service.** The filing fees for a restraining order under this  
46.13 section are waived for the petitioner if the petition alleges acts that would constitute a  
46.14 violation of section 609.749, subdivision 2, 3, 4, or 5, or sections 609.342 to 609.3451. The  
46.15 court administrator and ~~the sheriff of any county~~ any peace officer in this state shall perform  
46.16 their duties relating to service of process without charge to the petitioner. The court shall  
46.17 direct payment of the reasonable costs of service of process if served by a private process  
46.18 server when ~~the sheriff~~ a peace officer is unavailable or if service is made by publication.  
46.19 The court may direct a respondent to pay to the court administrator the petitioner's filing  
46.20 fees and reasonable costs of service of process if the court determines that the respondent  
46.21 has the ability to pay the petitioner's fees and costs.

46.22 Sec. 22. Minnesota Statutes 2016, section 609.748, subdivision 5, is amended to read:

46.23 Subd. 5. **Restraining order.** (a) The court may issue a restraining order that provides  
46.24 any or all of the following:

46.25 (1) orders the respondent to cease or avoid the harassment of another person; or

46.26 (2) orders the respondent to have no contact with another person.

46.27 (b) The court may issue an order under paragraph (a) if all of the following occur:

46.28 (1) the petitioner has filed a petition under subdivision 3;

46.29 (2) ~~the sheriff~~ a peace officer has served respondent with a copy of the temporary  
46.30 restraining order obtained under subdivision 4, and with notice of the right to request a  
46.31 hearing, or service has been made by publication under subdivision 3, paragraph (b); and

47.1 (3) the court finds at the hearing that there are reasonable grounds to believe that the  
47.2 respondent has engaged in harassment.

47.3 A restraining order may be issued only against the respondent named in the petition; except  
47.4 that if the respondent is an organization, the order may be issued against and apply to all of  
47.5 the members of the organization. If the court finds that the petitioner has had two or more  
47.6 previous restraining orders in effect against the same respondent or the respondent has  
47.7 violated a prior or existing restraining order on two or more occasions, relief granted by the  
47.8 restraining order may be for a period of up to 50 years. In all other cases, relief granted by  
47.9 the restraining order must be for a fixed period of not more than two years. When a referee  
47.10 presides at the hearing on the petition, the restraining order becomes effective upon the  
47.11 referee's signature.

47.12 (c) An order issued under this subdivision must be personally served upon the respondent.

47.13 (d) If the court orders relief for a period of up to 50 years under paragraph (a), the  
47.14 respondent named in the restraining order may request to have the restraining order vacated  
47.15 or modified if the order has been in effect for at least five years and the respondent has not  
47.16 violated the order. Application for relief under this paragraph must be made in the county  
47.17 in which the restraining order was issued. Upon receipt of the request, the court shall set a  
47.18 hearing date. Personal service must be made upon the petitioner named in the restraining  
47.19 order not less than 30 days before the date of the hearing. At the hearing, the respondent  
47.20 named in the restraining order has the burden of proving by a preponderance of the evidence  
47.21 that there has been a material change in circumstances and that the reasons upon which the  
47.22 court relied in granting the restraining order no longer apply and are unlikely to occur. If  
47.23 the court finds that the respondent named in the restraining order has met the burden of  
47.24 proof, the court may vacate or modify the order. If the court finds that the respondent named  
47.25 in the restraining order has not met the burden of proof, the court shall deny the request and  
47.26 no request may be made to vacate or modify the restraining order until five years have  
47.27 elapsed from the date of denial. An order vacated or modified under this paragraph must  
47.28 be personally served on the petitioner named in the restraining order.

47.29 Sec. 23. Minnesota Statutes 2016, section 609.748, is amended by adding a subdivision  
47.30 to read:

47.31 Subd. 5a. **Short-form notification.** (a) In lieu of personal service of a harassment  
47.32 restraining order, a peace officer may serve a person with a short-form notification. The  
47.33 short-form notification must include the following clauses: the respondent's name; the  
47.34 respondent's date of birth, if known; the petitioner's name; the names of other protected

48.1 parties; the date and county in which the temporary restraining order or restraining order  
48.2 was filed; the court file number; the hearing date and time, if known; the conditions that  
48.3 apply to the respondent, either in checklist form or handwritten; and the name of the judge  
48.4 who signed the order.

48.5 The short-form notification must be in bold print in the following form:

48.6 "The restraining order is now enforceable. You must report to your nearest sheriff's  
48.7 office or county court to obtain a copy of the restraining order. You are subject to arrest  
48.8 and may be charged with a misdemeanor, gross misdemeanor, or felony if you violate any  
48.9 of the terms of the restraining order or this short-form notification."

48.10 (b) Upon verification of the identity of the respondent and the existence of an unserved  
48.11 harassment restraining order against the respondent, a law enforcement officer may detain  
48.12 the respondent for a reasonable time necessary to complete and serve the short-form  
48.13 notification.

48.14 (c) When service is made by short-form notification, it may be proved by the affidavit  
48.15 of the law enforcement officer making the service.

48.16 (d) For service under this section only, service upon an individual may occur at any  
48.17 time, including Sundays and legal holidays.

48.18 (e) The superintendent of the Bureau of Criminal Apprehension shall provide the short  
48.19 form to law enforcement agencies.

48.20 **EFFECTIVE DATE.** This section is effective 30 days following publication of a notice  
48.21 on the Bureau of Criminal Apprehension's website that a computer system is available to  
48.22 send harassment restraining order data from the Minnesota judicial branch to law  
48.23 enforcement.

48.24 Sec. 24. Minnesota Statutes 2016, section 609.748, is amended by adding a subdivision  
48.25 to read:

48.26 Subd. 5b. **Service by others.** In addition to peace officers, corrections officers, including  
48.27 but not limited to probation officers, court services officers, parole officers, and employees  
48.28 of jails or correctional facilities, may serve a temporary restraining order or restraining  
48.29 order.



49.1 Sec. 25. Minnesota Statutes 2016, section 609.855, subdivision 2, is amended to read:

49.2 Subd. 2. **Unlawful interference with transit operator.** (a) Whoever intentionally  
49.3 commits an act that interferes with or obstructs, or tends to interfere with or obstruct, the  
49.4 operation of a transit vehicle is guilty of ~~unlawful interference with a transit operator~~ a crime  
49.5 and may be sentenced as provided in paragraph (c).

49.6 (b) An act ~~that~~ is committed on a transit vehicle that distracts the driver from the safe  
49.7 operation of the vehicle, restricts passenger access to the transit vehicle, or ~~that~~ endangers  
49.8 passengers is a violation of this subdivision if an authorized transit representative has clearly  
49.9 warned the person once to stop the act.

49.10 (c) A person who violates this subdivision may be sentenced as follows:

49.11 (1) to imprisonment for not more than three years or to payment of a fine of not more  
49.12 than \$5,000, or both, if the violation was accompanied by force or violence or a  
49.13 communication of a threat of force or violence; or

49.14 (2) to imprisonment for not more than ~~90 days~~ one year or to payment of a fine of not  
49.15 more than ~~\$1,000~~ \$3,000, or both, if the violation was not accompanied by force or violence  
49.16 or a communication of a threat of force or violence.

49.17 **EFFECTIVE DATE.** This section is effective August 1, 2017, and applies to crimes  
49.18 committed on or after that date.

49.19 Sec. 26. Minnesota Statutes 2016, section 624.714, subdivision 17, is amended to read:

49.20 Subd. 17. **Posting; trespass.** (a) A person carrying a firearm on or about his or her person  
49.21 or clothes under a permit or otherwise who remains at a private establishment knowing that  
49.22 the operator of the establishment or its agent has made a reasonable request that firearms  
49.23 not be brought into the establishment may be ordered to leave the premises. A person who  
49.24 fails to leave when so requested is guilty of a petty misdemeanor. The fine for a first offense  
49.25 must not exceed \$25. Notwithstanding section 609.531, a firearm carried in violation of  
49.26 this subdivision is not subject to forfeiture.

49.27 (b) As used in this subdivision, the terms in this paragraph have the meanings given.

49.28 (1) "Reasonable request" means a request made under the following circumstances:

49.29 (i) the requester has prominently posted a conspicuous sign at every entrance to the  
49.30 establishment containing the following language: "(INDICATE IDENTITY OF OPERATOR)  
49.31 BANS GUNS IN THESE PREMISES."; or

50.1 (ii) the requester or the requester's agent personally informs the person that guns are  
50.2 prohibited in the premises and demands compliance.

50.3 (2) "Prominently" means readily visible and within four feet laterally of the entrance  
50.4 with the bottom of the sign at a height of four to six feet above the floor.

50.5 (3) "Conspicuous" means lettering in black arial typeface at least 1-1/2 inches in height  
50.6 against a bright contrasting background that is at least 187 square inches in area.

50.7 (4) "Private establishment" means a building, structure, or portion thereof that is owned,  
50.8 leased, controlled, or operated by a nongovernmental entity for a nongovernmental purpose.

50.9 (c) The owner or operator of a private establishment may not prohibit the lawful carry  
50.10 or possession of firearms in a parking facility or parking area.

50.11 (d) The owner or operator of a private establishment may not prohibit the lawful carry  
50.12 or possession of firearms by a peace officer, as defined in section 626.84, subdivision 1,  
50.13 paragraph (c), within the private establishment or deny the officer access thereto, except  
50.14 when specifically authorized by statute. The owner or operator of the private establishment  
50.15 may require the display of official credentials issued by the agency that employs the peace  
50.16 officer prior to granting the officer entry into the private establishment.

50.17 ~~(d)~~ (e) This subdivision does not apply to private residences. The lawful possessor of a  
50.18 private residence may prohibit firearms, and provide notice thereof, in any lawful manner.

50.19 ~~(e)~~ (f) A landlord may not restrict the lawful carry or possession of firearms by tenants  
50.20 or their guests.

50.21 ~~(f)~~ (g) Notwithstanding any inconsistent provisions in section 609.605, this subdivision  
50.22 sets forth the exclusive criteria to notify a permit holder when otherwise lawful firearm  
50.23 possession is not allowed in a private establishment and sets forth the exclusive penalty for  
50.24 such activity.

50.25 ~~(g)~~ (h) This subdivision does not apply to:

50.26 ~~(1) an active licensed peace officer; or~~

50.27 ~~(2) a security guard acting in the course and scope of employment.~~ The owner or operator  
50.28 of a private establishment may require the display of official credentials issued by the  
50.29 company, which must be licensed by the Private Detective and Protective Agent Services  
50.30 Board, that employs the security guard and the guard's permit card prior to granting the  
50.31 guard entrance into the private establishment.

51.1 Sec. 27. [626.8469] TRAINING IN CRISIS RESPONSE, CONFLICT  
51.2 MANAGEMENT, AND CULTURAL DIVERSITY.

51.3 Subdivision 1. In-service training required. Beginning July 1, 2018, the chief law  
51.4 enforcement officer of every state and local law enforcement agency shall provide in-service  
51.5 training in crisis intervention and mental illness crises; conflict management and mediation;  
51.6 and recognizing and valuing community diversity and cultural differences to include implicit  
51.7 bias training to every peace officer and part-time peace officer employed by the agency.  
51.8 The training shall comply with learning objectives developed and approved by the board  
51.9 and shall meet board requirements for board-approved continuing education credit. The  
51.10 training shall consist of at least 16 continuing education credits within an officer's three-year  
51.11 licensing cycle. Each peace officer with a license renewal date after June 30, 2018, is not  
51.12 required to complete this training until the officer's next full three-year licensing cycle.

51.13 Subd. 2. Record keeping required. The head of every local and state law enforcement  
51.14 agency shall maintain written records of the agency's compliance with the requirements of  
51.15 subdivision 1. The documentation is subject to periodic review by the board, and shall be  
51.16 made available to the board at its request.

51.17 Subd. 3. Licensing sanctions; injunctive relief. The board may impose licensing  
51.18 sanctions and seek injunctive relief under section 214.11 for failure to comply with the  
51.19 requirements of this section.

51.20 Sec. 28. Laws 2011, chapter 87, section 1, subdivision 3, is amended to read:

51.21 Subd. 3. **Contract.** Notwithstanding any law or ordinance to the contrary, an eligible  
51.22 city or county may contract with a third party to create and administer the diversion program.  
51.23 A third party administering the program under this section must annually provide to the city  
51.24 or county a copy of an annual independent audit. At a minimum, the audit shall include the  
51.25 following:

51.26 (1) the amount charged for program fees;

51.27 (2) the total number of participants in the pilot program;

51.28 (3) the total amount of money collected from participants in the pilot program;

51.29 (4) the total amount of money, detailed by category, paid or applied to reinstatement  
51.30 fees, surcharges, criminal and traffic fines, and program fees;

51.31 (5) the number of participants who successfully completed the pilot program in the  
51.32 previous year;

52.1 (6) the number of participants terminated from the pilot program under subdivision 7,  
 52.2 paragraph (a), clauses (1) to (3);

52.3 (7) the reimbursement policy for all payments listed under clause (4); and

52.4 (8) the amount of all payments listed under clause (4) retained from participants who  
 52.5 were terminated from the program.

52.6 The third party administering the program must pay the cost of the audit.

52.7 Sec. 29. Laws 2009, chapter 59, article 3, section 4, subdivision 8, as amended by Laws  
 52.8 2011, chapter 87, section 1, subdivision 8, is amended to read:

52.9 Subd. 8. **Report.** (a) By February 1, ~~2013~~ 2019, the commissioner of public safety and  
 52.10 each eligible city and county that participates in the diversion program shall report to the  
 52.11 legislative committees with jurisdiction over transportation and the judiciary concerning  
 52.12 the results of the program. ~~The report must be made electronically and available in print~~  
 52.13 ~~only upon request. At a minimum, the report must include, without limitation, the effect of~~  
 52.14 ~~the program on:~~

52.15 (1) recidivism rates for participants in the diversion pilot program;

52.16 (2) ~~payment of the~~ information for reinstatement fees, surcharges, and criminal fines  
 52.17 ~~collected in the diversion pilot program to cities, counties, and the state;~~

52.18 (3) educational support provided to participants in the diversion pilot program; ~~and~~

52.19 (4) the total number of participants in the diversion pilot program ~~and~~;

52.20 (5) the number of participants who have terminated from the pilot program under  
 52.21 subdivision 7, paragraph (a), clauses (1) to (3); and

52.22 (6) the names of all third-party program administrators and their program fee refund  
 52.23 policy, and, for each administrator the amount charged for program fees, and the amount  
 52.24 of program fees retained from participants who have terminated from the program.

52.25 (b) The report must include recommendations regarding the future of the program and  
 52.26 any necessary legislative changes.

53.1 Sec. 30. Laws 2009, chapter 59, article 3, section 4, subdivision 9, as amended by Laws  
53.2 2010, chapter 197, section 1, Laws 2011, chapter 87, section 1, subdivision 9, and Laws  
53.3 2013, chapter 127, section 60, is amended to read:

53.4 Subd. 9. **Sunset.** A city or county participating in this pilot program may accept an  
53.5 individual for diversion into the pilot program until June 30, ~~2017~~ 2019. The third party  
53.6 administering the diversion program may collect and disburse fees collected pursuant to  
53.7 subdivision 6, paragraph (a), clause (2), through December 31, ~~2018~~ 2020, at which time  
53.8 the pilot program under this section expires.

53.9 Sec. 31. **ALTERNATIVES TO INCARCERATION PILOT PROGRAM FUND.**

53.10 (a) Agencies providing supervision to offenders on probation, parole, or supervised  
53.11 release are eligible for grants to facilitate access to community options including, but not  
53.12 limited to, inpatient chemical dependency treatment for nonviolent controlled substance  
53.13 offenders to address and correct behavior that is, or is likely to result in, a technical violation  
53.14 of the conditions of release. For purposes of this section, "nonviolent controlled substance  
53.15 offender" is a person who meets the criteria described under Minnesota Statutes, section  
53.16 244.0513, subdivision 2, clauses (1), (2), and (5), and "technical violation" means a violation  
53.17 of a court order of probation, condition of parole, or condition of supervised release, except  
53.18 an allegation of a subsequent criminal act that is alleged in a formal complaint, citation, or  
53.19 petition.

53.20 (b) The Department of Corrections shall establish criteria for selecting grant recipients  
53.21 and the amount awarded to each grant recipient.

53.22 (c) By January 15, 2019, the commissioner of corrections shall submit a report to the  
53.23 chairs of the house of representatives and senate committees with jurisdiction over public  
53.24 safety policy and finance. At a minimum, the report must include:

53.25 (1) the total number of grants issued under this program;

53.26 (2) the average amount of each grant;

53.27 (3) the community services accessed as a result of the grants;

53.28 (4) a summary of the type of supervision offenders were under when a grant was used  
53.29 to help access a community option;

53.30 (5) the number of individuals who completed, and the number who failed to complete,  
53.31 programs accessed as a result of this grant; and

54.1 (6) the number of individuals who violated the terms of release following participation  
54.2 in a program accessed as a result of this grant, separating technical violations and new  
54.3 criminal offenses.

#### 54.4 **ARTICLE 4**

#### 54.5 **COURT-RELATED FEE DECREASES**

54.6 Section 1. Minnesota Statutes 2016, section 357.021, subdivision 2, is amended to read:

54.7 Subd. 2. **Fee amounts.** The fees to be charged and collected by the court administrator  
54.8 shall be as follows:

54.9 (1) In every civil action or proceeding in said court, including any case arising under  
54.10 the tax laws of the state that could be transferred or appealed to the Tax Court, the plaintiff,  
54.11 petitioner, or other moving party shall pay, when the first paper is filed for that party in said  
54.12 action, a fee of ~~\$310~~ \$280, except in marriage dissolution actions the fee is ~~\$340~~ \$310.

54.13 The defendant or other adverse or intervening party, or any one or more of several  
54.14 defendants or other adverse or intervening parties appearing separately from the others,  
54.15 shall pay, when the first paper is filed for that party in said action, a fee of ~~\$310~~ \$280, except  
54.16 in marriage dissolution actions the fee is ~~\$340~~ \$310. This subdivision does not apply to the  
54.17 filing of an Application for Discharge of Judgment. Section 548.181 applies to an Application  
54.18 for Discharge of Judgment.

54.19 The party requesting a trial by jury shall pay \$100.

54.20 The fees above stated shall be the full trial fee chargeable to said parties irrespective of  
54.21 whether trial be to the court alone, to the court and jury, or disposed of without trial, and  
54.22 shall include the entry of judgment in the action, but does not include copies or certified  
54.23 copies of any papers so filed or proceedings under chapter 103E, except the provisions  
54.24 therein as to appeals.

54.25 (2) Certified copy of any instrument from a civil or criminal proceeding, \$14, and \$8  
54.26 for an uncertified copy.

54.27 (3) Issuing a subpoena, \$16 for each name.

54.28 (4) Filing a motion or response to a motion in civil, family, excluding child support, and  
54.29 guardianship cases, ~~\$100~~ \$75.

54.30 (5) Issuing an execution and filing the return thereof; issuing a writ of attachment,  
54.31 injunction, habeas corpus, mandamus, quo warranto, certiorari, or other writs not specifically  
54.32 mentioned, \$55.

55.1 (6) Issuing a transcript of judgment, or for filing and docketing a transcript of judgment  
55.2 from another court, \$40.

55.3 (7) Filing and entering a satisfaction of judgment, partial satisfaction, or assignment of  
55.4 judgment, \$5.

55.5 (8) Certificate as to existence or nonexistence of judgments docketed, \$5 for each name  
55.6 certified to.

55.7 (9) Filing and indexing trade name; or recording basic science certificate; or recording  
55.8 certificate of physicians, osteopathic physicians, chiropractors, veterinarians, or optometrists,  
55.9 \$5.

55.10 (10) For the filing of each partial, final, or annual account in all trusteeships, \$55.

55.11 (11) For the deposit of a will, \$27.

55.12 (12) For recording notary commission, \$20.

55.13 (13) Filing a motion or response to a motion for modification of child support, a fee of  
55.14 ~~\$100~~ \$50.

55.15 (14) All other services required by law for which no fee is provided, such fee as compares  
55.16 favorably with those herein provided, or such as may be fixed by rule or order of the court.

55.17 (15) In addition to any other filing fees under this chapter, a surcharge in the amount of  
55.18 \$75 must be assessed in accordance with section 259.52, subdivision 14, for each adoption  
55.19 petition filed in district court to fund the fathers' adoption registry under section 259.52.

55.20 The fees in clauses (3) and (5) need not be paid by a public authority or the party the  
55.21 public authority represents.

55.22 Sec. 2. Minnesota Statutes 2016, section 357.022, is amended to read:

55.23 **357.022 CONCILIATION COURT FEE.**

55.24 The court administrator in every county shall charge and collect a filing fee of ~~\$65~~ \$50  
55.25 from every plaintiff and from every defendant when the first paper for that party is filed in  
55.26 any conciliation court action. This section does not apply to conciliation court actions filed  
55.27 by the state. The court administrator shall transmit the fees monthly to the commissioner  
55.28 of management and budget for deposit in the state treasury and credit to the general fund.

56.1 Sec. 3. Minnesota Statutes 2016, section 609.748, subdivision 3a, is amended to read:

56.2 Subd. 3a. **Filing fee; cost of service.** The filing fees for a restraining order under this  
56.3 section are waived for the petitioner and the respondent if the petition alleges acts that would  
56.4 constitute a violation of section 609.749, subdivision 2, 3, 4, or 5, or sections 609.342 to  
56.5 609.3451. The court administrator and the sheriff of any county in this state shall perform  
56.6 their duties relating to service of process without charge to the petitioner. The court shall  
56.7 direct payment of the reasonable costs of service of process if served by a private process  
56.8 server when the sheriff is unavailable or if service is made by publication. ~~The court may~~  
56.9 ~~direct a respondent to pay to the court administrator the petitioner's filing fees and reasonable~~  
56.10 ~~costs of service of process if the court determines that the respondent has the ability to pay~~  
56.11 ~~the petitioner's fees and costs.~~

## 56.12 ARTICLE 5

### 56.13 CONTROLLED SUBSTANCES

56.14 Section 1. Minnesota Statutes 2016, section 152.02, subdivision 2, is amended to read:

56.15 Subd. 2. **Schedule I.** (a) Schedule I consists of the substances listed in this subdivision.

56.16 (b) Opiates. Unless specifically excepted or unless listed in another schedule, any of the  
56.17 following substances, including their analogs, isomers, esters, ethers, salts, and salts of  
56.18 isomers, esters, and ethers, whenever the existence of the analogs, isomers, esters, ethers,  
56.19 and salts is possible:

56.20 (1) acetylmethadol;

56.21 (2) allylprodine;

56.22 (3) alphacetylmethadol (except levo-alphacetylmethadol, also known as levomethadyl  
56.23 acetate);

56.24 (4) alphameprodine;

56.25 (5) alphamethadol;

56.26 (6) alpha-methylfentanyl benzethidine;

56.27 (7) betacetylmethadol;

56.28 (8) betameprodine;

56.29 (9) betamethadol;

56.30 (10) betaprodine;



- 57.1 (11) clonitazene;
- 57.2 (12) dextromoramide;
- 57.3 (13) diampromide;
- 57.4 (14) diethylambutene;
- 57.5 (15) difenoxin;
- 57.6 (16) dimenoxadol;
- 57.7 (17) dimepheptanol;
- 57.8 (18) dimethylambutene;
- 57.9 (19) dioxaphetyl butyrate;
- 57.10 (20) dipipanone;
- 57.11 (21) ethylmethylthiambutene;
- 57.12 (22) etonitazene;
- 57.13 (23) etoxeridine;
- 57.14 (24) furethidine;
- 57.15 (25) hydroxypethidine;
- 57.16 (26) ketobemidone;
- 57.17 (27) levomoramide;
- 57.18 (28) levophenacilmorphan;
- 57.19 (29) 3-methylfentanyl;
- 57.20 (30) acetyl-alpha-methylfentanyl;
- 57.21 (31) alpha-methylthiofentanyl;
- 57.22 (32) benzylfentanyl beta-hydroxyfentanyl;
- 57.23 (33) beta-hydroxy-3-methylfentanyl;
- 57.24 (34) 3-methylthiofentanyl;
- 57.25 (35) thenylfentanyl;
- 57.26 (36) thiofentanyl;
- 57.27 (37) para-fluorofentanyl;

- 58.1 (38) morpheridine;
- 58.2 (39) 1-methyl-4-phenyl-4-propionoxypiperidine;
- 58.3 (40) noracymethadol;
- 58.4 (41) norlevorphanol;
- 58.5 (42) normethadone;
- 58.6 (43) norpipanone;
- 58.7 (44) 1-(2-phenylethyl)-4-phenyl-4-acetoxypiperidine (PEPAP);
- 58.8 (45) phenadoxone;
- 58.9 (46) phenampromide;
- 58.10 (47) phenomorphan;
- 58.11 (48) phenoperidine;
- 58.12 (49) piritramide;
- 58.13 (50) proheptazine;
- 58.14 (51) properidine;
- 58.15 (52) propiram;
- 58.16 (53) racemoramide;
- 58.17 (54) tilidine;
- 58.18 (55) trimeperidine;
- 58.19 (56) N-(1-Phenethylpiperidin-4-yl)-N-phenylacetamide (acetyl fentanyl);
- 58.20 (57)
- 58.21 3,4-dichloro-N-[(1R,2R)-2-(dimethylamino)cyclohexyl]-N-methylbenzamide(U47700);
- 58.22 and
- 58.23 (58) N-phenyl-N-[1-(2-phenylethyl)piperidin-4-yl]furan-2-carboxamide(furanylfentanyl).
- 58.24 (c) Opium derivatives. Any of the following substances, their analogs, salts, isomers,
- 58.25 and salts of isomers, unless specifically excepted or unless listed in another schedule,
- 58.26 whenever the existence of the analogs, salts, isomers, and salts of isomers is possible:
- 58.27 (1) acetorphine;
- 58.28 (2) acetyldihydrocodeine;

- 59.1 (3) benzylmorphine;
- 59.2 (4) codeine methylbromide;
- 59.3 (5) codeine-n-oxide;
- 59.4 (6) cyprenorphine;
- 59.5 (7) desomorphine;
- 59.6 (8) dihydromorphine;
- 59.7 (9) drotebanol;
- 59.8 (10) etorphine;
- 59.9 (11) heroin;
- 59.10 (12) hydromorphanol;
- 59.11 (13) methyl-desorphine;
- 59.12 (14) methyl-dihydromorphine;
- 59.13 (15) morphine methylbromide;
- 59.14 (16) morphine methylsulfonate;
- 59.15 (17) morphine-n-oxide;
- 59.16 (18) myrophine;
- 59.17 (19) nicocodeine;
- 59.18 (20) nicomorphine;
- 59.19 (21) normorphine;
- 59.20 (22) pholcodine; and
- 59.21 (23) thebacon.

59.22 (d) Hallucinogens. Any material, compound, mixture or preparation which contains any  
59.23 quantity of the following substances, their analogs, salts, isomers (whether optical, positional,  
59.24 or geometric), and salts of isomers, unless specifically excepted or unless listed in another  
59.25 schedule, whenever the existence of the analogs, salts, isomers, and salts of isomers is  
59.26 possible:

- 59.27 (1) methylenedioxy amphetamine;
- 59.28 (2) methylenedioxymethamphetamine;

- 60.1 (3) methylenedioxy-N-ethylamphetamine (MDEA);
- 60.2 (4) n-hydroxy-methylenedioxyamphetamine;
- 60.3 (5) 4-bromo-2,5-dimethoxyamphetamine (DOB);
- 60.4 (6) 2,5-dimethoxyamphetamine (2,5-DMA);
- 60.5 (7) 4-methoxyamphetamine;
- 60.6 (8) 5-methoxy-3, 4-methylenedioxyamphetamine;
- 60.7 (9) alpha-ethyltryptamine;
- 60.8 (10) bufotenine;
- 60.9 (11) diethyltryptamine;
- 60.10 (12) dimethyltryptamine;
- 60.11 (13) 3,4,5-trimethoxyamphetamine;
- 60.12 (14) 4-methyl-2, 5-dimethoxyamphetamine (DOM);
- 60.13 (15) ibogaine;
- 60.14 (16) lysergic acid diethylamide (LSD);
- 60.15 (17) mescaline;
- 60.16 (18) parahexyl;
- 60.17 (19) N-ethyl-3-piperidyl benzilate;
- 60.18 (20) N-methyl-3-piperidyl benzilate;
- 60.19 (21) psilocybin;
- 60.20 (22) psilocyn;
- 60.21 (23) tenocyclidine (TPCP or TCP);
- 60.22 (24) N-ethyl-1-phenyl-cyclohexylamine (PCE);
- 60.23 (25) 1-(1-phenylcyclohexyl) pyrrolidine (PCPy);
- 60.24 (26) 1-[1-(2-thienyl)cyclohexyl]-pyrrolidine (TCPy);
- 60.25 (27) 4-chloro-2,5-dimethoxyamphetamine (DOC);
- 60.26 (28) 4-ethyl-2,5-dimethoxyamphetamine (DOET);
- 60.27 (29) 4-iodo-2,5-dimethoxyamphetamine (DOI);

- 61.1 (30) 4-bromo-2,5-dimethoxyphenethylamine (2C-B);
- 61.2 (31) 4-chloro-2,5-dimethoxyphenethylamine (2C-C);
- 61.3 (32) 4-methyl-2,5-dimethoxyphenethylamine (2C-D);
- 61.4 (33) 4-ethyl-2,5-dimethoxyphenethylamine (2C-E);
- 61.5 (34) 4-iodo-2,5-dimethoxyphenethylamine (2C-I);
- 61.6 (35) 4-propyl-2,5-dimethoxyphenethylamine (2C-P);
- 61.7 (36) 4-isopropylthio-2,5-dimethoxyphenethylamine (2C-T-4);
- 61.8 (37) 4-propylthio-2,5-dimethoxyphenethylamine (2C-T-7);
- 61.9 (38) 2-(8-bromo-2,3,6,7-tetrahydrofuro [2,3-f][1]benzofuran-4-yl)ethanamine
- 61.10 (2-CB-FLY);
- 61.11 (39) bromo-benzodifuranyl-isopropylamine (Bromo-DragonFLY);
- 61.12 (40) alpha-methyltryptamine (AMT);
- 61.13 (41) N,N-diisopropyltryptamine (DiPT);
- 61.14 (42) 4-acetoxy-N,N-dimethyltryptamine (4-AcO-DMT);
- 61.15 (43) 4-acetoxy-N,N-diethyltryptamine (4-AcO-DET);
- 61.16 (44) 4-hydroxy-N-methyl-N-propyltryptamine (4-HO-MPT);
- 61.17 (45) 4-hydroxy-N,N-dipropyltryptamine (4-HO-DPT);
- 61.18 (46) 4-hydroxy-N,N-diallyltryptamine (4-HO-DALT);
- 61.19 (47) 4-hydroxy-N,N-diisopropyltryptamine (4-HO-DiPT);
- 61.20 (48) 5-methoxy-N,N-diisopropyltryptamine (5-MeO-DiPT);
- 61.21 (49) 5-methoxy- $\alpha$ -methyltryptamine (5-MeO-AMT);
- 61.22 (50) 5-methoxy-N,N-dimethyltryptamine (5-MeO-DMT);
- 61.23 (51) 5-methylthio-N,N-dimethyltryptamine (5-MeS-DMT);
- 61.24 (52) ~~5-methoxy-N-methyl-N-propyltryptamine~~
- 61.25 5-methoxy-N-methyl-N-isopropyltryptamine (5-MeO-MiPT);
- 61.26 (53) 5-methoxy- $\alpha$ -ethyltryptamine (5-MeO-AET);
- 61.27 (54) 5-methoxy-N,N-dipropyltryptamine (5-MeO-DPT);
- 61.28 (55) 5-methoxy-N,N-diethyltryptamine (5-MeO-DET);

- 62.1 (56) 5-methoxy-N,N-diallyltryptamine (5-MeO-DALT);
- 62.2 (57) methoxetamine (MXE);
- 62.3 (58) 5-iodo-2-aminoindane (5-IAI);
- 62.4 (59) 5,6-methylenedioxy-2-aminoindane (MDAI);
- 62.5 (60) 2-(4-bromo-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine (25B-NBOMe);
- 62.6 (61) 2-(4-chloro-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine (25C-NBOMe);
- 62.7 (62) 2-(4-iodo-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine (25I-NBOMe);
- 62.8 (63) 2-(2,5-Dimethoxyphenyl)ethanamine (2C-H);
- 62.9 (64) 2-(4-Ethylthio-2,5-dimethoxyphenyl)ethanamine (2C-T-2);
- 62.10 (65) N,N-Dipropyltryptamine (DPT);
- 62.11 (66) 3-[1-(Piperidin-1-yl)cyclohexyl]phenol (3-HO-PCP);
- 62.12 (67) N-ethyl-1-(3-methoxyphenyl)cyclohexanamine (3-MeO-PCE);
- 62.13 (68) 4-[1-(3-methoxyphenyl)cyclohexyl]morpholine (3-MeO-PCMo);
- 62.14 (69) 1-[1-(4-methoxyphenyl)cyclohexyl]-piperidine (methoxydine, 4-MeO-PCP);
- 62.15 (70) 2-(2-Chlorophenyl)-2-(ethylamino)cyclohexan-1-one (N-Ethylorketamine,
- 62.16 ethketamine, NENK); ~~and~~
- 62.17 (71) methylenedioxy-N,N-dimethylamphetamine (MDDMA);
- 62.18 (72) 3-(2-Ethyl(methyl)aminoethyl)-1H-indol-4-yl (4-AcO-MET); and
- 62.19 (73) 2-Phenyl-2-(methylamino)cyclohexanone (deschloroketamine).

62.20 (e) Peyote. All parts of the plant presently classified botanically as *Lophophora williamsii*

62.21 Lemaire, whether growing or not, the seeds thereof, any extract from any part of the plant,

62.22 and every compound, manufacture, salts, derivative, mixture, or preparation of the plant,

62.23 its seeds or extracts. The listing of peyote as a controlled substance in Schedule I does not

62.24 apply to the nondrug use of peyote in bona fide religious ceremonies of the American Indian

62.25 Church, and members of the American Indian Church are exempt from registration. Any

62.26 person who manufactures peyote for or distributes peyote to the American Indian Church,

62.27 however, is required to obtain federal registration annually and to comply with all other

62.28 requirements of law.

62.29 (f) Central nervous system depressants. Unless specifically excepted or unless listed in

62.30 another schedule, any material compound, mixture, or preparation which contains any

63.1 quantity of the following substances, their analogs, salts, isomers, and salts of isomers  
63.2 whenever the existence of the analogs, salts, isomers, and salts of isomers is possible:

63.3 (1) mecloqualone;

63.4 (2) methaqualone;

63.5 (3) gamma-hydroxybutyric acid (GHB), including its esters and ethers;

63.6 (4) flunitrazepam; and

63.7 (5) 2-(2-Methoxyphenyl)-2-(methylamino)cyclohexanone (2-MeO-2-deschloroketamine,  
63.8 methoxyketamine).

63.9 (g) Stimulants. Unless specifically excepted or unless listed in another schedule, any  
63.10 material compound, mixture, or preparation which contains any quantity of the following  
63.11 substances, their analogs, salts, isomers, and salts of isomers whenever the existence of the  
63.12 analogs, salts, isomers, and salts of isomers is possible:

63.13 (1) aminorex;

63.14 (2) cathinone;

63.15 (3) fenethylamine;

63.16 (4) methcathinone;

63.17 (5) methylaminorex;

63.18 (6) N,N-dimethylamphetamine;

63.19 (7) N-benzylpiperazine (BZP);

63.20 (8) methylmethcathinone (mephedrone);

63.21 (9) 3,4-methylenedioxy-N-methylcathinone (methydone);

63.22 (10) methoxymethcathinone (methedrone);

63.23 (11) methylenedioxypropylone (MDPV);

63.24 (12) 3-fluoro-N-methylcathinone (3-FMC);

63.25 (13) methylethcathinone (MEC);

63.26 (14) 1-benzofuran-6-ylpropan-2-amine (6-APB);

63.27 (15) dimethylmethcathinone (DMMC);

63.28 (16) fluoroamphetamine;

- 64.1 (17) fluoromethamphetamine;
- 64.2 (18)  $\alpha$ -methylaminobutyrophenone (MABP or buphedrone);
- 64.3 (19) 1-(1,3-benzodioxol-5-yl)-2-(methylamino)butan-1-one (butylone);
- 64.4 (20) 2-(methylamino)-1-(4-methylphenyl)butan-1-one (4-MEMABP or BZ-6378);
- 64.5 (21) 1-(naphthalen-2-yl)-2-(pyrrolidin-1-yl) pentan-1-one (naphthylpyrovalerone or
- 64.6 naphyrone);
- 64.7 (22) (alpha-pyrrolidinopentiophenone (alpha-PVP);
- 64.8 (23) (RS)-1-(4-methylphenyl)-2-(1-pyrrolidinyl)-1-hexanone (4-Me-PHP or MPHP);
- 64.9 (24) 2-(1-pyrrolidinyl)-hexanophenone (Alpha-PHP);
- 64.10 (25) 4-methyl-N-ethylcathinone (4-MEC);
- 64.11 (26) 4-methyl-alpha-pyrrolidinopropiophenone (4-MePPP);
- 64.12 (27) 2-(methylamino)-1-phenylpentan-1-one (pentedrone);
- 64.13 (28) 1-(1,3-benzodioxol-5-yl)-2-(methylamino)pentan-1-one (pentylone);
- 64.14 (29) 4-fluoro-N-methylcathinone (4-FMC);
- 64.15 (30) 3,4-methylenedioxy-N-ethylcathinone (ethylone);
- 64.16 (31) alpha-pyrrolidinobutiophenone ( $\alpha$ -PBP);
- 64.17 (32) 5-(2-Aminopropyl)-2,3-dihydrobenzofuran (5-APDB);
- 64.18 (33) 1-phenyl-2-(1-pyrrolidinyl)-1-heptanone (PV8);
- 64.19 (34) 6-(2-Aminopropyl)-2,3-dihydrobenzofuran (6-APDB); ~~and~~
- 64.20 (35) 4-methyl-alpha-ethylaminopentiophenone (4-MEAPP);
- 64.21 (36) 4'-chloro-alpha-pyrrolidinopropiophenone (4-chloro-PPP);
- 64.22 (37) 1-(1,3-Benzodioxol-5-yl)-2-(dimethylamino)butan-1-one (dibutylone, bk-DMBDB);
- 64.23 and
- 64.24 (38) any other substance, except bupropion or compounds listed under a different
- 64.25 schedule, that is structurally derived from 2-aminopropan-1-one by substitution at the
- 64.26 1-position with either phenyl, naphthyl, or thiophene ring systems, whether or not the
- 64.27 compound is further modified in any of the following ways:



65.1 (i) by substitution in the ring system to any extent with alkyl, alkylendioxy, alkoxy,  
65.2 haloalkyl, hydroxyl, or halide substituents, whether or not further substituted in the ring  
65.3 system by one or more other univalent substituents;

65.4 (ii) by substitution at the 3-position with an acyclic alkyl substituent;

65.5 (iii) by substitution at the 2-amino nitrogen atom with alkyl, dialkyl, benzyl, or  
65.6 methoxybenzyl groups; or

65.7 (iv) by inclusion of the 2-amino nitrogen atom in a cyclic structure.

65.8 (h) Marijuana, tetrahydrocannabinols, and synthetic cannabinoids. Unless specifically  
65.9 excepted or unless listed in another schedule, any natural or synthetic material, compound,  
65.10 mixture, or preparation that contains any quantity of the following substances, their analogs,  
65.11 isomers, esters, ethers, salts, and salts of isomers, esters, and ethers, whenever the existence  
65.12 of the isomers, esters, ethers, or salts is possible:

65.13 (1) marijuana;

65.14 (2) tetrahydrocannabinols naturally contained in a plant of the genus Cannabis, synthetic  
65.15 equivalents of the substances contained in the cannabis plant or in the resinous extractives  
65.16 of the plant, or synthetic substances with similar chemical structure and pharmacological  
65.17 activity to those substances contained in the plant or resinous extract, including, but not  
65.18 limited to, 1 cis or trans tetrahydrocannabinol, 6 cis or trans tetrahydrocannabinol, and 3,4  
65.19 cis or trans tetrahydrocannabinol;

65.20 (3) synthetic cannabinoids, including the following substances:

65.21 (i) Naphthoylindoles, which are any compounds containing a 3-(1-naphthoyl)indole  
65.22 structure with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl,  
65.23 alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or  
65.24 2-(4-morpholinyl)ethyl group, whether or not further substituted in the indole ring to any  
65.25 extent and whether or not substituted in the naphthyl ring to any extent. Examples of  
65.26 naphthoylindoles include, but are not limited to:

65.27 (A) 1-Pentyl-3-(1-naphthoyl)indole (JWH-018 and AM-678);

65.28 (B) 1-Butyl-3-(1-naphthoyl)indole (JWH-073);

65.29 (C) 1-Pentyl-3-(4-methoxy-1-naphthoyl)indole (JWH-081);

65.30 (D) 1-[2-(4-morpholinyl)ethyl]-3-(1-naphthoyl)indole (JWH-200);

65.31 (E) 1-Propyl-2-methyl-3-(1-naphthoyl)indole (JWH-015);

- 66.1 (F) 1-Hexyl-3-(1-naphthoyl)indole (JWH-019);
- 66.2 (G) 1-Pentyl-3-(4-methyl-1-naphthoyl)indole (JWH-122);
- 66.3 (H) 1-Pentyl-3-(4-ethyl-1-naphthoyl)indole (JWH-210);
- 66.4 (I) 1-Pentyl-3-(4-chloro-1-naphthoyl)indole (JWH-398);
- 66.5 (J) 1-(5-fluoropentyl)-3-(1-naphthoyl)indole (AM-2201).
- 66.6 (ii) Naphthylmethyloindoles, which are any compounds containing a
- 66.7 1H-indol-3-yl-(1-naphthyl)methane structure with substitution at the nitrogen atom of the
- 66.8 indole ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,
- 66.9 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or not further
- 66.10 substituted in the indole ring to any extent and whether or not substituted in the naphthyl
- 66.11 ring to any extent. Examples of naphthylmethyloindoles include, but are not limited to:
- 66.12 (A) 1-Pentyl-1H-indol-3-yl-(1-naphthyl)methane (JWH-175);
- 66.13 (B) 1-Pentyl-1H-indol-3-yl-(4-methyl-1-naphthyl)methane (JWH-184).
- 66.14 (iii) Naphthoylpyrroles, which are any compounds containing a 3-(1-naphthoyl)pyrrole
- 66.15 structure with substitution at the nitrogen atom of the pyrrole ring by an alkyl, haloalkyl,
- 66.16 alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or
- 66.17 2-(4-morpholinyl)ethyl group whether or not further substituted in the pyrrole ring to any
- 66.18 extent, whether or not substituted in the naphthyl ring to any extent. Examples of
- 66.19 naphthoylpyrroles include, but are not limited to,
- 66.20 (5-(2-fluorophenyl)-1-pentylpyrrol-3-yl)-naphthalen-1-ylmethanone (JWH-307).
- 66.21 (iv) Naphthylmethyloindenes, which are any compounds containing a naphthylideneindene
- 66.22 structure with substitution at the 3-position of the indene ring by an alkyl, haloalkyl, alkenyl,
- 66.23 cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or
- 66.24 2-(4-morpholinyl)ethyl group whether or not further substituted in the indene ring to any
- 66.25 extent, whether or not substituted in the naphthyl ring to any extent. Examples of
- 66.26 naphthylmethyloindenes include, but are not limited to,
- 66.27 E-1-[1-(1-naphthalenylmethylene)-1H-inden-3-yl]pentane (JWH-176).
- 66.28 (v) Phenylacetyloindoles, which are any compounds containing a 3-phenylacetyloindole
- 66.29 structure with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl,
- 66.30 alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or
- 66.31 2-(4-morpholinyl)ethyl group whether or not further substituted in the indole ring to any
- 66.32 extent, whether or not substituted in the phenyl ring to any extent. Examples of
- 66.33 phenylacetyloindoles include, but are not limited to:

- 67.1 (A) 1-(2-cyclohexylethyl)-3-(2-methoxyphenylacetyl)indole (RCS-8);
- 67.2 (B) 1-pentyl-3-(2-methoxyphenylacetyl)indole (JWH-250);
- 67.3 (C) 1-pentyl-3-(2-methylphenylacetyl)indole (JWH-251);
- 67.4 (D) 1-pentyl-3-(2-chlorophenylacetyl)indole (JWH-203).
- 67.5 (vi) Cyclohexylphenols, which are compounds containing a
- 67.6 2-(3-hydroxycyclohexyl)phenol structure with substitution at the 5-position of the phenolic
- 67.7 ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,
- 67.8 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group whether or not substituted
- 67.9 in the cyclohexyl ring to any extent. Examples of cyclohexylphenols include, but are not
- 67.10 limited to:
- 67.11 (A) 5-(1,1-dimethylheptyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol (CP 47,497);
- 67.12 (B) 5-(1,1-dimethyloctyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol
- 67.13 (Cannabicyclohexanol or CP 47,497 C8 homologue);
- 67.14 (C) 5-(1,1-dimethylheptyl)-2-[(1R,2R)-5-hydroxy-2-(3-hydroxypropyl)cyclohexyl]
- 67.15 -phenol (CP 55,940).
- 67.16 (vii) Benzoylindoles, which are any compounds containing a 3-(benzoyl)indole structure
- 67.17 with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl, alkenyl,
- 67.18 cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or
- 67.19 2-(4-morpholinyl)ethyl group whether or not further substituted in the indole ring to any
- 67.20 extent and whether or not substituted in the phenyl ring to any extent. Examples of
- 67.21 benzoylindoles include, but are not limited to:
- 67.22 (A) 1-Pentyl-3-(4-methoxybenzoyl)indole (RCS-4);
- 67.23 (B) 1-(5-fluoropentyl)-3-(2-iodobenzoyl)indole (AM-694);
- 67.24 (C) (4-methoxyphenyl-[2-methyl-1-(2-(4-morpholinyl)ethyl)indol-3-yl]methanone (WIN
- 67.25 48,098 or Pravadoline).
- 67.26 (viii) Others specifically named:
- 67.27 (A) (6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)
- 67.28 -6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol (HU-210);
- 67.29 (B) (6aS,10aS)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)
- 67.30 -6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol (Dexanabinol or HU-211);

- 68.1 (C) 2,3-dihydro-5-methyl-3-(4-morpholinylmethyl)pyrrolo[1,2,3-de]  
68.2 -1,4-benzoxazin-6-yl-1-naphthalenylmethanone (WIN 55,212-2);
- 68.3 (D) (1-pentylindol-3-yl)-(2,2,3,3-tetramethylcyclopropyl)methanone (UR-144);
- 68.4 (E) (1-(5-fluoropentyl)-1H-indol-3-yl)(2,2,3,3-tetramethylcyclopropyl)methanone  
68.5 (XLR-11);
- 68.6 (F) 1-pentyl-N-tricyclo[3.3.1.1<sup>3,7</sup>]dec-1-yl-1H-indazole-3-carboxamide  
68.7 (AKB-48(APINACA));
- 68.8 (G) N-((3s,5s,7s)-adamantan-1-yl)-1-(5-fluoropentyl)-1H-indazole-3-carboxamide  
68.9 (5-Fluoro-AKB-48);
- 68.10 (H) 1-pentyl-8-quinolinyl ester-1H-indole-3-carboxylic acid (PB-22);
- 68.11 (I) 8-quinolinyl ester-1-(5-fluoropentyl)-1H-indole-3-carboxylic acid (5-Fluoro PB-22);
- 68.12 (J) N-[(1S)-1-(aminocarbonyl)-2-methylpropyl]-1-pentyl-1H-indazole-3-carboxamide  
68.13 (AB-PINACA);
- 68.14 (K) N-[(1S)-1-(aminocarbonyl)-2-methylpropyl]-1-[(4-fluorophenyl)methyl]-  
68.15 1H-indazole-3-carboxamide (AB-FUBINACA);
- 68.16 (L) N-[(1S)-1-(aminocarbonyl)-2-methylpropyl]-1-(cyclohexylmethyl)-1H-  
68.17 indazole-3-carboxamide(AB-CHMINACA);
- 68.18 (M) (S)-methyl 2-(1-(5-fluoropentyl)-1H-indazole-3-carboxamido)-3-methylbutanoate  
68.19 (5-fluoro-AMB);
- 68.20 (N) [1-(5-fluoropentyl)-1H-indazol-3-yl](naphthalen-1-yl) methanone (THJ-2201);
- 68.21 (O) (1-(5-fluoropentyl)-1H-benzo[d]imidazol-2-yl)(naphthalen-1-yl)methanone  
68.22 (FUBIMINA);
- 68.23 (P) (7-methoxy-1-(2-morpholinoethyl)-N-((1S,2S,4R)-1,3,3-trimethylbicyclo  
68.24 [2.2.1]heptan-2-yl)-1H-indole-3-carboxamide (MN-25 or UR-12);
- 68.25 (Q) (S)-N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(5-fluoropentyl)  
68.26 -1H-indole-3-carboxamide (5-fluoro-ABICA);
- 68.27 (R) N-(1-amino-3-phenyl-1-oxopropan-2-yl)-1-(5-fluoropentyl)  
68.28 -1H-indole-3-carboxamide;
- 68.29 (S) N-(1-amino-3-phenyl-1-oxopropan-2-yl)-1-(5-fluoropentyl)  
68.30 -1H-indazole-3-carboxamide;

- 69.1 (T) methyl 2-(1-(cyclohexylmethyl)-1H-indole-3-carboxamido)-3,3-dimethylbutanoate;
- 69.2 (U) N-(1-amino-3,3-dimethyl-1-oxobutan-2-yl)-1-(cyclohexylmethyl)-1
- 69.3 H-indazole-3-carboxamide (MAB-CHMINACA);
- 69.4 (V) N-(1-Amino-3,3-dimethyl-1-oxo-2-butanyl)-1-pentyl-1H-indazole-3-carboxamide
- 69.5 (ADB-PINACA);
- 69.6 (W) methyl (1-(4-fluorobenzyl)-1H-indazole-3-carbonyl)-L-valinate (FUB-AMB);
- 69.7 (X)
- 69.8 N-[(1S)-2-amino-2-oxo-1-(phenylmethyl)ethyl]-1-(cyclohexylmethyl)-1H-Indazole-3-carboxamide.
- 69.9 (APP-CHMINACA); ~~and~~
- 69.10 (Y) quinolin-8-yl 1-(4-fluorobenzyl)-1H-indole-3-carboxylate (FUB-PB-22); and
- 69.11 (Z) methyl N-[1-(cyclohexylmethyl)-1H-indole-3-carbonyl]valinate (MMB-CHMICA).
- 69.12 (i) A controlled substance analog, to the extent that it is implicitly or explicitly intended
- 69.13 for human consumption.

69.14 **EFFECTIVE DATE.** This section is effective August 1, 2017, and applies to crimes

69.15 committed on or after that date.

69.16 Sec. 2. Minnesota Statutes 2016, section 152.02, subdivision 12, is amended to read:

69.17 Subd. 12. **Coordination of controlled substance regulation with federal law and**

69.18 **state statute.** (a) If any substance is designated, rescheduled, or deleted as a controlled

69.19 substance under federal law and notice thereof is given to the state Board of Pharmacy, the

69.20 state Board of Pharmacy shall may similarly and temporarily control the substance under

69.21 this chapter, after the expiration of 30 days from publication in the Federal Register of a

69.22 final order designating a substance as a controlled substance or rescheduling or deleting a

69.23 substance. Such order shall be filed with the secretary of state. If within that 30-day period,

69.24 the state Board of Pharmacy objects to inclusion, rescheduling, or deletion, it shall publish

69.25 the reasons for objection and afford all interested parties an opportunity to be heard. At the

69.26 conclusion of the hearing, the state Board of Pharmacy shall publish its decision, which

69.27 shall be subject to the provisions of chapter 14 by issuing an order and causing it to be

69.28 published in the State Register and filed with the secretary of state. In issuing the order, the

69.29 board is not required to engage in rulemaking. The order expires no later than 12 months

69.30 after the date of issue and may not be renewed. After issuing the order, the board may

69.31 permanently schedule the substance only by exercising the authority granted to it under

69.32 subdivision 8.

70.1 ~~In exercising the authority granted by this chapter, the state Board of Pharmacy shall be~~  
70.2 ~~subject to the provisions of chapter 14.~~

70.3 (b) The state Board of Pharmacy shall annually submit a report to the legislature on or  
70.4 before December 1 that specifies what changes the board made to the controlled substance  
70.5 schedules maintained by the board in Minnesota Rules, parts 6800.4210 to 6800.4250, in  
70.6 the preceding 12 months. The report must also specify any orders issued by the board under  
70.7 this subdivision. The report must include specific recommendations for amending the  
70.8 controlled substance schedules contained in subdivisions 2 to 6, so that they conform with  
70.9 the controlled substance schedules maintained by the board in Minnesota Rules, parts  
70.10 6800.4210 to 6800.4250, and with the federal schedules.

70.11 Sec. 3. Minnesota Statutes 2016, section 152.02, is amended by adding a subdivision to  
70.12 read:

70.13 Subd. 14. **Procedural requirements.** Except as otherwise permitted in this section, the  
70.14 Board of Pharmacy is subject to the provisions of chapter 14 in exercising the authority  
70.15 granted by this chapter."

70.16 Amend the title accordingly