

1.1 ..... moves to amend H.F. No. 3990, the first engrossment, as follows:

1.2 Delete everything after the enacting clause and insert:

1.3 "Section 1. Minnesota Statutes 2024, section 8.16, subdivision 1, is amended to read:

1.4 Subdivision 1. **Authority.** (a) The attorney general, or any deputy, assistant, or special  
1.5 assistant attorney general whom the attorney general authorizes in writing, has the authority  
1.6 in any county of the state to subpoena and require the production of:

1.7 (1) any records of:

1.8 (i) telephone companies, cellular phone companies, paging companies, subscribers of  
1.9 private computer networks including Internet service providers or computer bulletin board  
1.10 systems;

1.11 (ii) electric companies, gas companies, and water utilities;

1.12 (iii) chemical suppliers;

1.13 (iv) hotels and motels;

1.14 (v) pawn shops;

1.15 (vi) airlines, buses, taxis, and other entities engaged in the business of transporting  
1.16 people; and

1.17 (vii) freight companies, self-service storage facilities, warehousing companies, package  
1.18 delivery companies, and other entities engaged in the businesses of transport, storage, or  
1.19 delivery;

1.20 (2) books, papers, correspondence, memoranda, agreements, and other documents or  
1.21 records related to a law enforcement investigation of financial crimes and fraud, including  
1.22 but not limited to fraud involving state-funded or administered programs or services as

2.1 defined in section 299C.061, subdivision 1, paragraph (b), and insurance fraud in violation  
2.2 of section 609.611; and

2.3 (3) records of the existence of safe deposit box account numbers and customer savings  
2.4 and checking account numbers maintained by financial institutions and safe deposit  
2.5 companies.

2.6 (b) Subpoenas may only be issued for records that are relevant to an ongoing legitimate  
2.7 law enforcement investigation.

2.8 Sec. 2. Minnesota Statutes 2024, section 12.221, subdivision 6, is amended to read:

2.9 Subd. 6. **Disaster assistance contingency account; appropriation.** (a) A disaster  
2.10 assistance contingency account is created in the special revenue fund in the state treasury.  
2.11 Money in the disaster assistance contingency account is appropriated to the commissioner  
2.12 of public safety to provide:

2.13 (1) cost-share for federal assistance under section 12A.15, subdivision 1;

2.14 (2) state public disaster assistance to eligible applicants under chapter 12B;

2.15 (3) cost-share for federal assistance from the Federal Highway Administration emergency  
2.16 relief program under United States Code, title 23, section 125; and

2.17 (4) cost-share for federal assistance from the United States Department of Agriculture,  
2.18 Natural Resources Conservation Service emergency watershed protection program under  
2.19 United States Code, title 16, sections 2203 to 2205.

2.20 (b) For appropriations under paragraph (a), clause (1), the amount appropriated is 100  
2.21 percent of any nonfederal share for state agencies, local governments, and utility cooperatives.  
2.22 Money appropriated under paragraph (a), clause (1), may be used to pay all or a portion of  
2.23 the nonfederal share for publicly owned capital improvement projects.

2.24 (c) For appropriations under paragraph (a), clause (2), the amount appropriated is the  
2.25 amount required to pay eligible claims under chapter 12B, as certified by the commissioner  
2.26 of public safety.

2.27 (d) By January ~~15~~ 31 of each year, the commissioner of management and budget shall  
2.28 submit a report to the chairs and ranking minority members of the house of representatives  
2.29 Ways and Means Committee and the senate Finance Committee detailing state disaster  
2.30 assistance appropriations and expenditures under this subdivision during the previous  
2.31 calendar year.

3.1 (e) The governor's budget proposal submitted to the legislature under section 16A.11  
 3.2 must include recommended appropriations to the disaster assistance contingency account.  
 3.3 The governor's appropriation recommendations must be informed by the commissioner of  
 3.4 public safety's estimate of the amount of money that will be necessary to:

3.5 (1) provide 100 percent of the nonfederal share for state agencies, local governments,  
 3.6 and utility cooperatives that will receive federal financial assistance from FEMA during  
 3.7 the next biennium; and

3.8 (2) fully pay all eligible claims under chapter 12B.

3.9 (f) Notwithstanding section 16A.28:

3.10 (1) funds appropriated or transferred to the disaster assistance contingency account do  
 3.11 not lapse but remain in the account until appropriated; and

3.12 (2) funds appropriated from the disaster assistance contingency account do not lapse  
 3.13 and are available until expended.

3.14 Sec. 3. Minnesota Statutes 2024, section 144.445, subdivision 1, is amended to read:

3.15 Subdivision 1. **Screening of inmates.** ~~(a) All persons detained or confined for 14~~  
 3.16 ~~consecutive days or more~~ in facilities operated, licensed, or inspected by the Department  
 3.17 of Corrections shall be screened for tuberculosis within 14 days of intake and annually  
 3.18 tested thereafter. Inmates must be screened with either a Mantoux test, a Quantiferon  
 3.19 Gold-Plus blood test, or a chest roentgenogram (x-ray) as consistent with screening and  
 3.20 follow-up practices recommended by the United States Public Health Service or the  
 3.21 Department of Health, as determined by the commissioner of health. ~~Administration of the~~  
 3.22 ~~Mantoux test or chest roentgenogram (x-ray) must take place on or before the 14th day of~~  
 3.23 ~~detention or confinement.~~

3.24 ~~(b) If an inmate refuses to submit to an annual test as specified in paragraph (a), the~~  
 3.25 ~~commissioner of corrections may order the inmate to be tested.~~

3.26 Sec. 4. Minnesota Statutes 2024, section 144.445, is amended by adding a subdivision to  
 3.27 read:

3.28 Subd. 1a. **Procedures without consent.** (a) If an inmate refuses to submit to an intake  
 3.29 or annual tuberculosis test as specified in subdivision 1, the commissioner of corrections  
 3.30 may order the inmate to be tested and may bring a petition for a court to require an inmate  
 3.31 to submit to tuberculosis testing. The petition must be filed in the district court in the county  
 3.32 where the inmate is confined. The correctional facility must serve the petition on the inmate

4.1 three days before a hearing on the petition. The petition must include one or more affidavits  
4.2 attesting that:

4.3 (1) the correctional facility attempted to complete the intake or annual testing required  
4.4 under subdivision 1 and that the inmate refused; and

4.5 (2) the inmate was offered all three tuberculosis testing options under subdivision 1.

4.6 (b) Facilities must cooperate with petitioners in providing any necessary affidavits to  
4.7 the extent that facility staff can attest under oath to the facts in the affidavits.

4.8 (c) The court must conduct the proceeding in camera unless the petitioner or the inmate  
4.9 requests a hearing in open court and the court determines that a public hearing is necessary  
4.10 to the public interest and the proper administration of justice.

4.11 (d) The inmate may arrange for counsel in any proceeding brought under this subdivision.

4.12 (e) The court may order the inmate to submit to tuberculosis testing, including providing  
4.13 a blood sample for testing to comply with the requirements under subdivision 1, if:

4.14 (1) there is probable cause; or

4.15 (2) the court finds that an inmate has not been screened or tested under subdivision 1.

4.16 Sec. 5. Minnesota Statutes 2024, section 144.445, subdivision 2, is amended to read:

4.17 Subd. 2. **Screening of employees.** All employees of facilities operated, licensed, or  
4.18 inspected by the Department of Corrections shall be screened for tuberculosis before  
4.19 beginning employment in the facility and annually thereafter, with either a Mantoux test,  
4.20 Quantiferon Gold-Plus blood test, or a chest roentgenogram (X-ray) as consistent with  
4.21 screening and follow-up practices recommended by the United States Public Health Service  
4.22 or the Department of Health, as determined by the commissioner of health.

4.23 Sec. 6. Minnesota Statutes 2024, section 152.027, subdivision 7, is amended to read:

4.24 Subd. 7. **Sale or possession of kratom.** (a) A person who unlawfully sells any amount  
4.25 of kratom or a substance that contains mitragynine or 7-hydroxymitragynine to a person  
4.26 under the age of ~~18~~ 21 is guilty of a gross misdemeanor.

4.27 (b) A person under the age of ~~18~~ 21 who unlawfully possesses any amount of kratom  
4.28 or a substance that contains mitragynine or 7-hydroxymitragynine is guilty of a misdemeanor.

4.29 **EFFECTIVE DATE.** This section is effective August 1, 2026, and applies to crimes  
4.30 committed on or after that date.

5.1 **Sec. 7. [241.011] LICENSING AND INSPECTING JUVENILE AND ADULT**  
5.2 **COMMUNITY-BASED RESIDENTIAL CORRECTIONAL FACILITIES.**

5.3 Subdivision 1. **Scope.** Except as provided under section 241.021, sections 241.011 to  
5.4 241.013 apply to juvenile and adult community-based residential correctional facilities  
5.5 licensed by the commissioner of corrections. For the purposes of sections 241.011 to 241.013,  
5.6 juvenile and adult community-based residential correctional facilities are defined as local  
5.7 correctional facilities.

5.8 Subd. 2. **Definitions.** (a) For purposes of sections 241.011 to 241.021, the following  
5.9 terms have the meanings given.

5.10 (b) "Commissioner" means the commissioner of corrections.

5.11 (c) "Critical incident" has the meaning given in Minnesota Rules, part 2960.0020, subpart  
5.12 24.

5.13 (d) "Department" means the Department of Corrections.

5.14 (e) "Emergency or unusual occurrence" means an incident that must be reported to the  
5.15 commissioner through the department's detention information system.

5.16 (f) "Facility administrator" means the officer in charge of a local correctional facility.

5.17 (g) "Local correctional facility" includes:

5.18 (1) a facility licensed to house or serve primarily adults under section 241.131; and

5.19 (2) a facility licensed to detain or serve juveniles, including a group home having a  
5.20 residential component or foster care facility placements under chapter 260C, for the primary  
5.21 purpose of:

5.22 (i) residential care and treatment;

5.23 (ii) detention; or

5.24 (iii) foster care services for children in need of out-of-home placement.

5.25 (h) "State correctional facility" means a correctional facility under the commissioner's  
5.26 control.

5.27 Subd. 3. **Local correctional facilities; inspection and licensing.** The commissioner  
5.28 must inspect and license all local correctional facilities throughout the state established and  
5.29 operated:

5.30 (1) for serving or housing individuals in the facilities; or

6.1 (2) consistent with section 241.013, subdivision 4, paragraph (a), for detaining or serving  
6.2 juveniles placed in the facilities by a correctional or noncorrectional agency.

6.3 **Subd. 4. Inspecting facilities for compliance; publishing inspection reports. (a)**  
6.4 Unless the commissioner determines otherwise, the commissioner must inspect all local  
6.5 correctional facilities at least once every two years to determine compliance with the  
6.6 minimum standards established according to sections 241.011 to 241.013 or any other law  
6.7 related to minimum standards and conditions of confinement, not including section 241.021,  
6.8 subdivisions 1 to 1e.

6.9 (b) The commissioner must have access to a facility's buildings, grounds, books, records,  
6.10 and staff and to individuals detained or housed in or served by the facility. The commissioner  
6.11 may require facility administrators to furnish all information and statistics that the  
6.12 commissioner deems necessary at a time and place designated by the commissioner.

6.13 (c) The commissioner must post each facility inspection report publicly on the  
6.14 department's website within 30 days after completing an inspection.

6.15 **Subd. 5. Granting license; expiration. (a) The commissioner must grant a license for**  
6.16 **up to two years to:**

6.17 (1) any facility found to conform to minimum standards; or

6.18 (2) any facility that the commissioner determines is making satisfactory progress toward  
6.19 substantial conformity and any minimum standards not being met do not impact the interests  
6.20 and well-being of the individuals detained or housed in or served by the facility.

6.21 (b) A limited license may be issued to effectuate a facility closure.

6.22 (c) Unless otherwise provided by law, all licenses issued under sections 241.011 to  
6.23 241.013 expire 12:01 a.m. on the day after the expiration date stated on the license.

6.24 **Subd. 6. Providing and accessing facility data. (a) The commissioner may require that**  
6.25 **any information under sections 241.011 to 241.013 be provided through the department's**  
6.26 **detention information system.**

6.27 (b) Notwithstanding chapter 13 or any other state law classifying or restricting access  
6.28 to data, a facility administrator must furnish to the commissioner all data available to a  
6.29 facility that the commissioner deems necessary for reviewing any critical incident or  
6.30 emergency or unusual occurrence at the facility.

7.1 (c) The commissioner may take action against a facility's license according to section  
7.2 241.012 if a facility administrator fails to provide or grant access to relevant information  
7.3 or statistics requested by the commissioner that are necessary to conduct or complete:

7.4 (1) inspections;

7.5 (2) reviews of emergency or unusual occurrences; or

7.6 (3) reviews of critical incidents.

7.7 **Subd. 7. Reporting; deaths, emergencies or unusual occurrences, and critical**  
7.8 **incidents.** (a) A facility administrator must report a death to the commissioner when:

7.9 (1) an individual detained or housed in the facility dies at the facility; or

7.10 (2) an individual dies while receiving medical care stemming from an incident or need  
7.11 for medical care at the facility that occurred while the individual was detained or housed in  
7.12 the facility.

7.13 (b) Paragraph (a), clause (2), applies regardless of whether the individual was subject  
7.14 to the facility's authority while requiring or receiving the medical care.

7.15 (c) A facility administrator must:

7.16 (1) report a death under this subdivision as soon as practicable, but no later than 24 hours  
7.17 of receiving knowledge of the death; and

7.18 (2) include any demographic information required by the commissioner.

7.19 (d) Except for deaths under paragraphs (a) to (c), all facility administrators must report  
7.20 all critical incidents or emergency or unusual occurrences to the commissioner within ten  
7.21 days of the incident or occurrence, including any demographic information required by the  
7.22 commissioner.

7.23 **Subd. 8. Death review teams.** (a) If a local correctional facility under subdivision 2,  
7.24 paragraph (g), clause (2), receives notice of the death of an individual who died under  
7.25 circumstances described in subdivision 7, paragraph (a), within 90 days of the death, the  
7.26 following individuals must review the circumstances of the death and assess for preventable  
7.27 mortality and morbidity, including but not limited to recommending policy or procedure  
7.28 change:

7.29 (1) the facility administrator;

8.1 (2) a medical expert of the facility's choosing who did not provide medical services to  
8.2 the individual and who is licensed as a physician or physician assistant by the Board of  
8.3 Medical Practice under chapter 147 or 147A; and

8.4 (3) if appropriate, a mental health expert.

8.5 (b) The investigating law enforcement agency may provide documentation for, participate  
8.6 in, or provide documentation for and participate in the review if criminal charges are not  
8.7 brought. A preliminary autopsy report must be provided as part of the review and any  
8.8 subsequent autopsy findings as available.

8.9 (c) The facility administrator must notify the commissioner via the department's detention  
8.10 information system that the facility has conducted a review and identify any recommendations  
8.11 for changes in policy, procedure, or training that will be implemented.

8.12 (d) Any report or other documentation created for purposes of a facility death review is  
8.13 confidential data on individuals under section 13.02, subdivision 3. Nothing in this section  
8.14 relieves the facility administrator from complying with the notice of death to the  
8.15 commissioner required under subdivision 7.

8.16 Subd. 9. **Rulemaking.** (a) The commissioner must adopt rules establishing minimum  
8.17 standards for local correctional facilities for the management, operation, and physical  
8.18 condition of the facilities and the security, safety, health, treatment, and discipline of  
8.19 individuals detained or housed in or served by the facilities.

8.20 (b) The time limit to adopt rules under section 14.125 does not apply to amendments to  
8.21 rule chapters in effect on the effective date of this section.

8.22 Sec. 8. **[241.012] LICENSING ACTIONS AGAINST JUVENILE AND ADULT**  
8.23 **COMMUNITY-BASED RESIDENTIAL CORRECTIONAL FACILITIES.**

8.24 Subdivision 1. **Correction order; conditional license.** (a) For any local correctional  
8.25 facility under section 241.011, subdivision 2, paragraph (g), the commissioner must:

8.26 (1) promptly notify the facility administrator and the facility's governing board of a  
8.27 deficiency if the commissioner finds that:

8.28 (i) the facility does not substantially conform to the minimum standards established by  
8.29 the commissioner and is not making satisfactory progress toward substantial conformance;  
8.30 and

9.1 (ii) the nonconformance does not present an imminent risk of life-threatening harm or  
9.2 serious physical injury to the individuals detained or housed in or served by the facility;  
9.3 and

9.4 (2) issue a correction order or a conditional license order requiring that the deficiency  
9.5 be remedied within a reasonable and specified period.

9.6 (b) A conditional license order may restrict the use of any facility that does not  
9.7 substantially conform to minimum standards, including by:

9.8 (1) imposing conditions limiting operation of the facility or parts of the facility;

9.9 (2) reducing facility capacity;

9.10 (3) limiting intake;

9.11 (4) limiting length of detention or placement for individuals; or

9.12 (5) imposing detention or placement limitations based on the needs of the detained or  
9.13 housed individuals or individuals served by the facility.

9.14 (c) A correction order or conditional license order must clearly state:

9.15 (1) the specific minimum standards violated, noting the implicated rule or statute;

9.16 (2) the findings that constitute a violation of minimum standards;

9.17 (3) the corrective action needed;

9.18 (4) the time allowed to correct each violation; and

9.19 (5) if a license is made conditional:

9.20 (i) the length and terms of the conditional license;

9.21 (ii) any conditions limiting operation of the facility or parts of the facility; and

9.22 (iii) the reasons for making the license conditional.

9.23 (d) Nothing in this section prohibits the commissioner from ordering a revocation under  
9.24 subdivision 3 before issuing a correction order or conditional license order.

9.25 **Subd. 2. Requesting review of conditional license order.** (a) A facility administrator  
9.26 may request that the commissioner review the findings in a conditional license order under  
9.27 subdivision 1 on the grounds that satisfactory progress toward substantial compliance with  
9.28 minimum standards has been made, supported by evidence of correction. If appropriate, the  
9.29 request may include a written schedule for compliance.

10.1 (b) Within ten business days of receiving a request, the commissioner must review the  
10.2 evidence of correction and the progress made toward substantial compliance with minimum  
10.3 standards.

10.4 (c) When the commissioner has assurance that satisfactory progress toward substantial  
10.5 compliance with minimum standards is being made, the commissioner must:

10.6 (1) modify or lift any conditions limiting operation of the facility or parts of the facility;

10.7 or

10.8 (2) remove the conditional license order.

10.9 Subd. 3. License revocation order. (a) After due notice to a facility administrator of  
10.10 the commissioner's intent to issue a revocation order, the commissioner may issue an order  
10.11 revoking a facility's license if the commissioner finds that:

10.12 (1) the facility does not conform to minimum standards or is not making satisfactory  
10.13 progress toward substantial compliance with minimum standards; and

10.14 (2) the nonconformance does not present an imminent risk of life-threatening harm or  
10.15 serious physical injury to the individuals detained or housed in or served by the facility.

10.16 (b) The notice of intent to issue a revocation order must include:

10.17 (1) the citation to minimum standards that have been violated;

10.18 (2) the nature and severity of each violation;

10.19 (3) whether the violation is recurring or nonrecurring;

10.20 (4) the effect of the violation on individuals detained or housed in or served by the  
10.21 facility;

10.22 (5) an evaluation of the risk of harm to individuals detained or housed in or served by  
10.23 the facility; and

10.24 (6) relevant facts, conditions, and circumstances related to the facility's operation,  
10.25 including, at a minimum:

10.26 (i) specific facility deficiencies that endanger the health or safety of individuals detained  
10.27 or housed in or served by the facility;

10.28 (ii) substantiated complaints relating to the facility; or

10.29 (iii) any other evidence that the facility is not in compliance with minimum standards.

11.1 (c) Within 30 days of receiving a notice under paragraph (b), the facility administrator  
11.2 must submit a written response with:

11.3 (1) any information related to errors in the notice and the facility's ability to conform to  
11.4 minimum standards within a set period, including but not limited to a written schedule for  
11.5 compliance and any other information that the facility administrator deems relevant for the  
11.6 commissioner's consideration; and

11.7 (2) a written plan:

11.8 (i) indicating how the facility will ensure the transfer of individuals detained or housed  
11.9 in or served by the facility and records if the facility closes; and

11.10 (ii) specifying arrangements that the facility will make to transfer individuals detained  
11.11 or housed in or served by the facility to another licensed local correctional facility for  
11.12 continuation of detention.

11.13 (d) When revoking a license, the commissioner must consider:

11.14 (1) the nature, chronicity, or severity of the statute or rule violation; and

11.15 (2) the effect of the violation on the health, safety, or rights of individuals detained or  
11.16 housed in or served by the facility.

11.17 (e) The commissioner must issue a revocation order if the facility administrator does  
11.18 not respond within 30 days to the notice or if the commissioner does not have assurance  
11.19 that satisfactory progress toward substantial compliance with minimum standards will be  
11.20 made. The revocation order must be sent to the facility administrator and the facility's  
11.21 governing board, clearly stating:

11.22 (1) the specific minimum standards violated, noting the implicated rule or statute;

11.23 (2) the findings that constitute a violation of minimum standards and the nature,  
11.24 chronicity, or severity of the violations;

11.25 (3) the corrective action needed;

11.26 (4) any prior correction order or conditional license order issued to correct a violation;  
11.27 and

11.28 (5) the date on which the license revocation will occur.

11.29 (f) A revocation order may authorize facility use until a certain date, not to exceed the  
11.30 duration of the active license:

12.1 (1) unless a limited license is issued by the commissioner to effectuate a facility closure;  
12.2 and

12.3 (2) if continued operation does not present an imminent risk of life-threatening harm or  
12.4 is not likely to result in serious physical injury to the individuals detained or housed in or  
12.5 served by the facility.

12.6 (g) After a facility's license is revoked, the facility must not be used until the license is  
12.7 reinstated. When the commissioner is assured that satisfactory progress toward substantial  
12.8 compliance with minimum standards is being made, the commissioner may, at the request  
12.9 of the facility administrator supported by a written schedule for compliance, reinstate the  
12.10 license.

12.11 Subd. 4. **Reconsideration orders.** (a) If a facility administrator believes that a correction  
12.12 order, conditional license order, or revocation order is in error, the facility administrator  
12.13 may ask the commissioner to reconsider the parts of the order or action that are alleged to  
12.14 be in error. The request for reconsideration must:

12.15 (1) be made in writing;

12.16 (2) be postmarked and sent to the commissioner within 30 calendar days after receiving  
12.17 the order;

12.18 (3) specify the parts of the order or the action that is alleged to be in error;

12.19 (4) explain why the order or action is in error; and

12.20 (5) include documentation to support the allegation of error.

12.21 (b) The commissioner must issue a disposition within 60 days of receiving the facility  
12.22 administrator's response under paragraph (a). A request for reconsideration does not stay  
12.23 any provisions or requirements of the order.

12.24 Subd. 5. **Temporary immediate license suspension.** (a) The commissioner must act  
12.25 immediately to temporarily suspend a license issued under sections 241.011 to 241.013 if:

12.26 (1) the facility's failure to comply with applicable minimum standards or the conditions  
12.27 in the facility pose an imminent risk of life-threatening harm or serious physical injury to  
12.28 individuals detained or housed in or served by the facility, staff, law enforcement, visitors,  
12.29 or the public and:

12.30 (i) if the imminent risk of life-threatening harm or serious physical injury cannot be  
12.31 promptly corrected through a different type of order under this section; and

13.1 (ii) the facility cannot or has not corrected the violation giving rise to the imminent risk  
13.2 of life-threatening harm or serious physical injury; or

13.3 (2) while the facility continues to operate pending due notice and opportunity for written  
13.4 response to the commissioner's notice of intent to issue a revocation order under subdivision  
13.5 3, the commissioner identifies one or more subsequent violations of minimum standards  
13.6 that may adversely affect the health or safety of individuals detained or housed in or served  
13.7 by the facility, staff, law enforcement, visitors, or the public.

13.8 (b) A notice stating the reasons for the temporary immediate suspension must be delivered  
13.9 by personal service to the facility administrator and the facility's governing board.

13.10 (c) A facility administrator and the facility's governing board must discontinue operating  
13.11 the facility upon receiving the commissioner's order to immediately suspend the license.

13.12 **Subd. 6. Requesting reconsideration of temporary immediate suspension.** (a) A  
13.13 facility administrator may request reconsideration of an order immediately suspending a  
13.14 license. The request for reconsideration must be made in writing and sent by certified mail  
13.15 or personal service as follows:

13.16 (1) if mailed, the request for reconsideration must be postmarked and sent to the  
13.17 commissioner within five business days after the facility administrator receives notice that  
13.18 the license has been immediately suspended; and

13.19 (2) if a request is made by personal service, the request must be received by the  
13.20 commissioner within five business days after the facility administrator received the order.

13.21 (b) The request for reconsideration must:

13.22 (1) specify the parts of the order that are alleged to be in error;

13.23 (2) explain why they are in error; and

13.24 (3) include documentation to support the allegation of error.

13.25 (c) Within five business days of receiving the facility administrator's timely request for  
13.26 reconsideration, the commissioner must review the request. For a review under subdivision  
13.27 5, paragraph (a), clause (2), the review must be limited solely to whether the temporary  
13.28 immediate suspension order should remain in effect pending the written response to the  
13.29 commissioner's notice of intent to issue a revocation order.

13.30 **Subd. 7. Appealing commissioner's reconsideration request.** (a) The commissioner's  
13.31 disposition of a request for reconsideration of a correction, conditional license, temporary  
13.32 immediate suspension, or revocation order is final and subject to appeal. Before a facility

14.1 administrator may request an appeal under paragraph (b), the facility administrator must  
14.2 request reconsideration according to this section of any correction, conditional license,  
14.3 temporary immediate suspension, or revocation order.

14.4 (b) Within 60 days after the postmark date of the mailed notice of the commissioner's  
14.5 decision on a request for reconsideration, the facility administrator may appeal the decision  
14.6 by filing for a writ of certiorari with the court of appeals under section 606.01 and Minnesota  
14.7 Rules of Civil Appellate Procedure, Rule 115.

14.8 Subd. 8. **Public notice of restriction, revocation, or suspension.** If a facility's license  
14.9 is revoked or suspended under this section, a facility's use is restricted for any reason under  
14.10 a conditional license order, or a correction order is issued to a facility, the commissioner  
14.11 must publicly post the following information on the department's website:

14.12 (1) the facility name;

14.13 (2) the status of the facility's license;

14.14 (3) the reason for the correction order, restriction, revocation, or suspension; and

14.15 (4) any subsequent findings by the commissioner identifying satisfactory progress toward  
14.16 substantial compliance with minimum standards.

14.17 Sec. 9. **[241.013] LICENSING AND INSPECTING LOCAL JUVENILE**  
14.18 **CORRECTIONAL FACILITIES.**

14.19 Subdivision 1. **Scope.** This section applies to local juvenile correctional facilities under  
14.20 section 241.011, subdivision 2, paragraph (g), licensed by the commissioner of corrections  
14.21 to detain or serve juveniles, including those providing residential or foster care facility  
14.22 placements under chapter 260C.

14.23 Subd. 2. **Facilities for children and youth; inspection and licensing.** (a)  
14.24 Notwithstanding any provisions in sections 245A.03; 245A.04; and 256.01, subdivision 2,  
14.25 paragraph (a), clause (2); and chapter 245C to the contrary, the commissioner must inspect  
14.26 all local juvenile correctional facilities under section 241.011, subdivision 3, except as  
14.27 provided under paragraph (c).

14.28 (b) The commissioner must grant a license for up to two years to a county, municipality,  
14.29 or facility:

14.30 (1) according to section 241.011, subdivision 5; and

14.31 (2) if the commissioner is satisfied that the interests and well-being of children and youth  
14.32 are protected.

15.1 (c) For local juvenile correctional facilities licensed by the commissioner of human  
15.2 services, the commissioner of corrections may inspect and certify programs based on  
15.3 certification standards under Minnesota Rules. For purposes of this paragraph, "certification"  
15.4 has the meaning given in section 245A.02.

15.5 Subd. 3. **Commissioner consultation.** Local juvenile correctional facilities must consult  
15.6 with the commissioner as needed to strengthen services to children and youth.

15.7 Subd. 4. **Affected municipality; notice.** (a) The commissioner must not grant a license  
15.8 to a local juvenile correctional facility without giving 30 calendar days' written notice to  
15.9 any affected municipality or other political subdivision unless the facility:

15.10 (1) has a licensed capacity of six or fewer individuals; and

15.11 (2) is occupied by either the licensee or a group foster home parent.

15.12 (b) The notification must be given before the license is first granted and annually  
15.13 thereafter if annual notification is requested in writing by the affected municipality or other  
15.14 political subdivision.

15.15 (c) State funds must not be made available to or be spent by an agency or department  
15.16 of state, county, or municipal government for payment to a foster care facility licensed under  
15.17 this section until the requirements under this subdivision have been met.

15.18 Subd. 5. **Licensing with juveniles from outside state.** The commissioner must not issue  
15.19 or renew a license to a facility under this section to operate a local juvenile correctional  
15.20 facility if:

15.21 (1) the facility accepts juveniles who reside outside Minnesota; and

15.22 (2) there is no agreement with the entity placing the juvenile at the facility that obligates  
15.23 the entity to pay the juvenile's educational expenses.

15.24 Subd. 6. **Licensing actions.** The licensing actions under section 241.012 apply to a  
15.25 facility licensed under this section.

15.26 Subd. 7. **Education for juveniles.** Notwithstanding subdivision 1, the education program  
15.27 offered in a state or local correctional facility for the placement, confinement, or incarceration  
15.28 of juveniles must be approved by the commissioner of education before the commissioner  
15.29 of corrections may grant a license to the facility.

15.30 Subd. 8. **Rulemaking.** (a) The commissioner must adopt rules for local juvenile  
15.31 correctional facilities according to Laws 1995, chapter 226, article 3, sections 50, 51, and  
15.32 60, as amended.

16.1 (b) The time limit to adopt rules under section 14.125 does not apply to amendments to  
16.2 Minnesota Rules, chapter 2960, in effect on the effective date of this section.

16.3 Sec. 10. [241.014] SECURITY AUDITS FOR STATE CORRECTIONAL  
16.4 FACILITIES.

16.5 Subdivision 1. Purpose. This section applies to state correctional facilities.

16.6 Subd. 2. Definitions. (a) For purposes of this section, the following terms have the  
16.7 meanings given.

16.8 (b) "Audit group" means the state correctional facilities security audit group under  
16.9 subdivision 5.

16.10 (c) "Corrections and detention confidential data" has the meaning given in section 13.85,  
16.11 subdivision 3.

16.12 (d) "Security information" has the meaning given in section 13.37, subdivision 1.

16.13 Subd. 3. Biennial report and audit of security practices. The department's inspection  
16.14 unit must conduct biennial security audits of each state correctional facility using the  
16.15 standards established by the audit group. The inspection unit must:

16.16 (1) prepare a report for each audit; and

16.17 (2) submit the report to the audit group within 30 days of completing the audit.

16.18 Subd. 4. Data. (a) Corrections and detention confidential data and security information  
16.19 contained in reports and records of the audit group:

16.20 (1) must maintain that classification, regardless of the data's classification in the hands  
16.21 of the person who provided the data; and

16.22 (2) are not subject to discovery or introduction into evidence in a civil or criminal action  
16.23 against the state arising out of any matter that the audit group is reviewing.

16.24 (b) Information, documents, and records otherwise available from other sources are not  
16.25 immune from discovery or use in a civil or criminal action solely because the information,  
16.26 documents, and records were acquired during an audit.

16.27 (c) Nothing in this subdivision limits a person who presented information to the audit  
16.28 group or who is an audit group member from testifying about matters within the person's  
16.29 knowledge. In a civil or criminal proceeding, a person must not be questioned about the  
16.30 person's good faith presentation of information to the audit group or opinions formed by  
16.31 the person as a result of an audit.

17.1 Subd. 5. State correctional facilities security audit group. (a) The commissioner must  
17.2 form a state correctional facilities security audit group. The audit group must consist of the  
17.3 following members:

17.4 (1) a department employee who is not assigned to the correctional institutions division,  
17.5 appointed by the commissioner;

17.6 (2) the ombudsperson for corrections or a designee;

17.7 (3) an elected sheriff or designee nominated by the Minnesota Sheriffs' Association,  
17.8 appointed by the commissioner;

17.9 (4) an individual with expertise in security related to infrastructure and operational  
17.10 logistics of correctional facilities who is not required to reside in Minnesota, appointed by  
17.11 the governor;

17.12 (5) the commissioner of health or a designee;

17.13 (6) the commissioner of administration or a designee;

17.14 (7) two senators, one appointed by the senate majority leader and one appointed by the  
17.15 senate minority leader; and

17.16 (8) two representatives, one appointed by the speaker of the house and one appointed  
17.17 by the minority leader of the house of representatives.

17.18 (b) The ombudsperson chairs the audit group. The audit group must establish security  
17.19 audit standards for state correctional facilities. In developing the standards, the audit group,  
17.20 or individual members of the audit group, may gather information from state correctional  
17.21 facilities and state correctional staff and inmates. The audit group must:

17.22 (1) periodically review and modify the standards as needed; and

17.23 (2) report the standards to the chairs and ranking minority members of the house of  
17.24 representatives and senate committees with jurisdiction over public safety policy and finance  
17.25 when the standards are modified.

17.26 (c) The audit group must meet twice annually to review facility audit reports submitted  
17.27 to the audit group by the department's inspection unit. Notwithstanding any law to the  
17.28 contrary, the audit group may review the full audit reports, including but not limited to  
17.29 corrections and detention confidential data and security information.

17.30 (d) Within 60 days of meeting to review an audit report from the department's inspection  
17.31 unit, the audit group must make recommendations to the commissioner. Within 45 days of

18.1 receiving the audit group's recommendations, the commissioner must respond in writing to  
18.2 the audit group's findings and recommendations. The commissioner's response must explain:

18.3 (1) whether the commissioner will implement the audit group's recommendations;

18.4 (2) the timeline for implementing the recommendations; and

18.5 (3) if the commissioner will not implement the recommendations, why the commissioner  
18.6 will not or cannot implement the recommendations.

18.7 (e) The commissioner must include a written aggregate of the audit group's  
18.8 recommendations based on each security audit and assessment of a state correctional facility  
18.9 and the commissioner's responses to the recommendations in the biennial report under  
18.10 section 241.016, subdivision 1. The commissioner must not include corrections and detention  
18.11 confidential data and security information in the commissioner's report.

18.12 (f) The commissioner must provide staffing and administrative support to the audit  
18.13 group.

18.14 Subd. 6. **Compensation.** Except as otherwise provided in this subdivision, the terms,  
18.15 compensation, and removal of audit group members are governed by section 15.059. Audit  
18.16 group members serve without compensation but may receive expense reimbursement.

18.17 Subd. 7. **Expiration.** Notwithstanding section 15.059, subdivision 6, the audit group  
18.18 does not expire.

18.19 Subd. 8. **Open meeting law.** The audit group is not subject to chapter 13D.

18.20 Sec. 11. Minnesota Statutes 2025 Supplement, section 241.021, subdivision 1, is amended  
18.21 to read:

18.22 Subdivision 1. **Correctional facilities; inspection; licensing.** ~~(a) Except as provided~~  
18.23 ~~in paragraph (b);~~ The commissioner of corrections shall inspect and license all ~~correctional~~  
18.24 ~~facilities throughout the state~~ jails and lockups under chapters 641 and 642, whether public  
18.25 or private, established and operated for the detention and confinement of persons confined  
18.26 or incarcerated therein according to law except to the extent that they are inspected or  
18.27 licensed by other state regulating agencies. The commissioner shall promulgate pursuant  
18.28 to chapter 14, rules establishing minimum standards for these facilities with respect to their  
18.29 management, operation, physical condition, and the security, safety, health, treatment, and  
18.30 discipline of persons confined or incarcerated therein. These minimum standards shall  
18.31 include but are not limited to specific guidance pertaining to:

- 19.1 (1) screening, appraisal, assessment, and treatment for persons confined or incarcerated  
19.2 in correctional facilities with mental illness or substance use disorders;
- 19.3 (2) a policy on the involuntary administration of medications, including a process for  
19.4 determining on intake whether a Jarvis Order is in place and ensuring it will be followed  
19.5 during the confinement or incarceration;
- 19.6 (3) suicide prevention plans and training;
- 19.7 (4) verification of medications in a timely manner;
- 19.8 (5) well-being checks;
- 19.9 (6) discharge planning, including providing prescribed medications to persons confined  
19.10 or incarcerated in correctional facilities upon release;
- 19.11 (7) a policy on referrals or transfers to medical or mental health care in a noncorrectional  
19.12 institution;
- 19.13 (8) use of segregation and mental health checks;
- 19.14 (9) critical incident debriefings;
- 19.15 (10) clinical management of substance use disorders and opioid overdose emergency  
19.16 procedures;
- 19.17 (11) a policy regarding identification of persons with special needs confined or  
19.18 incarcerated in correctional facilities;
- 19.19 (12) a policy regarding the use of telehealth;
- 19.20 (13) self-auditing of compliance with minimum standards;
- 19.21 (14) information sharing with medical personnel and when medical assessment must be  
19.22 facilitated;
- 19.23 (15) a code of conduct policy for facility staff and annual training;
- 19.24 (16) a policy on death review of all circumstances surrounding the death of an individual  
19.25 committed to the custody of the facility; and
- 19.26 (17) dissemination of a rights statement made available to persons confined or  
19.27 incarcerated in licensed correctional facilities.

19.28 No individual, corporation, partnership, voluntary association, or other private  
19.29 organization legally responsible for the operation of a correctional facility may operate the  
19.30 facility unless it possesses a current license from the commissioner of corrections. Private

20.1 adult correctional facilities shall have the authority of section 624.714, subdivision 13, if  
20.2 the Department of Corrections licenses the facility with the authority and the facility meets  
20.3 requirements of section 243.52.

20.4 The commissioner shall review the correctional facilities described in this subdivision  
20.5 at least once every two years, except as otherwise provided, to determine compliance with  
20.6 the minimum standards established according to this subdivision or other Minnesota statute  
20.7 related to minimum standards and conditions of confinement.

20.8 The commissioner shall grant a license to any facility found to conform to minimum  
20.9 standards or to any facility which, in the commissioner's judgment, is making satisfactory  
20.10 progress toward substantial conformity and the standards not being met do not impact the  
20.11 interests and well-being of the persons confined or incarcerated in the facility. A limited  
20.12 license under subdivision 1a may be issued for purposes of effectuating a facility closure.  
20.13 The commissioner may grant licensure up to two years. Unless otherwise specified by  
20.14 statute, all licenses issued under this chapter expire at 12:01 a.m. on the day after the  
20.15 expiration date stated on the license.

20.16 The commissioner shall have access to the buildings, grounds, books, records, staff, and  
20.17 to persons confined or incarcerated in these facilities. The commissioner may require the  
20.18 officers in charge of these facilities to furnish all information and statistics the commissioner  
20.19 deems necessary, at a time and place designated by the commissioner. Notwithstanding  
20.20 chapter 13 or any other state law classifying or restricting access to data, the officers in  
20.21 charge of these facilities must furnish all data available to the facility that the commissioner  
20.22 deems necessary to conduct a review of any emergency or unusual occurrence at the facility.  
20.23 Failure to provide or grant access to relevant information or statistics necessary to fulfill  
20.24 inspection or emergency or unusual occurrence reviews, as requested by the commissioner,  
20.25 may be grounds for the commissioner to take action against a correctional facility's license  
20.26 under subdivision 1a, 1b, or 1c.

20.27 All facility administrators of correctional facilities are required to report all deaths of  
20.28 individuals who died while committed to the custody of the facility, regardless of whether  
20.29 the death occurred at the facility or after removal from the facility for medical care stemming  
20.30 from an incident or need for medical care at the correctional facility, as soon as practicable,  
20.31 but no later than 24 hours of receiving knowledge of the death, including any demographic  
20.32 information as required by the commissioner.

20.33 All facility administrators of correctional facilities are required to report all other  
20.34 emergency or unusual occurrences as defined by rule, including uses of force by facility

21.1 staff that result in substantial bodily harm or suicide attempts, to the commissioner of  
 21.2 corrections within ten days from the occurrence, including any demographic information  
 21.3 as required by the commissioner. The commissioner of corrections shall consult with the  
 21.4 Minnesota Sheriffs' Association and a representative from the Minnesota Association of  
 21.5 Community Corrections Act Counties who is responsible for the operations of an adult  
 21.6 correctional facility to define "use of force" that results in substantial bodily harm for  
 21.7 reporting purposes.

21.8 The commissioner may require that any or all such information be provided through the  
 21.9 Department of Corrections detention information system. The commissioner shall post each  
 21.10 inspection report publicly and on the department's website within 30 days of completing  
 21.11 the inspection. The education program offered in a correctional facility for the confinement  
 21.12 or incarceration of juvenile offenders must be approved by the commissioner of education  
 21.13 before the commissioner of corrections may grant a license to the facility.

21.14 ~~(b) For juvenile facilities licensed by the commissioner of human services, the~~  
 21.15 ~~commissioner may inspect and certify programs based on certification standards set forth~~  
 21.16 ~~in Minnesota Rules. For the purpose of this paragraph, "certification" has the meaning given~~  
 21.17 ~~it in section 245A.02.~~

21.18 ~~(e)~~ (b) Any state agency which regulates, inspects, or licenses certain aspects of  
 21.19 correctional facilities shall, insofar as is possible, ensure that the minimum standards it  
 21.20 requires are substantially the same as those required by other state agencies which regulate,  
 21.21 inspect, or license the same aspects of similar types of correctional facilities, although at  
 21.22 different correctional facilities.

21.23 ~~(d)~~ (c) Nothing in this section shall be construed to limit the commissioner of corrections'  
 21.24 authority to promulgate rules establishing standards of eligibility for counties to receive  
 21.25 funds under chapter 401, or to require counties to comply with operating standards the  
 21.26 commissioner establishes as a condition precedent for counties to receive that funding.

21.27 ~~(e)~~ (d) The department's inspection unit must report directly to a division head outside  
 21.28 of the correctional institutions division.

21.29 Sec. 12. Minnesota Statutes 2024, section 241.021, subdivision 1f, is amended to read:

21.30 Subd. 1f. **Report.** By February 15, 2022, and by February 15 each year thereafter, the  
 21.31 commissioner of corrections shall report to the chairs and ranking minority members of the  
 21.32 house of representatives and senate committees and divisions with jurisdiction over public  
 21.33 safety and judiciary on the status of the implementation of the provisions in ~~this section~~.

22.1 sections 241.011 to 241.021 over the prior year, particularly the health and safety of  
22.2 individuals confined or incarcerated in a local adult correctional facilities under this section,  
22.3 local correctional facilities under section 241.011, and state correctional facility and a facility  
22.4 licensed by the commissioner facilities. This report shall include but not be limited to data  
22.5 regarding:

22.6 (1) the number of confined or incarcerated persons who died while committed to the  
22.7 custody of the facility, regardless of whether the death occurred at the facility or after  
22.8 removal from the facility for medical care stemming from an incident or need for medical  
22.9 care at the correctional facility, including aggregated demographic information and the  
22.10 correctional facilities' most recent inspection reports and any corrective orders or conditional  
22.11 licenses issued, revocations, or temporary immediate suspensions;

22.12 (2) the aggregated results of the death reviews by facility as required by subdivision 8  
22.13 or section 241.011, subdivision 8, including any implemented policy changes;

22.14 (3) the number of uses of force by facility staff on persons confined or incarcerated in  
22.15 the correctional facility, including but not limited to whether those uses of force were  
22.16 determined to be justified by the facility, for which the commissioner of corrections shall  
22.17 consult with the Minnesota Sheriffs' Association and a representative from the Minnesota  
22.18 Association of Community Corrections Act Counties who is responsible for the operations  
22.19 of an adult correctional facility to develop criteria for reporting and define reportable uses  
22.20 of force;

22.21 (4) the number of suicide attempts, number of people transported to a medical facility,  
22.22 and number of people placed in segregation;

22.23 (5) the number of persons committed to the commissioner of corrections' custody that  
22.24 the commissioner is housing in facilities licensed under subdivision 1 and section 241.011,  
22.25 including but not limited to:

22.26 (i) aggregated demographic data of those individuals;

22.27 (ii) length of time spent housed in a licensed correctional facility; and

22.28 (iii) any contracts the Department of Corrections has with correctional facilities to provide  
22.29 housing; and

22.30 (6) summary data from state correctional facilities regarding complaints involving alleged  
22.31 on-duty staff misconduct, including but not limited to the:

22.32 (i) total number of misconduct complaints and investigations;

23.1 (ii) total number of complaints by each category of misconduct, as defined by the  
23.2 commissioner of corrections;

23.3 (iii) number of allegations dismissed as unfounded;

23.4 (iv) number of allegations dismissed on grounds that the allegation was unsubstantiated;  
23.5 and

23.6 (v) number of allegations substantiated, any resulting disciplinary action, and the nature  
23.7 of the discipline.

23.8 Sec. 13. Minnesota Statutes 2024, section 241.021, subdivision 4a, is amended to read:

23.9 Subd. 4a. **Substance use disorder treatment programs.** All ~~residential~~ substance use  
23.10 disorder treatment programs operated by the commissioner of corrections to treat ~~adults~~  
23.11 individuals committed to the commissioner's custody ~~shall~~ or to treat juveniles in  
23.12 state-operated juvenile correctional facilities that have a correctional program services  
23.13 certification per Minnesota Rules, chapter 2960, must comply with the standards mandated  
23.14 in chapter 245G for treatment programs operated by community-based treatment facilities.  
23.15 When the commissioners of corrections and human services agree that these established  
23.16 standards for community-based programs cannot reasonably apply to correctional facilities,  
23.17 alternative equivalent standards shall be developed by the commissioners and established  
23.18 through an interagency agreement.

23.19 Sec. 14. Minnesota Statutes 2024, section 241.69, subdivision 1, is amended to read:

23.20 Subdivision 1. **Authority; rules.** The commissioner of corrections shall, in accordance  
23.21 with applicable rules and standards prescribed by the Department of Human Services,  
23.22 establish, staff, equip, maintain, and operate in at least one of the adult correctional  
23.23 institutions under the commissioner's control a mental health unit for the care and treatment  
23.24 of those inmates of state correctional institutions who become mentally ill.

23.25 Sec. 15. Minnesota Statutes 2024, section 241.69, subdivision 3, is amended to read:

23.26 Subd. 3. **Transfer.** If the licensed mental health professional finds the person to be a  
23.27 person who is mentally ill and in need of short-term care, assessment, evaluation, or  
23.28 stabilization, the licensed mental health professional may recommend transfer by the  
23.29 commissioner of corrections to ~~the~~ a mental health unit established pursuant to subdivision  
23.30 1.

24.1 Sec. 16. Minnesota Statutes 2024, section 241.69, subdivision 4, is amended to read:

24.2 Subd. 4. **Commitment.** If the licensed mental health professional finds the person to be  
24.3 a person who is mentally ill and in need of long-term care in a hospital, ~~or if an inmate~~  
24.4 ~~transferred pursuant to subdivision 3 refuses to voluntarily participate in the treatment~~  
24.5 ~~program at the mental health unit,~~ the director of psychological services of the institution  
24.6 or the mental health professional shall initiate proceedings for judicial commitment as  
24.7 provided in section 253B.07. Upon the recommendation of the licensed mental health  
24.8 professional and upon completion of the hearing and consideration of the record, the court  
24.9 may commit the person to ~~the~~ a mental health unit established in subdivision 1 or to another  
24.10 hospital. A person confined in a state correctional institution for adults who has been  
24.11 adjudicated to be a person who is mentally ill and in need of treatment may be committed  
24.12 to the commissioner of corrections and placed in ~~the~~ a mental health unit established in  
24.13 subdivision 1.

24.14 Sec. 17. Minnesota Statutes 2024, section 241.69, subdivision 5, is amended to read:

24.15 Subd. 5. **Discharge.** The director of psychological services of ~~the~~ a mental health unit  
24.16 established under this section may, subject to the provisions of chapter 253B, provisionally  
24.17 discharge any inmate patient admitted as a person who is mentally ill without discharging  
24.18 the commitment and order the inmate patient's release into the general population of the  
24.19 institution from which admitted, subject to return to the facility for further treatment.

24.20 When the director of psychological services of the facility certifies that a patient is no  
24.21 longer in need of institutional care for mental illness the director of psychological services  
24.22 shall discharge the patient to the institution from which committed, and the discharge shall  
24.23 also discharge the mental illness commitment.

24.24 A copy of the certification that the inmate is no longer in need of care for mental illness  
24.25 shall be transmitted to the commissioner of corrections. The commissioner of corrections  
24.26 shall give serious consideration to the aforementioned certification for purposes of their  
24.27 supervision over the inmate upon the inmate's release.

24.28 Sec. 18. Minnesota Statutes 2024, section 241.69, subdivision 6, is amended to read:

24.29 Subd. 6. **Transfer upon expiration of sentence.** If the sentence of a person who has  
24.30 been adjudicated to be mentally ill and committed to ~~the~~ a mental health unit established  
24.31 under this section should expire before the person recovers and is discharged therefrom,  
24.32 and, in the judgment of the director of psychological services of the unit, the person requires  
24.33 further hospitalization for mental illness, the person shall be transferred by the commissioner

25.1 of corrections to a state hospital designated by the Direct Care and Treatment executive  
25.2 board, there to be detained as in the case of other mentally ill persons under judicial  
25.3 commitment.

25.4 Sec. 19. Minnesota Statutes 2025 Supplement, section 244.46, subdivision 1, is amended  
25.5 to read:

25.6 Subdivision 1. **Adopting policy for earned compliance credit; supervision abatement**  
25.7 **status.** (a) The commissioner must adopt a policy providing for earned compliance credit  
25.8 and supervision abatement status, including the circumstances under which an individual  
25.9 may receive earned compliance credits and transition to supervision abatement status. The  
25.10 policy must include consideration of an individual's effort to pay restitution to the extent  
25.11 known to the supervising agency and must provide that an individual who has the ability  
25.12 to pay restitution but engages in willful nonpayment is not eligible to transition to supervision  
25.13 abatement status.

25.14 (b) Except as otherwise provided in the act, once the time served on active supervision  
25.15 plus earned compliance credits equals the total length of the supervised release term or, if  
25.16 applicable, the aggregate length of the supervised release term and conditional release term,  
25.17 the individual is eligible for supervision abatement status. However, the commissioner must  
25.18 not place the individual on supervision abatement status for the remainder of the supervised  
25.19 or conditional release term if the commissioner determines that doing so would present a  
25.20 risk to public safety, after weighing factors including the individual's stability, behavior, or  
25.21 overall adjustment while on supervision. For individuals with lifetime terms of conditional  
25.22 release, the commissioner shall not place the individual on supervision abatement status  
25.23 unless the time served on active supervision plus earned compliance credits equals at least  
25.24 ten years.

25.25 **EFFECTIVE DATE.** This section is effective September 1, 2026.

25.26 Sec. 20. Minnesota Statutes 2024, section 299C.05, is amended to read:

25.27 **299C.05 CRIME DATA COLLECTION.**

25.28 It shall be the duty of this division to collect, and preserve as a record of the bureau,  
25.29 information concerning the number and nature of offenses known to have been committed  
25.30 in the state, of the legal steps taken in connection therewith from the inception of the  
25.31 complaint to the final discharge of the defendant, and such other information as may be  
25.32 useful in the study of crime and the administration of justice. The information shall be  
25.33 provided in a form prescribed by the superintendent. The information so collected and

26.1 preserved shall include such data as may be requested by the United States Department of  
26.2 Justice, at Washington, under its national system of crime reporting. To the extent possible,  
26.3 the superintendent must utilize a nationally recognized system or standard approved by the  
26.4 Federal Bureau of Investigation to collect and preserve crime data.

26.5 Sec. 21. Minnesota Statutes 2024, section 299C.065, is amended to read:

26.6 **299C.065 UNDERCOVER BUY FUND; WITNESS AND VICTIM PROTECTION.**

26.7 Subdivision 1. ~~Grants~~ **Reimbursements**. The commissioner of public safety shall make  
26.8 ~~grants~~ reimbursements to local officials for the following purposes:

26.9 (1) the cooperative investigation of cross jurisdictional criminal activity relating to the  
26.10 possession and sale of controlled substances;

26.11 (2) receiving or selling stolen goods;

26.12 (3) participating in gambling activities in violation of section 609.76;

26.13 (4) violations of section 609.322 or any other state or federal law prohibiting the  
26.14 recruitment, transportation, or use of juveniles for purposes of prostitution;

26.15 (5) for partial reimbursement of local costs associated with unanticipated, intensive,  
26.16 long-term, multijurisdictional criminal investigations that exhaust available local resources,  
26.17 except that the commissioner may not reimburse the costs of a local investigation involving  
26.18 a child who is reported to be missing and endangered unless the law enforcement agency  
26.19 complies with section 299C.53 and the agency's own investigative policy; and

26.20 (6) for partial reimbursement of local costs associated with criminal investigations into  
26.21 the activities of violent criminal gangs and gang members.

26.22 Subd. 1a. **Witness and victim protection fund.** (a) A witness and victim protection  
26.23 fund is created under the administration of the commissioner of public safety. The  
26.24 commissioner may make ~~grants~~ reimbursements to local officials to provide for the relocation  
26.25 or other protection of a victim, witness, or potential witness who is involved in a criminal  
26.26 prosecution and who the commissioner has reason to believe is or is likely to be the target  
26.27 of a violent crime or a violation of section 609.498 or 609.713, in connection with that  
26.28 prosecution. The awarding of ~~grants~~ reimbursements under this subdivision is not limited  
26.29 to the crimes and investigations described in subdivision 1.

26.30 (b) The commissioner may award ~~grants~~ reimbursements for any of the following actions  
26.31 in connection with the protection of a witness or victim under this subdivision:

27.1 (1) to provide suitable documents to enable the person to establish a new identity or  
27.2 otherwise protect the person;

27.3 (2) to provide housing for the person;

27.4 (3) to provide for the transportation of household furniture and other personal property  
27.5 to the person's new residence;

27.6 (4) to provide the person with a payment to meet basic living expenses for a time period  
27.7 the commissioner deems necessary;

27.8 (5) to assist the person in obtaining employment; and

27.9 (6) to provide other services necessary to assist the person in becoming self-sustaining.

27.10 Subd. 2. **Application for ~~grant~~ grant reimbursement.** A county sheriff or the chief  
27.11 administrative officer of a municipal police department may apply to the commissioner of  
27.12 public safety for a ~~grant~~ grant reimbursement for any of the purposes described in subdivision 1  
27.13 or 1a, on forms and pursuant to procedures developed by the superintendent. For ~~grants~~  
27.14 reimbursements under subdivision 1, the application shall describe the type of intended  
27.15 criminal investigation, an estimate of the amount of money required, and any other  
27.16 information the superintendent deems necessary.

27.17 Subd. 3. **Investigation report.** A report shall be made to the commissioner at the  
27.18 conclusion of an investigation for which a ~~grant~~ grant reimbursement was made under subdivision  
27.19 1 stating (1) the number of persons arrested, (2) the nature of charges filed against them,  
27.20 (3) the nature and value of controlled substances or contraband purchased or seized, (4) the  
27.21 amount of money paid to informants during the investigation, and (5) a separate accounting  
27.22 of the amount of money spent for expenses, other than "buy money," of bureau and local  
27.23 law enforcement personnel during the investigation. The commissioner shall prepare and  
27.24 submit to the chairs of the committees in the senate and house of representatives with  
27.25 jurisdiction over criminal justice policy by January 1 of each even-numbered year a report  
27.26 of investigations receiving ~~grants~~ reimbursements under subdivision 1.

27.27 Subd. 3a. **Accounting report.** The head of a law enforcement agency that receives a  
27.28 ~~grant~~ grant reimbursement under subdivision 1a shall file a report with the commissioner at the  
27.29 conclusion of the case detailing the specific purposes for which the money was spent. The  
27.30 commissioner shall prepare and submit to the chairs of the committees in the senate and  
27.31 house of representatives with jurisdiction over criminal justice policy by January 1 of each  
27.32 even-numbered year a summary report of witness assistance services provided under this  
27.33 section.

28.1 Subd. 4. **Data classification.** An application to the commissioner for money is a  
28.2 confidential record. Information within investigative files that identifies or could reasonably  
28.3 be used to ascertain the identity of assisted witnesses, sources, or undercover investigators  
28.4 is a confidential record. A report at the conclusion of an investigation is a public record,  
28.5 except that information in a report pertaining to the identity or location of an assisted witness  
28.6 is private data.

28.7 Sec. 22. Minnesota Statutes 2024, section 299C.46, subdivision 6, is amended to read:

28.8 Subd. 6. **Orders for protection; no contact orders; harassment restraining orders.** (a)  
28.9 As used in this subdivision, "no contact orders" include orders issued as pretrial orders  
28.10 under section 629.72, subdivision 2, orders under section 629.75, and orders issued as  
28.11 probationary or sentencing orders at the time of disposition in a criminal domestic abuse  
28.12 case.

28.13 (b) The data communications network must include orders for protection issued under  
28.14 section 518B.01 or 609.2334, harassment restraining orders, and no contact orders issued  
28.15 against adults and juveniles. A no contact order must be accompanied by a photograph of  
28.16 the offender for the purpose of enforcement of the order, if a photograph is available and  
28.17 verified by the court to be an image of the defendant.

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

28.22 Sec. 23. Minnesota Statutes 2024, section 364.03, subdivision 3, is amended to read:

28.23 Subd. 3. **Evidence of rehabilitation.** (a) A person who has been convicted of a crime  
28.24 or crimes which directly relate to the public employment sought or to the occupation for  
28.25 which a license is sought ~~shall~~ may not be disqualified from the employment or occupation  
28.26 if the person can show both competent evidence of sufficient rehabilitation and present  
28.27 fitness to perform the duties of the public employment sought or the occupation for which  
28.28 the license is sought.

28.29 (b) In determining whether the person has demonstrated competent evidence of sufficient  
28.30 rehabilitation and present fitness, the licensing or hiring authority may be established by  
28.31 the production of consider the following when making a determination:

29.1 (1) the person's most recent certified copy of a United States Department of Defense  
 29.2 form DD-214 showing the person's honorable discharge, or separation under honorable  
 29.3 conditions, from the United States armed forces for military service rendered following  
 29.4 conviction for any crime that would otherwise disqualify the person from the public  
 29.5 employment sought or the occupation for which the license is sought; ~~or;~~

29.6 ~~(1)~~ (2) a copy of the local, state, or federal release order; and

29.7 ~~(2)~~ evidence showing that at least one year has elapsed since release from any local,  
 29.8 state, or federal correctional institution without subsequent conviction of a crime; and  
 29.9 evidence showing compliance with all terms and conditions of probation or parole; ~~or~~

29.10 (3) a copy of the relevant Department of Corrections discharge order or other documents  
 29.11 showing completion of probation or parole supervision;

29.12 ~~(b) In addition to the documentary evidence presented, the licensing or hiring authority~~  
 29.13 ~~shall consider any evidence presented by the applicant regarding:~~

29.14 (4) evidence regarding:

29.15 ~~(1)~~ (i) the nature and seriousness of the crime or crimes for which convicted;

29.16 ~~(2)~~ (ii) all circumstances relative to the crime or crimes, including mitigating  
 29.17 circumstances or social conditions surrounding the commission of the crime or crimes;

29.18 ~~(3)~~ (iii) the age of the person at the time the crime or crimes were committed; and

29.19 ~~(4)~~ (iv) the length of time elapsed since the crime or crimes were committed; and

29.20 (5) all other competent evidence of rehabilitation and present fitness presented, including,  
 29.21 but not limited to, letters of reference by persons who have been in contact with the applicant  
 29.22 since the applicant's release from any local, state, or federal correctional institution.

29.23 (c) The certified copy of a person's United States Department of Defense form DD-214  
 29.24 showing the person's honorable discharge or separation under honorable conditions from  
 29.25 the United States armed forces ceases to qualify as competent evidence of sufficient  
 29.26 rehabilitation for purposes of this section upon the person's conviction for any gross  
 29.27 misdemeanor or felony committed by the person subsequent to the effective date of that  
 29.28 honorable discharge or separation from military service.

30.1 Sec. 24. Minnesota Statutes 2024, section 364.05, is amended to read:

30.2 **364.05 NOTIFICATION UPON DENIAL OF EMPLOYMENT OR**  
30.3 **DISQUALIFICATION FROM OCCUPATION.**

30.4 If a hiring or licensing authority denies an individual a position of public employment  
30.5 or disqualifies the individual from pursuing, practicing, or engaging in any occupation for  
30.6 which a license is required, solely or in part because of the individual's prior conviction of  
30.7 a crime, the hiring or licensing authority shall notify the individual in writing of the following:

30.8 (1) the grounds and reasons for the denial or disqualification;

30.9 (2) the applicable complaint and grievance procedure as set forth in section 364.06;

30.10 (3) the earliest date the person may reapply for a position of public employment or a  
30.11 license with a hiring or licensing authority; and

30.12 (4) that all competent evidence of rehabilitation presented upon reapplication will be  
30.13 considered ~~upon reapplication~~.

30.14 Sec. 25. Minnesota Statutes 2025 Supplement, section 388.23, subdivision 1, is amended  
30.15 to read:

30.16 Subdivision 1. **Authority.** (a) The county attorney, or any deputy or assistant county  
30.17 attorney whom the county attorney authorizes in writing, has the authority to subpoena and  
30.18 require the production of:

30.19 (1) any records of:

30.20 (i) telephone companies, cellular phone companies, paging companies, and subscribers  
30.21 of private computer networks including Internet service providers or computer bulletin  
30.22 board systems;

30.23 (ii) electric companies, gas companies, and water utilities;

30.24 (iii) chemical suppliers;

30.25 (iv) hotels and motels;

30.26 (v) pawn shops;

30.27 (vi) airlines, buses, taxis, and other entities engaged in the business of transporting  
30.28 people; and

31.1 (vii) freight companies, warehousing companies, self-service storage facilities, package  
31.2 delivery companies, and other entities engaged in the businesses of transport, storage, or  
31.3 delivery;

31.4 (2) books, papers, correspondence, memoranda, agreements, and other documents or  
31.5 records related to a law enforcement investigation of financial crimes and fraud, including  
31.6 but not limited to fraud involving state-funded or administered programs or services as  
31.7 defined in section 299C.061, subdivision 1, paragraph (b), and insurance fraud in violation  
31.8 of section 609.611;

31.9 ~~(2)~~ (3) records of the existence of safe deposit box account numbers and customer savings  
31.10 and checking account numbers maintained by financial institutions and safe deposit  
31.11 companies;

31.12 ~~(3)~~ (4) insurance records relating to the monetary payment or settlement of claims;

31.13 ~~(4)~~ (5) the banking, credit card, and financial records of a subject of an identity theft  
31.14 investigation or a vulnerable adult, whether held in the name of the vulnerable adult or a  
31.15 third party, including but not limited to safe deposit, loan and account applications and  
31.16 agreements, signature cards, statements, checks, transfers, account authorizations, safe  
31.17 deposit access records and documentation of fraud;

31.18 ~~(5)~~ (6) wage and employment records of an applicant or recipient of public assistance  
31.19 who is the subject of a welfare fraud investigation relating to eligibility information for  
31.20 public assistance programs; and

31.21 ~~(6)~~ (7) any of the following records of an employer or business entity who is the subject  
31.22 of or has information related to a wage theft investigation:

31.23 (i) accounting and financial records such as books, registers, payrolls, banking records,  
31.24 credit card records, securities records, and records of money transfers;

31.25 (ii) records required to be kept pursuant to section 177.30, paragraph (a); and

31.26 (iii) other records that in any way relate to wages or other income paid, hours worked,  
31.27 and other conditions of employment of any employee or of work performed by persons  
31.28 identified as independent contractors, and records of any payments to contractors, and  
31.29 records of workers' compensation insurance.

31.30 (b) Subpoenas may only be issued for records that are relevant to an ongoing legitimate  
31.31 law enforcement investigation. Administrative subpoenas may only be issued in wage theft,  
31.32 welfare fraud, and identity theft cases if there is probable cause to believe a crime has been  
31.33 committed.

32.1 (c) This subdivision applies only to the records of business entities and does not extend  
32.2 to private individuals or their dwellings.

32.3 (d) As used in this subdivision, "business entity" has the meaning given in section  
32.4 308B.005.

32.5 Sec. 26. Minnesota Statutes 2024, section 609.133, subdivision 4, is amended to read:

32.6 Subd. 4. **Petition; contents; fee.** (a) A prosecutor's petition for sentence adjustment  
32.7 shall be filed in the district court where the individual was convicted and include the  
32.8 following:

32.9 (1) the full name of the individual on whose behalf the petition is being brought and, to  
32.10 the extent possible, all other legal names or aliases by which the individual has been known  
32.11 at any time;

32.12 (2) the individual's date of birth;

32.13 (3) the individual's address;

32.14 (4) a brief statement of the reason the prosecutor is seeking a sentence adjustment for  
32.15 the individual;

32.16 (5) the details of the offense for which an adjustment is sought, including:

32.17 (i) the date and jurisdiction of the occurrence;

32.18 (ii) ~~either the names of any victims or that there were no~~ the number of identifiable  
32.19 victims;

32.20 (iii) whether there is a current order for protection, restraining order, or other no contact  
32.21 order prohibiting the individual from contacting the victims or whether there has ever been  
32.22 a prior order for protection or restraining order prohibiting the individual from contacting  
32.23 the victims;

32.24 (iv) the court file number; and

32.25 (v) the date of conviction;

32.26 (6) what steps the individual has taken since the time of the offense toward personal  
32.27 rehabilitation, including treatment, work, good conduct within correctional facilities, or  
32.28 other personal history that demonstrates rehabilitation;

32.29 (7) the individual's criminal conviction record indicating all convictions for  
32.30 misdemeanors, gross misdemeanors, or felonies in this state, and for all comparable

33.1 convictions in any other state, federal court, or foreign country, whether the convictions  
33.2 occurred before or after the conviction for which an adjustment is sought;

33.3 (8) the individual's criminal charges record indicating all prior and pending criminal  
33.4 charges against the individual in this state or another jurisdiction, including all criminal  
33.5 charges that have been continued for dismissal, stayed for adjudication, or were the subject  
33.6 of pretrial diversion; and

33.7 (9) to the extent known, all prior requests by the individual, whether for the present  
33.8 offense or for any other offenses in this state or any other state or federal court, for pardon,  
33.9 return of arrest records, or expungement or sealing of a criminal record, whether granted  
33.10 or not, and all stays of adjudication or imposition of sentence involving the petitioner.

33.11 (b) The filing fee for a petition brought under this section shall be waived.

33.12 (c) Notwithstanding chapter 13 or any other statute related to the classification of  
33.13 government data, a supervising agent or the commissioner of corrections may provide private  
33.14 or confidential data to a prosecutor for purposes of a petition for sentence adjustment.

33.15 Sec. 27. Minnesota Statutes 2024, section 609.19, subdivision 2, is amended to read:

33.16 Subd. 2. **Unintentional murders.** Whoever does either of the following is guilty of  
33.17 unintentional murder in the second degree and may be sentenced to imprisonment for not  
33.18 more than 40 years:

33.19 (1) causes the death of a human being, without intent to effect the death of any person,  
33.20 while committing or attempting to commit a felony offense other than criminal sexual  
33.21 conduct in the first or second degree with force or violence or a drive-by shooting; or

33.22 (2) causes the death of a human being without intent to effect the death of any person,  
33.23 while intentionally inflicting or attempting to inflict bodily harm upon the victim, when the  
33.24 perpetrator is restrained under an order for protection and the victim is a person designated  
33.25 to receive protection under the order. As used in this clause, "order for protection" includes  
33.26 an order for protection issued under chapter 518B; a harassment restraining order issued  
33.27 under section 609.748; a court order setting conditions of pretrial release or conditions of  
33.28 a criminal sentence or juvenile court disposition; a restraining order issued in a marriage  
33.29 dissolution action; and any order issued by a court of another state ~~or of~~ the United States,  
33.30 the District of Columbia, Tribal Lands, United States territories, Canada, or a Canadian  
33.31 province that is similar to any of these orders.

33.32 **EFFECTIVE DATE.** This section is effective August 1, 2026, and applies to crimes  
33.33 committed on or after that date.

34.1 Sec. 28. Minnesota Statutes 2025 Supplement, section 609.2334, subdivision 11, is amended  
34.2 to read:

34.3 Subd. 11. **Copy to law enforcement agency; lead investigative agency.** Within 24  
34.4 hours of issuance of an order or continuance of an order under this section, the court  
34.5 administrator must forward the order for protection and any continuance of the order for  
34.6 protection to the local law enforcement agency with jurisdiction over the residence of the  
34.7 vulnerable adult and the lead investigative agency that received the report pursuant to  
34.8 subdivision 6. The court administrator shall make available to law enforcement officers in  
34.9 Minnesota, through a system of verification, information as to the existence and status of  
34.10 an order for protection issued under this section. Section 518B.01, subdivision 13, ~~applies~~  
34.11 paragraphs (b) and (c), apply to orders granted under this section.

34.12 **EFFECTIVE DATE.** This section is effective January 1, 2027.

34.13 Sec. 29. Minnesota Statutes 2024, section 609.27, subdivision 2, is amended to read:

34.14 Subd. 2. **Sentence.** (a) Whoever violates subdivision 1 may be sentenced as follows:

34.15 (1) to imprisonment for not more than 90 days or to payment of a fine of not more than  
34.16 \$1,000, or both if neither the pecuniary gain received by the violator nor the loss suffered  
34.17 by the person threatened or another as a result of the threat exceeds \$300, or the benefits  
34.18 received or harm sustained are not susceptible of pecuniary measurement; or

34.19 (2) to imprisonment for not more than five years or to payment of a fine of not more  
34.20 than \$10,000, or both, if such pecuniary gain or loss is more than \$300 but less than \$2,500;  
34.21 or

34.22 (3) to imprisonment for not more than ten years or to payment of a fine of not more than  
34.23 \$20,000, or both, if such pecuniary gain or loss is \$2,500, or more.

34.24 (b) A person who violates subdivision 1, clause (6), may be sentenced to imprisonment  
34.25 for not more than ten years, or to payment of a fine of not more than \$20,000, or both, if  
34.26 the violation is a substantial factor in the victim suffering great bodily harm.

34.27 (c) A person who violates subdivision 1, clause (6), may be sentenced to imprisonment  
34.28 for not more than 15 years, or to payment of a fine of not more than \$30,000, or both, if the  
34.29 violation is a substantial factor in the victim suffering death.

34.30 **EFFECTIVE DATE.** This section is effective August 1, 2026, and applies to crimes  
34.31 committed on or after that date.

35.1 Sec. 30. Minnesota Statutes 2024, section 609.3471, is amended to read:

35.2 **609.3471 RECORDS PERTAINING TO VICTIM IDENTITY CONFIDENTIAL.**

35.3 Notwithstanding any provision of law to the contrary, no data contained in records or  
35.4 reports relating to petitions, complaints, or indictments issued pursuant to section 609.322,  
35.5 609.342, 609.343, 609.344, 609.345, 609.3453, ~~609.3458~~, or 617.246, which specifically  
35.6 identifies a victim who is a minor shall be accessible to the public, except by order of the  
35.7 court. Nothing in this section authorizes denial of access to any other data contained in the  
35.8 records or reports, including the identity of the defendant.

35.9 Sec. 31. Minnesota Statutes 2024, section 609.527, subdivision 1, is amended to read:

35.10 Subdivision 1. **Definitions.** (a) As used in this section, the following terms have the  
35.11 meanings given them in this subdivision.

35.12 (b) "Direct victim" means any person or entity described in section 611A.01, paragraph  
35.13 (b), whose identity has been transferred, used, or possessed in violation of this section.

35.14 (c) "False pretense" means any false, fictitious, misleading, or fraudulent information  
35.15 or pretense or pretext depicting or including or deceptively similar to the name, logo, website  
35.16 address, email address, postal address, telephone number, or any other identifying information  
35.17 of a for-profit or not-for-profit business or organization or of a government agency, to which  
35.18 the user has no legitimate claim of right.

35.19 (d) "Financial institution" has the meaning given in section 13A.01, subdivision 2.

35.20 (e) "Forged digital likeness" means any video recording, motion-picture film, sound  
35.21 recording, electronic image, or photograph, or any technological representation of speech  
35.22 or conduct substantially derivative thereof that:

35.23 (1) was created, adapted, altered, or modified in a manner that was substantially dependent  
35.24 upon technical means;

35.25 (2) misrepresents the appearance, speech, or conduct of the individual; and

35.26 (3) is so realistic that a reasonable person would believe it depicts the image or speech  
35.27 of an actual individual.

35.28 ~~(e)~~ (f) "Identity" means any name, voice or likeness, number, or data transmission that  
35.29 may be used, alone or in conjunction with any other information, to identify a specific  
35.30 individual or entity, including any of the following:

36.1 (1) a name, Social Security number, date of birth, official government-issued driver's  
36.2 license or identification number, government passport number, or employer or taxpayer  
36.3 identification number;

36.4 (2) a forged digital likeness;

36.5 ~~(2)~~ (3) a unique electronic identification number, address, account number, or routing  
36.6 code; or

36.7 ~~(3)~~ (4) a telecommunication identification information or access device.

36.8 ~~(f)~~ (g) "Indirect victim" means any person or entity described in section 611A.01,  
36.9 paragraph (b), other than a direct victim.

36.10 ~~(g)~~ (h) "Loss" means value obtained, as defined in section 609.52, subdivision 1, clause  
36.11 (3), and expenses incurred by a direct or indirect victim as a result of a violation of this  
36.12 section.

36.13 ~~(h)~~ (i) "Unlawful activity" means:

36.14 (1) any felony violation of the laws of this state or any felony violation of a similar law  
36.15 of another state or the United States; and

36.16 (2) any nonfelony violation of the laws of this state involving theft, theft by swindle,  
36.17 forgery, fraud, or giving false information to a public official, or any nonfelony violation  
36.18 of a similar law of another state or the United States.

36.19 ~~(i)~~ (j) "Scanning device" means a scanner, reader, or any other electronic device that is  
36.20 used to access, read, scan, obtain, memorize, or store, temporarily or permanently,  
36.21 information encoded on a computer chip or magnetic strip or stripe of a payment card,  
36.22 driver's license, or state-issued identification card.

36.23 ~~(j)~~ (k) "Reencoder" means an electronic device that places encoded information from  
36.24 the computer chip or magnetic strip or stripe of a payment card, driver's license, or  
36.25 state-issued identification card, onto the computer chip or magnetic strip or stripe of a  
36.26 different payment card, driver's license, or state-issued identification card, or any electronic  
36.27 medium that allows an authorized transaction to occur.

36.28 ~~(k)~~ (l) "Payment card" means a credit card, charge card, debit card, or any other card  
36.29 that:

36.30 (1) is issued to an authorized card user; and

36.31 (2) allows the user to obtain, purchase, or receive credit, money, a good, a service, or  
36.32 anything of value.

37.1 Sec. 32. Minnesota Statutes 2024, section 609A.015, subdivision 5, is amended to read:

37.2 Subd. 5. **Bureau of Criminal Apprehension to identify eligible persons and grant**  
37.3 **expungement relief.** (a) The Bureau of Criminal Apprehension shall identify any records  
37.4 that qualify for a grant of expungement relief pursuant to this subdivision or subdivision 1,  
37.5 2, or 3. The Bureau of Criminal Apprehension shall make an initial determination of  
37.6 eligibility within 30 days of the end of the applicable waiting period. If a record is not  
37.7 eligible for a grant of expungement at the time of the initial determination, the Bureau of  
37.8 Criminal Apprehension shall make subsequent eligibility determinations annually until the  
37.9 record is eligible for a grant of expungement.

37.10 (b) In making the determination under paragraph (a), the Bureau of Criminal  
37.11 Apprehension shall identify individuals who are the subject of relevant records through the  
37.12 use of fingerprints and thumbprints where fingerprints and thumbprints are available. Where  
37.13 fingerprints and thumbprints are not available, the Bureau of Criminal Apprehension shall  
37.14 identify individuals through the use of the person's name and date of birth. Records containing  
37.15 the same name and date of birth shall be presumed to refer to the same individual unless  
37.16 other evidence establishes, by a preponderance of the evidence, that they do not refer to the  
37.17 same individual. The Bureau of Criminal Apprehension is not required to review any other  
37.18 evidence in making a determination.

37.19 (c) The Bureau of Criminal Apprehension shall grant expungement relief to qualifying  
37.20 persons and seal its own records without requiring an application, petition, or motion.  
37.21 Records shall be sealed 60 days after notice is sent to the judicial branch pursuant to  
37.22 paragraph (e) unless an order of the judicial branch prohibits sealing the records or additional  
37.23 information establishes that the records are not eligible for expungement.

37.24 (d) Nonpublic criminal records maintained by the Bureau of Criminal Apprehension  
37.25 and subject to a grant of expungement relief shall display a notation stating "expungement  
37.26 relief granted pursuant to section 609A.015."

37.27 (e) The Bureau of Criminal Apprehension shall inform the judicial branch of all cases  
37.28 for which expungement relief was granted pursuant to this section. Notification may be  
37.29 through electronic means and may be made in real time or in the form of a monthly report.  
37.30 Upon receipt of notice, the judicial branch shall seal all records relating to an arrest,  
37.31 indictment or information, trial, verdict, or dismissal and discharge for any case in which  
37.32 expungement relief was granted and shall issue any order deemed necessary to achieve this  
37.33 purpose.

38.1 (f) If the Bureau of Criminal Apprehension subsequently determines that a sealed record  
38.2 did not qualify for expungement relief under this section, the Bureau of Criminal  
38.3 Apprehension shall unseal the record and notify the judicial branch. Upon notification, the  
38.4 judicial branch shall unseal all records relating to an arrest, indictment or information, trial,  
38.5 verdict, or dismissal and discharge. The Bureau of Criminal Apprehension shall make this  
38.6 determination based only on a record stored in its criminal history system.

38.7 ~~(f)~~ (g) The Bureau of Criminal Apprehension shall inform each law enforcement agency  
38.8 that its records may be affected by a grant of expungement relief. Notification may be  
38.9 through electronic means. Each notified law enforcement agency that receives a request to  
38.10 produce records shall first determine if the records were subject to a grant of expungement  
38.11 under this section. The law enforcement agency must not disclose records relating to an  
38.12 arrest, indictment or information, trial, verdict, or dismissal and discharge for any case in  
38.13 which expungement relief was granted and must maintain the data consistent with the  
38.14 classification in paragraph ~~(g)~~ (h). This paragraph does not apply to requests from a criminal  
38.15 justice agency as defined in section 609A.03, subdivision 7a, paragraph (f).

38.16 ~~(g)~~ (h) Data on the person whose offense has been expunged under this subdivision,  
38.17 including any notice sent pursuant to paragraph ~~(f)~~ (g), are private data on individuals as  
38.18 defined in section 13.02, subdivision 12.

38.19 ~~(h)~~ (i) The prosecuting attorney shall notify the victim that an offense qualifies for  
38.20 automatic expungement under this section in the manner provided in section 611A.03,  
38.21 subdivisions 1 and 2.

38.22 ~~(i)~~ (j) In any subsequent prosecution of a person granted expungement relief, the expunged  
38.23 criminal record may be pleaded and has the same effect as if the relief had not been granted.

38.24 ~~(j)~~ (k) The Bureau of Criminal Apprehension is directed to develop, modify, or update  
38.25 a system to provide criminal justice agencies with uniform statewide access to criminal  
38.26 records sealed by expungement.

38.27 Sec. 33. Minnesota Statutes 2024, section 611A.03, subdivision 1, is amended to read:

38.28 Subdivision 1. **Plea agreements; notification of victim.** Prior to the entry of the factual  
38.29 basis for a plea pursuant to a plea agreement recommendation, a prosecuting attorney shall  
38.30 make a reasonable and good faith effort to inform the victim of:

38.31 (1) the contents of the plea agreement recommendation, including the amount of time  
38.32 recommended for the defendant to serve in jail or prison if the court accepts the agreement;

39.1 (2) the right to be present at the sentencing hearing ~~and~~, to be present at the hearing  
39.2 during which the plea is presented to the court, and to express at the plea hearing orally or  
39.3 in writing, at the victim's option, any objection to the agreement or to the proposed  
39.4 disposition. If the victim is not present when the court considers the recommendation, but  
39.5 has communicated objections to the prosecuting attorney, the prosecuting attorney shall  
39.6 make these objections known to the court; and

39.7 (3) the eligibility ~~of the offense~~ for automatic expungement pursuant to section 609A.015  
39.8 of any offense pleaded to or dismissed as part of the plea agreement.

39.9 Sec. 34. Minnesota Statutes 2024, section 611A.03, is amended by adding a subdivision  
39.10 to read:

39.11 Subd. 4. **Plea hearing.** At the hearing during which the plea is presented to the court,  
39.12 the court shall ask the prosecutor if the victim has been notified of the plea agreement  
39.13 recommendation pursuant to this section; has been notified of the plea hearing; and if the  
39.14 victim wishes to express their objections to the plea agreement orally, in writing, or through  
39.15 the prosecutor.

39.16 Sec. 35. Minnesota Statutes 2024, section 611A.036, subdivision 7, is amended to read:

39.17 Subd. 7. **Definition.** As used in this section, "violent crime" means a violation or attempt  
39.18 to violate any of the following: section 609.185 (murder in the first degree); 609.19 (murder  
39.19 in the second degree); 609.195 (murder in the third degree); 609.20 (manslaughter in the  
39.20 first degree); 609.205 (manslaughter in the second degree); 609.2112, 609.2113, or 609.2114  
39.21 (criminal vehicular homicide or injury); 609.221 (assault in the first degree); 609.222 (assault  
39.22 in the second degree); 609.223 (assault in the third degree); 609.2231 (assault in the fourth  
39.23 degree); 609.2241 (knowing transfer of communicable disease); 609.2242 (domestic assault);  
39.24 609.2245 (female genital mutilation); 609.2247 (domestic assault by strangulation); 609.228  
39.25 (great bodily harm caused by distribution of drugs); 609.23 (mistreatment of persons  
39.26 confined); 609.231 (mistreatment of residents or patients); 609.2325 (criminal abuse);  
39.27 609.233 (criminal neglect); 609.235 (use of drugs to injure or facilitate crime); 609.24  
39.28 (simple robbery); 609.245 (aggravated robbery); 609.247 (carjacking); 609.25 (kidnapping);  
39.29 609.255 (false imprisonment); 609.265 (abduction); 609.2661 (murder of an unborn child  
39.30 in the first degree); 609.2662 (murder of an unborn child in the second degree); 609.2663  
39.31 (murder of an unborn child in the third degree); 609.2664 (manslaughter of an unborn child  
39.32 in the first degree); 609.2665 (manslaughter of an unborn child in the second degree);  
39.33 609.267 (assault of an unborn child in the first degree); 609.2671 (assault of an unborn child

40.1 in the second degree); 609.2672 (assault of an unborn child in the third degree); 609.268  
40.2 (injury or death of an unborn child in commission of a crime); 609.282 (labor trafficking);  
40.3 609.322 (solicitation, inducement, and promotion of prostitution; sex trafficking); 609.342  
40.4 (criminal sexual conduct in the first degree); 609.343 (criminal sexual conduct in the second  
40.5 degree); 609.344 (criminal sexual conduct in the third degree); 609.345 (criminal sexual  
40.6 conduct in the fourth degree); 609.3451 (criminal sexual conduct in the fifth degree);  
40.7 609.3453 (criminal sexual predatory conduct); 609.3458 (sexual extortion); 609.352  
40.8 (solicitation of children to engage in sexual conduct); 609.377 (malicious punishment of a  
40.9 child); 609.378 (neglect or endangerment of a child); 609.561, subdivision 1 (arson in the  
40.10 first degree; dwelling); 609.582, subdivision 1, paragraph (a) or (c) (burglary in the first  
40.11 degree; occupied dwelling or involving an assault); 609.66, subdivision 1e, paragraph (b)  
40.12 (drive-by shooting; firing at or toward a person, or an occupied building or motor vehicle);  
40.13 ~~or~~ 609.749, subdivision 2 (harassment); or 609.749, subdivision 5 (stalking); or Minnesota  
40.14 Statutes 2012, section 609.21.

40.15 Sec. 36. Minnesota Statutes 2024, section 611A.038, is amended to read:

40.16 **611A.038 RIGHT TO SUBMIT STATEMENT AT SENTENCING.**

40.17 (a) A victim has the right to submit an impact statement to the court at the time of  
40.18 sentencing or disposition hearing. The impact statement may be presented to the court orally  
40.19 or in writing, at the victim's option. If the victim requests, the prosecutor or the prosecutor's  
40.20 designee must orally present the statement to the court. Statements may include the following,  
40.21 subject to reasonable limitations as to time and length:

40.22 (1) a summary of the harm or trauma suffered by the victim as a result of the crime;

40.23 (2) a summary of the economic loss or damage suffered by the victim as a result of the  
40.24 crime; and

40.25 (3) a victim's reaction to the proposed sentence or disposition.

40.26 (b) At the sentencing or disposition hearing, the court shall ask the prosecutor if the  
40.27 victim has been notified of the hearing, if the victim is in court, and if the victim wishes to  
40.28 submit a victim impact statement orally, in writing, or through the prosecutor or the  
40.29 prosecutor's designee.

40.30 ~~(b)~~ (c) A representative of the community affected by the crime may submit an impact  
40.31 statement in the same manner that a victim may as provided in paragraph (a). This impact  
40.32 statement shall describe the adverse social or economic effects the offense has had on persons  
40.33 residing and businesses operating in the community where the offense occurred.

41.1 (e) (d) If the court permits the defendant or anyone speaking on the defendant's behalf  
41.2 to present a statement to the court, the court shall limit the response to factual issues which  
41.3 are relevant to sentencing.

41.4 (d) (e) Nothing in this section shall be construed to extend the defendant's right to address  
41.5 the court under section 631.20.

41.6 Sec. 37. Minnesota Statutes 2024, section 611A.039, subdivision 1, is amended to read:

41.7 Subdivision 1. **Notice required.** (a) Except as otherwise provided in subdivision 2,  
41.8 within 15 working days after a conviction, acquittal, or dismissal in a criminal case in which  
41.9 there is an identifiable crime victim, the prosecutor shall make reasonable good faith efforts  
41.10 to provide to each affected crime victim oral or written notice of the final disposition of the  
41.11 case ~~and~~<sub>2</sub>, of the victim rights under section 611A.06, and of the eligibility of the offense  
41.12 for automatic expungement under section 609A.015 of any offense that was dismissed or  
41.13 for which the defendant was convicted or acquitted. When the court is considering modifying  
41.14 the sentence for a felony or a crime of violence or an attempted crime of violence, the  
41.15 prosecutor shall make a reasonable and good faith effort to notify the victim of the crime.  
41.16 The notice must include:

41.17 (1) the date and approximate time of the review;

41.18 (2) the location where the review will occur;

41.19 (3) the name and telephone number of a person to contact for additional information;

41.20 and

41.21 (4) a statement that the victim may provide input to the court concerning the sentence  
41.22 modification.

41.23 (b) The Office of Justice Programs in the Department of Public Safety shall develop and  
41.24 update a model notice of postconviction rights under this subdivision and section 611A.06.

41.25 (c) As used in this section:

41.26 (1) "crime of violence" has the meaning given in section 624.712, subdivision 5, and  
41.27 also includes violations of section 609.3458, gross misdemeanor violations of section  
41.28 609.224, and nonfelony violations of sections 518B.01, 609.2231, 609.3451, 609.748, and  
41.29 609.749; and

41.30 (2) "victim" has the meaning given in section 611A.01, paragraph (b).

42.1 Sec. 38. [626.745] USE OF CHEMICAL IRRITANTS; DISCLOSURE REQUIRED.

42.2 Subdivision 1. Definition. For purposes of this section, "building" has the meaning given  
42.3 in section 609.581, subdivision 2.

42.4 Subd. 2. Notice of use; identification of products deployed. (a) Notwithstanding any  
42.5 data classification under chapter 13, a peace officer, law enforcement agency, and local unit  
42.6 of government must provide information about the use of any chemical irritant, smoke  
42.7 screen, or diversionary device deployed within a building as required under this section.

42.8 (b) A peace officer from a law enforcement agency that deploys a chemical irritant  
42.9 within a building, or an officer from the lead law enforcement agency if officers from  
42.10 multiple agencies deploy chemical irritants, must provide notice of the deployment to the  
42.11 owner of the building and, if the building is a private residence, the occupant of the residence.  
42.12 If the building contains two or more dwelling units, the peace officer must notify the occupant  
42.13 of any unit in which a chemical irritant was deployed. A peace officer may notify the  
42.14 occupant of any other unit. A peace officer may provide notice by giving a building owner  
42.15 or occupant the standard form created by the commissioner of public safety, leaving the  
42.16 form in a place where it is likely to be seen by a building owner or occupant, or providing  
42.17 the information contained in the form orally or in another format.

42.18 (c) Upon request, the law enforcement agency or local government unit that employs a  
42.19 peace officer who deployed a chemical irritant, smoke screen, or diversionary device within  
42.20 a building must disclose information about the products deployed to:

42.21 (1) the building owner;

42.22 (2) any tenant in the building;

42.23 (3) any applicable insurer; and

42.24 (4) any person retained to provide cleaning or other remediation services related to the  
42.25 deployment of chemical irritants, smoke screens, or diversionary devices.

42.26 (d) Information about any products deployed within a building must include the name,  
42.27 product number, and total number of all chemical irritants, smoke screens, and diversionary  
42.28 devices deployed by a peace officer employed by the law enforcement agency or local  
42.29 government unit.

42.30 (e) If officers from multiple law enforcement agencies deployed chemical irritants,  
42.31 smoke screens, or diversionary devices, the lead law enforcement agency must identify the  
42.32 other law enforcement agencies involved when responding to a request described in paragraph  
42.33 (c).

43.1 Subd. 3. Standard form. (a) The commissioner of public safety must create a standard  
43.2 notification form for use by peace officers and law enforcement agencies. At a minimum,  
43.3 the form must state that:

43.4 (1) a chemical irritant was deployed within the building;

43.5 (2) specialized cleanup or treatment of the building may be appropriate; and

43.6 (3) the building owner or occupant may contact the law enforcement agency or local  
43.7 government unit that employs the peace officer for more information about what substance  
43.8 was deployed in the building.

43.9 (b) The commissioner must provide the standard form to law enforcement agencies and  
43.10 local government units upon request and at no cost.

43.11 Sec. 39. Minnesota Statutes 2025 Supplement, section 628.26, is amended to read:

43.12 **628.26 LIMITATIONS.**

43.13 (a) Indictments or complaints for any crime resulting in the death of the victim may be  
43.14 found or made at any time after the death of the person killed.

43.15 (b) Indictments or complaints for a violation of section 609.25 may be found or made  
43.16 at any time after the commission of the offense.

43.17 (c) Indictments or complaints for violation of section 609.282 may be found or made at  
43.18 any time after the commission of the offense if the victim was under the age of 18 at the  
43.19 time of the offense.

43.20 (d) Indictments or complaints for violation of section 609.282 where the victim was 18  
43.21 years of age or older at the time of the offense, or 609.42, subdivision 1, clause (1) or (2),  
43.22 shall be found or made and filed in the proper court within six years after the commission  
43.23 of the offense.

43.24 (e) Indictments or complaints for violation of sections 609.322, 609.342 to 609.345, and  
43.25 609.3458 may be found or made at any time after the commission of the offense.

43.26 (f) Indictments or complaints for a violation of section 609.561 shall be found or made  
43.27 and filed in the proper court within ten years after the commission of the offense.

43.28 (g) Indictments or complaints for violation of chapter 80A, or a rule adopted or order  
43.29 issued under that chapter, made as provided in section 80A.75 or for violation of section  
43.30 508.80; 609.465; 609.52, subdivision 2, paragraph (a), clause (4); 609.53; or 609.645 shall

44.1 be found or made and filed in the proper court within seven years after the commission of  
44.2 the offense.

44.3 ~~(g)~~ (h) Indictments or complaints for violation of sections 609.466 and 609.52, subdivision  
44.4 2, paragraph (a), clause (3), item (iii), shall be found or made and filed in the proper court  
44.5 within six years after the commission of the offense.

44.6 ~~(h)~~ (i) Indictments or complaints for violation of section 609.2335, 609.52, subdivision  
44.7 2, paragraph (a), clause (3), items (i) and (ii), (4), (15), or (16), 609.631, or 609.821, where  
44.8 the value of the property or services stolen is more than \$35,000, or for violation of section  
44.9 609.527 where the offense involves eight or more direct victims or the total combined loss  
44.10 to the direct and indirect victims is more than \$35,000, shall be found or made and filed in  
44.11 the proper court within five years after the commission of the offense.

44.12 ~~(i)~~ (j) Except for violations relating to false material statements, representations or  
44.13 omissions, indictments or complaints for violations of section 609.671 shall be found or  
44.14 made and filed in the proper court within five years after the commission of the offense.

44.15 ~~(j)~~ (k) Indictments or complaints for violation of sections 609.562 and 609.563, shall be  
44.16 found or made and filed in the proper court within five years after the commission of the  
44.17 offense.

44.18 ~~(k)~~ (l) Indictments or complaints for violation of section 609.746 shall be found or made  
44.19 and filed in the proper court within the later of three years after the commission of the  
44.20 offense or three years after the offense was reported to law enforcement authorities.

44.21 ~~(l)~~ (m) In all other cases, indictments or complaints shall be found or made and filed in  
44.22 the proper court within three years after the commission of the offense.

44.23 ~~(m)~~ (n) The limitations periods contained in this section shall exclude any period of time  
44.24 during which the defendant was not an inhabitant of or usually resident within this state.

44.25 ~~(n)~~ (o) The limitations periods contained in this section for an offense shall not include  
44.26 any period during which the alleged offender participated under a written agreement in a  
44.27 pretrial diversion program relating to that offense.

44.28 ~~(o)~~ (p) The limitations periods contained in this section shall not include any period of  
44.29 time during which physical evidence relating to the offense was undergoing DNA analysis,  
44.30 as defined in section 299C.155, unless the defendant demonstrates that the prosecuting or  
44.31 law enforcement agency purposefully delayed the DNA analysis process in order to gain  
44.32 an unfair advantage.

45.1 **EFFECTIVE DATE.** This section is effective August 1, 2026, and applies to crimes  
 45.2 committed on or after that date and to crimes committed before that date if the limitations  
 45.3 period for the crime did not expire before August 1, 2026.

45.4 Sec. 40. **RULEMAKING; DEPARTMENT OF CORRECTIONS; LICENSED**  
 45.5 **JUVENILE FACILITIES.**

45.6 Subdivision 1. **Administrative and medical separation.** (a) The notification  
 45.7 requirements in this subdivision apply to juvenile facilities licensed by the commissioner  
 45.8 of corrections under Minnesota Statutes, sections 241.011 to 241.013.

45.9 (b) A facility's chief administrator must notify the commissioner according to Minnesota  
 45.10 Rules, part 2960.0270, subpart 12, if a resident is expected to be, or has been, in  
 45.11 administrative or medical separation for more than seven days.

45.12 (c) The notification under paragraph (b) must be within ten days of the resident's  
 45.13 placement, or expected placement, in administrative separation or medical separation for  
 45.14 more than seven days.

45.15 (d) This subdivision expires when the rules adopted under subdivision 2 are effective.

45.16 Subd. 2. **Rulemaking.** (a) The commissioner of corrections must amend Minnesota  
 45.17 Rules, parts 2960.0740, subpart 3, and 2960.0750, subpart 3, to require notification according  
 45.18 to subdivision 1, paragraphs (b) and (c).

45.19 (b) The commissioner may use the good cause exemption under Minnesota Statutes,  
 45.20 section 14.388, subdivision 1, clause (3), to adopt rules under this subdivision.

45.21 (c) Notwithstanding Minnesota Laws 1995, chapter 226, article 3, sections 50, 51, and  
 45.22 60, or any other law to the contrary, the joint rulemaking authority with the commissioners  
 45.23 of the Department of Human Services and other state agencies does not apply to rules  
 45.24 adopted under this subdivision.

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

45.26 Sec. 41. **REVISOR INSTRUCTION.**

45.27 (a) The revisor of statutes must renumber each section of Minnesota Statutes listed in  
 45.28 column A with the number listed in column B.

<u>Column A</u>	<u>Column B</u>
45.29 <u>241.021, subdivision 4</u>	<u>241.74, subdivision 1</u>
45.30 <u>241.021, subdivision 4a</u>	<u>241.39</u>

46.1	<u>241.021, subdivision 4b</u>	<u>241.74, subdivision 2, paragraph (a)</u>
46.2	<u>241.021, subdivision 4c</u>	<u>241.74, subdivision 2, paragraph (b)</u>
46.3	<u>241.021, subdivision 4d</u>	<u>241.74, subdivision 3</u>
46.4	<u>241.021, subdivision 4e</u>	<u>241.254</u>

46.5 (b) As a result of amendments to Minnesota Statutes, sections 241.011 to 241.021, the  
 46.6 revisor of statutes must work with the Department of Corrections to correct cross-references  
 46.7 in Minnesota Statutes and Minnesota Rules and make other necessary grammatical and  
 46.8 technical changes.

46.9 **Sec. 42. REPEALER.**

46.10 (a) Minnesota Statutes 2024, section 241.021, subdivisions 1g, 1h, 2a, 2b, 3, and 6, are  
 46.11 repealed.

46.12 (b) Minnesota Statutes 2025 Supplement, section 241.021, subdivision 2, is repealed.

46.13 (c) Minnesota Statutes 2024, section 299C.12, is repealed."

46.14 Amend the title accordingly