

1.1 moves to amend H.F. No. 100, the sixth engrossment, as follows:

1.2 Page 13, line 1, after "to" insert "rules adopted pursuant to"

1.3 Page 15, line 29, after the period, insert "State employees shall not be displaced by the
1.4 transfer of duties from the Department of Health medical cannabis program to the Office
1.5 of Cannabis Management under this subdivision."

1.6 Page 16, line 22, after "(b)" insert "Upon request by the office,"

1.7 Page 16, line 31, after "under" insert "rules adopted pursuant to"

1.8 Page 18, line 28, delete "and"

1.9 Page 19, line 11, delete the period and insert "; and"

1.10 Page 19, after line 11, insert:

1.11 "(32) a representative from the Local Public Health Association of Minnesota appointed
1.12 by the association."

1.13 Page 28, delete subdivision 6 and insert:

1.14 "Subd. 6. **Violations; penalties.** (a) In addition to penalties listed in this subdivision, a
1.15 person who violates the provisions of this chapter is subject to any applicable criminal
1.16 penalty.

1.17 (b) The office may assess the following civil penalties on a person who sells cannabis
1.18 flower or cannabinoid products without a license issued under this chapter that authorizes
1.19 the sale:

1.20 (1) if the person sells up to two ounces of cannabis flower, up to \$3,000 or three times
1.21 the retail market value of the cannabis flower, whichever is greater;

2.1 (2) if the person sells more than two ounces but not more than eight ounces of cannabis
2.2 flower, up to \$10,000 or three times the retail market value of the cannabis flower, whichever
2.3 is greater;

2.4 (3) if the person sells more than eight ounces but not more than one pound of cannabis
2.5 flower, up to \$25,000 or three times the retail market value of the cannabis flower, whichever
2.6 is greater;

2.7 (4) if the person sells more than one pound but not more than five pounds of cannabis
2.8 flower, up to \$50,000 or three times the retail market value of the cannabis flower, whichever
2.9 is greater;

2.10 (5) if the person sells more than five pounds but not more than 25 pounds of cannabis
2.11 flower, up to \$100,000 or three times the retail market value of the cannabis flower,
2.12 whichever is greater;

2.13 (6) if the person sells more than 25 pounds but not more than 50 pounds of cannabis
2.14 flower, up to \$250,000 or three times the retail market value of the cannabis flower,
2.15 whichever is greater; and

2.16 (7) if the person sells more than 50 pounds of cannabis flower, up to \$1,000,000 or three
2.17 times the retail market value of the cannabis flower, whichever is greater.

2.18 (c) The office may assess the following civil penalties on a person who sells cannabis
2.19 concentrate without a license issued under this chapter that authorizes the sale:

2.20 (1) if the person sells up to eight grams of cannabis concentrate, up to \$3,000 or three
2.21 times the retail market value of the cannabis concentrate, whichever is greater;

2.22 (2) if the person sells more than eight grams but not more than 40 grams of cannabis
2.23 concentrate, up to \$10,000 or three times the retail market value of the cannabis concentrate,
2.24 whichever is greater;

2.25 (3) if the person sells more than 40 grams but not more than 80 grams of cannabis
2.26 concentrate, up to \$25,000 or three times the retail market value of the cannabis concentrate,
2.27 whichever is greater;

2.28 (4) if the person sells more than 80 grams but not more than 400 grams of cannabis
2.29 concentrate, up to \$50,000 or three times the retail market value of the cannabis concentrate,
2.30 whichever is greater;

3.1 (5) if the person sells more than 400 grams but not more than two kilograms of cannabis
3.2 concentrate, up to \$100,000 or three times the retail market value of the cannabis concentrate,
3.3 whichever is greater;

3.4 (6) if the person sells more than two kilograms but not more than four kilograms of
3.5 cannabis concentrate, up to \$250,000 or three times the retail market value of the cannabis
3.6 concentrate, whichever is greater; and

3.7 (7) if the person sells more than four kilograms of cannabis concentrate, up to \$1,000,000
3.8 or three times the retail market value of the cannabis concentrate, whichever is greater.

3.9 (d) The office may assess the following civil penalties on a person who imports or sells
3.10 products infused with tetrahydrocannabinol without a license issued under this chapter that
3.11 authorizes the importation or sale:

3.12 (1) if the person imports or sells products infused with up to 800 milligrams of
3.13 tetrahydrocannabinol, up to \$3,000 or three times the retail market value of the infused
3.14 product, whichever is greater;

3.15 (2) if the person imports or sells products infused with a total of more than 800 milligrams
3.16 but not more than four grams of tetrahydrocannabinol, up to \$10,000 or three times the
3.17 retail market value of the infused product, whichever is greater;

3.18 (3) if the person imports or sells products infused with a total of more than four grams
3.19 but not more than eight grams of tetrahydrocannabinol, up to \$25,000 or three times the
3.20 retail market value of the infused product, whichever is greater;

3.21 (4) if the person imports or sells products infused with a total of more than eight grams
3.22 but not more than 40 grams of tetrahydrocannabinol, up to \$50,000 or three times the retail
3.23 market value of the infused product, whichever is greater;

3.24 (5) if the person imports or sells products infused with a total of more than 40 grams
3.25 but not more than 200 grams of tetrahydrocannabinol, up to \$100,000 or three times the
3.26 retail market value of the infused product, whichever is greater;

3.27 (6) if the person imports or sells products infused with a total of more than 200 grams
3.28 but not more than 400 grams of tetrahydrocannabinol, up to \$250,000 or three times the
3.29 retail market value of the infused product, whichever is greater; and

3.30 (7) if the person imports or sells products infused with a total of more than 400 grams
3.31 of tetrahydrocannabinol, up to \$1,000,000 or three times the retail market value of the
3.32 infused product, whichever is greater.

4.1 (e) The office may assess a civil penalty of up to \$500 for each plant grown in excess
4.2 of the limit on a person who grows more than eight cannabis plants or more than four mature,
4.3 flowering plants, without a license to cultivate cannabis issued under this chapter."

4.4 Page 35, line 1, after "application" insert "and the results of any required criminal history
4.5 check"

4.6 Page 35, line 4, before "A" insert "Upon request by the office,"

4.7 Page 35, line 14, after "under" insert "rules adopted pursuant to"

4.8 Page 41, delete subdivision 6

4.9 Page 42, before line 4, insert:

4.10 "Sec. **[342.185] DATA PRACTICES.**

4.11 Subdivision 1. **Not public data.** The following data collected, created, or maintained
4.12 by the office are classified as nonpublic data, as defined by section 13.02, subdivision 9, or
4.13 as private data on individuals, as defined by section 13.02, subdivision 12:

4.14 (1) application data submitted by an applicant for a cannabis business license, other than
4.15 the data listed in subdivision 2;

4.16 (2) the identity of a complainant who has made a report concerning a license holder or
4.17 applicant that appears in inactive complaint data unless the complainant consents to the
4.18 disclosure;

4.19 (3) the nature or content of unsubstantiated complaints when the information is not
4.20 maintained in anticipation of legal action;

4.21 (4) the record of any disciplinary proceeding except as limited by subdivision 9;

4.22 (5) data identifying retail or wholesale customers of a cannabis business; and

4.23 (6) data identifying cannabis workers.

4.24 Subd. 2. **Public data on license applicants.** (a) The following application data submitted
4.25 by an applicant for a cannabis business license are public data:

4.26 (1) the applicant's name and designated address;

4.27 (2) data disclosing the ownership and control of the applicant;

4.28 (3) proof of trade name registration;

4.29 (4) data showing the legal possession of the premises where the business will operate;

5.1 (5) data describing whether volatile chemicals will be used in any methods of extraction
5.2 or concentration;

5.3 (6) environmental plans;

5.4 (7) the type and number of other cannabis business licenses held by the applicant; and

5.5 (8) the name, address, location, dates, and hours of where any proposed cannabis event
5.6 will take place.

5.7 (b) Scoring and other data generated by the office in its review of an applicant for a
5.8 cannabis business license are public data.

5.9 **Subd. 3. Public application data on license holders.** Once an applicant for a cannabis
5.10 business license becomes a license holder, all of the application data that the license holder
5.11 had previously submitted to the office are public data except that the following data remain
5.12 classified as nonpublic data or private data on individuals:

5.13 (1) data identifying retail or wholesale customers of a cannabis business;

5.14 (2) data identifying cannabis workers;

5.15 (3) tax returns, bank account statements, and other financial account information;

5.16 (4) business plans; and

5.17 (5) security information and trade secret information, as defined by section 13.37.

5.18 **Subd. 4. Public disciplinary data.** Minutes, orders for hearings, findings of fact,
5.19 conclusions of law, and specification of the final disciplinary action contained in the record
5.20 of the disciplinary action are classified as public data. If there is a public hearing concerning
5.21 the disciplinary action, the entire record concerning the disciplinary action is public data.
5.22 If the license holder and the office agree to resolve a complaint without a hearing, the
5.23 agreement and the specific reasons for the agreement are public data.

5.24 **Subd. 5. Data practices administration.** (a) The office must establish written procedures
5.25 to ensure that only individuals authorized by law may enter, update, or access data maintained
5.26 by the office and classified as nonpublic or private data on individuals. An authorized
5.27 individual's ability to enter, update, or access not public data must correspond to the official
5.28 duties or training level of the individual and to the statutory authorization granting access
5.29 for that purpose. All queries and responses, and all actions in which not public data are
5.30 entered, updated, accessed, shared, or disseminated, must be recorded in a data audit trail.
5.31 Data contained in the audit trail have the same classification as the underlying data tracked
5.32 by the audit trail.

6.1 (b) The office must not share data classified as nonpublic or private data on individuals
6.2 under this section or other data identifying an individual applicant or license holder with
6.3 any federal agency, federal department, or federal entity unless specifically ordered to do
6.4 so by a state or federal court.

6.5 (c) The office must arrange for an independent audit to verify compliance with this
6.6 section. The audit must be completed annually for the first two years following establishment
6.7 of the office and biennially thereafter. The results of the audit are public. No later than 30
6.8 days following completion of the audit, the office must provide a report summarizing the
6.9 audit results to the chairs and ranking minority members of the committees of the house of
6.10 representatives and the senate with jurisdiction over commerce and data practices, and the
6.11 Legislative Commission on Data Practices and Personal Data Privacy. The report must be
6.12 submitted as required under section 3.195, except that printed copies are not required."

6.13 Page 42, line 32, before "Every" insert "Upon request by the office,"

6.14 Page 43, line 8, after "under" insert "rules adopted pursuant to"

6.15 Page 43, delete subdivision 2 and insert:

6.16 "Subd. 2. **Criminal offenses; disqualifications.** The office may by rule determine
6.17 whether any felony convictions shall disqualify a person from holding or receiving a license
6.18 issued under this chapter or working for a cannabis business, and the length of any such
6.19 disqualification. In adopting rules pursuant to this subdivision, the office shall not disqualify
6.20 a person for a violation of section 152.025."

6.21 Page 79, line 28, after "(b)" insert "Upon request by the office,"

6.22 Page 80, line 6, after "under" insert "rules adopted pursuant to"

6.23 Page 80, line 15, after "under" insert "rules adopted pursuant to"

6.24 Page 87, line 11, delete "cultivator" and insert "processor"

6.25 Page 87, lines 24 and 30, delete "distribution" and insert "medical cannabis flower or
6.26 medical cannabinoid products"

6.27 Page 97, line 15, delete "telemedicine" and insert "telehealth"

6.28 Page 97, line 16, delete "62A.671, subdivision 9" and insert "62A.673, subdivision 2"

6.29 Page 98, line 12, delete "or"

6.30 Page 98, after line 12, insert:

7.1 "(iii) in a state-operated treatment program, including the Minnesota sex offender
7.2 program; or"

7.3 Page 98, line 13, delete "(iii)" and insert "(iv)"

7.4 Page 98, line 25, after the second "facilities" insert "licensed"

7.5 Page 110, line 14, before the period, insert ", and the effects use has on brain development
7.6 for those under the age of 25"

7.7 Page 163, line 6, delete "for the unlawful sale of more than two" and insert "under
7.8 subdivisions 2 or 3; or"

7.9 Page 163, delete lines 7 and 8

7.10 Page 163, delete subdivision 2 and insert:

7.11 "Subd. 2. Sale of cannabis in the second degree. A person is guilty of sale of cannabis
7.12 in the second degree and may be sentenced to imprisonment of not more than one year or
7.13 to payment of a fine of not more than \$3,000, or both, if the person unlawfully sells:

7.14 (1) more than two ounces of cannabis flower, more than eight grams of cannabis
7.15 concentrate, or edible cannabinoid products infused with more than 800 milligrams of
7.16 tetrahydrocannabinol:

7.17 (i) to a minor and the defendant is an adult who is not more than 36 months older than
7.18 the minor;

7.19 (ii) in a school zone, a park zone, a public housing zone, or a drug treatment facility; or

7.20 (iii) within ten years of a conviction under subdivision 1, 2, or 3; or

7.21 (2) up to two ounces of cannabis flower, up to eight grams of cannabis concentrate, or
7.22 edible cannabinoid products infused with up to 800 milligrams of tetrahydrocannabinol to
7.23 a minor."

7.24 Page 166, delete section 24 and insert:

7.25 "Sec. Minnesota Statutes 2022, section 169A.20, subdivision 1, is amended to read:

7.26 Subdivision 1. **Driving while impaired crime; motor vehicle.** It is a crime for any
7.27 person to drive, operate, or be in physical control of any motor vehicle, as defined in section
7.28 169A.03, subdivision 15, within this state or on any boundary water of this state when:

7.29 (1) the person is under the influence of alcohol;

7.30 (2) the person is under the influence of a controlled substance;

8.1 (3) the person is under the influence of an intoxicating substance and the person knows
8.2 or has reason to know that the substance has the capacity to cause impairment;

8.3 (4) the person is under the influence of a combination of any two or more of the elements
8.4 named in clauses (1) to (3) or (8);

8.5 (5) the person's alcohol concentration at the time, or as measured within two hours of
8.6 the time, of driving, operating, or being in physical control of the motor vehicle is 0.08 or
8.7 more;

8.8 (6) the vehicle is a commercial motor vehicle and the person's alcohol concentration at
8.9 the time, or as measured within two hours of the time, of driving, operating, or being in
8.10 physical control of the commercial motor vehicle is 0.04 or more; ~~or~~

8.11 (7) the person's body contains any amount of a controlled substance listed in Schedule
8.12 I or II, or its metabolite, other than ~~marijuana~~ cannabis flower, a cannabinoid product, an
8.13 artificially derived cannabinoid, or tetrahydrocannabinols; or

8.14 (8) the person is under the influence of cannabis flower, a cannabinoid product, an
8.15 artificially derived cannabinoid, or tetrahydrocannabinols."

8.16 Pages 168 to 169, delete sections 26 and 27 and insert:

8.17 "Sec. Minnesota Statutes 2022, section 169A.51, subdivision 1, is amended to read:

8.18 Subdivision 1. **Implied consent; conditions; election of test.** (a) Any person who drives,
8.19 operates, or is in physical control of a motor vehicle within this state or on any boundary
8.20 water of this state consents, subject to the provisions of sections 169A.50 to 169A.53 (implied
8.21 consent law), and section 169A.20 (driving while impaired), to a chemical test of that
8.22 person's blood, breath, or urine for the purpose of determining the presence of alcohol; a
8.23 controlled substance or its metabolite; cannabis flower, a cannabinoid product, artificially
8.24 derived cannabinoids, or tetrahydrocannabinols; or an intoxicating substance. The test must
8.25 be administered at the direction of a peace officer.

8.26 (b) The test may be required of a person when an officer has probable cause to believe
8.27 the person was driving, operating, or in physical control of a motor vehicle in violation of
8.28 section 169A.20 (driving while impaired), and one of the following conditions exist:

8.29 (1) the person has been lawfully placed under arrest for violation of section 169A.20 or
8.30 an ordinance in conformity with it;

8.31 (2) the person has been involved in a motor vehicle accident or collision resulting in
8.32 property damage, personal injury, or death;

9.1 (3) the person has refused to take the screening test provided for by section 169A.41
9.2 (preliminary screening test); or

9.3 (4) the screening test was administered and indicated an alcohol concentration of 0.08
9.4 or more.

9.5 (c) The test may also be required of a person when an officer has probable cause to
9.6 believe the person was driving, operating, or in physical control of a commercial motor
9.7 vehicle with the presence of any alcohol.

9.8 Sec. Minnesota Statutes 2022, section 169A.51, subdivision 4, is amended to read:

9.9 Subd. 4. **Requirement of urine or blood test.** A blood or urine test may be required
9.10 pursuant to a search warrant under sections 626.04 to 626.18 even after a breath test has
9.11 been administered if there is probable cause to believe that:

9.12 (1) there is impairment by a controlled substance ~~or~~; an intoxicating substance; or
9.13 cannabis flower, a cannabinoid product, artificially derived cannabinoids, or
9.14 tetrahydrocannabinols that is not subject to testing by a breath test;

9.15 (2) a controlled substance listed in Schedule I or II or its metabolite, other than ~~marijuana~~
9.16 cannabis flower, a cannabinoid product, artificially derived cannabinoids, or
9.17 tetrahydrocannabinols, is present in the person's body; or

9.18 (3) the person is unconscious or incapacitated to the point that the peace officer providing
9.19 a breath test advisory, administering a breath test, or serving the search warrant has a
9.20 good-faith belief that the person is mentally or physically unable to comprehend the breath
9.21 test advisory or otherwise voluntarily submit to chemical tests.

9.22 Action may be taken against a person who refuses to take a blood test under this
9.23 subdivision only if a urine test was offered and action may be taken against a person who
9.24 refuses to take a urine test only if a blood test was offered. This limitation does not apply
9.25 to an unconscious person under the circumstances described in clause (3)."

9.26 Pages 172 to 176, delete sections 31 to 36 and insert:

9.27 "Sec. Minnesota Statutes 2022, section 609.2112, subdivision 1, is amended to read:

9.28 Subdivision 1. **Criminal vehicular homicide.** (a) Except as provided in paragraph (b),
9.29 a person is guilty of criminal vehicular homicide and may be sentenced to imprisonment
9.30 for not more than ten years or to payment of a fine of not more than \$20,000, or both, if the

10.1 person causes the death of a human being not constituting murder or manslaughter as a
 10.2 result of operating a motor vehicle:

10.3 (1) in a grossly negligent manner;

10.4 (2) in a negligent manner while under the influence of:

10.5 (i) alcohol;

10.6 (ii) a controlled substance; ~~or~~

10.7 (iii) cannabis flower, a cannabinoid product, artificially derived cannabinoids, or
 10.8 tetrahydrocannabinols; or

10.9 ~~(iii)~~ (iv) any combination of those elements;

10.10 (3) while having an alcohol concentration of 0.08 or more;

10.11 (4) while having an alcohol concentration of 0.08 or more, as measured within two hours
 10.12 of the time of driving;

10.13 (5) in a negligent manner while under the influence of an intoxicating substance and the
 10.14 person knows or has reason to know that the substance has the capacity to cause impairment;

10.15 (6) in a negligent manner while any amount of a controlled substance listed in Schedule
 10.16 I or II, or its metabolite, other than ~~marijuana~~ cannabis flower, a cannabinoid product,
 10.17 artificially derived cannabinoids, or tetrahydrocannabinols, is present in the person's body;

10.18 (7) where the driver who causes the collision leaves the scene of the collision in violation
 10.19 of section 169.09, subdivision 1 or 6; or

10.20 (8) where the driver had actual knowledge that a peace officer had previously issued a
 10.21 citation or warning that the motor vehicle was defectively maintained, the driver had actual
 10.22 knowledge that remedial action was not taken, the driver had reason to know that the defect
 10.23 created a present danger to others, and the death was caused by the defective maintenance.

10.24 (b) If a person is sentenced under paragraph (a) for a violation under paragraph (a),
 10.25 clauses (2) to (6), occurring within ten years of a qualified prior driving offense, the statutory
 10.26 maximum sentence of imprisonment is 15 years.

10.27 Sec. Minnesota Statutes 2022, section 609.2113, subdivision 1, is amended to read:

10.28 Subdivision 1. **Great bodily harm.** A person is guilty of criminal vehicular operation
 10.29 resulting in great bodily harm and may be sentenced to imprisonment for not more than five
 10.30 years or to payment of a fine of not more than \$10,000, or both, if the person causes great

11.1 bodily harm to another not constituting attempted murder or assault as a result of operating
11.2 a motor vehicle:

11.3 (1) in a grossly negligent manner;

11.4 (2) in a negligent manner while under the influence of:

11.5 (i) alcohol;

11.6 (ii) a controlled substance; ~~or~~

11.7 (iii) cannabis flower, a cannabinoid product, artificially derived cannabinoids, or
11.8 tetrahydrocannabinols; or

11.9 ~~(iii)~~ (iv) any combination of those elements;

11.10 (3) while having an alcohol concentration of 0.08 or more;

11.11 (4) while having an alcohol concentration of 0.08 or more, as measured within two hours
11.12 of the time of driving;

11.13 (5) in a negligent manner while under the influence of an intoxicating substance and the
11.14 person knows or has reason to know that the substance has the capacity to cause impairment;

11.15 (6) in a negligent manner while any amount of a controlled substance listed in Schedule
11.16 I or II, or its metabolite, other than ~~marijuana~~ cannabis flower, a cannabinoid product,
11.17 artificially derived cannabinoids, or tetrahydrocannabinols, is present in the person's body;

11.18 (7) where the driver who causes the accident leaves the scene of the accident in violation
11.19 of section 169.09, subdivision 1 or 6; or

11.20 (8) where the driver had actual knowledge that a peace officer had previously issued a
11.21 citation or warning that the motor vehicle was defectively maintained, the driver had actual
11.22 knowledge that remedial action was not taken, the driver had reason to know that the defect
11.23 created a present danger to others, and the injury was caused by the defective maintenance.

11.24 Sec. Minnesota Statutes 2022, section 609.2113, subdivision 2, is amended to read:

11.25 Subd. 2. **Substantial bodily harm.** A person is guilty of criminal vehicular operation
11.26 resulting in substantial bodily harm and may be sentenced to imprisonment for not more
11.27 than three years or to payment of a fine of not more than \$10,000, or both, if the person
11.28 causes substantial bodily harm to another as a result of operating a motor vehicle:

11.29 (1) in a grossly negligent manner;

11.30 (2) in a negligent manner while under the influence of:

- 12.1 (i) alcohol;
- 12.2 (ii) a controlled substance; ~~or~~
- 12.3 (iii) cannabis flower, a cannabinoid product, artificially derived cannabinoids, or
- 12.4 tetrahydrocannabinols; or
- 12.5 ~~(iii)~~ (iv) any combination of those elements;
- 12.6 (3) while having an alcohol concentration of 0.08 or more;
- 12.7 (4) while having an alcohol concentration of 0.08 or more, as measured within two hours
- 12.8 of the time of driving;
- 12.9 (5) in a negligent manner while under the influence of an intoxicating substance and the
- 12.10 person knows or has reason to know that the substance has the capacity to cause impairment;
- 12.11 (6) in a negligent manner while any amount of a controlled substance listed in Schedule
- 12.12 I or II, or its metabolite, other than ~~marijuana~~ cannabis flower, a cannabinoid product,
- 12.13 artificially derived cannabinoids, or tetrahydrocannabinols, is present in the person's body;
- 12.14 (7) where the driver who causes the accident leaves the scene of the accident in violation
- 12.15 of section 169.09, subdivision 1 or 6; or
- 12.16 (8) where the driver had actual knowledge that a peace officer had previously issued a
- 12.17 citation or warning that the motor vehicle was defectively maintained, the driver had actual
- 12.18 knowledge that remedial action was not taken, the driver had reason to know that the defect
- 12.19 created a present danger to others, and the injury was caused by the defective maintenance.
- 12.20 Sec. Minnesota Statutes 2022, section 609.2113, subdivision 3, is amended to read:
- 12.21 Subd. 3. **Bodily harm.** A person is guilty of criminal vehicular operation resulting in
- 12.22 bodily harm and may be sentenced to imprisonment for not more than one year or to payment
- 12.23 of a fine of not more than \$3,000, or both, if the person causes bodily harm to another as a
- 12.24 result of operating a motor vehicle:
- 12.25 (1) in a grossly negligent manner;
- 12.26 (2) in a negligent manner while under the influence of:
- 12.27 (i) alcohol;
- 12.28 (ii) a controlled substance; ~~or~~
- 12.29 (iii) cannabis flower, a cannabinoid product, artificially derived cannabinoids, or
- 12.30 tetrahydrocannabinols; or

- 13.1 ~~(iii)~~ (iv) any combination of those elements;
- 13.2 (3) while having an alcohol concentration of 0.08 or more;
- 13.3 (4) while having an alcohol concentration of 0.08 or more, as measured within two hours
- 13.4 of the time of driving;
- 13.5 (5) in a negligent manner while under the influence of an intoxicating substance and the
- 13.6 person knows or has reason to know that the substance has the capacity to cause impairment;
- 13.7 (6) in a negligent manner while any amount of a controlled substance listed in Schedule
- 13.8 I or II, or its metabolite, other than ~~marijuana~~ cannabis flower, a cannabinoid product,
- 13.9 artificially derived cannabinoids, or tetrahydrocannabinols, is present in the person's body;
- 13.10 (7) where the driver who causes the accident leaves the scene of the accident in violation
- 13.11 of section 169.09, subdivision 1 or 6; or
- 13.12 (8) where the driver had actual knowledge that a peace officer had previously issued a
- 13.13 citation or warning that the motor vehicle was defectively maintained, the driver had actual
- 13.14 knowledge that remedial action was not taken, the driver had reason to know that the defect
- 13.15 created a present danger to others, and the injury was caused by the defective maintenance.
- 13.16 Sec. Minnesota Statutes 2022, section 609.2114, subdivision 1, is amended to read:
- 13.17 Subdivision 1. **Death to an unborn child.** (a) Except as provided in paragraph (b), a
- 13.18 person is guilty of criminal vehicular operation resulting in death to an unborn child and
- 13.19 may be sentenced to imprisonment for not more than ten years or to payment of a fine of
- 13.20 not more than \$20,000, or both, if the person causes the death of an unborn child as a result
- 13.21 of operating a motor vehicle:
- 13.22 (1) in a grossly negligent manner;
- 13.23 (2) in a negligent manner while under the influence of:
- 13.24 (i) alcohol;
- 13.25 (ii) a controlled substance; ~~or~~
- 13.26 (iii) cannabis flower, a cannabinoid product, artificially derived cannabinoids, or
- 13.27 tetrahydrocannabinols; or
- 13.28 ~~(iii)~~ (iv) any combination of those elements;
- 13.29 (3) while having an alcohol concentration of 0.08 or more;

14.1 (4) while having an alcohol concentration of 0.08 or more, as measured within two hours
14.2 of the time of driving;

14.3 (5) in a negligent manner while under the influence of an intoxicating substance and the
14.4 person knows or has reason to know that the substance has the capacity to cause impairment;

14.5 (6) in a negligent manner while any amount of a controlled substance listed in Schedule
14.6 I or II, or its metabolite, other than ~~marijuana~~ cannabis flower, a cannabinoid product,
14.7 artificially derived cannabinoids, or tetrahydrocannabinols, is present in the person's body;

14.8 (7) where the driver who causes the accident leaves the scene of the accident in violation
14.9 of section 169.09, subdivision 1 or 6; or

14.10 (8) where the driver had actual knowledge that a peace officer had previously issued a
14.11 citation or warning that the motor vehicle was defectively maintained, the driver had actual
14.12 knowledge that remedial action was not taken, the driver had reason to know that the defect
14.13 created a present danger to others, and the injury was caused by the defective maintenance.

14.14 (b) If a person is sentenced under paragraph (a) for a violation under paragraph (a),
14.15 clauses (2) to (6), occurring within ten years of a qualified prior driving offense, the statutory
14.16 maximum sentence of imprisonment is 15 years.

14.17 Sec. Minnesota Statutes 2022, section 609.2114, subdivision 2, is amended to read:

14.18 Subd. 2. **Injury to an unborn child.** A person is guilty of criminal vehicular operation
14.19 resulting in injury to an unborn child and may be sentenced to imprisonment for not more
14.20 than five years or to payment of a fine of not more than \$10,000, or both, if the person
14.21 causes the great bodily harm to an unborn child subsequently born alive as a result of
14.22 operating a motor vehicle:

14.23 (1) in a grossly negligent manner;

14.24 (2) in a negligent manner while under the influence of:

14.25 (i) alcohol;

14.26 (ii) a controlled substance; ~~or~~

14.27 (iii) cannabis flower, a cannabinoid product, artificially derived cannabinoids, or
14.28 tetrahydrocannabinols; or

14.29 ~~(iii)~~ (iv) any combination of those elements;

14.30 (3) while having an alcohol concentration of 0.08 or more;

15.1 (4) while having an alcohol concentration of 0.08 or more, as measured within two hours
15.2 of the time of driving;

15.3 (5) in a negligent manner while under the influence of an intoxicating substance and the
15.4 person knows or has reason to know that the substance has the capacity to cause impairment;

15.5 (6) in a negligent manner while any amount of a controlled substance listed in Schedule
15.6 I or II, or its metabolite, other than ~~marijuana~~ cannabis flower, a cannabinoid product,
15.7 artificially derived cannabinoids, or tetrahydrocannabinols, is present in the person's body;

15.8 (7) where the driver who causes the accident leaves the scene of the accident in violation
15.9 of section 169.09, subdivision 1 or 6; or

15.10 (8) where the driver had actual knowledge that a peace officer had previously issued a
15.11 citation or warning that the motor vehicle was defectively maintained, the driver had actual
15.12 knowledge that remedial action was not taken, the driver had reason to know that the defect
15.13 created a present danger to others, and the injury was caused by the defective maintenance."

15.14 Page 195, line 10, delete "342.18, subdivision 6" and insert "342.185"

15.15 Page 195, line 28, after "substance use" insert ", including but not limited to the use of
15.16 fentanyl or mixtures containing fentanyl,"

15.17 Page 196, lines 11 and 27, after "substance use" insert ", including but not limited to the
15.18 use of fentanyl or mixtures containing fentanyl,"

15.19 Page 196, lines 14 and 16, after "substance use" insert ", including but not limited to the
15.20 use of fentanyl or mixtures containing fentanyl"

15.21 Page 197, line 28, after "health" insert ", in collaboration with local health departments,"

15.22 Page 198, after line 21, insert:

15.23 "Subd. 4. **Local and Tribal health departments.** The commissioner of health shall
15.24 distribute grants to local health departments and Tribal health departments for these
15.25 departments to create and disseminate educational materials on cannabis flower and
15.26 cannabinoid products and to provide safe use and prevention training, education, technical
15.27 assistance, and community engagement regarding cannabis flower and cannabinoid products."

15.28 Page 199, line 3, after "342.51" insert ", subdivision 2"

15.29 Page 199, delete line 4

15.30 Page 226, delete section 52 and insert:

16.1 "Sec. 52. **REPEALER.**

16.2 (a) Minnesota Statutes 2022, sections 152.22, subdivisions 1, 2, 3, 4, 5, 5a, 5b, 6, 7, 8,
 16.3 9, 10, 11, 12, 13, and 14; 152.23; 152.24; 152.25, subdivisions 1, 1a, 1b, 1c, 2, 3, and 4;
 16.4 152.26; 152.261; 152.27, subdivisions 1, 2, 3, 4, 5, 6, and 7; 152.28, subdivisions 1, 2, and
 16.5 3; 152.29, subdivisions 1, 2, 3, 3a, and 4; 152.30; 152.31; 152.32, subdivisions 1, 2, and 3;
 16.6 152.33, subdivisions 1, 1a, 2, 3, 4, 5, and 6; 152.34; 152.35; 152.36, subdivisions 1, 1a, 2,
 16.7 3, 4, and 5; and 152.37, are repealed.

16.8 (b) Minnesota Statutes 2022, section 152.027, subdivisions 3 and 4, are repealed.

16.9 (c) Minnesota Statutes 2022, section 152.21, is repealed.

16.10 **EFFECTIVE DATE.** Paragraph (a) is effective January 1, 2024. Paragraph (b) is
 16.11 effective August 1, 2023. Paragraph (c) is effective July 1, 2023."

16.12 Page 260, after line 13, insert:

16.13 "(f) Of the amount appropriated under paragraph (a), \$..... in fiscal year 2024 and \$.....
 16.14 in fiscal year 2025 are for grants to local health departments for: (1) creation and
 16.15 dissemination of educational materials on cannabis flower and cannabinoid products; and
 16.16 (2) community education, technical assistance, and outreach on prevention and safe use
 16.17 regarding cannabis flower and cannabinoid products. The commissioner shall distribute
 16.18 these grants according to a contract with the Local Public Health Association. Of the
 16.19 appropriations in this paragraph, the commissioner may withhold up to ten percent for grant
 16.20 administration and technical assistance to local health departments. The base for this
 16.21 appropriation is \$..... in fiscal year 2026 and thereafter.

16.22 (g) Of the amount appropriated under paragraph (a), \$..... in fiscal year 2024 and \$.....
 16.23 in fiscal year 2025 are for grants to Tribal health departments for: (1) creation and
 16.24 dissemination of educational materials on cannabis flower and cannabinoid products; and
 16.25 (2) community education, technical assistance, and outreach on prevention and safe use
 16.26 regarding cannabis flower and cannabinoid products. Of the appropriations in this paragraph,
 16.27 the commissioner may withhold up to ten percent for grant administration and technical
 16.28 assistance to Tribal health departments. The base for this appropriation is \$..... in fiscal
 16.29 year 2026 and thereafter."

16.30 Page 261, line 10, after the period, insert "After June 30, 2025, any unencumbered
 16.31 balance from this appropriation may be used for grants to any eligible employer under
 16.32 Minnesota Statutes, section 136A.246."

16.33 Renumber the sections in sequence and correct the internal references

17.1 Amend the title accordingly