

# HOUSE RESEARCH

## Bill Summary

**FILE NUMBER:** H.F. 440  
**Version:** As introduced

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**Subject:** Court - policy and technical modifications

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### Overview

This bill makes various changes relating to courts, including: clarifying placement of vehicle license plates; establishing administrative dismissal process for submitting proof of insurance in failure to provide vehicle insurance cases; modifying service of petition for correction of ballot errors; requiring corrections agent to provide form regarding predatory offender duty to register; opening certain hearings under the Parentage Act; clarifying certain fees and surcharges; modifying notary provisions; modifying housing court referee provisions; modifying certain lien filing and records; modifying service provisions for OFP dismissals; and amending record retention provisions for probate records.

- 1 Other motor vehicles.** Clarifies requirements regarding placement of motor vehicle license plates. Provides that two plates must be displayed and must be mounted on the front and rear bumpers or on the front and back of the vehicle exterior in places designed to hold a license plate.
- 2 Penalty.** Establishes a process for administrative dismissal of a citation for failure to provide vehicle insurance. Allows a driver or owner to submit proof of insurance to the court administrator. If the required proof is timely received, the person shall not be convicted of violating this section. (This process is currently used in "no proof of insurance" violations.)
- 3 Errors and Omissions; Remedy.** Requires a petitioner seeking to correct a ballot error to serve a copy of the petition on all candidates for the office. Currently, the petitioner is required to serve a copy of the petition with the supreme court or district court and on the officer, board, or individual charged with the error.
- 4 Notice.** Shifts responsibility for completing a predatory registration form (stating an offender's duty to register has been explained) from the court to the assigned corrections agent.
- 5-6 Parentage Act proceedings.** Makes hearings held under the Parentage Act and related records public.
- 7 Fees.** Streamlines the procedures for processing the fee on a confession of judgment for delinquent taxes by eliminating the step of paying the fee to the court administrator and instead paying it directly to the county.
- 8 Surcharges on criminal and traffic offenders.** Provides that a surcharge imposed in cases where a defendant participates in a diversion program or receives a continuance or stay of adjudication be paid upon entering the program and not upon completion.
- 9-10 Notaries.** Eliminates a reference requiring a district court administrator to record the commission of a notary

and indicates that the recording duty is with the county.

- 11-12 Housing court referees.** Eliminates the process by which a party in housing court may: (1) object to assignment of a referee, or (2) request a review of the referee's order by a district court judge. Provides that an appeal of a referee's order must be taken to the Court of Appeals.
- 13-14 Filing hospital liens.** Directs that hospital and public assistance liens be filed in the appropriate county office rather than with the court administrator.
- 15 Service; OFP dismissals.** Authorizes personal service or service by mail of an order for dismissal of an order for protection.
- 16-17 Documents in probate proceedings.** Authorizes immediate destruction of probate documents if approved copies are on file. (Currently, destruction of documents cannot occur until the proceeding is closed.) Updates list of approved archive copies to include digitally imaged and electronic copies of the original.
- 18 Repealer.** Repeals the following:
- 359.061, subd. 3** - Records of Notary Commissions - requires court administrator to certify to official acts.
- 525.091, subd. 4** - Probate Records - requires county board resolution authorizing destruction of probate records.
- 626A.17** - Report concerning interception of communications - requires a judge to report to the state court administrator within 30 days after the expiration of an order granting or denying an application, of extension thereof, under chapter 626A. The report must contain information on the application request, the judge's ruling, the period of interceptions, the offense, the applying agency or officer, and the nature of the facilities used in carrying out the order. Requires a similar annual report from each county attorney on applications made in the preceding year and information on interceptions made, number of resulting arrests, trials, and convictions, and motions to suppress. Directs the state court administrator to submit a biennial report to the legislature containing a summary and analysis of the above information.