

1.1 ..... moves to amend H.F. No. 849 as follows:

1.2 Delete everything after the enacting clause and insert:

1.3 "ARTICLE 1

1.4 APPROPRIATIONS

1.5 Section 1. APPROPRIATIONS.

1.6 The sums shown in the columns marked "Appropriations" are appropriated to the  
1.7 agencies and for the purposes specified in this article. The appropriations are from the  
1.8 general fund, or another named fund, and are available for the fiscal years indicated  
1.9 for each purpose. The figures "2016" and "2017" used in this article mean that the  
1.10 appropriations listed under them are available for the fiscal year ending June 30, 2016, or  
1.11 June 30, 2017, respectively. "The first year" is fiscal year 2016. "The second year" is fiscal  
1.12 year 2017. "The biennium" is fiscal years 2016 and 2017. Appropriations for the fiscal  
1.13 year ending June 30, 2015, are effective the day following final enactment.

1.14		<b><u>APPROPRIATIONS</u></b>	
1.15		<b><u>Available for the Year</u></b>	
1.16		<b><u>Ending June 30</u></b>	
1.17		<b><u>2016</u></b>	<b><u>2017</u></b>

1.18 Sec. 2. SUPREME COURT

1.19	<u>Subdivision 1. Total Appropriation</u>	<b><u>\$ 45,826,000</u></b>	<b><u>\$ 46,426,000</u></b>
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1.20 The amounts that may be spent for each  
1.21 purpose are specified in the following  
1.22 subdivisions.

1.23	<u>Subd. 2. Supreme Court Operations</u>	<b><u>33,060,000</u></b>	<b><u>33,660,000</u></b>
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1.24	<u>Subd. 3. Civil Legal Services</u>	<b><u>12,766,000</u></b>	<b><u>12,766,000</u></b>
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3.1 Sec. 8. **BOARD ON JUDICIAL STANDARDS** \$ 486,000 \$ 486,000

3.2 **Major Disciplinary Actions**

3.3 \$125,000 each year is for special  
 3.4 investigative and hearing costs for major  
 3.5 disciplinary actions undertaken by the  
 3.6 board. This appropriation does not cancel.  
 3.7 Any unencumbered and unspent balances  
 3.8 remain available for these expenditures in  
 3.9 subsequent fiscal years.

3.10 Sec. 9. **BOARD OF PUBLIC DEFENSE** \$ 76,547,000 \$ 80,499,000

3.11 Sec. 10. **SENTENCING GUIDELINES** \$ 595,000 \$ 604,000

3.12 Sec. 11. **PUBLIC SAFETY**

3.13 **Subdivision 1. Total Appropriation** \$ 191,844,000 \$ 181,734,000

3.14	<u>Appropriations by Fund</u>	
3.15	<u>2016</u>	<u>2017</u>
3.16	<u>General</u>	<u>94,517,000</u> <u>87,452,000</u>
3.17	<u>Special Revenue</u>	<u>17,791,000</u> <u>14,697,000</u>
3.18	<u>State Government</u>	
3.19	<u>Special Revenue</u>	<u>103,000</u> <u>103,000</u>
3.20	<u>Environmental</u>	<u>70,000</u> <u>72,000</u>
3.21	<u>Trunk Highway</u>	<u>2,295,000</u> <u>2,325,000</u>
3.22	<u>911 Fund</u>	<u>77,068,000</u> <u>77,085,000</u>

3.23 The amounts that may be spent for each  
 3.24 purpose are specified in the following  
 3.25 subdivisions.

3.26 **Subd. 2. Emergency Management** 6,810,000        3,861,000

3.27	<u>Appropriations by Fund</u>	
3.28	<u>General</u>	<u>5,331,000</u> <u>2,480,000</u>
3.29	<u>Environmental</u>	<u>70,000</u> <u>72,000</u>
3.30	<u>Special Revenue</u>	
3.31	<u>Fund</u>	<u>1,409,000</u> <u>1,309,000</u>

3.32 **(a) Hazmat and Chemical Assessment Teams**

4.1 \$1,409,000 the first year and \$1,309,000 the  
 4.2 second year are from the fire safety account  
 4.3 in the special revenue fund. These amounts  
 4.4 must be used to fund the hazardous materials  
 4.5 and chemical assessment teams.

4.6 **(b) School Safety**

4.7 \$405,000 the first year and \$410,000 the  
 4.8 second year from the general fund are for the  
 4.9 school safety center to provide for school  
 4.10 safety.

4.11 **(c) Combating Terrorism Recruitment**

4.12 \$25,000 the first year is for the commissioner  
 4.13 to develop strategies to combat the  
 4.14 recruitment of Minnesota residents by  
 4.15 terrorist organizations such as ISIS and  
 4.16 al-Shabaab. The commissioner must  
 4.17 collaborate with federal, state, and local  
 4.18 agencies in developing the required  
 4.19 strategies. The commissioner shall prepare  
 4.20 a report that explains in detail the strategies  
 4.21 proposed and steps to implement the  
 4.22 strategies. The commissioner must submit  
 4.23 the report to the chairs and ranking minority  
 4.24 members of the house and senate committees  
 4.25 with jurisdiction over public safety by  
 4.26 February 1, 2016.

4.27 **(d) Disaster Assistance Account**

4.28 \$2,500,000 in 2016 is for the disaster  
 4.29 assistance contingency account in Minnesota  
 4.30 Statutes, section 12.221. These funds are  
 4.31 available until spent.

4.32 **Subd. 3. Criminal Apprehension** 53,568,000 49,339,000

4.33 Appropriations by Fund  
 4.34 General 51,266,000 47,007,000

5.1	<u>State Government</u>		
5.2	<u>Special Revenue</u>	<u>7,000</u>	<u>7,000</u>
5.3	<u>Trunk Highway</u>	<u>2,295,000</u>	<u>2,325,000</u>

5.4 **(a) DWI Lab Analysis; Trunk Highway Fund**

5.5 Notwithstanding Minnesota Statutes, section  
 5.6 161.20, subdivision 3, \$1,941,000 each year  
 5.7 is from the trunk highway fund for laboratory  
 5.8 analysis related to driving-while-impaired  
 5.9 cases.

5.10 **(b) BCA Investment Initiative**

5.11 \$2,172,000 the first year and \$2,795,000 the  
 5.12 second year are from the general fund for the  
 5.13 Bureau of Criminal Apprehension:

5.14 (1) for two permanent latent fingerprint  
 5.15 examiner positions;

5.16 (2) for one permanent mitochondrial DNA  
 5.17 analyst positions;

5.18 (3) to replace equipment and instruments in  
 5.19 the forensic laboratory;

5.20 (4) to purchase supplies for the forensic  
 5.21 laboratory;

5.22 (5) for five permanent positions to form a  
 5.23 digital forensics examination unit;

5.24 (6) for three permanent positions to form a  
 5.25 financial crimes unit; and

5.26 (7) for seven permanent positions to increase  
 5.27 the capabilities of the predatory crimes  
 5.28 section.

5.29 **(c) Livescan Replacement**

5.30 \$650,000 each year is from the general fund  
 5.31 for the Bureau of Criminal Apprehension  
 5.32 to replace electronic fingerprint capture

6.1 equipment in criminal justice agencies  
 6.2 around the state. The equipment is to be used  
 6.3 to automatically submit the fingerprints to  
 6.4 the bureau for identification of the person  
 6.5 and processing. For each of fiscal years 2018  
 6.6 and 2019, \$650,000 is added to the base for  
 6.7 livescan replacement.

6.8 **(d) Report**

6.9 If the vehicle services special revenue account  
 6.10 accrues an unallocated balance in excess  
 6.11 of 50 percent of the previous fiscal year's  
 6.12 expenditures, the commissioner of public  
 6.13 safety shall submit a report to the chairs  
 6.14 and ranking minority members of the house  
 6.15 of representatives and senate committees  
 6.16 with jurisdiction over transportation and  
 6.17 public safety policy and finance. The report  
 6.18 must contain specific policy and legislative  
 6.19 recommendations for reducing the fund  
 6.20 balance and avoiding future excessive fund  
 6.21 balances. The report is due within three  
 6.22 months of the fund balance exceeding the  
 6.23 threshold established in this paragraph.

6.24 Subd. 4. Fire Marshal 15,668,000 12,647,000

	<u>Appropriations by Fund</u>	
<u>General</u>	<u>18,000</u>	<u>-0-</u>
<u>Special Revenue</u>	<u>16,650,000</u>	<u>12,647,000</u>

6.28 This appropriation is from the fire safety  
 6.29 account in the special revenue fund and is for  
 6.30 activities under Minnesota Statutes, section  
 6.31 299F.012. Of this amount:

6.32 (1) \$4,673,000 the first year and \$3,270,000  
 6.33 the second year are for an increase to the  
 6.34 Minnesota Board of Firefighter Training;

7.1 (2) \$2,200,000 the first year and \$1,200,000  
 7.2 the second year are for an increase to  
 7.3 Minnesota Task Force 1; and  
 7.4 (3) \$190,000 each year is to fund the  
 7.5 Minnesota Air Rescue Team.

7.6 **Subd. 5. Alcohol and Gambling Enforcement** 2,338,000 2,373,000

7.7	<u>Appropriations by Fund</u>		
7.8	<u>General</u>	<u>1,606,000</u>	<u>1,632,000</u>
7.9	<u>Special Revenue</u>	<u>732,000</u>	<u>741,000</u>

7.10 \$662,000 the first year and \$671,000 the  
 7.11 second year are from the alcohol enforcement  
 7.12 account in the special revenue fund. Of this  
 7.13 appropriation, \$500,000 each year shall be  
 7.14 transferred to the general fund.

7.15 \$70,000 each year is appropriated from the  
 7.16 lawful gambling regulation account in the  
 7.17 special revenue fund.

7.18 **Subd. 6. Office of Justice Programs** 36,392,000 36,429,000

7.19	<u>Appropriations by Fund</u>		
7.20	<u>General</u>	<u>36,296,000</u>	<u>36,333,000</u>
7.21	<u>State Government</u>		
7.22	<u>Special Revenue</u>	<u>96,000</u>	<u>96,000</u>

7.23 **(a) OJP Administration Costs**

7.24 Up to 2.5 percent of the grant funds  
 7.25 appropriated in this subdivision may be used  
 7.26 by the commissioner to administer the grant  
 7.27 program.

7.28 **(b) Crime Victim Programs**

7.29 \$1,500,000 each year must be distributed  
 7.30 through an open and competitive grant  
 7.31 process for existing crime victim programs.  
 7.32 The funds must be used to meet the needs  
 7.33 of underserved and unserved areas and  
 7.34 populations.

8.1 **(c) Youth Intervention Programs**

8.2 \$1,000,000 each year is for youth intervention  
8.3 programs under Minnesota Statutes, section  
8.4 299A.73. The appropriations must be  
8.5 used to create new programs statewide  
8.6 in underserved areas and to help existing  
8.7 programs serve unmet needs in program  
8.8 communities. These appropriations are  
8.9 available until expended. This amount must  
8.10 be added to the department's base budget for  
8.11 grants to youth intervention programs.

8.12 **(d) Crime Victim Services**

8.13 \$50,000 each year is for additional grants to  
8.14 organizations awarded grants in fiscal years  
8.15 2014 and 2015. These appropriations are  
8.16 available through June 30, 2017.

8.17 **(e) Child Advocacy Centers**

8.18 \$50,000 each year is for grants to  
8.19 existing child advocacy centers whose  
8.20 primary purposes are (1) to coordinate the  
8.21 investigation, treatment, and management of  
8.22 abuse cases and (2) to provide direct services  
8.23 to abuse victims.

8.24 **(f) Prosecutor and Law Enforcement Training**

8.25 \$100,000 each year is for a grant to the  
8.26 Minnesota County Attorneys Association for  
8.27 prosecutor and law enforcement training.

8.28 **(g) Crime Victim Support**

8.29 \$50,000 each year is for a grant to a  
8.30 nonprofit organization dedicated to providing  
8.31 immediate and long-term emotional support  
8.32 and practical help for the families and friends  
8.33 of individuals who have died by suicide,

9.1 overdose, accident, or homicide, including  
9.2 but not limited to domestic violence.

9.3 **(h) Sex Trafficking Investigations**

9.4 \$250,000 each year is for grants to state and  
9.5 local units of government for the following  
9.6 purposes:

9.7 (1) to support new or existing  
9.8 multijurisdictional entities to investigate sex  
9.9 trafficking crimes; and

9.10 (2) to provide technical assistance, including  
9.11 training and case consultation, to law  
9.12 enforcement agencies statewide.

9.13 **Subd. 7. Emergency Communication Networks**                      77,068,000                      77,085,000

9.14 This appropriation is from the state  
9.15 government special revenue fund for 911  
9.16 emergency telecommunications services.

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

9.18 \$13,664,000 each year is to be distributed  
9.19 as provided in Minnesota Statutes, section  
9.20 403.113, subdivision 2.

9.21 This appropriation includes funds for  
9.22 information technology project services  
9.23 and support subject to the provisions of  
9.24 Minnesota Statutes, section 16E.0466. Any  
9.25 ongoing information technology costs will be  
9.26 incorporated into the service level agreement  
9.27 and will be paid to the Office of MN.IT  
9.28 Services by the Department of Public Safety  
9.29 under the rates and mechanism specified in  
9.30 that agreement.

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

9.32 \$683,000 each year is for grants to the  
9.33 Minnesota Emergency Medical Services

- 10.1 Regulatory Board for the Metro East  
10.2 and Metro West Medical Resource  
10.3 Communication Centers that were in  
10.4 operation before January 1, 2000.
- 10.5 **(c) ARMER Debt Service**
- 10.6 \$22,261,000 each year is to the commissioner  
10.7 of management and budget to pay debt  
10.8 service on revenue bonds issued under  
10.9 Minnesota Statutes, section 403.275.
- 10.10 Any portion of this appropriation not needed  
10.11 to pay debt service in a fiscal year may be  
10.12 used by the commissioner of public safety to  
10.13 pay cash for any of the capital improvements  
10.14 for which bond proceeds were appropriated  
10.15 by Laws 2005, chapter 136, article 1, section  
10.16 9, subdivision 8; or Laws 2007, chapter 54,  
10.17 article 1, section 10, subdivision 8.
- 10.18 **(d) ARMER State Backbone Operating**  
10.19 **Costs**
- 10.20 \$9,650,000 each year is to the commissioner  
10.21 of transportation for costs of maintaining and  
10.22 operating the first and third phases of the  
10.23 statewide radio system backbone.
- 10.24 **(e) ARMER Improvements**
- 10.25 \$1,000,000 each year is to the Statewide  
10.26 Radio Board for costs of design, construction,  
10.27 and maintenance of, and improvements  
10.28 to, those elements of the statewide public  
10.29 safety radio and communication system  
10.30 that support mutual aid communications  
10.31 and emergency medical services or provide  
10.32 interim enhancement of public safety  
10.33 communication interoperability in those  
10.34 areas of the state where the statewide public

11.1 safety radio and communication system is  
 11.2 not yet implemented.

11.3 **Sec. 12. PEACE OFFICER STANDARDS**  
 11.4 **AND TRAINING (POST) BOARD**                    **\$            3,987,000 \$            4,004,000**

11.5 **(a) Excess Amounts Transferred**

11.6 This appropriation is from the peace officer  
 11.7 training account in the special revenue fund.  
 11.8 Any new receipts credited to that account in  
 11.9 the first year in excess of \$3,887,000 must be  
 11.10 transferred and credited to the general fund.  
 11.11 Any new receipts credited to that account in  
 11.12 the second year in excess of \$3,904,000 must  
 11.13 be transferred and credited to the general  
 11.14 fund.

11.15 **(b) Peace Officer Training**

11.16 **Reimbursements**

11.17 \$2,734,000 each year is for reimbursements  
 11.18 to local governments for peace officer  
 11.19 training costs.

11.20 **(c) De-escalation Training**

11.21 \$100,000 each year is for training state and  
 11.22 local community safety personnel in the use  
 11.23 of crisis de-escalation techniques.

11.24 **Sec. 13. PRIVATE DETECTIVE BOARD**                    **\$            122,000 \$            124,000**

11.25 **Sec. 14. CORRECTIONS**

11.26 **Subdivision 1. Total Appropriation**                    **\$            526,638,000 \$            537,845,000**

11.27 The amounts that may be spent for each  
 11.28 purpose are specified in the following  
 11.29 subdivisions.

11.30 **Subd. 2. Correctional Institutions**                    **381,152,000                    390,892,000**

11.31 **(a) Informational Technology**

12.1 This appropriation includes funds for  
 12.2 information technology project services  
 12.3 and support subject to the provisions of  
 12.4 Minnesota Statutes, section 16E.0466. Any  
 12.5 ongoing information technology costs will be  
 12.6 incorporated into the service level agreement  
 12.7 and will be paid to the Office of MN.IT  
 12.8 Services by the Department of Corrections  
 12.9 under the rates and mechanism specified in  
 12.10 that agreement.

12.11 **(b) Fugitive Apprehension Unit**

12.12 \$541,000 in fiscal year 2016 and \$670,000 in  
 12.13 fiscal year 2017 are to increase the number  
 12.14 of full-time equivalent positions in the  
 12.15 department's fugitive apprehension unit. The  
 12.16 base for this item is \$642,000 in each of  
 12.17 fiscal years 2018 and 2019.

12.18	<b><u>Subd. 3. Community Services</u></b>	<u>120,674,000</u>	<u>121,688,000</u>
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12.19 **(a) Intensive Supervised Release Agents**

12.20 \$1,000,000 each year is to increase the  
 12.21 number of supervision agents for offenders  
 12.22 on intensive supervised release as described  
 12.23 in Minnesota Statutes, section 244.13,  
 12.24 subdivision 2.

12.25 **(b) Challenge Incarceration**

12.26 \$250,000 each year is to increase the  
 12.27 number of supervision agents for offenders  
 12.28 participating in the department's challenge  
 12.29 incarceration program as described in  
 12.30 Minnesota Statutes, section 244.172,  
 12.31 subdivisions 2 and 3.

12.32 **(c) Community Corrections Act**

13.1 \$1,550,000 each year is added to the  
 13.2 Community Corrections Act subsidy, as  
 13.3 described in Minnesota Statutes, section  
 13.4 401.14.

13.5 **(d) County Probation Officer**  
 13.6 **Reimbursements**

13.7 \$200,000 each year is added to the county  
 13.8 probation officers reimbursement, as  
 13.9 described in Minnesota Statutes, section  
 13.10 244.19, subdivision 6.

13.11 **(e) Scott County Correctional Services**

13.12 \$85,000 each year is for a probation caseload  
 13.13 and workload reduction grant to Scott County  
 13.14 to provide correctional services.

13.15 **Subd. 4. Operations Support** 24,812,000 25,265,000

13.16 \$500,000 each year is to support technology  
 13.17 needs.

13.18 This appropriation includes funds for  
 13.19 information technology project services  
 13.20 and support subject to the provisions of  
 13.21 Minnesota Statutes, section 16E.0466. Any  
 13.22 ongoing information technology costs will be  
 13.23 incorporated into the service level agreement  
 13.24 and will be paid to the Office of MN.IT  
 13.25 Services by the Department of Corrections  
 13.26 under the rates and mechanism specified in  
 13.27 that agreement.

13.28 **Sec. 15. TRANSFERS** **\$** **500,000** **\$** **500,000**

13.29 \$500,000 each year is transferred from the  
 13.30 MINNCOR fund to the general fund.

13.31 Sec. 16. Laws 2013, chapter 86, article 1, section 7, is amended to read:

14.1 Sec. 7. **TAX COURT** \$ 1,023,000 \$ 1,035,000

14.2 (a) **Additional Resources**

14.3 \$161,000 each year is for ~~two law clerks,~~  
 14.4 ~~continuing legal education costs, and~~  
 14.5 ~~Westlaw costs~~ operating expenses. Any  
 14.6 amount not expended in the first year does  
 14.7 not cancel and is available in the second year.

14.8 (b) **Case Management System**

14.9 \$25,000 each year is for the implementation  
 14.10 and maintenance of a modern case  
 14.11 management system.

14.12 **EFFECTIVE DATE.** This section is effective retroactively from July 1, 2013.

14.13 Sec. 17. Laws 2013, chapter 86, article 1, section 9, is amended to read:

14.14 Sec. 9. **BOARD ON JUDICIAL STANDARDS** \$ 756,000 \$ 456,000

14.15 (a) **Deficiencies**

14.16 \$300,000 the first year is for deficiencies  
 14.17 occurring in fiscal year 2013. This  
 14.18 appropriation is available for expenditure the  
 14.19 day following final enactment.

14.20 (b) **Major Disciplinary Actions**

14.21 \$125,000 each year is for special  
 14.22 investigative and hearing costs for major  
 14.23 disciplinary actions undertaken by the  
 14.24 board. This appropriation does not cancel.  
 14.25 Any ~~encumbered~~ unencumbered and  
 14.26 unspent balances remain available for these  
 14.27 expenditures in subsequent fiscal years.

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

15.1 **ARTICLE 2**15.2 **COURTS**

15.3 Section 1. Minnesota Statutes 2014, section 253B.08, subdivision 2a, is amended to  
15.4 read:

15.5 Subd. 2a. **Place of hearing.** The hearing shall be conducted in a manner consistent  
15.6 with orderly procedure. The hearing shall be held at a courtroom meeting standards  
15.7 prescribed by local court rule which may be at a treatment facility. The hearing may be  
15.8 conducted by interactive video conference under General Rules of Practice, rule 131, and  
15.9 Minnesota Rules of Civil Commitment, rule 14.

15.10 Sec. 2. Minnesota Statutes 2014, section 253B.12, subdivision 2a, is amended to read:

15.11 Subd. 2a. **Time and place for hearing.** (a) Unless the proceedings are terminated  
15.12 under subdivision 1, paragraph (e), a review hearing must be held within 14 days after  
15.13 receipt by the committing court of the report required under subdivision 1, paragraph (c)  
15.14 or (d), and before the time the commitment expires. For good cause shown, the court  
15.15 may continue the hearing for up to an additional 14 days and extend any orders until  
15.16 the review hearing is held.

15.17 (b) The patient, the patient's counsel, the petitioner, and other persons as the court  
15.18 directs must be given at least five days' notice of the time and place of the hearing.  
15.19 The hearing may be conducted by interactive video conference under General Rules of  
15.20 Practice, rule 131, and Minnesota Rules of Civil Commitment, rule 14.

15.21 Sec. 3. Minnesota Statutes 2014, section 253D.28, subdivision 2, is amended to read:

15.22 Subd. 2. **Procedure.** (a) The Supreme Court shall refer a petition for rehearing and  
15.23 reconsideration to the chief judge of the judicial appeal panel. The chief judge shall notify  
15.24 the committed person, the county attorneys of the county of commitment and county of  
15.25 financial responsibility, the commissioner, the executive director, any interested person,  
15.26 and other persons the chief judge designates, of the time and place of the hearing on  
15.27 the petition. The notice shall be given at least 14 days prior to the date of the hearing.  
15.28 The hearing may be conducted by interactive video conference under General Rules of  
15.29 Practice, rule 131, and Minnesota Rules of Civil Commitment, rule 14.

15.30 (b) Any person may oppose the petition. The committed person, the committed  
15.31 person's counsel, the county attorneys of the committing county and county of financial  
15.32 responsibility, and the commissioner shall participate as parties to the proceeding pending  
15.33 before the judicial appeal panel and shall, no later than 20 days before the hearing on the

16.1 petition, inform the judicial appeal panel and the opposing party in writing whether they  
16.2 support or oppose the petition and provide a summary of facts in support of their position.

16.3 (c) The judicial appeal panel may appoint examiners and may adjourn the hearing  
16.4 from time to time. It shall hear and receive all relevant testimony and evidence and make  
16.5 a record of all proceedings. The committed person, the committed person's counsel, and  
16.6 the county attorney of the committing county or the county of financial responsibility have  
16.7 the right to be present and may present and cross-examine all witnesses and offer a factual  
16.8 and legal basis in support of their positions.

16.9 (d) The petitioning party seeking discharge or provisional discharge bears the  
16.10 burden of going forward with the evidence, which means presenting a prima facie case  
16.11 with competent evidence to show that the person is entitled to the requested relief. If  
16.12 the petitioning party has met this burden, the party opposing discharge or provisional  
16.13 discharge bears the burden of proof by clear and convincing evidence that the discharge or  
16.14 provisional discharge should be denied.

16.15 (e) A party seeking transfer under section 253D.29 must establish by a preponderance  
16.16 of the evidence that the transfer is appropriate.

16.17 Sec. 4. Minnesota Statutes 2014, section 271.08, subdivision 1, is amended to read:

16.18 Subdivision 1. **Written order.** The Tax Court, except in Small Claims Division,  
16.19 shall determine every appeal by written order containing findings of fact and the decision  
16.20 of the tax court. A memorandum of the grounds of the decision shall be appended. Notice  
16.21 of the entry of the order and of the substance of the decision shall be mailed to all parties.  
16.22 A motion for rehearing, which includes a motion for amended findings of fact, conclusions  
16.23 of law, or a new trial, must be served by the moving party within ~~15~~ 30 days after mailing  
16.24 of the notice by the court as specified in this subdivision, and the motion must be heard  
16.25 within ~~30~~ 60 days thereafter, unless the time for hearing is extended by the court within  
16.26 the ~~30-day~~ 60-day period for good cause shown.

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

16.28 Sec. 5. Minnesota Statutes 2014, section 271.21, subdivision 2, is amended to read:

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

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

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

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

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

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

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

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

17.12 Sec. 6. Minnesota Statutes 2014, section 549.09, subdivision 1, is amended to read:

17.13 Subdivision 1. **When owed; rate.** (a) When a judgment or award is for the recovery  
17.14 of money, including a judgment for the recovery of taxes, interest from the time of the  
17.15 verdict, award, or report until judgment is finally entered shall be computed by the court  
17.16 administrator or arbitrator as provided in paragraph (c) and added to the judgment or award.

17.17 (b) Except as otherwise provided by contract or allowed by law, preverdict,  
17.18 preaward, or prereport interest on pecuniary damages shall be computed as provided in  
17.19 paragraph (c), clause (1), regardless of the amount, from the time of the commencement of  
17.20 the action or a demand for arbitration, or the time of a written notice of claim, whichever  
17.21 occurs first, except as provided herein. The action must be commenced within two years  
17.22 of a written notice of claim for interest to begin to accrue from the time of the notice of  
17.23 claim. If either party serves a written offer of settlement, the other party may serve a  
17.24 written acceptance or a written counteroffer within 30 days. After that time, interest on the  
17.25 judgment or award shall be calculated by the judge or arbitrator in the following manner.  
17.26 The prevailing party shall receive interest on any judgment or award from the time of  
17.27 commencement of the action or a demand for arbitration, or the time of a written notice  
17.28 of claim, or as to special damages from the time when special damages were incurred, if  
17.29 later, until the time of verdict, award, or report only if the amount of its offer is closer to  
17.30 the judgment or award than the amount of the opposing party's offer. If the amount of  
17.31 the losing party's offer was closer to the judgment or award than the prevailing party's  
17.32 offer, the prevailing party shall receive interest only on the amount of the settlement offer  
17.33 or the judgment or award, whichever is less, and only from the time of commencement  
17.34 of the action or a demand for arbitration, or the time of a written notice of claim, or as  
17.35 to special damages from when the special damages were incurred, if later, until the time

18.1 the settlement offer was made. Subsequent offers and counteroffers supersede the legal  
18.2 effect of earlier offers and counteroffers. For the purposes of clause (2), the amount of  
18.3 settlement offer must be allocated between past and future damages in the same proportion  
18.4 as determined by the trier of fact. Except as otherwise provided by contract or allowed by  
18.5 law, preverdict, preaward, or prereport interest shall not be awarded on the following:

18.6 (1) judgments, awards, or benefits in workers' compensation cases, but not including  
18.7 third-party actions;

18.8 (2) judgments or awards for future damages;

18.9 (3) punitive damages, fines, or other damages that are noncompensatory in nature;

18.10 (4) judgments or awards not in excess of the amount specified in section 491A.01; and

18.11 (5) that portion of any verdict, award, or report which is founded upon interest, or  
18.12 costs, disbursements, attorney fees, or other similar items added by the court or arbitrator.

18.13 (c)(1) For a judgment or award of \$50,000 or less or a judgment or award for  
18.14 or against the state or a political subdivision of the state, regardless of the amount, the  
18.15 interest shall be computed as simple interest per annum. The rate of interest shall be based  
18.16 on the secondary market yield of one year United States Treasury bills, calculated on a  
18.17 bank discount basis as provided in this section.

18.18 On or before the 20th day of December of each year the state court administrator  
18.19 shall determine the rate from the one-year constant maturity treasury yield for the most  
18.20 recent calendar month, reported on a monthly basis in the latest statistical release of the  
18.21 board of governors of the Federal Reserve System. This yield, rounded to the nearest one  
18.22 percent, or four percent, whichever is greater, shall be the annual interest rate during the  
18.23 succeeding calendar year. The state court administrator shall communicate the interest  
18.24 rates to the court administrators and sheriffs for use in computing the interest on verdicts  
18.25 and shall make the interest rates available to arbitrators.

18.26 This clause applies to any section that references section 549.09 by citation for the  
18.27 purposes of computing an interest rate on any amount owed to or by the state or a political  
18.28 subdivision of the state, regardless of the amount.

18.29 (2) For a judgment or award over \$50,000, other than a judgment or award for or  
18.30 against the state or a political subdivision of the state, the interest rate shall be ten percent  
18.31 per year until paid.

18.32 (3) When a judgment creditor, or the judgment creditor's attorney or agent, has  
18.33 received a payment after entry of judgment, whether the payment is made voluntarily by  
18.34 or on behalf of the judgment debtor, or is collected by legal process other than execution  
18.35 levy where a proper return has been filed with the court administrator, the judgment  
18.36 creditor, or the judgment creditor's attorney, before applying to the court administrator

19.1 for an execution shall file with the court administrator an affidavit of partial satisfaction.  
19.2 The affidavit must state the dates and amounts of payments made upon the judgment after  
19.3 the most recent affidavit of partial satisfaction filed, if any; the part of each payment that  
19.4 is applied to taxable disbursements and to accrued interest and to the unpaid principal  
19.5 balance of the judgment; and the accrued, but the unpaid interest owing, if any, after  
19.6 application of each payment.

19.7 (d) This section does not apply to arbitrations between employers and employees  
19.8 under chapter 179 or 179A. An arbitrator is neither required to nor prohibited from  
19.9 awarding interest under chapter 179 or under section 179A.16 for essential employees.

19.10 (e) For purposes of this subdivision:

19.11 (1) "state" includes a department, board, agency, commission, court, or other entity  
19.12 in the executive, legislative, or judicial branch of the state; and

19.13 (2) "political subdivision" includes a town, statutory or home rule charter city,  
19.14 county, school district, or any other political subdivision of the state.

19.15 (f) This section does not apply to a judgment or award upon which interest is entitled  
19.16 to be recovered under section 60A.0811.

19.17 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to  
19.18 judgments and awards entered on or after that date.

### 19.19 **ARTICLE 3**

#### 19.20 **PUBLIC SAFETY**

19.21 Section 1. Minnesota Statutes 2014, section 5B.11, is amended to read:

#### 19.22 **5B.11 LEGAL PROCEEDINGS; PROTECTIVE ORDER.**

19.23 If a program participant is involved in a legal proceeding as a party or witness, If a  
19.24 program participant's address is protected under section 5B.05, no person or entity shall  
19.25 be compelled to disclose the participant's actual address during the discovery phase of or  
19.26 during a proceeding before a court or other tribunal unless the court or tribunal finds that:

19.27 (1) there is a reasonable belief that the address is needed to obtain information or  
19.28 evidence without which the investigation, prosecution, or litigation cannot proceed; and

19.29 (2) there is no other practicable way of obtaining the information or evidence.

19.30 The court must provide the program participant with notice that address disclosure  
19.31 is sought and an opportunity to present evidence regarding the potential harm to the  
19.32 safety of the program participant if the address is disclosed. In determining whether to  
19.33 compel disclosure, the court must consider whether the potential harm to the safety of the  
19.34 participant is outweighed by the interest in disclosure. In a criminal proceeding, the court

20.1 must order disclosure of a program participant's address if protecting the address would  
20.2 violate a defendant's constitutional right to confront a witness.

20.3 Disclosure of a participant's actual address under this section shall be limited under  
20.4 the terms of the order to ensure that the disclosure and dissemination of the actual address  
20.5 will be no wider than necessary for the purposes of the investigation, prosecution, or  
20.6 litigation.

20.7 Nothing in this section prevents the court or other tribunal ~~may issue~~ from issuing a  
20.8 protective order to prevent disclosure of information other than the participant's actual  
20.9 address that could reasonably lead to the discovery of the program participant's location.

20.10 Sec. 2. Minnesota Statutes 2014, section 13.03, subdivision 6, is amended to read:

20.11 Subd. 6. **Discoverability of not public data.** If a government entity opposes  
20.12 discovery of government data or release of data pursuant to court order on the grounds  
20.13 that the data are classified as not public, the party that seeks access to the data may bring  
20.14 before the appropriate presiding judicial officer, arbitrator, or administrative law judge an  
20.15 action to compel discovery or an action in the nature of an action to compel discovery.

20.16 The presiding officer shall first decide whether the data are discoverable or releasable  
20.17 pursuant to the rules of evidence and of criminal, civil, or administrative procedure  
20.18 appropriate to the action.

20.19 If the data are discoverable the presiding officer shall decide whether the benefit to  
20.20 the party seeking access to the data outweighs any harm to the confidentiality interests  
20.21 of the entity maintaining the data, or of any person who has provided the data or who  
20.22 is the subject of the data, or to the privacy interest of an individual identified in the  
20.23 data. In making the decision, the presiding officer shall consider whether notice to the  
20.24 subject of the data is warranted and, if warranted, what type of notice must be given. The  
20.25 presiding officer may fashion and issue any protective orders necessary to assure proper  
20.26 handling of the data by the parties. If the data are a videotape of a child victim or alleged  
20.27 victim alleging, explaining, denying, or describing an act of physical or sexual abuse,  
20.28 the presiding officer shall consider the provisions of section 611A.90, subdivision 2,  
20.29 paragraph (b). If the data are data subject to the protections under chapter 5B or section  
20.30 13.045, the presiding officer shall consider the provisions of section 5B.11.

20.31 Sec. 3. Minnesota Statutes 2014, section 97B.031, subdivision 4, is amended to read:

20.32 Subd. 4. **Silencers Suppressors prohibited.** Except as provided in section 609.66,  
20.33 subdivision 1h, a person may not own or possess a ~~silencer~~ suppressor for a firearm or a  
20.34 firearm equipped to have a ~~silencer~~ suppressor attached.

21.1 Sec. 4. Minnesota Statutes 2014, section 168A.1501, subdivision 1, is amended to read:

21.2 Subdivision 1. **Definitions.** (a) For purposes of this section, the terms defined in  
21.3 this subdivision have the meanings given.

21.4 (b) "Law enforcement agency" or "agency" means a duly authorized municipal,  
21.5 county, state, or federal law enforcement agency.

21.6 (c) "Person" means an individual, partnership, limited partnership, limited liability  
21.7 company, corporation, or other entity.

21.8 (d) "Scrap vehicle" means a motor vehicle purchased primarily as scrap, for its reuse  
21.9 or recycling value as raw metal, or for dismantling for parts.

21.10 (e) "Scrap vehicle operator" or "operator" means the following persons who engage  
21.11 in a transaction involving the purchase or acquisition of a scrap vehicle: scrap metal  
21.12 processors licensed under section 168.27, subdivision 1a, paragraph (c); used vehicle parts  
21.13 dealers licensed under section 168.27, subdivision 1a, paragraph (d); scrap metal dealers  
21.14 under section 325E.21; and junk yards under section 471.925.

21.15 (f) ~~"Interchange file specification format" means the most recent version of the~~  
21.16 ~~Minneapolis automated property system interchange file specification format.~~

21.17 ~~(g)~~ "Motor vehicle" has the meaning given in section 169.011, subdivision 42.

21.18 ~~(h)~~ (g) "Proof of identification" means a driver's license, Minnesota identification  
21.19 card number, or other identification document issued for identification purposes by any  
21.20 state, federal, or foreign government if the document includes the person's photograph,  
21.21 full name, birth date, and signature.

21.22 ~~(i)~~ (h) "Seller" means any seller, prospective seller, or agent of the seller.

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

21.24 Sec. 5. Minnesota Statutes 2014, section 168A.1501, subdivision 6, is amended to read:

21.25 Subd. 6. **Additional reporting.** ~~In addition to the requirements under subdivision~~  
21.26 ~~5 if applicable,~~ The following entities must submit information on the purchase or  
21.27 acquisition of a scrap vehicle to the National Motor Vehicle Title Information System,  
21.28 established pursuant to United States Code, title 49, section 30502, by the close of  
21.29 business the following day:

21.30 (1) an operator who is not licensed under section 168.27; and

21.31 (2) an operator who purchases a scrap vehicle under subdivision 9.

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

21.33 Sec. 6. Minnesota Statutes 2014, section 299A.73, subdivision 2, is amended to read:

22.1 Subd. 2. **Applications.** Applications for a grant-in-aid shall be made by the  
22.2 administering agency to the commissioner.

22.3 The grant-in-aid is contingent upon the agency having obtained from the community  
22.4 in which the youth intervention program is established local matching money ~~two times~~  
22.5 equal to the amount of the grant that is sought. The matching requirement is intended to  
22.6 leverage the investment of state and community dollars in supporting the efforts of the  
22.7 grantees to provide early intervention services to youth and their families.

22.8 The commissioner shall provide the application form, procedures for making  
22.9 application form, criteria for review of the application, and kinds of contributions in  
22.10 addition to cash that qualify as local matching money. No grant to any agency may  
22.11 exceed ~~\$50,000~~ \$75,000.

22.12 Sec. 7. Minnesota Statutes 2014, section 299C.35, is amended to read:

22.13 **299C.35 BUREAU TO BROADCAST CRIMINAL INFORMATION.**

22.14 It shall be the duty of the bureau to broadcast all police dispatches and reports  
22.15 submitted which, in the opinion of the superintendent, shall have a reasonable relation  
22.16 to or connection with the apprehension of criminals, the prevention of crime, and the  
22.17 maintenance of peace and order throughout the state. Every sheriff, peace officer, or  
22.18 other person ~~employing a radio receiving set under the provisions of sections 299C.30~~  
22.19 ~~to 299C.38~~ shall make ~~report~~ reports to the bureau at such times and containing such  
22.20 information as the superintendent shall direct.

22.21 Sec. 8. Minnesota Statutes 2014, section 299C.38, is amended to read:

22.22 **299C.38 PRIORITY OF POLICE COMMUNICATIONS; MISDEMEANOR.**

22.23 ~~Any telegraph or telephone operator who shall fail to give priority to police~~  
22.24 ~~messages or calls as provided in sections 299C.30 to 299C.38, and~~ Any person who  
22.25 willfully makes any false, misleading, or unfounded report to any ~~broadcasting station~~  
22.26 ~~established thereunder~~ public safety answering point for the purpose of interfering with  
22.27 the operation thereof, or with the intention of misleading any officer of this state, shall be  
22.28 guilty of a misdemeanor.

22.29 Sec. 9. Minnesota Statutes 2014, section 299C.46, subdivision 2, is amended to read:

22.30 Subd. 2. **Criminal justice agency defined.** For the purposes of sections 299C.46  
22.31 ~~to 299C.49~~ and 299C.48, "criminal justice agency" means an agency of the state or a  
22.32 political subdivision or the federal government charged with detection, enforcement,  
22.33 prosecution, adjudication or incarceration in respect to the criminal or traffic laws of this

23.1 state. This definition also includes all sites identified and licensed as a detention facility  
23.2 by the commissioner of corrections under section 241.021 and those federal agencies that  
23.3 serve part or all of the state from an office located outside the state.

23.4 Sec. 10. Minnesota Statutes 2014, section 299C.46, subdivision 2a, is amended to read:

23.5 Subd. 2a. **Noncriminal justice agency defined.** For the purposes of sections  
23.6 299C.46 ~~to 299C.49~~ and 299C.48, "noncriminal justice agency" means an agency of the  
23.7 state or a political subdivision of the state charged with the responsibility of performing  
23.8 checks of state databases connected to the criminal justice data communications network.

23.9 Sec. 11. **[299C.75] BACKGROUND CHECKS; INDIAN TRIBES.**

23.10 (a) When requested by a law enforcement agency of an Indian tribe with a  
23.11 reservation in the state, the superintendent shall perform a criminal history background  
23.12 check on a person seeking a license, employment, public housing, candidacy for tribal  
23.13 election, or other purpose as required under tribal law and in accordance with federal law.  
23.14 When requested by the law enforcement agency of the Indian tribe, the superintendent  
23.15 shall exchange fingerprints with the Federal Bureau of Investigation for purposes of  
23.16 the criminal history background check. The superintendent shall recover the cost of a  
23.17 background check under this section through a fee charged to the Indian tribe.

23.18 (b) For purposes of this section, "Indian tribe" means a tribe, band, nation, or other  
23.19 federally recognized group or community of Indians.

23.20 (c) If any provision of this section is determined to be in conflict with respect to a  
23.21 tribal state gaming compact of an Indian tribe requesting a background check under this  
23.22 section, the compact provision shall prevail.

23.23 Sec. 12. Minnesota Statutes 2014, section 325E.21, subdivision 1, is amended to read:

23.24 Subdivision 1. **Definitions.** (a) For purposes of this section, the terms defined in  
23.25 this subdivision have the meanings given.

23.26 (b) "Law enforcement agency" or "agency" means a duly authorized municipal,  
23.27 county, state, or federal law enforcement agency.

23.28 (c) "Person" means an individual, partnership, limited partnership, limited liability  
23.29 company, corporation, or other entity.

23.30 (d) "Scrap metal" means:

23.31 (1) wire and cable commonly and customarily used by communication and electric  
23.32 utilities; and

24.1 (2) copper, aluminum, or any other metal purchased primarily for its reuse or  
 24.2 recycling value as raw metal, including metal that is combined with other materials at the  
 24.3 time of purchase, but does not include a scrap vehicle as defined in section 168A.1501,  
 24.4 subdivision 1.

24.5 (e) "Scrap metal dealer" or "dealer" means a person engaged in the business of  
 24.6 buying or selling scrap metal, or both.

24.7 The terms do not include a person engaged exclusively in the business of buying or selling  
 24.8 new or used motor vehicles, paper or wood products, rags or furniture, or secondhand  
 24.9 machinery.

24.10 ~~(f) "Interchange file specification format" means the most recent version of the~~  
 24.11 ~~Minneapolis automated property system interchange file specification format.~~

24.12 ~~(g)~~ "Seller" means any seller, prospective seller, or agent of the seller.

24.13 ~~(h)~~ (g) "Proof of identification" means a driver's license, Minnesota identification  
 24.14 card number, or other identification document issued for identification purposes by any  
 24.15 state, federal, or foreign government if the document includes the person's photograph,  
 24.16 full name, birth date, and signature.

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

24.18 Sec. 13. Minnesota Statutes 2014, section 325E.21, subdivision 2, is amended to read:

24.19 Subd. 2. **Retention required.** Records required to be maintained by subdivision 1a  
 24.20 or 1b shall be retained by the scrap metal dealer for a period of three years.

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

24.22 Sec. 14. Minnesota Statutes 2014, section 352B.011, subdivision 10, is amended to read:

24.23 Subd. 10. **Member.** "Member" means:

24.24 (1) a State Patrol member currently employed under section 299D.03 by the state,  
 24.25 who is a peace officer under section 626.84, and whose salary or compensation is paid  
 24.26 out of state funds;

24.27 (2) a conservation officer employed under section 97A.201, currently employed by  
 24.28 the state, whose salary or compensation is paid out of state funds;

24.29 (3) a crime bureau officer who was employed by the crime bureau and was a member  
 24.30 of the Highway Patrolmen's retirement fund on July 1, 1978, whether or not that person  
 24.31 has the power of arrest by warrant after that date, or who is employed as police personnel,  
 24.32 with powers of arrest by warrant under Minnesota Statutes 2009, section 299C.04, and

25.1 who is currently employed by the state, and whose salary or compensation is paid out  
25.2 of state funds;

25.3 (4) a person who is employed by the state in the Department of Public Safety in a  
25.4 data processing management position with salary or compensation paid from state funds,  
25.5 who was a crime bureau officer covered by the State Patrol retirement plan on August  
25.6 15, 1987, and who was initially hired in the data processing management position within  
25.7 the department during September 1987, or January 1988, with membership continuing  
25.8 for the duration of the person's employment in that position, whether or not the person  
25.9 has the power of arrest by warrant after August 15, 1987;

25.10 (5) a public safety employee who is a peace officer under section 626.84, subdivision  
25.11 1, paragraph (c), and who is employed by the Division of Alcohol and Gambling  
25.12 Enforcement under section 299L.01;

25.13 (6) a Fugitive Apprehension Unit officer after October 31, 2000, who is employed  
25.14 by the Office of Special Investigations of the Department of Corrections and who is a  
25.15 peace officer under section 626.84;

25.16 (7) an employee of the Department of Commerce defined as a peace officer in section  
25.17 626.84, subdivision 1, paragraph (c), who is employed by the Commerce Fraud Bureau  
25.18 under section 45.0135 after January 1, 2005, and who has not attained the mandatory  
25.19 retirement age specified in section 43A.34, subdivision 4; and

25.20 (8) an employee of the Department of Public Safety, who is a licensed peace officer  
25.21 under section 626.84, subdivision 1, paragraph (c), and is employed as the statewide  
25.22 coordinator of the Violent Crime Coordinating Council.

25.23 Sec. 15. Minnesota Statutes 2014, section 609.66, subdivision 1a, is amended to read:

25.24 Subd. 1a. **Felony crimes; ~~silencers~~ suppressors prohibited; reckless discharge.**

25.25 (a) Except as otherwise provided in subdivision 1h, Whoever does any of the following is  
25.26 guilty of a felony and may be sentenced as provided in paragraph (b):

25.27 (1) sells or has in possession any device designed to ~~silence~~ suppress or muffle  
25.28 the discharge of a firearm;

25.29 (2) intentionally discharges a firearm under circumstances that endanger the safety  
25.30 of another; or

25.31 (3) recklessly discharges a firearm within a municipality.

25.32 (b) A person convicted under paragraph (a) may be sentenced as follows:

25.33 (1) if the act was a violation of paragraph (a), clause (2), or if the act was a violation  
25.34 of paragraph (a), clause (1) or (3), and was committed in a public housing zone, as defined  
25.35 in section 152.01, subdivision 19, a school zone, as defined in section 152.01, subdivision

26.1 14a, or a park zone, as defined in section 152.01, subdivision 12a, to imprisonment for not  
26.2 more than five years or to payment of a fine of not more than \$10,000, or both; or

26.3 (2) otherwise, to imprisonment for not more than two years or to payment of a fine  
26.4 of not more than \$5,000, or both.

26.5 Sec. 16. Minnesota Statutes 2014, section 609.66, subdivision 1g, is amended to read:

26.6 Subd. 1g. **Felony; possession in courthouse or certain state buildings.** (a)

26.7 A person who commits either of the following acts is guilty of a felony and may be  
26.8 sentenced to imprisonment for not more than five years or to payment of a fine of not  
26.9 more than \$10,000, or both:

26.10 (1) possesses a dangerous weapon, ammunition, or explosives within any courthouse  
26.11 complex; or

26.12 (2) possesses a dangerous weapon, ammunition, or explosives in any state building  
26.13 within the Capitol Area described in chapter 15B, other than the National Guard Armory.

26.14 (b) Unless a person is otherwise prohibited or restricted by other law to possess a  
26.15 dangerous weapon, this subdivision does not apply to:

26.16 (1) licensed peace officers or military personnel who are performing official duties;

26.17 (2) persons who carry pistols according to the terms of a permit issued under section  
26.18 624.714 and who so notify the sheriff or the commissioner of public safety, as appropriate;

26.19 (3) persons who possess dangerous weapons for the purpose of display as  
26.20 demonstrative evidence during testimony at a trial or hearing or exhibition in compliance  
26.21 with advance notice and safety guidelines set by the sheriff or the commissioner of public  
26.22 safety; or

26.23 (4) persons who possess dangerous weapons in a courthouse complex with the  
26.24 express consent of the county sheriff or who possess dangerous weapons in a state building  
26.25 with the express consent of the commissioner of public safety.

26.26 (c) For purposes of this subdivision, the issuance of a permit to carry under section  
26.27 624.714 constitutes notification of the commissioner of public safety as required under  
26.28 paragraph (b), clause (2).

26.29 Sec. 17. Minnesota Statutes 2014, section 609.66, subdivision 1h, is amended to read:

26.30 Subd. 1h. **Silencers Suppressors ; authorized for law enforcement and wildlife**

26.31 **control purposes.** (a) Notwithstanding subdivision 1a, paragraph (a), clause (1), licensed  
26.32 peace officers may use devices designed to silence suppress or muffle the discharge  
26.33 of a firearm for tactical emergency response operations. Tactical emergency response  
26.34 operations include execution of high risk search and arrest warrants, incidents of terrorism,

27.1 hostage rescue, and any other tactical deployments involving high risk circumstances.

27.2 The chief law enforcement officer of a law enforcement agency that has the need to use  
27.3 ~~silencing~~ suppression devices must establish and enforce a written policy governing the  
27.4 use of the devices.

27.5 (b) Notwithstanding subdivision 1a, paragraph (a), clause (1), an enforcement  
27.6 officer, as defined in section 97A.015, subdivision 18, a wildlife area manager, an  
27.7 employee designated under section 84.0835, or a person acting under contract with the  
27.8 commissioner of natural resources, at specific times and locations that are authorized by  
27.9 the commissioner of natural resources may use devices designed to ~~silence~~ suppress or  
27.10 muffle the discharge of a firearm for wildlife control operations that require stealth. If the  
27.11 commissioner determines that the use of ~~silencing~~ suppression devices is necessary under  
27.12 this paragraph, the commissioner must establish and enforce a written policy governing  
27.13 the use, possession, and transportation of the devices.

27.14 (c) Notwithstanding subdivision 1a, paragraph (a), clause (1), a person who is  
27.15 licensed by the United States Department of Justice, Bureau of Alcohol, Tobacco,  
27.16 Firearms and Explosives under United States Code, title 18, section 923, as a firearms  
27.17 importer, manufacturer, or dealer, who is acting in full compliance with all federal  
27.18 requirements under that license, may possess devices designed to ~~silence~~ suppress or  
27.19 muffle the discharge of a firearm for the purpose of selling or otherwise transferring in any  
27.20 lawful manner the devices or firearms tested with the devices, to:

27.21 (1) the chief administrator of any federal, state, or local governmental agency;

27.22 (2) the commander or commander's designee of any unit of the United States Armed  
27.23 Forces; or

27.24 (3) a person who is licensed by the United States Department of Justice, Bureau of  
27.25 Alcohol, Tobacco, Firearms and Explosives, under United States Code, title 18, section  
27.26 923, as a firearms importer, manufacturer, or dealer, who is acting in full compliance with  
27.27 all federal requirements under that license.

27.28 Sec. 18. Minnesota Statutes 2014, section 611A.31, subdivision 1, is amended to read:

27.29 Subdivision 1. **Scope.** For the purposes of sections 611A.31 to ~~611A.36~~ 611A.35,  
27.30 the following terms have the meanings given.

27.31 Sec. 19. Minnesota Statutes 2014, section 611A.33, is amended to read:

27.32 **611A.33 DUTIES OF COMMISSIONER.**

27.33 The commissioner shall:

- 28.1 (1) review applications for and award grants to a program pursuant to section  
28.2 611A.32, subdivision 1;
- 28.3 (2) appoint a program director to perform the duties set forth in section 611A.35;
- 28.4 (3) design and implement a uniform method of collecting data on domestic abuse  
28.5 victims to be used to evaluate the programs funded under section 611A.32;
- 28.6 (4) provide technical aid to applicants in the development of grant requests and  
28.7 provide technical aid to programs in meeting the data collection requirements established  
28.8 by the commissioner; and
- 28.9 (5) adopt, under chapter 14, all rules necessary to implement the provisions of  
28.10 sections 611A.31 to ~~611A.36~~ 611A.35.

28.11 Sec. 20. Minnesota Statutes 2014, section 611A.35, is amended to read:

28.12 **611A.35 DOMESTIC ABUSE PROGRAM DIRECTOR.**

28.13 The commissioner shall appoint a program director. The program director shall  
28.14 administer the funds appropriated for sections 611A.31 to ~~611A.36~~ 611A.35 and perform  
28.15 other duties related to battered women's and domestic abuse programs as the commissioner  
28.16 may assign. The program director shall serve at the pleasure of the commissioner in  
28.17 the unclassified service.

28.18 Sec. 21. Minnesota Statutes 2014, section 624.714, subdivision 16, is amended to read:

28.19 Subd. 16. **Recognition of permits from other states.** (a) The commissioner must  
28.20 annually establish and publish a list of other states that have laws governing the issuance  
28.21 of permits to carry weapons that are not ~~substantially~~ similar to this section. The list  
28.22 must be available on the Internet. A person holding a carry permit from a state not on  
28.23 the list may use the license or permit in this state subject to the rights, privileges, and  
28.24 requirements of this section.

28.25 (b) Notwithstanding paragraph (a), no license or permit from another state is valid in  
28.26 this state if the holder is or becomes prohibited by law from possessing a firearm.

28.27 (c) Any sheriff or police chief may file a petition under subdivision 12 seeking an  
28.28 order suspending or revoking an out-of-state permit holder's authority to carry a pistol in  
28.29 this state on the grounds set forth in subdivision 6, paragraph (a), clause (3). An order shall  
28.30 only be issued if the petitioner meets the burden of proof and criteria set forth in subdivision  
28.31 12. If the court denies the petition, the court must award the permit holder reasonable  
28.32 costs and expenses including attorney fees. The petition may be filed in any county in the  
28.33 state where a person holding a license or permit from another state can be found.

29.1 (d) The commissioner must, when necessary, execute reciprocity agreements  
29.2 regarding carry permits with jurisdictions whose carry permits are recognized under  
29.3 paragraph (a).

29.4 **Sec. 22. STATEWIDE ACCOUNTING OF UNTESTED RAPE KITS.**

29.5 (a) As used in this section, the following terms have the meanings provided:

29.6 (1) "bureau" means the state Bureau of Criminal Apprehension;

29.7 (2) "forensic laboratory" has the meaning provided in Minnesota Statutes, section  
29.8 299C.157, subdivision 1, clause (2);

29.9 (3) "rape kit" means a sexual assault examination kit;

29.10 (4) "superintendent" means the superintendent of the bureau;

29.11 (5) "untested rape kit" means a rape kit that has not been submitted to the bureau for  
29.12 DNA analysis but has been cleared for testing through the written consent of the victim; and

29.13 (6) "victim" has the meaning provided in Minnesota Statutes, section 611A.01,  
29.14 paragraph (b).

29.15 (b) By August 1, 2015, the director of the bureau's forensic science division, each  
29.16 executive director of a publicly funded forensic laboratory that tests rape kits, and each  
29.17 sheriff and chief of police must prepare and submit a written report to the superintendent  
29.18 that identifies the number of untested rape kits in the possession of the official's agency  
29.19 or department. The report must be in a form prescribed by the superintendent. At a  
29.20 minimum, each untested rape kit must be identified in the report by the date the evidence  
29.21 was collected and reasons why each untested rape kit was not tested. This report applies  
29.22 only to untested rape kits collected prior to July 1, 2015.

29.23 (c) By December 1, 2015, the superintendent must submit a report to the majority  
29.24 leader of the senate, the speaker of the house, and the Office of the Attorney General  
29.25 identifying, by agency and date collected, each untested rape kit disclosed in the reports  
29.26 required by paragraph (b). The report must also provide a detailed plan to resolve any  
29.27 backlog of untested rape kits held by the bureau and other agencies or departments.

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

29.29 **Sec. 23. REPEALER.**

29.30 (a) Minnesota Statutes 2014, sections 168A.1501, subdivisions 5 and 5a; 299C.36;  
29.31 and 325E.21, subdivisions 1c and 1d, are repealed.

29.32 (b) Laws 2014, chapter 190, sections 10; and 11, are repealed.

30.1 **EFFECTIVE DATE.** Paragraphs (a) and (b) are effective the day following final  
 30.2 enactment.

30.3 **ARTICLE 4**

30.4 **FIREFIGHTERS**

30.5 Section 1. Minnesota Statutes 2014, section 181.06, subdivision 2, is amended to read:

30.6 Subd. 2. **Payroll deductions.** A written contract may be entered into between  
 30.7 an employer and an employee wherein the employee authorizes the employer to make  
 30.8 payroll deductions for the purpose of paying union dues, premiums of any life insurance,  
 30.9 hospitalization and surgical insurance, group accident and health insurance, group term  
 30.10 life insurance, group annuities or contributions to credit unions or a community chest  
 30.11 fund, a local arts council, a local science council or a local arts and science council, or  
 30.12 Minnesota benefit association, a federally or state registered political action committee,  
 30.13 membership dues of a relief association governed by sections 424A.091 to 424A.096 or  
 30.14 Laws 2013, chapter 111, article 5, sections 31 to 42, or participation in any employee  
 30.15 stock purchase plan or savings plan for periods longer than 60 days, including gopher state  
 30.16 bonds established under section 16A.645.

30.17 **EFFECTIVE DATE.** This section is effective August 1, 2015.

30.18 Sec. 2. Minnesota Statutes 2014, section 181.101, is amended to read:

30.19 **181.101 WAGES; HOW OFTEN PAID.**

30.20 (a) Except as provided in paragraph (b), every employer must pay all wages earned  
 30.21 by an employee at least once every 31 days on a regular payday designated in advance by  
 30.22 the employer regardless of whether the employee requests payment at longer intervals.  
 30.23 Unless paid earlier, the wages earned during the first half of the first 31-day pay period  
 30.24 become due on the first regular payday following the first day of work. If wages earned  
 30.25 are not paid, the commissioner of labor and industry or the commissioner's representative  
 30.26 may demand payment on behalf of an employee. If payment is not made within ten days  
 30.27 of demand, the commissioner may charge and collect the wages earned and a penalty  
 30.28 in the amount of the employee's average daily earnings at the rate agreed upon in the  
 30.29 contract of employment, not exceeding 15 days in all, for each day beyond the ten-day  
 30.30 limit following the demand. Money collected by the commissioner must be paid to the  
 30.31 employee concerned. This section does not prevent an employee from prosecuting a  
 30.32 claim for wages. This section does not prevent a school district, other public school  
 30.33 entity, or other school, as defined under section 120A.22, from paying any wages earned  
 30.34 by its employees during a school year on regular paydays in the manner provided by an

31.1 applicable contract or collective bargaining agreement, or a personnel policy adopted by  
 31.2 the governing board. For purposes of this section, "employee" includes a person who  
 31.3 performs agricultural labor as defined in section 181.85, subdivision 2. For purposes of  
 31.4 this section, wages are earned on the day an employee works.

31.5 (b) An employer of a volunteer firefighter, as defined in section 424A.001,  
 31.6 subdivision 10, a member of an organized first responder squad that is formally recognized  
 31.7 by a political subdivision in the state, or a volunteer ambulance driver or attendant must  
 31.8 pay all wages earned by the volunteer firefighter, first responder, or volunteer ambulance  
 31.9 driver or attendant at least once every 31 days, unless the employer and the employee  
 31.10 mutually agree upon payment at longer intervals.

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

31.12 Sec. 3. Minnesota Statutes 2014, section 299F.012, subdivision 1, is amended to read:

31.13 Subdivision 1. **Authorized programs within department.** From the revenues  
 31.14 appropriated from the fire safety account, established under section 297I.06, subdivision  
 31.15 3, the commissioner of public safety may expend funds for the activities and programs  
 31.16 identified by the advisory committee established under subdivision 2 and recommended to  
 31.17 the commissioner of public safety. The commissioner shall not expend funds without the  
 31.18 recommendation of the advisory committee established under subdivision 2. These funds  
 31.19 are to be used to provide resources needed for identified activities and programs of the  
 31.20 Minnesota fire service and to ensure the State Fire Marshal Division responsibilities are  
 31.21 fulfilled. Any balance remaining in the account after the first year of the biennium must be  
 31.22 appropriated to the commissioner of public safety for the purposes specified in law.

31.23 Sec. 4. Minnesota Statutes 2014, section 299N.02, subdivision 2, is amended to read:

31.24 Subd. 2. **Terms; chair; compensation.** Members of the board shall serve for terms  
 31.25 of four years and ~~annually~~ elect a chair from among the members. Terms and filling of  
 31.26 vacancies are subject to section 15.0575, subdivisions 2, 4, and 5. Members serve without  
 31.27 compensation.

31.28 Sec. 5. Minnesota Statutes 2014, section 299N.03, subdivision 5, is amended to read:

31.29 Subd. 5. **Full-time firefighter.** A "full-time firefighter" means a person who is  
 31.30 employed and charged with the prevention and suppression of fires within the boundaries  
 31.31 of the state on a full-time, salaried basis and who is directly engaged in the hazards of  
 31.32 firefighting or is in charge of a designated fire company or companies that are directly

32.1 engaged in the hazards of firefighting. Full-time firefighter does not include a volunteer,  
32.2 part-time, or ~~paid, on-call~~ paid-on-call firefighter.

32.3 Sec. 6. Minnesota Statutes 2014, section 299N.03, subdivision 6, is amended to read:

32.4 Subd. 6. **Licensed firefighter.** "Licensed firefighter" means a full-time firefighter,  
32.5 to include a fire department employee, member, supervisor, or appointed official, who is  
32.6 licensed by the board and ~~who is~~ charged with the prevention or suppression of fires within  
32.7 the boundaries of the state. Licensed firefighter may also include a volunteer firefighter.

32.8 Sec. 7. Minnesota Statutes 2014, section 299N.03, subdivision 7, is amended to read:

32.9 Subd. 7. **Volunteer firefighter.** A "volunteer firefighter" means a person who is  
32.10 charged with the prevention or suppression of fires within the boundaries of the state  
32.11 on a volunteer, part-time, or ~~paid, on-call~~ paid-on-call basis. Volunteer firefighter does  
32.12 not include a full-time firefighter.

32.13 Sec. 8. Minnesota Statutes 2014, section 299N.04, subdivision 3, is amended to read:

32.14 Subd. 3. **Certain baccalaureate or associate degree holders eligible to take**  
32.15 **certification examination.** A person with a baccalaureate degree, or ~~with~~ an associate  
32.16 degree in applied fire science technology, from an accredited college or university, who  
32.17 has successfully completed the skills-oriented basic training course under subdivision 2,  
32.18 clause (2), is eligible to take the firefighter certification examination notwithstanding the  
32.19 requirements of subdivision 2, clause (1).

32.20 Sec. 9. Minnesota Statutes 2014, section 299N.05, subdivision 1, is amended to read:

32.21 Subdivision 1. **Licensure requirement.** A ~~full-time~~ firefighter employed ~~on or after~~  
32.22 ~~July 1, 2011,~~ full time by a fire department is not eligible for permanent employment  
32.23 without being licensed as ~~a firefighter~~ by the board.

32.24 Sec. 10. Minnesota Statutes 2014, section 299N.05, subdivision 5, is amended to read:

32.25 Subd. 5. **Issuance of Obtaining a firefighter license.** ~~The board shall license~~  
32.26 ~~any individual who meets the requirements of subdivision 3 or 4. To obtain a license, a~~  
32.27 firefighter must complete the board application process and meet the requirements of section  
32.28 299N.04. A license is valid for three years from the date of issuance a three-year period  
32.29 determined by the board, and the fee for the license is \$75. Fees under this subdivision  
32.30 may be prorated by the board for licenses issued within a three-year licensure period.

33.1 Sec. 11. Minnesota Statutes 2014, section 299N.05, subdivision 6, is amended to read:

33.2 Subd. 6. **License renewal; expiration and reinstatement.** (a) A license shall be  
33.3 renewed so long as the firefighter and the chief firefighting officer provide evidence to the  
33.4 board that the licensed firefighter has had at least 72 hours of approved firefighting training  
33.5 in the ~~previous three-year period~~ preceding three years and the firefighter completes the  
33.6 renewal application. The fee for renewing a firefighter license is \$75, and the license is  
33.7 valid for an additional three years.

33.8 (b) If a license expires, a firefighter may apply to have it reinstated. In order to  
33.9 receive reinstatement, the firefighter must:

- 33.10 (1) complete a reinstatement application;  
33.11 (2) satisfy all prior firefighter training requirements;  
33.12 (3) pay any outstanding renewal fees; and  
33.13 (4) pay the delayed renewal fee set by the board.

33.14 (c) In lieu of a reinstatement application under paragraph (b), a firefighter may  
33.15 complete a new application for licensure under section 299N.04.

33.16 Sec. 12. Minnesota Statutes 2014, section 299N.05, subdivision 7, is amended to read:

33.17 Subd. 7. **Duties of chief firefighting officer.** (a) ~~It shall be the duty of Every chief~~  
33.18 ~~firefighting officer has a duty to ensure that all every full-time firefighters have firefighter~~  
33.19 ~~has a license from issued by the board beginning July 1, 2011. Each full-time firefighter,~~  
33.20 ~~volunteer firefighter, and chief firefighting officer may apply for licensure after January 1,~~  
33.21 ~~2011.~~

33.22 (b) Every chief firefighting officer, provider, and individual licensee has a duty to  
33.23 ensure proper training records and reports are retained. Records must include, for the  
33.24 three-year period subsequent to the license renewal date:

- 33.25 (1) the dates, subjects, and duration of programs;  
33.26 (2) sponsoring organizations;  
33.27 (3) fire training hours earned;  
33.28 (4) registration receipts to prove attendance at training sessions; and  
33.29 (5) other pertinent information.

33.30 (c) The board may require a licensee, provider, or fire department to provide the  
33.31 information under paragraph (b) to demonstrate compliance with the 72-hour firefighting  
33.32 training requirement under subdivision 6, paragraph (a).

33.33 Sec. 13. Minnesota Statutes 2014, section 299N.05, subdivision 8, is amended to read:

34.1 Subd. 8. **Revocation; suspension; denial.** (a) The board may revoke, suspend,  
34.2 or deny a license issued or applied for under this section to a firefighter or applicant if  
34.3 the firefighter or applicant has been convicted of any arson-related charge or a felony  
34.4 recognized by the board as a crime that would disqualify the licensee from participating  
34.5 in the profession of firefighting.

34.6 (b) Each applicant, licensee, or fire department must notify the board, in writing,  
34.7 within ten days if the applicant or licensee has been convicted of or pled guilty or nolo  
34.8 contendere to a felony, any arson-related charge, or another offense arising from the  
34.9 same set of circumstances.

34.10 Sec. 14. **[299N.06] ELIGIBILITY FOR RECIPROCITY EXAMINATION**  
34.11 **BASED ON RELEVANT MILITARY EXPERIENCE.**

34.12 (a) For purposes of this section:

34.13 (1) "active service" has the meaning given in section 190.05, subdivision 5; and

34.14 (2) "relevant military experience" means:

34.15 (i) four years' cumulative service experience in a military firefighting occupational  
34.16 specialty;

34.17 (ii) two years' cumulative service experience in a military firefighting occupational  
34.18 specialty, and completion of at least a two-year degree from a regionally accredited  
34.19 postsecondary education institution; or

34.20 (iii) four years' cumulative experience as a full-time firefighter in another state  
34.21 combined with cumulative service experience in a military firefighting occupational  
34.22 specialty.

34.23 (b) A person is eligible to take the reciprocity examination and does not have to  
34.24 otherwise meet the requirements of section 299N.04, subdivisions 2 and 3, if the person has:

34.25 (1) relevant military experience; and

34.26 (2) been honorably discharged from military active service as evidenced by the most  
34.27 recent form DD-214 or is currently in active service, as evidenced by:

34.28 (i) active duty orders providing service time in a military firefighting specialty;

34.29 (ii) a United States Department of Defense Manpower Data Center status report  
34.30 pursuant to the Service Members Civil Relief Act, active duty status report; or

34.31 (iii) Military Personnel Center assignment information.

34.32 (c) A person who passed the examination under paragraph (b), clause (2), shall not  
34.33 be eligible to be licensed as a firefighter until honorably discharged as evidenced by the  
34.34 most recent form DD-214.

35.1 (d) To receive a firefighter license, a person who passed the reciprocity certification  
 35.2 examination must meet the requirements of section 299N.05, subdivision 4.

35.3 Sec. 15. **REPEALER.**

35.4 Minnesota Statutes 2014, section 299N.05, subdivision 3, is repealed.

## 35.5 ARTICLE 5

### 35.6 CORRECTIONS

35.7 Section 1. Minnesota Statutes 2014, section 43A.241, is amended to read:

35.8 **43A.241 INSURANCE CONTRIBUTIONS; FORMER CORRECTIONS**  
 35.9 **EMPLOYEES.**

35.10 (a) This section applies to a person who:

35.11 (1) ~~was employed by the commissioner of the Department of Corrections at a state~~  
 35.12 ~~institution under control of the commissioner, and in that employment was a member~~  
 35.13 ~~of the general plan of the Minnesota State Retirement System; or by the Department~~  
 35.14 ~~of Human Services;~~

35.15 (2) was covered by the correctional employee retirement plan under section 352.91  
 35.16 or the general state employees retirement plan of the Minnesota State Retirement System  
 35.17 as defined in section 352.021;

35.18 (3) while employed under clause (1), was assaulted by an inmate at a state institution  
 35.19 under control of the commissioner of the Department of Corrections; and:

35.20 (i) a person under correctional supervision for a criminal offense; or

35.21 (ii) a client or patient at the Minnesota sex offender program, or at a state-operated  
 35.22 forensic services program as defined in section 352.91, subdivision 3j, under the control of  
 35.23 the commissioner of the Department of Human Services; and

35.24 ~~(3)~~ (4) as a direct result of the assault under clause (3), was determined to be  
 35.25 totally and permanently physically disabled under laws governing the Minnesota State  
 35.26 Retirement System.

35.27 (b) For a person to whom this section (b) applies, the commissioner of the Department  
 35.28 of Corrections or the commissioner of the Department of Human Services must continue  
 35.29 to make the employer contribution for ~~hospital~~, medical, and dental benefits under the  
 35.30 State Employee Group Insurance Program after the person terminates state service. If  
 35.31 the person had dependent coverage at the time of terminating state service, employer  
 35.32 contributions for dependent coverage also must continue under this section. The employer  
 35.33 contributions must be in the amount of the employer contribution for active state  
 35.34 employees at the time each payment is made. The employer contributions must continue

36.1 until the person reaches age 65, provided the person makes the required employee  
36.2 contributions, in the amount required of an active state employee, at the time and in  
36.3 the manner specified by the commissioner.

36.4 **EFFECTIVE DATE.** This section is effective the day following final enactment  
36.5 and applies to a person assaulted by an inmate, client, or patient on or after that date.

36.6 Sec. 2. Minnesota Statutes 2014, section 241.88, subdivision 1, is amended to read:

36.7 Subdivision 1. **Restraint.** (a) A representative of a correctional facility may not  
36.8 restrain a woman known to be pregnant unless the representative makes an individualized  
36.9 determination that restraints are reasonably necessary for the legitimate safety and security  
36.10 needs of the woman, correctional staff, other inmates, or the public. If restraints are  
36.11 determined to be necessary, the restraints must be the least restrictive available and the  
36.12 most reasonable under the circumstances.

36.13 (b) A representative of a correctional facility may not restrain a woman known to be  
36.14 pregnant while the woman is being transported if the restraint is through the use of waist  
36.15 chains or other devices that cross or otherwise touch the woman's abdomen or handcuffs  
36.16 or other devices that cross or otherwise touch the woman's wrists when affixed behind the  
36.17 woman's back. If used, wrist restraints should be applied in such a way that the pregnant  
36.18 woman may be able to protect herself and her fetus in the event of a forward fall.

36.19 (c) A representative of a correctional facility may restrain a woman who is in labor  
36.20 or who has given birth within the preceding three days only if:

36.21 (1) there is a substantial flight risk or some other extraordinary medical or security  
36.22 circumstance that dictates restraints be used to ensure the safety and security of the  
36.23 woman, the staff of the correctional or medical facility, other inmates, or the public;

36.24 (2) the representative has made an individualized determination that restraints are  
36.25 necessary to prevent escape or injury;

36.26 (3) there is no objection from the treating medical care provider; and

36.27 (4) the restraints used are the least restrictive type and are used in the least restrictive  
36.28 manner.

36.29 (d) Section 645.241 does not apply to this section.

36.30 **EFFECTIVE DATE.** This section is effective July 1, 2015.

36.31 Sec. 3. Minnesota Statutes 2014, section 241.88, is amended by adding a subdivision  
36.32 to read:

37.1 Subd. 3. **Required annual report.** By February 15 of each year, the commissioner  
37.2 shall report to the chairs and ranking minority members of the senate and house of  
37.3 representatives committees and divisions having jurisdiction over criminal justice policy  
37.4 and funding on the use of restraints on pregnant women, women in labor, and women  
37.5 who have given birth in the preceding three days, who are incarcerated in state and local  
37.6 correctional facilities during the preceding calendar year. For reporting purposes, the use of  
37.7 restraints does not include use of hand cuffs on the front of the body of a pregnant woman.

37.8 **EFFECTIVE DATE.** This section is effective July 1, 2015.

37.9 Sec. 4. Minnesota Statutes 2014, section 241.89, subdivision 1, is amended to read:

37.10 Subdivision 1. **Applicability.** This section applies only to a woman:

37.11 (1) incarcerated following conviction; ~~and~~ or

37.12 (2) incarcerated before conviction beyond the period specified for the woman's initial  
37.13 appearance before the court in Rules of Criminal Procedure, rules 3.02, 4.01, and 4.02.

37.14 **EFFECTIVE DATE.** This section is effective July 1, 2015.

37.15 Sec. 5. Minnesota Statutes 2014, section 241.89, subdivision 2, is amended to read:

37.16 Subd. 2. **Requirements.** The head of each correctional facility shall ensure that  
37.17 every woman incarcerated at the facility:

37.18 (1) is tested for pregnancy on or before day 14 of incarceration, if under 50 years  
37.19 of age unless the inmate refuses the test;

37.20 (2) if pregnant ~~and agrees to testing, is tested for sexually transmitted diseases,~~  
37.21 ~~including HIV,~~ is provided the prevailing standard of care or current practice by the  
37.22 medical care provider's peer group;

37.23 (3) if pregnant or has given birth in the past six weeks, is provided appropriate  
37.24 educational materials and resources related to pregnancy, childbirth, breastfeeding, and  
37.25 parenting;

37.26 (4) if pregnant or has given birth in the past six weeks, has access to doula services if  
37.27 these services are provided by a certified doula without charge to the correctional facility  
37.28 or the incarcerated woman pays for the certified doula services;

37.29 (5) if pregnant or has given birth in the past six months, has access to a mental health  
37.30 assessment and, if necessary, treatment;

37.31 (6) if pregnant or has given birth in the past six months and determined to be  
37.32 suffering from a mental illness, has access to evidence-based mental health treatment  
37.33 including psychotropic medication;

38.1 (7) if pregnant or has given birth in the past six months and determined to be  
38.2 suffering from postpartum depression, has access to evidence-based therapeutic care for  
38.3 the depression; and

38.4 (8) if pregnant or has given birth in the past six months, is advised, orally or in  
38.5 writing, of applicable laws and policies governing incarcerated pregnant women.

38.6 **EFFECTIVE DATE.** This section is effective July 1, 2015.

38.7 Sec. 6. Minnesota Statutes 2014, section 244.05, is amended by adding a subdivision  
38.8 to read:

38.9 Subd. 1d. **Electronic surveillance.** (a) If the commissioner orders electronic  
38.10 surveillance of an inmate placed on supervised release, the commissioner may require that  
38.11 the inmate be kept in custody, or that the inmate's probation agent, or the agent's designee,  
38.12 directly supervise the offender until electronic surveillance is activated.

38.13 (b) It is the responsibility of the inmate placed on electronic surveillance to ensure  
38.14 that the inmate's residence is properly equipped and the inmate's telecommunications  
38.15 system is properly configured to support electronic surveillance prior to being released  
38.16 from custody or the direct supervision of a probation agent. An inmate who fails to  
38.17 comply with this paragraph may be found in violation of the inmate's conditions of release  
38.18 after a revocation hearing.

38.19 Sec. 7. Minnesota Statutes 2014, section 244.15, subdivision 6, is amended to read:

38.20 Subd. 6. **Electronic surveillance.** (a) During any phase, the offender may be placed  
38.21 on electronic surveillance if the intensive supervision agent so directs. If electronic  
38.22 surveillance is directed during phase I, the commissioner must require that the inmate be  
38.23 kept in custody, or that the inmate's intensive supervised release agent, or the agent's  
38.24 designee, directly supervise the offender until electronic surveillance is activated.

38.25 (b) It is the responsibility of the inmate placed on electronic surveillance to ensure  
38.26 that the inmate's residence is properly equipped and the inmate's telecommunications  
38.27 system is properly configured to support electronic surveillance prior to being released  
38.28 from custody or the direct supervision of an intensive supervised release agent. An  
38.29 inmate who fails to comply with this paragraph may be found in violation of the inmate's  
38.30 conditions of release after a revocation hearing.

38.31 Sec. 8. Minnesota Statutes 2014, section 260B.198, is amended by adding a  
38.32 subdivision to read:

39.1            Subd. 13. **Electronic surveillance.** (a) If a court orders a juvenile adjudicated  
39.2 delinquent to serve any portion of the juvenile's disposition on electronic surveillance,  
39.3 the court may require that the juvenile be kept in custody, or that the juvenile's probation  
39.4 agent directly supervise the juvenile until electronic surveillance is activated.

39.5            (b) It is the responsibility of the parent or guardian of the juvenile placed on electronic  
39.6 surveillance to ensure that the juvenile's residence is properly equipped and the residence's  
39.7 telecommunications system is properly configured to support electronic surveillance prior  
39.8 to the juvenile being released from custody or the direct supervision of a probation agent.

39.9            Sec. 9. Minnesota Statutes 2014, section 401.10, subdivision 1, is amended to read:

39.10           **Subdivision 1. Aid calculations.** To determine the community corrections aid  
39.11 amount to be paid to each participating county, the commissioner of corrections must  
39.12 apply the following formula:

39.13           (1) For each of the 87 counties in the state, a percent score must be calculated for  
39.14 each of the following five factors:

39.15           (i) percent of the total state population aged ten to 24 residing within the county  
39.16 according to the most recent federal census, and, in the intervening years between the  
39.17 taking of the federal census, according to the most recent estimate of the state demographer;

39.18           (ii) percent of the statewide total number of felony case filings occurring within the  
39.19 county, as determined by the state court administrator;

39.20           (iii) percent of the statewide total number of juvenile case filings occurring within  
39.21 the county, as determined by the state court administrator;

39.22           (iv) percent of the statewide total number of gross misdemeanor case filings  
39.23 occurring within the county, as determined by the state court administrator; and

39.24           (v) percent of the total statewide number of convicted felony offenders who did  
39.25 not receive an executed prison sentence, as monitored and reported by the Sentencing  
39.26 Guidelines Commission.

39.27           The percents in items (ii) to (v) must be calculated by combining the most recent  
39.28 three-year period of available data. The percents in items (i) to (v) each must sum to 100  
39.29 percent across the 87 counties.

39.30           (2) For each of the 87 counties, the county's percents in clause (1), items (i) to (v),  
39.31 must be weighted, summed, and divided by the sum of the weights to yield an average  
39.32 percent for each county, referred to as the county's "composite need percent." When  
39.33 performing this calculation, the weight for each of the percents in clause (1), items (i) to  
39.34 (v), is 1.0. The composite need percent must sum to 100 percent across the 87 counties.

40.1 (3) For each of the 87 counties, the county's "adjusted net tax capacity percent" is  
40.2 the county's adjusted net tax capacity amount, defined in the same manner as it is defined  
40.3 for cities in section 477A.011, subdivision 20, divided by the statewide total adjusted net  
40.4 tax capacity amount. The adjusted net tax capacity percent must sum to 100 percent  
40.5 across the 87 counties.

40.6 (4) For each of the 87 counties, the county's composite need percent must be divided  
40.7 by the county's adjusted net tax capacity percent to produce a ratio that, when multiplied  
40.8 by the county's composite need percent, results in the county's "tax base adjusted need  
40.9 percent."

40.10 (5) For each of the 87 counties, the county's tax base adjusted need percent must  
40.11 be added to twice the composite need percent, and the sum must be divided by 3, to  
40.12 yield the county's "weighted need percent."

40.13 (6) Each participating county's weighted need percent must be added to the weighted  
40.14 need percent of each other participating county to yield the "total weighted need percent  
40.15 for participating counties."

40.16 (7) Each participating county's weighted need percent must be divided by the total  
40.17 weighted need percent for participating counties to yield the county's "share percent." The  
40.18 share percents for participating counties must sum to 100 percent.

40.19 (8) Each participating county's "base funding amount" is the aid amount that the  
40.20 county received under this section for fiscal year 1995 plus the amount received in  
40.21 caseload or workload reduction, felony caseload reduction, and sex offender supervision  
40.22 grants in fiscal year 2015, as reported by the commissioner of corrections. In fiscal year  
40.23 1997 and thereafter, no county's aid amount under this section may be less than its base  
40.24 funding amount, provided that the total amount appropriated for this purpose is at least as  
40.25 much as the aggregate base funding amount defined in clause (9).

40.26 (9) The "aggregate base funding amount" is equal to the sum of the base funding  
40.27 amounts for all participating counties. If a county that participated under this section  
40.28 ~~during fiscal year 1995~~ chooses not to participate in any given year, then the aggregate  
40.29 base funding amount must be reduced by that county's base funding amount. If a county  
40.30 that did not participate under this section in fiscal year 1995 chooses to participate ~~in any~~  
40.31 given year on or after July 1, 2015, then the aggregate base funding amount must be  
40.32 increased by the amount of aid that the county would have received had it participated in  
40.33 fiscal year 1995 plus the estimated amount it would have received in caseload or workload  
40.34 reduction, felony caseload reduction, and sex offender supervision grants in fiscal year  
40.35 2015, as reported by the commissioner of corrections, and the amount of increase shall be  
40.36 that county's base funding amount.

41.1 (10) In any given year, the total amount appropriated for this purpose first must be  
41.2 allocated to participating counties in accordance with each county's base funding amount.  
41.3 Then, any remaining amount in excess of the aggregate base funding amount must be  
41.4 allocated to participating counties in proportion to each county's share percent, and is  
41.5 referred to as the county's "formula amount."

41.6 Each participating county's "community corrections aid amount" equals the sum of  
41.7 (i) the county's base funding amount, and (ii) the county's formula amount.

41.8 (11) However, if in any year the total amount appropriated for the purpose of this  
41.9 section is less than the aggregate base funding amount, then each participating county's  
41.10 community corrections aid amount is the product of (i) the county's base funding amount  
41.11 multiplied by (ii) the ratio of the total amount appropriated to the aggregate base funding  
41.12 amount.

41.13 For each participating county, the county's community corrections aid amount  
41.14 calculated in this subdivision is the total amount of subsidy to which the county is entitled  
41.15 under sections 401.01 to 401.16.

41.16 Sec. 10. Minnesota Statutes 2014, section 631.461, is amended to read:

41.17 **631.461 IMPRISONMENT; COUNTY JAIL; ALTERNATIVES.**

41.18 (a) When a sentence for an offense includes imprisonment in a county jail, the  
41.19 court may sentence the offender to imprisonment in a workhouse or correctional or work  
41.20 farm if there is one in the county where the offender is tried or where the offense was  
41.21 committed. If not, the court may sentence the offender to imprisonment in a workhouse or  
41.22 correctional or work farm in any county in this state. However, the county board of the  
41.23 county where the offender is tried shall have some agreement for the receipt, maintenance,  
41.24 and confinement of inmates with the county where the offender has been sentenced to  
41.25 imprisonment. The place of imprisonment must be specified in the sentence. Inmates may  
41.26 be removed from one place of confinement to another as provided by statute.

41.27 (b) If a court orders or a sheriff permits an offender to serve any portion of the  
41.28 offender's sentence on electronic surveillance, the court or sheriff may require that the  
41.29 offender be kept in custody, or that the offender's probation agent directly supervise the  
41.30 offender until electronic surveillance is activated.

41.31 (c) It is the responsibility of the offender placed on electronic surveillance to ensure  
41.32 that the offender's residence is properly equipped and the offender's telecommunications  
41.33 system is properly configured to support electronic surveillance prior to being released  
41.34 from custody or the direct supervision of a probation agent. An offender who fails to

42.1 comply with this paragraph may be found in violation of the offender's conditions of  
42.2 release after a revocation hearing.

42.3 Sec. 11. **SHERBURNE COUNTY COMMUNITY SUPERVISION GRANT.**

42.4 Notwithstanding Minnesota Statutes, section 401.10, subdivision 2, any state funds  
42.5 appropriated in fiscal year 2015 for community supervision in Sherburne County that are  
42.6 unallocated after funds are transferred under the Community Corrections Act formula to  
42.7 fund Sherburne County's participation in the act shall be transferred by the commissioner  
42.8 to Sherburne County in the form of a caseload and workload reduction grant.

42.9 Sec. 12. **COLTON'S LAW.**

42.10 If H.F. 849, article 5, sections 6, 7, 8, 10, and 13, are enacted, they shall be known  
42.11 as "Colton's Law."

42.12 Sec. 13. **ELECTRONIC SURVEILLANCE; PURPOSE STATEMENT.**

42.13 The purpose of electronic surveillance of adult and juvenile offenders is to provide a  
42.14 cost-effective alternative to incarceration or detention for deserving low-risk offenders.  
42.15 It is a privilege for an adult or juvenile offender to be placed on electronic surveillance  
42.16 in lieu of remaining in custody to complete a period of incarceration or detention. The  
42.17 parties who authorize and implement electronic surveillance shall take all reasonable  
42.18 precautions to protect public safety.

## 42.19 **ARTICLE 6**

### 42.20 **GENERAL CRIMINAL PROVISION**

42.21 Section 1. Minnesota Statutes 2014, section 13.82, subdivision 17, is amended to read:

42.22 Subd. 17. **Protection of identities.** A law enforcement agency or a law enforcement  
42.23 dispatching agency working under direction of a law enforcement agency shall withhold  
42.24 public access to data on individuals to protect the identity of individuals in the following  
42.25 circumstances:

42.26 (a) when access to the data would reveal the identity of an undercover law  
42.27 enforcement officer, as provided in section 13.43, subdivision 5;

42.28 (b) when access to the data would reveal the identity of a victim or alleged victim of  
42.29 criminal sexual conduct or ~~of a violation of~~ sex trafficking under section 609.322, 609.341  
42.30 to 609.3451, or 617.246, subdivision 2;

43.1 (c) when access to the data would reveal the identity of a paid or unpaid informant  
43.2 being used by the agency if the agency reasonably determines that revealing the identity of  
43.3 the informant would threaten the personal safety of the informant;

43.4 (d) when access to the data would reveal the identity of a victim of or witness to a  
43.5 crime if the victim or witness specifically requests not to be identified publicly, unless the  
43.6 agency reasonably determines that revealing the identity of the victim or witness would  
43.7 not threaten the personal safety or property of the individual;

43.8 (e) when access to the data would reveal the identity of a deceased person whose  
43.9 body was unlawfully removed from a cemetery in which it was interred;

43.10 (f) when access to the data would reveal the identity of a person who placed a call to a  
43.11 911 system or the identity or telephone number of a service subscriber whose phone is used  
43.12 to place a call to the 911 system and: (1) the agency determines that revealing the identity  
43.13 may threaten the personal safety or property of any person; or (2) the object of the call is  
43.14 to receive help in a mental health emergency. For the purposes of this paragraph, a voice  
43.15 recording of a call placed to the 911 system is deemed to reveal the identity of the caller;

43.16 (g) when access to the data would reveal the identity of a juvenile witness and  
43.17 the agency reasonably determines that the subject matter of the investigation justifies  
43.18 protecting the identity of the witness; or

43.19 (h) when access to the data would reveal the identity of a mandated reporter under  
43.20 section 609.456, 626.556, or 626.557.

43.21 Data concerning individuals whose identities are protected by this subdivision are  
43.22 private data about those individuals. Law enforcement agencies shall establish procedures  
43.23 to acquire the data and make the decisions necessary to protect the identity of individuals  
43.24 described in clauses (c), (d), (f), and (g).

43.25 Sec. 2. Minnesota Statutes 2014, section 169.13, subdivision 1, is amended to read:

43.26 Subdivision 1. **Reckless driving.** (a) ~~Any person who drives any vehicle in such a~~  
43.27 ~~manner as to indicate either a willful or a wanton disregard for the safety of persons or~~  
43.28 ~~property is guilty of reckless driving and such reckless driving is a misdemeanor~~ A person  
43.29 who drives a motor vehicle while aware of and consciously disregarding a substantial and  
43.30 unjustifiable risk that the driving may result in harm to another or another's property is  
43.31 guilty of reckless driving. The risk must be of such a nature and degree that disregard of it  
43.32 constitutes a significant deviation from the standard of conduct that a reasonable person  
43.33 would observe in the situation.

43.34 (b) A person shall not race any vehicle upon any street or highway of this state.  
43.35 Any person who willfully compares or contests relative speeds by operating one or more

44.1 vehicles is guilty of racing, which constitutes reckless driving, whether or not the speed  
44.2 contested or compared is in excess of the maximum speed prescribed by law.

44.3 (c) A person who violates paragraph (a) or (b) is guilty of a misdemeanor. A person  
44.4 who violates paragraph (a) or (b) and causes great bodily harm or death to another is  
44.5 guilty of a gross misdemeanor.

44.6 (d) For purposes of this section, "great bodily harm" has the meaning given in  
44.7 section 609.02, subdivision 8.

44.8 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to crimes  
44.9 committed on or after that date.

44.10 Sec. 3. Minnesota Statutes 2014, section 169.13, subdivision 3, is amended to read:

44.11 Subd. 3. **Application.** (a) The provisions of this section apply, but are not limited in  
44.12 application, to any person who drives any vehicle in the manner prohibited by this section:

44.13 (1) upon the ice of any lake, stream, or river, including but not limited to the ice of  
44.14 any boundary water; or

44.15 (2) in a parking lot ordinarily used by or available to the public though not as a  
44.16 matter of right, and a driveway connecting the parking lot with a street or highway.

44.17 (b) This section does not apply to:

44.18 (1) an authorized emergency vehicle, when responding to an emergency call or when  
44.19 in pursuit of an actual or suspected violator;

44.20 (2) the emergency operation of any vehicle when avoiding imminent danger; or

44.21 (3) any raceway, racing facility, or other public event sanctioned by the appropriate  
44.22 governmental authority.

44.23 (c) Nothing in this section or section 609.035 or 609.04 shall limit the power of the  
44.24 state to prosecute or punish a person for conduct that constitutes any other crime under  
44.25 any other law of this state.

44.26 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to crimes  
44.27 committed on or after that date.

44.28 Sec. 4. Minnesota Statutes 2014, section 169A.03, subdivision 3, is amended to read:

44.29 Subd. 3. **Aggravating factor.** "Aggravating factor" includes:

44.30 (1) a qualified prior impaired driving incident within the ten years immediately  
44.31 preceding the current offense;

44.32 (2) having an alcohol concentration of ~~0.20~~ 0.16 or more as measured at the time, or  
44.33 within two hours of the time, of the offense; or

45.1 (3) having a child under the age of 16 in the motor vehicle at the time of the offense  
45.2 if the child is more than 36 months younger than the offender.

45.3 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to crimes  
45.4 committed on or after that date.

45.5 Sec. 5. Minnesota Statutes 2014, section 169A.07, is amended to read:

45.6 **169A.07 FIRST-TIME DWI VIOLATOR; OFF-ROAD VEHICLE OR BOAT.**

45.7 A person who violates section 169A.20 (driving while impaired) while using an  
45.8 off-road recreational vehicle or motorboat and who does not have a qualified prior  
45.9 impaired driving incident is subject only to the criminal penalty provided in section  
45.10 169A.25 (second-degree driving while impaired), 169A.26 (third-degree driving while  
45.11 impaired), or 169A.27 (fourth-degree driving while impaired); and loss of operating  
45.12 privileges as provided in section 84.91, subdivision 1 (operation of snowmobiles or  
45.13 all-terrain vehicles by persons under the influence of alcohol or controlled substances), or  
45.14 86B.331, subdivision 1 (operation of motorboats while using alcohol or with a physical or  
45.15 mental disability), whichever is applicable. The person is not subject to the provisions  
45.16 of section 169A.275, subdivision 5, (submission to the level of care recommended in  
45.17 chemical use assessment for repeat offenders and offenders with alcohol concentration of  
45.18 ~~0.20~~ 0.16 or more); 169A.277 (long-term monitoring); 169A.285 (penalty assessment);  
45.19 169A.44 (conditional release); 169A.54 (impaired driving convictions and adjudications;  
45.20 administrative penalties); or 169A.54, subdivision 11 (chemical use assessment); the  
45.21 license revocation sanctions of sections 169A.50 to 169A.53 (implied consent law); or the  
45.22 plate impoundment provisions of section 169A.60 (administrative impoundment of plates).

45.23 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to crimes  
45.24 committed on or after that date.

45.25 Sec. 6. Minnesota Statutes 2014, section 169A.275, subdivision 5, is amended to read:

45.26 Subd. 5. **Level of care recommended in chemical use assessment.** Unless the  
45.27 court commits the person to the custody of the commissioner of corrections as provided in  
45.28 section 169A.276 (mandatory penalties; felony violations), in addition to other penalties  
45.29 required under this section, the court shall order a person to submit to the level of care  
45.30 recommended in the chemical use assessment conducted under section 169A.70 (alcohol  
45.31 safety program; chemical use assessments) if the person is convicted of violating section  
45.32 169A.20 (driving while impaired) while having an alcohol concentration of ~~0.20~~ 0.16 or

46.1 more as measured at the time, or within two hours of the time, of the offense or if the  
46.2 violation occurs within ten years of one or more qualified prior impaired driving incidents.

46.3 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to crimes  
46.4 committed on or after that date.

46.5 Sec. 7. Minnesota Statutes 2014, section 169A.285, subdivision 1, is amended to read:

46.6 Subdivision 1. **Authority; amount.** When a court sentences a person who violates  
46.7 section 169A.20 (driving while impaired) while having an alcohol concentration of ~~0.20~~  
46.8 0.16 or more as measured at the time, or within two hours of the time, of the violation,  
46.9 the court may impose a penalty assessment of up to \$1,000. The court may impose this  
46.10 assessment in addition to any other penalties or charges authorized under law.

46.11 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to crimes  
46.12 committed on or after that date.

46.13 Sec. 8. Minnesota Statutes 2014, section 169A.46, subdivision 1, is amended to read:

46.14 Subdivision 1. **Impairment occurred after driving ceased.** If proven by a  
46.15 preponderance of the evidence, it is an affirmative defense to a violation of section  
46.16 169A.20, subdivision 1, clause (5); 1a, clause (5); 1b, clause (5); or 1c, clause (5) (driving  
46.17 while impaired, alcohol concentration within two hours of driving), or 169A.20 by a person  
46.18 having an alcohol concentration of ~~0.20~~ 0.16 or more as measured at the time, or within  
46.19 two hours of the time, of the offense, that the defendant consumed a sufficient quantity of  
46.20 alcohol after the time of the violation and before the administration of the evidentiary test  
46.21 to cause the defendant's alcohol concentration to exceed the level specified in the applicable  
46.22 clause. Evidence that the defendant consumed alcohol after the time of the violation may  
46.23 not be admitted in defense to any alleged violation of section 169A.20, unless notice is  
46.24 given to the prosecution prior to the omnibus or pretrial hearing in the matter.

46.25 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to crimes  
46.26 committed on or after that date.

46.27 Sec. 9. Minnesota Statutes 2014, section 169A.53, subdivision 3, is amended to read:

46.28 Subd. 3. **Judicial hearing; issues, order, appeal.** (a) A judicial review hearing  
46.29 under this section must be before a district judge in any county in the judicial district  
46.30 where the alleged offense occurred. The hearing is to the court and may be conducted at  
46.31 the same time and in the same manner as hearings upon pretrial motions in the criminal  
46.32 prosecution under section 169A.20 (driving while impaired), if any. The hearing must be

47.1 recorded. The commissioner shall appear and be represented by the attorney general or  
47.2 through the prosecuting authority for the jurisdiction involved. The hearing must be held  
47.3 at the earliest practicable date, and in any event no later than 60 days following the filing  
47.4 of the petition for review. The judicial district administrator shall establish procedures to  
47.5 ensure efficient compliance with this subdivision. To accomplish this, the administrator  
47.6 may, whenever possible, consolidate and transfer review hearings among the locations  
47.7 within the judicial district where terms of district court are held.

47.8 (b) The scope of the hearing is limited to the issues in clauses (1) to ~~(10)~~ (11):

47.9 (1) Did the peace officer have probable cause to believe the person was driving,  
47.10 operating, or in physical control of a motor vehicle or commercial motor vehicle in  
47.11 violation of section 169A.20 (driving while impaired)?

47.12 (2) Was the person lawfully placed under arrest for violation of section 169A.20?

47.13 (3) Was the person involved in a motor vehicle accident or collision resulting in  
47.14 property damage, personal injury, or death?

47.15 (4) Did the person refuse to take a screening test provided for by section 169A.41  
47.16 (preliminary screening test)?

47.17 (5) If the screening test was administered, did the test indicate an alcohol  
47.18 concentration of 0.08 or more?

47.19 (6) At the time of the request for the test, did the peace officer inform the person  
47.20 of the person's rights and the consequences of taking or refusing the test as required by  
47.21 section 169A.51, subdivision 2?

47.22 (7) Did the person refuse to permit the test?

47.23 (8) If a test was taken by a person driving, operating, or in physical control of a  
47.24 motor vehicle, did the test results indicate at the time of testing:

47.25 (i) an alcohol concentration of 0.08 or more; or

47.26 (ii) the presence of a controlled substance listed in Schedule I or II or its metabolite,  
47.27 other than marijuana or tetrahydrocannabinols?

47.28 (9) If a test was taken by a person driving, operating, or in physical control of a  
47.29 commercial motor vehicle, did the test results indicate an alcohol concentration of 0.04 or  
47.30 more at the time of testing?

47.31 (10) Was the testing method used valid and reliable and were the test results  
47.32 accurately evaluated?

47.33 (11) Did the person prove the defense of necessity?

47.34 (c) It is an affirmative defense for the petitioner to prove that, at the time of the  
47.35 refusal, the petitioner's refusal to permit the test was based upon reasonable grounds.

48.1 (d) Certified or otherwise authenticated copies of laboratory or medical personnel  
 48.2 reports, records, documents, licenses, and certificates are admissible as substantive  
 48.3 evidence.

48.4 (e) The court shall order that the revocation or disqualification be either rescinded or  
 48.5 sustained and forward the order to the commissioner. The court shall file its order within 14  
 48.6 days following the hearing. If the revocation or disqualification is sustained, the court shall  
 48.7 also forward the person's driver's license or permit to the commissioner for further action by  
 48.8 the commissioner if the license or permit is not already in the commissioner's possession.

48.9 (f) Any party aggrieved by the decision of the reviewing court may appeal the  
 48.10 decision as provided in the Rules of Appellate Procedure.

48.11 (g) The civil hearing under this section shall not give rise to an estoppel on any  
 48.12 issues arising from the same set of circumstances in any criminal prosecution.

48.13 (h) It is an affirmative defense for the petitioner to prove a necessity.

48.14 Sec. 10. Minnesota Statutes 2014, section 243.166, subdivision 1b, is amended to read:

48.15 Subd. 1b. **Registration required.** (a) A person shall register under this section if:

48.16 (1) the person was charged with or petitioned for a felony violation of or attempt to  
 48.17 violate, or aiding, abetting, or conspiracy to commit, any of the following, and convicted  
 48.18 of or adjudicated delinquent for that offense or another offense arising out of the same  
 48.19 set of circumstances:

48.20 (i) murder under section 609.185, paragraph (a), clause (2);

48.21 (ii) kidnapping under section 609.25;

48.22 (iii) criminal sexual conduct under section 609.342; 609.343; 609.344; 609.345;  
 48.23 609.3451, subdivision 3; or 609.3453; ~~or~~

48.24 (iv) indecent exposure under section 617.23, subdivision 3; or

48.25 (v) interference with privacy under section 609.746, subdivision 1a;

48.26 (2) the person was charged with or petitioned for a violation of, or attempt to  
 48.27 violate, or aiding, abetting, or conspiring to commit criminal abuse in violation of section  
 48.28 609.2325, subdivision 1, paragraph (b); false imprisonment in violation of section  
 48.29 609.255, subdivision 2; solicitation, inducement, or promotion of the prostitution of a  
 48.30 ~~minor or engaging in the~~ or sex trafficking of a ~~minor~~ in violation of section 609.322; a  
 48.31 prostitution offense involving a minor ~~under the age of 13 years~~ in violation of section  
 48.32 609.324, subdivision 1, ~~paragraph (a);~~ soliciting a minor to engage in sexual conduct in  
 48.33 violation of section 609.352, subdivision 2 or 2a, clause (1); using a minor in a sexual  
 48.34 performance in violation of section 617.246; or possessing pornographic work involving a

49.1 minor in violation of section 617.247, and convicted of or adjudicated delinquent for that  
49.2 offense or another offense arising out of the same set of circumstances;

49.3 (3) the person was sentenced as a patterned sex offender under section 609.3455,  
49.4 subdivision 3a; or

49.5 (4) the person was charged with or petitioned for, including pursuant to a court  
49.6 martial, violating a law of the United States, including the Uniform Code of Military Justice,  
49.7 similar to the offenses described in clause (1), (2), or (3), and convicted of or adjudicated  
49.8 delinquent for that offense or another offense arising out of the same set of circumstances.

49.9 (b) A person also shall register under this section if:

49.10 (1) the person was charged with or petitioned for an offense in another state that  
49.11 would be a violation of a law described in paragraph (a) if committed in this state and  
49.12 convicted of or adjudicated delinquent for that offense or another offense arising out  
49.13 of the same set of circumstances;

49.14 (2) the person enters this state to reside, work, or attend school, or enters this state  
49.15 and remains for 14 days or longer; and

49.16 (3) ten years have not elapsed since the person was released from confinement  
49.17 or, if the person was not confined, since the person was convicted of or adjudicated  
49.18 delinquent for the offense that triggers registration, unless the person is subject to a longer  
49.19 registration period under the laws of another state in which the person has been convicted  
49.20 or adjudicated, or is subject to lifetime registration.

49.21 If a person described in this paragraph is subject to a longer registration period  
49.22 in another state or is subject to lifetime registration, the person shall register for that  
49.23 time period regardless of when the person was released from confinement, convicted, or  
49.24 adjudicated delinquent.

49.25 (c) A person also shall register under this section if the person was committed  
49.26 pursuant to a court commitment order under Minnesota Statutes 2012, section 253B.185,  
49.27 chapter 253D, Minnesota Statutes 1992, section 526.10, or a similar law of another state  
49.28 or the United States, regardless of whether the person was convicted of any offense.

49.29 (d) A person also shall register under this section if:

49.30 (1) the person was charged with or petitioned for a felony violation or attempt to  
49.31 violate any of the offenses listed in paragraph (a), clause (1), or a similar law of another  
49.32 state or the United States, or the person was charged with or petitioned for a violation of  
49.33 any of the offenses listed in paragraph (a), clause (2), or a similar law of another state or  
49.34 the United States;

50.1 (2) the person was found not guilty by reason of mental illness or mental deficiency  
 50.2 after a trial for that offense, or found guilty but mentally ill after a trial for that offense, in  
 50.3 states with a guilty but mentally ill verdict; and

50.4 (3) the person was committed pursuant to a court commitment order under section  
 50.5 253B.18 or a similar law of another state or the United States.

50.6 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to crimes  
 50.7 committed on or after that date.

50.8 Sec. 11. Minnesota Statutes 2014, section 609.1095, subdivision 1, is amended to read:

50.9 Subdivision 1. **Definitions.** (a) As used in this section, the following terms have  
 50.10 the meanings given.

50.11 (b) "Conviction" means any of the following accepted and recorded by the court: a  
 50.12 plea of guilty, a verdict of guilty by a jury, or a finding of guilty by the court. The term  
 50.13 includes a conviction by any court in Minnesota or another jurisdiction.

50.14 (c) "Prior conviction" means a conviction that occurred before the offender  
 50.15 committed the next felony resulting in a conviction and before the offense for which the  
 50.16 offender is being sentenced under this section.

50.17 (d) "Violent crime" means a violation of or an attempt or conspiracy to violate  
 50.18 any of the following laws of this state or any similar laws of the United States or any  
 50.19 other state: sections 152.137; 609.165; 609.185; 609.19; 609.195; 609.20; 609.205;  
 50.20 609.2112; 609.2113; 609.2114; 609.221; 609.222; 609.223; 609.228; 609.235; 609.24;  
 50.21 609.245; 609.25; 609.255; 609.2661; 609.2662; 609.2663; 609.2664; 609.2665; 609.267;  
 50.22 609.2671; 609.268; 609.322; 609.342; 609.343; 609.344; 609.345; 609.498, subdivision 1;  
 50.23 609.561; 609.562; 609.582, subdivision 1; 609.66, subdivision 1e; 609.687; and 609.855,  
 50.24 subdivision 5; any provision of sections 609.229; 609.377; 609.378; 609.749; and 624.713  
 50.25 that is punishable by a felony penalty; or any provision of chapter 152 that is punishable  
 50.26 by a maximum sentence of 15 years or more; or Minnesota Statutes 2012, section 609.21.

50.27 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to crimes  
 50.28 committed on or after that date.

50.29 Sec. 12. Minnesota Statutes 2014, section 609.2111, is amended to read:

50.30 **609.2111 DEFINITIONS.**

50.31 (a) For purposes of sections 609.2111 to 609.2114, the terms defined in this  
 50.32 subdivision have the meanings given them.

51.1 (b) "Motor vehicle" has the meaning given in section 609.52, subdivision 1, and  
51.2 includes attached trailers.

51.3 (c) "Controlled substance" has the meaning given in section 152.01, subdivision 4.

51.4 (d) "Hazardous substance" means any chemical or chemical compound that is listed  
51.5 as a hazardous substance in rules adopted under chapter 182.

51.6 (e) "Qualified prior driving offense" includes a prior conviction:

51.7 (1) for a violation of section 169A.20 under the circumstances described in section  
51.8 169A.24, 169A.25, or 169A.26;

51.9 (2) for a violation of section 169A.20 under the circumstances described in section  
51.10 169A.27 and involving damage to property;

51.11 (3) for a violation of section 169.13 involving damage to property or resulting in  
51.12 bodily harm to or the death of another;

51.13 (4) under section 609.2112, subdivision 1, paragraph (a), clauses (2) to (6);  
51.14 609.2113, subdivision 1, clauses (2) to (6); 2, clauses (2) to (6); or 3, clauses (2) to (6); or  
51.15 609.2114, subdivision 1, paragraph (a), clauses (2) to (6);

51.16 (5) under Minnesota Statutes 2012, section 609.21, subdivision 1, clauses (2) to (6); or

51.17 (6) under Minnesota Statutes 2006, section 609.21, subdivision 1, clauses (2) to (6);  
51.18 2, clauses (2) to (6); 2a, clauses (2) to (6); 2b, clauses (2) to (6); 3, clauses (2) to (6); or 4,  
51.19 clauses (2) to (6).

51.20 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to crimes  
51.21 committed on or after that date.

51.22 Sec. 13. Minnesota Statutes 2014, section 609.2112, subdivision 1, is amended to read:

51.23 Subdivision 1. **Criminal vehicular homicide.** (a) Except as provided in  
51.24 paragraph (b), a person is guilty of criminal vehicular homicide and may be sentenced  
51.25 to imprisonment for not more than ten years or to payment of a fine of not more than  
51.26 \$20,000, or both, if the person causes the death of a human being not constituting murder  
51.27 or manslaughter as a result of operating a motor vehicle:

51.28 (1) in a grossly negligent manner;

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

51.30 (i) alcohol;

51.31 (ii) a controlled substance; or

51.32 (iii) any combination of those elements;

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

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

52.1 (5) in a negligent manner while knowingly under the influence of a hazardous  
52.2 substance;

52.3 (6) in a negligent manner while any amount of a controlled substance listed in  
52.4 Schedule I or II, or its metabolite, other than marijuana or tetrahydrocannabinols, is  
52.5 present in the person's body;

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

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

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

52.15 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to crimes  
52.16 committed on or after that date.

52.17 Sec. 14. Minnesota Statutes 2014, section 609.2114, subdivision 1, is amended to read:

52.18 Subdivision 1. **Death to an unborn child.** (a) Except as provided in paragraph (b),  
52.19 a person is guilty of criminal vehicular operation resulting in death to an unborn child  
52.20 and may be sentenced to imprisonment for not more than ten years or to payment of a  
52.21 fine of not more than \$20,000, or both, if the person causes the death of an unborn child  
52.22 as a result of operating a motor vehicle:

52.23 (1) in a grossly negligent manner;

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

52.25 (i) alcohol;

52.26 (ii) a controlled substance; or

52.27 (iii) any combination of those elements;

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

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

52.31 (5) in a negligent manner while knowingly under the influence of a hazardous  
52.32 substance;

52.33 (6) in a negligent manner while any amount of a controlled substance listed in  
52.34 Schedule I or II, or its metabolite, other than marijuana or tetrahydrocannabinols, is  
52.35 present in the person's body;

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

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

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

53.10 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to crimes  
53.11 committed on or after that date.

53.12 Sec. 15. Minnesota Statutes 2014, section 609.2231, subdivision 3a, is amended to read:

53.13 Subd. 3a. **Secure treatment facility personnel.** (a) As used in this subdivision,  
53.14 "secure treatment facility" ~~has the meaning given~~ includes facilities listed in section  
53.15 sections 253B.02, subdivision 18a, and 253D.02, subdivision 13.

53.16 (b) Whoever, while committed under chapter 253D, Minnesota Statutes 2012,  
53.17 section 253B.185, or Minnesota Statutes 1992, section 526.10, commits either of the  
53.18 following acts against an employee or other individual who provides care or treatment at a  
53.19 secure treatment facility while the person is engaged in the performance of a duty imposed  
53.20 by law, policy, or rule is guilty of a felony and may be sentenced to imprisonment for not  
53.21 more than two years or to payment of a fine of not more than \$4,000, or both:

53.22 (1) assaults the person and inflicts demonstrable bodily harm; or

53.23 (2) intentionally throws or otherwise transfers bodily fluids or feces at or onto the  
53.24 person.

53.25 (c) Whoever, while committed under section 253B.18, or admitted under the  
53.26 provision of section 253B.10, subdivision 1, commits either of the following acts against  
53.27 an employee or other individual who supervises and works directly with patients at a  
53.28 secure treatment facility while the person is engaged in the performance of a duty imposed  
53.29 by law, policy, or rule, is guilty of a felony and may be sentenced to imprisonment for not  
53.30 more than two years or to payment of a fine of not more than \$4,000, or both:

53.31 (1) assaults the person and inflicts demonstrable bodily harm; or

53.32 (2) intentionally throws or otherwise transfers bodily fluids or feces at or onto the  
53.33 person.

53.34 ~~(e)~~ (d) The court shall commit a person convicted of violating ~~paragraph (b)~~ this  
53.35 subdivision to the custody of the commissioner of corrections for not less than one year

54.1 and one day. The court may not, on its own motion or the prosecutor's motion, sentence a  
 54.2 person without regard to this paragraph. A person convicted and sentenced as required by  
 54.3 this paragraph is not eligible for probation, parole, discharge, work release, or supervised  
 54.4 release, until that person has served the full term of imprisonment as provided by law,  
 54.5 notwithstanding the provisions of sections 241.26, 242.19, 243.05, 244.04, 609.12, and  
 54.6 609.135.

54.7 ~~(d)~~ (e) Notwithstanding the statutory maximum sentence provided in ~~paragraph (b)~~  
 54.8 this subdivision, when a court sentences a person to the custody of the commissioner of  
 54.9 corrections for a violation of ~~paragraph (b)~~ this subdivision, the court shall provide that  
 54.10 after the person has been released from prison, the commissioner shall place the person on  
 54.11 conditional release for five years. The terms of conditional release are governed by sections  
 54.12 244.05 and 609.3455, subdivision 6, 7, or 8; and Minnesota Statutes 2004, section 609.109.

54.13 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to crimes  
 54.14 committed on or after that date.

54.15 Sec. 16. Minnesota Statutes 2014, section 609.324, subdivision 1, is amended to read:

54.16 Subdivision 1. **Engaging in, hiring, or agreeing to hire minor to engage in**  
 54.17 **prostitution; penalties.** (a) Whoever intentionally does any of the following may be  
 54.18 sentenced to imprisonment for not more than 20 years or to payment of a fine of not  
 54.19 more than \$40,000, or both:

54.20 (1) engages in prostitution with an individual under the age of 13 years; or

54.21 (2) hires or offers or agrees to hire an individual under the age of 13 years to engage  
 54.22 in sexual penetration or sexual contact.

54.23 (b) Whoever intentionally does any of the following may be sentenced to  
 54.24 imprisonment for not more than ten years or to payment of a fine of not more than  
 54.25 \$20,000, or both:

54.26 (1) engages in prostitution with an individual under the age of 16 years but at least  
 54.27 13 years; or

54.28 (2) hires or offers or agrees to hire an individual under the age of 16 years but at  
 54.29 least 13 years to engage in sexual penetration or sexual contact.

54.30 (c) Whoever intentionally does any of the following may be sentenced to  
 54.31 imprisonment for not more than five years or to payment of a fine of not more than  
 54.32 \$10,000, or both:

54.33 (1) engages in prostitution with an individual under the age of 18 years but at least  
 54.34 16 years; or

55.1 (2) hires or offers or agrees to hire an individual under the age of 18 years but at  
55.2 least 16 years to engage in sexual penetration or sexual contact; or

55.3 (3) hires or offers or agrees to hire an individual who the actor reasonably believes  
55.4 to be under the age of 18 years to engage in sexual penetration or sexual contact.

55.5 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to crimes  
55.6 committed on or after that date.

55.7 Sec. 17. Minnesota Statutes 2014, section 609.325, is amended by adding a subdivision  
55.8 to read:

55.9 Subd. 3a. **No defense; undercover operative.** The fact that an undercover operative  
55.10 or law enforcement officer was involved in the detection or investigation of an offense  
55.11 shall not be a defense to a prosecution under section 609.324.

55.12 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to crimes  
55.13 committed on or after that date.

55.14 Sec. 18. Minnesota Statutes 2014, section 609.325, subdivision 4, is amended to read:

55.15 Subd. 4. **Affirmative defense.** It is an affirmative defense to a charge under section  
55.16 609.324, subdivision 6 or 7, if the defendant proves by a preponderance of the evidence  
55.17 that the defendant is a labor trafficking victim, as defined in section 609.281, or a sex  
55.18 trafficking victim, as defined in section 609.321, and that the defendant committed the act  
55.19 ~~only under compulsion by another who by explicit or implicit threats created a reasonable~~  
55.20 ~~apprehension in the mind of the defendant that if the defendant did not commit the act,~~  
55.21 ~~the person would inflict bodily harm upon the defendant~~ acts underlying the charge as a  
55.22 result of being a labor trafficking or sex trafficking victim.

55.23 Sec. 19. Minnesota Statutes 2014, section 609.3451, subdivision 1, is amended to read:

55.24 Subdivision 1. **Crime defined.** A person is guilty of criminal sexual conduct  
55.25 in the fifth degree:

55.26 (1) if the person engages in nonconsensual sexual contact; or

55.27 (2) the person engages in masturbation or lewd exhibition of the genitals in the  
55.28 presence of a minor under the age of 16, knowing or having reason to know the minor  
55.29 is present.

55.30 For purposes of this section, "sexual contact" has the meaning given in section  
55.31 609.341, subdivision 11, paragraph (a), clauses (i) ~~and~~ (iv), and (v), but does not include  
55.32 the intentional touching of the clothing covering the immediate area of the buttocks.

56.1 Sexual contact also includes the intentional removal or attempted removal of clothing  
56.2 covering the complainant's intimate parts or undergarments, and the nonconsensual  
56.3 touching by the complainant of the actor's intimate parts, effected by the actor, if the action  
56.4 is performed with sexual or aggressive intent.

56.5 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to crimes  
56.6 committed on or after that date.

56.7 Sec. 20. Minnesota Statutes 2014, section 609.3471, is amended to read:

56.8 **609.3471 RECORDS PERTAINING TO VICTIM IDENTITY**  
56.9 **CONFIDENTIAL.**

56.10 Notwithstanding any provision of law to the contrary, no data contained in records or  
56.11 reports relating to petitions, complaints, or indictments issued pursuant to section 609.322,  
56.12 609.342, 609.343, 609.344, 609.345, or 609.3453, which specifically identifies a victim  
56.13 who is a minor shall be accessible to the public, except by order of the court. Nothing  
56.14 in this section authorizes denial of access to any other data contained in the records or  
56.15 reports, including the identity of the defendant.

56.16 Sec. 21. Minnesota Statutes 2014, section 609.531, subdivision 1, is amended to read:

56.17 Subdivision 1. **Definitions.** For the purpose of sections 609.531 to 609.5318, the  
56.18 following terms have the meanings given them.

56.19 (a) "Conveyance device" means a device used for transportation and includes, but  
56.20 is not limited to, a motor vehicle, trailer, snowmobile, airplane, and vessel and any  
56.21 equipment attached to it. The term "conveyance device" does not include property which  
56.22 is, in fact, itself stolen or taken in violation of the law.

56.23 (b) "Weapon used" means a dangerous weapon as defined under section 609.02,  
56.24 subdivision 6, that the actor used or had in possession in furtherance of a crime.

56.25 (c) "Property" means property as defined in section 609.52, subdivision 1, clause (1).

56.26 (d) "Contraband" means property which is illegal to possess under Minnesota law.

56.27 (e) "Appropriate agency" means the Bureau of Criminal Apprehension, the  
56.28 Department of Commerce Fraud Bureau, the Minnesota Division of Driver and Vehicle  
56.29 Services, the Minnesota State Patrol, a county sheriff's department, the Three Rivers Park  
56.30 District park rangers, the Department of Natural Resources Division of Enforcement, the  
56.31 University of Minnesota Police Department, the Department of Corrections Fugitive  
56.32 Apprehension Unit, a city, metropolitan transit, or airport police department; or a  
56.33 multijurisdictional entity established under section 299A.642 or 299A.681.

57.1 (f) "Designated offense" includes:

57.2 (1) for weapons used: any violation of this chapter, chapter 152 or 624;

57.3 (2) for driver's license or identification card transactions: any violation of section  
57.4 171.22; and

57.5 (3) for all other purposes: a felony violation of, or a felony-level attempt or  
57.6 conspiracy to violate, section 325E.17; 325E.18; 609.185; 609.19; 609.195; 609.21;  
57.7 609.221; 609.222; 609.223; 609.2231; 609.2335; 609.24; 609.245; 609.25; 609.255;  
57.8 609.282; 609.283; 609.322; 609.342, subdivision 1, clauses (a) to (f); 609.343, subdivision  
57.9 1, clauses (a) to (f); 609.344, subdivision 1, clauses (a) to (e), and (h) to (j); 609.345,  
57.10 subdivision 1, clauses (a) to (e), and (h) to (j); 609.352; 609.42; 609.425; 609.466;  
57.11 609.485; 609.487; 609.52; 609.525; 609.527; 609.528; 609.53; 609.54; 609.551; 609.561;  
57.12 609.562; 609.563; 609.582; 609.59; 609.595; 609.611; 609.631; 609.66, subdivision 1e;  
57.13 609.671, subdivisions 3, 4, 5, 8, and 12; 609.687; 609.821; 609.825; 609.86; 609.88;  
57.14 609.89; 609.893; 609.895; 617.246; 617.247; or a gross misdemeanor or felony violation  
57.15 of section 609.891 or 624.7181; or any violation of section 609.324.

57.16 (g) "Controlled substance" has the meaning given in section 152.01, subdivision 4.

57.17 (h) "Prosecuting authority" means the attorney who is responsible for prosecuting an  
57.18 offense that is the basis for a forfeiture under sections 609.531 to 609.5318.

57.19 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to crimes  
57.20 committed on or after that date.

57.21 Sec. 22. **[609.5634] REAL OR PERSONAL PROPERTY ARSON RESULTING**  
57.22 **IN BODILY HARM.**

57.23 Subdivision 1. **Penalty; felony.** Whoever, by means of fire or explosives,  
57.24 intentionally sets fire to or burns any real or personal property and the fire or explosion  
57.25 proximately causes bodily harm to any person, including a public safety officer performing  
57.26 official duties, the actor shall be sentenced as follows:

57.27 (1) if the injury results in great bodily harm, the actor shall be sentenced to  
57.28 imprisonment for not more than 20 years or to payment of a fine of not more than \$20,000,  
57.29 or both;

57.30 (2) if the injury results in substantial bodily harm, the actor shall be sentenced  
57.31 to imprisonment for not more than ten years or to payment of a fine of not more than  
57.32 \$15,000, or both; and

57.33 (3) if the injury results in demonstrable bodily harm, the actor shall be sentenced  
57.34 to imprisonment for not more than five years or to payment of a fine of not more than  
57.35 \$10,000, or both.

58.1 Subd. 2. **Definitions.** (a) As used in this section, "personal property" does not  
58.2 include items where fire is involved in its normally intended use or repair, such as the wick  
58.3 of a candle, solder or flux in the act of welding, or logs in a campfire.

58.4 (b) As used in this section, "public safety officer" has the meaning given in section  
58.5 299A.41, subdivision 4.

58.6 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to crimes  
58.7 committed on or after that date.

58.8 Sec. 23. Minnesota Statutes 2014, section 609.564, is amended to read:

58.9 **609.564 EXCLUDED FIRES.**

58.10 A person does not violate section 609.561, 609.562, 609.563, 609.5634, or 609.5641  
58.11 if the person sets a fire pursuant to a validly issued license or permit or with written  
58.12 permission from the fire department of the jurisdiction where the fire occurs.

58.13 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to crimes  
58.14 committed on or after that date.

58.15 Sec. 24. Minnesota Statutes 2014, section 609.5641, subdivision 1a, is amended to read:

58.16 Subd. 1a. **Penalty; felonies.** (a) Except as provided in paragraphs (b), (c), and (d), a  
58.17 person who violates subdivision 1 may be sentenced to imprisonment for not more than  
58.18 five years or to payment of a fine of not more than \$10,000, or both.

58.19 (b) A person who violates subdivision 1 where the fire threatens to damage or  
58.20 damages in excess of five buildings or dwellings, burns 500 acres or more, or damages  
58.21 crops in excess of \$100,000, may be sentenced to imprisonment for not more than ten  
58.22 years or to payment of a fine of not more than \$15,000, or both.

58.23 (c) A person who violates subdivision 1 where the fire threatens to damage or  
58.24 damages in excess of 100 buildings or dwellings, burns 1,500 acres or more, or damages  
58.25 crops in excess of \$250,000, may be sentenced to imprisonment for not more than 20 years  
58.26 or to payment of a fine of not more than \$25,000, or both.

58.27 (d) A person who violates subdivision 1 where the fire causes another person to  
58.28 suffer ~~demonstrable~~ bodily harm may be sentenced to imprisonment for not more than  
58.29 ~~ten years or to payment of a fine of \$15,000, or both~~ as provided in section 609.5634,  
58.30 subdivision 1, clauses (1) to (3).

58.31 (e) For purposes of this section, a building or dwelling is threatened when there is a  
58.32 probability of damage to the building or dwelling requiring evacuation for safety of life.

59.1 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to crimes  
59.2 committed on or after that date.

59.3 **Sec. 25. [609.688] ADULTERATION BY BODILY FLUID.**

59.4 Subdivision 1. **Definition.** (a) As used in this section, the following terms have  
59.5 the meanings given.

59.6 (b) "Adulterates" is the intentional adding of a bodily fluid to a substance.

59.7 (c) "Bodily fluid" means the blood, seminal fluid, vaginal fluid, urine, or feces of  
59.8 a human.

59.9 Subd. 2. **Crime.** (a) Whoever adds saliva to any substance that the person knows or  
59.10 should know is intended for human consumption and another person ingests the substance  
59.11 without knowledge of the saliva being added is guilty of a misdemeanor.

59.12 (b) Whoever adulterates any substance that the person knows or should know is  
59.13 intended for human consumption is guilty of a misdemeanor.

59.14 (c) Whoever violates paragraph (b) and another person ingests the adulterated  
59.15 substance without knowledge of the adulteration is guilty of a gross misdemeanor.

59.16 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to crimes  
59.17 committed on or after that date.

59.18 **Sec. 26.** Minnesota Statutes 2014, section 609.746, is amended by adding a subdivision  
59.19 to read:

59.20 Subd. 1a. **Nonconsensual photographs and videos.** (a) A person who knowingly  
59.21 takes a photograph, records a digital image, makes a video record, or transmits live video  
59.22 of another person, without that person's consent, in a restroom, locker room, or changing  
59.23 room is guilty of a crime and may be sentenced as provided in paragraphs (c), (d), and (e).

59.24 (b) A person who knowingly disseminates, or permits to be disseminated, a  
59.25 photograph, digital image, video record, or live video that the person knows to have been  
59.26 made or transmitted in violation of paragraph (a) or subdivision 1 is guilty of a crime and  
59.27 may be sentenced as provided in paragraphs (f), (g), and (h).

59.28 (c) Except as provided in paragraphs (d) and (e), a person who violates paragraph (a)  
59.29 is guilty of a gross misdemeanor.

59.30 (d) A person who violates paragraph (a) and the victim is a minor under the age of  
59.31 18 is guilty of a felony and may be sentenced to imprisonment for not more than 36  
59.32 months or to payment of a fine of not more than \$10,000, or both.

59.33 (e) A person who violates paragraph (a) and who is required to register as a predatory  
59.34 offender under the laws of this state or another jurisdiction is guilty of a felony and may

60.1 be sentenced to imprisonment for not more than 36 months or to payment of a fine of  
60.2 not more than \$10,000, or both.

60.3 (f) Except as provided in paragraphs (g) and (h), a person who violates paragraph (b)  
60.4 is guilty of a felony and may be sentenced to imprisonment for not more than 36 months  
60.5 or to payment of a fine of not more than \$10,000, or both.

60.6 (g) A person who violates paragraph (b) and the victim is a minor under the age of  
60.7 18 is guilty of a felony and may be sentenced to imprisonment for not more than 60  
60.8 months or to payment of a fine of not more than \$20,000, or both.

60.9 (h) A person who violates paragraph (b) and who is required to register as a  
60.10 predatory offender under the laws of this state or another jurisdiction is guilty of a felony  
60.11 and may be sentenced to imprisonment for not more than 60 months or to payment of  
60.12 a fine of not more than \$20,000, or both.

60.13 (i) This subdivision does not apply to:

60.14 (1) law enforcement officers or corrections investigators, or to those acting under  
60.15 their direction, while engaged in the performance of their lawful duties; or

60.16 (2) the owner of a commercial establishment and the owner's employees if the owner  
60.17 has posted conspicuous signs warning that the premises are under surveillance by the  
60.18 owner or the owner's employees and the recording and dissemination of a photograph,  
60.19 digital image, video record, or live video are necessary to protect the safety of employees  
60.20 or customers or to secure the establishment's property, including merchandise.

60.21 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to crimes  
60.22 committed on or after that date.

60.23 Sec. 27. Minnesota Statutes 2014, section 609.765, is amended to read:

60.24 **609.765 CRIMINAL DEFAMATION.**

60.25 Subdivision 1. **Definition.** Defamatory matter is anything which exposes a person  
60.26 or a group, class or association to hatred, contempt, ridicule, degradation or disgrace in  
60.27 society, or injury to business or occupation.

60.28 Subd. 2. **Acts constituting.** Whoever with knowledge of its false and defamatory  
60.29 character orally, in writing or by any other means, communicates any false and defamatory  
60.30 matter to a third person without the consent of the person defamed is guilty of criminal  
60.31 defamation and may be sentenced to imprisonment for not more than one year or to  
60.32 payment of a fine of not more than \$3,000, or both.

60.33 Subd. 3. **Justification.** Violation of subdivision 2 is justified if:

61.1 ~~(1) the defamatory matter is true and is communicated with good motives and for~~  
 61.2 ~~justifiable ends; or~~

61.3 ~~(2)~~ (1) the communication is absolutely privileged; or

61.4 ~~(3)~~ (2) the communication consists of fair comment made in good faith with respect  
 61.5 to persons participating in matters of public concern; or

61.6 ~~(4)~~ (3) the communication consists of a fair and true report or a fair summary of any  
 61.7 judicial, legislative or other public or official proceedings; or

61.8 ~~(5)~~ (4) the communication is between persons each having an interest or duty with  
 61.9 respect to the subject matter of the communication and is made with intent to further  
 61.10 such interest or duty.

61.11 Subd. 4. **Testimony required.** No person shall be convicted on the basis of an oral  
 61.12 communication of defamatory matter except upon the testimony of at least two other  
 61.13 persons that they heard and understood the oral statement as defamatory or upon a plea  
 61.14 of guilty.

61.15 Sec. 28. Minnesota Statutes 2014, section 611A.26, subdivision 1, is amended to read:

61.16 Subdivision 1. **Polygraph prohibition.** No law enforcement agency or prosecutor  
 61.17 shall require that a complainant of a criminal sexual conduct or sex trafficking offense  
 61.18 submit to a polygraph examination as part of or a condition to proceeding with the  
 61.19 investigation, charging, or prosecution of such offense.

61.20 Sec. 29. Minnesota Statutes 2014, section 611A.26, subdivision 6, is amended to read:

61.21 Subd. 6. **Definitions.** For the purposes of this section, the following terms have  
 61.22 the meanings given.

61.23 (a) "Criminal sexual conduct" means a violation of section 609.342, 609.343,  
 61.24 609.344, 609.345, or 609.3451.

61.25 (b) "Sex trafficking" means a violation of section 609.322.

61.26 (c) "Complainant" means a person reporting to have been subjected to criminal  
 61.27 sexual conduct or sex trafficking.

61.28 ~~(e)~~ (d) "Polygraph examination" means any mechanical or electrical instrument or  
 61.29 device of any type used or allegedly used to examine, test, or question individuals for  
 61.30 the purpose of determining truthfulness.

61.31 Sec. 30. Minnesota Statutes 2014, section 617.242, subdivision 6, is amended to read:

61.32 Subd. 6. **Restrictions on ownership or management by persons convicted of**  
 61.33 **certain crimes.** A person who has been convicted of one of the following offenses may

62.1 not operate or manage an adult business establishment for three years after discharge of  
62.2 the sentence for the offense, or a similar offense in another state or jurisdiction:

62.3 (1) prostitution or sex trafficking under section 609.321; 609.322; 609.324; or  
62.4 609.3242;

62.5 (2) criminal sexual conduct under sections 609.342 to 609.3451;

62.6 (3) solicitation of children under section 609.352;

62.7 (4) indecent exposure under section 617.23;

62.8 (5) distribution or exhibition of obscene materials and performances under section  
62.9 617.241;

62.10 (6) use of a minor in a sexual performance under section 617.246; or

62.11 (7) possession of pornographic work involving minors under section 617.247.

62.12 Sec. 31. Minnesota Statutes 2014, section 628.26, is amended to read:

62.13 **628.26 LIMITATIONS.**

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

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

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

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

62.25 (e) Indictments or complaints for violation of sections 609.322 and 609.342 to  
62.26 609.345<sub>2</sub> if the victim was under the age of 18 years at the time the offense was committed,  
62.27 shall be found or made and filed in the proper court within the later of nine years after  
62.28 the commission of the offense or three years after the offense was reported to law  
62.29 enforcement authorities.

62.30 (f) Notwithstanding the limitations in paragraph (e), indictments or complaints for  
62.31 violation of sections 609.322 and 609.342 to 609.344 may be found or made and filed  
62.32 in the proper court at any time after commission of the offense, if physical evidence is  
62.33 collected and preserved that is capable of being tested for its DNA characteristics. If  
62.34 this evidence is not collected and preserved and the victim was 18 years old or older

63.1 at the time of the offense, the prosecution must be commenced within nine years after  
63.2 the commission of the offense.

63.3 (g) Indictments or complaints for violation of sections 609.466 and 609.52,  
63.4 subdivision 2, clause (3), item (iii), shall be found or made and filed in the proper court  
63.5 within six years after the commission of the offense.

63.6 (h) Indictments or complaints for violation of section 609.2335, 609.52, subdivision  
63.7 2, clause (3), items (i) and (ii), (4), (15), or (16), 609.631, or 609.821, where the value of  
63.8 the property or services stolen is more than \$35,000, shall be found or made and filed in  
63.9 the proper court within five years after the commission of the offense.

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

63.13 (j) Indictments or complaints for violation of sections 609.561 to 609.563, shall  
63.14 be found or made and filed in the proper court within five years after the commission  
63.15 of the offense.

63.16 (k) In all other cases, indictments or complaints shall be found or made and filed in  
63.17 the proper court within three years after the commission of the offense.

63.18 (l) The limitations periods contained in this section shall exclude any period of time  
63.19 during which the defendant was not an inhabitant of or usually resident within this state.

63.20 (m) The limitations periods contained in this section for an offense shall not include  
63.21 any period during which the alleged offender participated under a written agreement in a  
63.22 pretrial diversion program relating to that offense.

63.23 (n) The limitations periods contained in this section shall not include any period  
63.24 of time during which physical evidence relating to the offense was undergoing DNA  
63.25 analysis, as defined in section 299C.155, unless the defendant demonstrates that the  
63.26 prosecuting or law enforcement agency purposefully delayed the DNA analysis process in  
63.27 order to gain an unfair advantage.

63.28 **EFFECTIVE DATE.** This section is effective August 1, 2015, and applies to crimes  
63.29 committed on or after that date and to crimes committed before that date if the limitations  
63.30 period for the crime did not expire before August 1, 2015.

63.31 **Sec. 32. JACQUELYN DEVNEY AND THOMAS CONSIDINE ROADWAY**  
63.32 **SAFETY ACT.**

63.33 If 2015 H.F. No. 849, article 6, sections 2 and 3 are enacted, they may be cited as the  
63.34 Jacquelyn Devney and Thomas Considine Roadway Safety Act.

64.1 Sec. 33. **REVISOR'S INSTRUCTION.**

64.2 The revisor of statutes shall make cross-reference changes in Minnesota Statutes  
64.3 consistent with re-coding changes made in sections 13 and 14.

64.4 **ARTICLE 7**

64.5 **DISASTER ASSISTANCE**

64.6 Section 1. Minnesota Statutes 2014, section 12.221, subdivision 6, is amended to read:

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

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

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

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

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

64.18 (b) For appropriations under paragraph (a), clause (1), the amount appropriated is  
64.19 100 percent of any nonfederal share for state agencies and local governments. Money  
64.20 appropriated under paragraph (a), clause (1), may be used to pay all or a portion of the  
64.21 nonfederal share for publicly owned capital improvement projects.

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

64.25 (d) By January 15 of each year, the commissioner of management and budget shall  
64.26 submit a report to the chairs and ranking minority members of the house of representatives  
64.27 Ways and Means Committee and the senate Finance Committee detailing state disaster  
64.28 assistance appropriations and expenditures under this subdivision during the previous  
64.29 calendar year.

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

65.1 (1) provide 100 percent of the nonfederal share for state agencies and local  
 65.2 governments that will receive federal financial assistance from FEMA during the next  
 65.3 biennium; and

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

65.5 (f) Notwithstanding section 16A.28:

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

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

65.10 Sec. 2. Minnesota Statutes 2014, section 12A.15, subdivision 1, is amended to read:

65.11 Subdivision 1. **State cost-share for federal assistance.** State appropriations may be  
 65.12 used to pay 100 percent of the nonfederal share for state agencies ~~and~~<sub>2</sub> local governments<sub>2</sub>  
 65.13 and utility cooperatives under section 12.221. An appropriation from the bond proceeds  
 65.14 fund may be used as cost-share for federal disaster assistance for publicly owned capital  
 65.15 improvement projects.

65.16 Sec. 3. Minnesota Statutes 2014, section 12B.15, subdivision 2, is amended to read:

65.17 Subd. 2. **Applicant.** "Applicant" means a local government or state government  
 65.18 agency that applies for state disaster assistance under this chapter.

65.19 Sec. 4. Minnesota Statutes 2014, section 12B.15, is amended by adding a subdivision  
 65.20 to read:

65.21 Subd. 3a. **County.** "County" or "county government" means each county in which  
 65.22 a governmental unit is located in whole or in part, or a county board of commissioners  
 65.23 as defined in chapter 375.

65.24 Sec. 5. Minnesota Statutes 2014, section 12B.25, subdivision 1, is amended to read:

65.25 Subdivision 1. **Payment required; eligibility criteria.** The director, serving as  
 65.26 the governor's authorized representative, may enter into grant agreements with eligible  
 65.27 applicants to provide state financial assistance made available as a result of a disaster  
 65.28 that satisfies all of the following criteria:

65.29 (1) the state or applicable ~~local~~ county government declares a disaster or emergency  
 65.30 during the incident period;

65.31 (2) damages suffered and eligible costs incurred are the direct result of the disaster;

66.1 (3) federal disaster assistance is not available to the applicant because the governor  
 66.2 did not request a presidential declaration of major disaster, the president denied the  
 66.3 governor's request, or the applicant is not eligible for federal disaster assistance because  
 66.4 the state or county did not meet the per capita impact indicator under FEMA's Public  
 66.5 Assistance Program;

66.6 (4) the applicant incurred eligible damages that, on a per capita basis, equal or  
 66.7 exceed 50 percent of the countywide per capita impact indicator under FEMA's Public  
 66.8 Assistance Program;

66.9 (5) the applicant assumes responsibility for 25 percent of the applicant's total  
 66.10 eligible costs; and

66.11 (6) the applicant satisfies all requirements in this chapter.

66.12 Sec. 6. Minnesota Statutes 2014, section 12B.40, is amended to read:

66.13 **12B.40 APPLICATION PROCESS.**

66.14 (a) The director must develop application materials and may update the materials as  
 66.15 needed. Application materials must include instructions and requirements for assistance  
 66.16 under this chapter.

66.17 (b) ~~An applicant~~ A county government has 30 days from the end of the incident  
 66.18 period or the president's official denial of the governor's request for a declaration of a  
 66.19 major disaster to ~~provide the director with written notice of intent to apply~~ request that  
 66.20 the governor declare a state disaster. The director may deny ~~an application due to a late~~  
 66.21 ~~notice of intent to apply~~ a late request. The county government's request for a state  
 66.22 disaster declaration must include:

66.23 (1) the cause, location of damage, and incident period;

66.24 (2) documentation of a local, tribal, county, or state disaster or emergency  
 66.25 declaration in response to the disaster;

66.26 (3) a description of damages, an initial damage assessment, and the amount of  
 66.27 eligible costs incurred by the applicant;

66.28 (4) a statement or evidence that the applicant has the ability to pay for at least 25  
 66.29 percent of total eligible costs incurred from the disaster; and

66.30 (5) a statement or evidence that the local government has incurred damages equal to  
 66.31 or exceeding 50 percent of the federal countywide threshold in effect during the incident  
 66.32 period.

66.33 (c) ~~Within~~ An applicant has 60 days ~~after the end of the incident period or the~~  
 66.34 ~~president's official denial of~~ from the governor's request for a declaration of a major state

67.1 ~~disaster, the applicant must to submit a complete application for state public disaster~~  
67.2 ~~assistance to the director. A complete application includes the following:~~

67.3 ~~(1) the cause, location of damage, and incident period;~~

67.4 ~~(2) documentation of a local, tribal, county, or state disaster or emergency~~  
67.5 ~~declaration in response to the disaster;~~

67.6 ~~(3) a description of damages, an initial damage assessment, and the amount of~~  
67.7 ~~eligible costs incurred by the applicant;~~

67.8 ~~(4) a statement or evidence that the applicant has the ability to pay for at least 25~~  
67.9 ~~percent of total eligible costs incurred from the disaster; and~~

67.10 ~~(5) a statement or evidence that the local government has incurred damages equal to~~  
67.11 ~~or exceeding 50 percent of the federal countywide threshold in effect during the incident~~  
67.12 ~~period.~~

67.13 (d) The director must review the application and supporting documentation for  
67.14 completeness and may return the application with a request for more detailed information.  
67.15 The director may consult with local public officials to ensure the application reflects the  
67.16 extent and magnitude of the damage and to reconcile any differences. The application is  
67.17 not complete until the director receives all requested information.

67.18 (e) If the director returns an application with a request for more detailed information  
67.19 or for correction of deficiencies, the applicant must submit all required information within  
67.20 30 days of the applicant's receipt of the director's request. The applicant's failure to  
67.21 provide the requested information in a timely manner without a reasonable explanation  
67.22 may be cause for denial of the application.

67.23 (f) The director has no more than 60 days from the receipt of a complete application  
67.24 to approve or deny the application, or the application is deemed approved. If the director  
67.25 denies an application, the director must send a denial letter. If the director approves an  
67.26 application or the application is automatically deemed approved after 60 days, the director  
67.27 must notify the applicant of the steps necessary to obtain reimbursement of eligible  
67.28 costs, including submission of invoices or other documentation substantiating the costs  
67.29 submitted for reimbursement.

## 67.30 ARTICLE 8

### 67.31 CONTROLLED SUBSTANCES

67.32 Section 1. Minnesota Statutes 2014, section 152.02, subdivision 2, is amended to read:

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

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

68.5 (1) acetylmethadol;

68.6 (2) allylprodine;

68.7 (3) alphacetylmethadol (except levo-alphacetylmethadol, also known as  
68.8 levomethadyl acetate);

68.9 (4) alphameprodine;

68.10 (5) alphamethadol;

68.11 (6) alpha-methylfentanyl benzethidine;

68.12 (7) betacetylmethadol;

68.13 (8) betameprodine;

68.14 (9) betamethadol;

68.15 (10) betaprodine;

68.16 (11) clonitazene;

68.17 (12) dextromoramide;

68.18 (13) diampromide;

68.19 (14) diethylambutene;

68.20 (15) difenoxin;

68.21 (16) dimenoxadol;

68.22 (17) dimepheptanol;

68.23 (18) dimethylambutene;

68.24 (19) dioxaphetyl butyrate;

68.25 (20) dipipanone;

68.26 (21) ethylmethylthiambutene;

68.27 (22) etonitazene;

68.28 (23) etoxeridine;

68.29 (24) furethidine;

68.30 (25) hydroxypethidine;

68.31 (26) ketobemidone;

68.32 (27) levomoramide;

68.33 (28) levophenacylmorphan;

68.34 (29) 3-methylfentanyl;

68.35 (30) acetyl-alpha-methylfentanyl;

68.36 (31) alpha-methylthiofentanyl;

- 69.1 (32) benzylfentanyl beta-hydroxyfentanyl;
- 69.2 (33) beta-hydroxy-3-methylfentanyl;
- 69.3 (34) 3-methylthiofentanyl;
- 69.4 (35) thenylfentanyl;
- 69.5 (36) thiofentanyl;
- 69.6 (37) para-fluorofentanyl;
- 69.7 (38) morpheridine;
- 69.8 (39) 1-methyl-4-phenyl-4-propionoxypiperidine;
- 69.9 (40) noracymethadol;
- 69.10 (41) norlevorphanol;
- 69.11 (42) normethadone;
- 69.12 (43) norpipanone;
- 69.13 (44) 1-(2-phenylethyl)-4-phenyl-4-acetoxypiperidine (PEPAP);
- 69.14 (45) phenadoxone;
- 69.15 (46) phenampromide;
- 69.16 (47) phenomorphan;
- 69.17 (48) phenoperidine;
- 69.18 (49) piritramide;
- 69.19 (50) proheptazine;
- 69.20 (51) properidine;
- 69.21 (52) propiram;
- 69.22 (53) racemoramide;
- 69.23 (54) tilidine;
- 69.24 (55) trimeperidine;
- 69.25 (56) N-(1-Phenethylpiperidin-4-yl)-N-phenylacetamide (acetyl fentanyl).
- 69.26 (c) Opium derivatives. Any of the following substances, their analogs, salts, isomers,
- 69.27 and salts of isomers, unless specifically excepted or unless listed in another schedule,
- 69.28 whenever the existence of the analogs, salts, isomers, and salts of isomers is possible:
- 69.29 (1) acetorphine;
- 69.30 (2) acetyldihydrocodeine;
- 69.31 (3) benzylmorphine;
- 69.32 (4) codeine methylbromide;
- 69.33 (5) codeine-n-oxide;
- 69.34 (6) cyprenorphine;
- 69.35 (7) desomorphine;
- 69.36 (8) dihydromorphine;

- 70.1 (9) drotebanol;
- 70.2 (10) etorphine;
- 70.3 (11) heroin;
- 70.4 (12) hydromorphenol;
- 70.5 (13) methyl-desorphanol;
- 70.6 (14) methyldihydromorphine;
- 70.7 (15) morphine methylbromide;
- 70.8 (16) morphine methylsulfonate;
- 70.9 (17) morphine-n-oxide;
- 70.10 (18) myrophine;
- 70.11 (19) nicocodeine;
- 70.12 (20) nicomorphine;
- 70.13 (21) normorphine;
- 70.14 (22) pholcodine;
- 70.15 (23) thebacon.

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

- 70.21 (1) methylenedioxy amphetamine;
- 70.22 (2) methylenedioxymethamphetamine;
- 70.23 (3) methylenedioxy-N-ethylamphetamine (MDEA);
- 70.24 (4) n-hydroxy-methylenedioxyamphetamine;
- 70.25 (5) 4-bromo-2,5-dimethoxyamphetamine (DOB);
- 70.26 (6) 2,5-dimethoxyamphetamine (2,5-DMA);
- 70.27 (7) 4-methoxyamphetamine;
- 70.28 (8) 5-methoxy-3, 4-methylenedioxyamphetamine;
- 70.29 (9) alpha-ethyltryptamine;
- 70.30 (10) bufotenine;
- 70.31 (11) diethyltryptamine;
- 70.32 (12) dimethyltryptamine;
- 70.33 (13) 3,4,5-trimethoxyamphetamine;
- 70.34 (14) 4-methyl-2, 5-dimethoxyamphetamine (DOM);
- 70.35 (15) ibogaine;
- 70.36 (16) lysergic acid diethylamide (LSD);

- 71.1 (17) mescaline;
- 71.2 (18) parahexyl;
- 71.3 (19) N-ethyl-3-piperidyl benzilate;
- 71.4 (20) N-methyl-3-piperidyl benzilate;
- 71.5 (21) psilocybin;
- 71.6 (22) psilocyn;
- 71.7 (23) tenocyclidine (TPCP or TCP);
- 71.8 (24) N-ethyl-1-phenyl-cyclohexylamine (PCE);
- 71.9 (25) 1-(1-phenylcyclohexyl) pyrrolidine (PCPy);
- 71.10 (26) 1-[1-(2-thienyl)cyclohexyl]-pyrrolidine (TCPy);
- 71.11 (27) 4-chloro-2,5-dimethoxyamphetamine (DOC);
- 71.12 (28) 4-ethyl-2,5-dimethoxyamphetamine (DOET);
- 71.13 (29) 4-iodo-2,5-dimethoxyamphetamine (DOI);
- 71.14 (30) 4-bromo-2,5-dimethoxyphenethylamine (2C-B);
- 71.15 (31) 4-chloro-2,5-dimethoxyphenethylamine (2C-C);
- 71.16 (32) 4-methyl-2,5-dimethoxyphenethylamine (2C-D);
- 71.17 (33) 4-ethyl-2,5-dimethoxyphenethylamine (2C-E);
- 71.18 (34) 4-iodo-2,5-dimethoxyphenethylamine (2C-I);
- 71.19 (35) 4-propyl-2,5-dimethoxyphenethylamine (2C-P);
- 71.20 (36) 4-isopropylthio-2,5-dimethoxyphenethylamine (2C-T-4);
- 71.21 (37) 4-propylthio-2,5-dimethoxyphenethylamine (2C-T-7);
- 71.22 (38) 2-(8-bromo-2,3,6,7-tetrahydrofuro [2,3-f][1]benzofuran-4-yl)ethanamine  
71.23 (2-CB-FLY);
- 71.24 (39) bromo-benzodifuranyl-isopropylamine (Bromo-DragonFLY);
- 71.25 (40) alpha-methyltryptamine (AMT);
- 71.26 (41) N,N-diisopropyltryptamine (DiPT);
- 71.27 (42) 4-acetoxy-N,N-dimethyltryptamine (4-AcO-DMT);
- 71.28 (43) 4-acetoxy-N,N-diethyltryptamine (4-AcO-DET);
- 71.29 (44) 4-hydroxy-N-methyl-N-propyltryptamine (4-HO-MPT);
- 71.30 (45) 4-hydroxy-N,N-dipropyltryptamine (4-HO-DPT);
- 71.31 (46) 4-hydroxy-N,N-diallyltryptamine (4-HO-DALT);
- 71.32 (47) 4-hydroxy-N,N-diisopropyltryptamine (4-HO-DiPT);
- 71.33 (48) 5-methoxy-N,N-diisopropyltryptamine (5-MeO-DiPT);
- 71.34 (49) 5-methoxy- $\alpha$ -methyltryptamine (5-MeO-AMT);
- 71.35 (50) 5-methoxy-N,N-dimethyltryptamine (5-MeO-DMT);
- 71.36 (51) 5-methylthio-N,N-dimethyltryptamine (5-MeS-DMT);

- 72.1 (52) 5-methoxy-N-methyl-N-propyltryptamine (5-MeO-MiPT);
- 72.2 (53) 5-methoxy- $\alpha$ -ethyltryptamine (5-MeO-AET);
- 72.3 (54) 5-methoxy-N,N-dipropyltryptamine (5-MeO-DPT);
- 72.4 (55) 5-methoxy-N,N-diethyltryptamine (5-MeO-DET);
- 72.5 (56) 5-methoxy-N,N-diallyltryptamine (5-MeO-DALT);
- 72.6 (57) methoxetamine (MXE);
- 72.7 (58) 5-iodo-2-aminoindane (5-IAI);
- 72.8 (59) 5,6-methylenedioxy-2-aminoindane (MDAI);
- 72.9 (60) 2-(4-iodo-2,5-dimethoxyphenyl)-N-[(2-methoxyphenyl)methyl]ethanamine
- 72.10 (60) 2-(4-bromo-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine
- 72.11 (25B-NBOMe);
- 72.12 (61) 2-(4-chloro-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine
- 72.13 (25C-NBOMe);
- 72.14 (62) 2-(4-iodo-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine
- 72.15 (25I-NBOMe);
- 72.16 (63) 2-(2,5-Dimethoxyphenyl)ethanamine (2C-H);
- 72.17 (64) 2-(4-Ethylthio-2,5-dimethoxyphenyl)ethanamine (2C-T-2);

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

72.19 *williamsii* Lemaire, whether growing or not, the seeds thereof, any extract from any part

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

72.21 of the plant, its seeds or extracts. The listing of peyote as a controlled substance in

72.22 Schedule I does not apply to the nondrug use of peyote in bona fide religious ceremonies

72.23 of the American Indian Church, and members of the American Indian Church are exempt

72.24 from registration. Any person who manufactures peyote for or distributes peyote to the

72.25 American Indian Church, however, is required to obtain federal registration annually and

72.26 to comply with all other requirements of law.

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

72.28 in another schedule, any material compound, mixture, or preparation which contains any

72.29 quantity of the following substances, their analogs, salts, isomers, and salts of isomers

72.30 whenever the existence of the analogs, salts, isomers, and salts of isomers is possible:

- 72.31 (1) mecloqualone;
- 72.32 (2) methaqualone;
- 72.33 (3) gamma-hydroxybutyric acid (GHB), including its esters and ethers;
- 72.34 (4) flunitrazepam.

72.35 (g) Stimulants. Unless specifically excepted or unless listed in another schedule, any

72.36 material compound, mixture, or preparation which contains any quantity of the following

73.1 substances, their analogs, salts, isomers, and salts of isomers whenever the existence of  
73.2 the analogs, salts, isomers, and salts of isomers is possible:

- 73.3 (1) aminorex;
- 73.4 (2) cathinone;
- 73.5 (3) fenethylamine;
- 73.6 (4) methcathinone;
- 73.7 (5) methylaminorex;
- 73.8 (6) N,N-dimethylamphetamine;
- 73.9 (7) N-benzylpiperazine (BZP);
- 73.10 (8) methylmethcathinone (mephedrone);
- 73.11 (9) 3,4-methylenedioxy-N-methylcathinone (methydone);
- 73.12 (10) methoxymethcathinone (methedrone);
- 73.13 (11) methylenedioxypropylamphetamine (MDPV);
- 73.14 (12) ~~fluoromethcathinone~~ 3-fluoro-N-methylcathinone (3-FMC);
- 73.15 (13) methylethcathinone (MEC);
- 73.16 (14) 1-benzofuran-6-ylpropan-2-amine (6-APB);
- 73.17 (15) dimethylmethcathinone (DMMC);
- 73.18 (16) fluoroamphetamine;
- 73.19 (17) fluoromethamphetamine;
- 73.20 (18)  $\alpha$ -methylaminobutyrophenone (MABP or buphedrone);
- 73.21 (19)  ~~$\beta$ -keto-N-methylbenzodioxolylpropylamine (bk-MBDB or butylone)~~
- 73.22 1-(1,3-benzodioxol-5-yl)-2-(methylamino)butan-1-one (butylone);
- 73.23 (20) 2-(methylamino)-1-(4-methylphenyl)butan-1-one (4-MEMABP or BZ-6378);
- 73.24 (21) ~~naphthylpyrovalerone (naphyrone)~~ 1-(naphthalen-2-yl)-2-(pyrrolidin-1-yl)
- 73.25 pentan-1-one (naphthylpyrovalerone or naphyrone);
- 73.26 (22) ~~(RS)-1-phenyl-2-(1-pyrrolidinyl)-1-pentanone (alpha-PVP or~~
- 73.27 ~~alpha-pyrrolidinovalerophenone (alpha-pyrrolidinopentiophenone (alpha-PVP)~~;
- 73.28 (23) (RS)-1-(4-methylphenyl)-2-(1-pyrrolidinyl)-1-hexanone (4-Me-PHP or
- 73.29 MPHP); and
- 73.30 (24) 2-(1-pyrrolidinyl)-hexanophenone (Alpha-PHP);
- 73.31 (25) 4-methyl-N-ethylcathinone (4-MEC);
- 73.32 (26) 4-methyl-alpha-pyrrolidinopropiophenone (4-MePPP);
- 73.33 (27) 2-(methylamino)-1-phenylpentan-1-one (pentedrone);
- 73.34 (28) 1-(1,3-benzodioxol-5-yl)-2-(methylamino)pentan-1-one (pentydone);
- 73.35 (29) 4-fluoro-N-methylcathinone (4-FMC);
- 73.36 (30) 3,4-methylenedioxy-N-ethylcathinone (ethylone);

74.1 (31) alpha-pyrrolidinobutiophenone ( $\alpha$ -PBP);  
74.2 (32) 5-(2-Aminopropyl)-2,3-dihydrobenzofuran (5-APDB);  
74.3 (33) 6-(2-Aminopropyl)-2,3-dihydrobenzofuran (6-APDB); and  
74.4 ~~(24)~~ (34) any other substance, except bupropion or compounds listed under a  
74.5 different schedule, that is structurally derived from 2-aminopropan-1-one by substitution  
74.6 at the 1-position with either phenyl, naphthyl, or thiophene ring systems, whether or not  
74.7 the compound is further modified in any of the following ways:

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

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

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

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

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

74.20 (1) marijuana;

74.21 (2) tetrahydrocannabinols naturally contained in a plant of the genus Cannabis,  
74.22 synthetic equivalents of the substances contained in the cannabis plant or in the  
74.23 resinous extractives of the plant, or synthetic substances with similar chemical structure  
74.24 and pharmacological activity to those substances contained in the plant or resinous  
74.25 extract, including, but not limited to, 1 cis or trans tetrahydrocannabinol, 6 cis or trans  
74.26 tetrahydrocannabinol, and 3,4 cis or trans tetrahydrocannabinol;

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

74.28 (i) Naphthoylindoles, which are any compounds containing a 3-(1-naphthoyl)indole  
74.29 structure with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl,  
74.30 alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidiny)methyl or  
74.31 2-(4-morpholinyl)ethyl group, whether or not further substituted in the indole ring to any  
74.32 extent and whether or not substituted in the naphthyl ring to any extent. Examples of  
74.33 naphthoylindoles include, but are not limited to:

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

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

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

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

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

75.3 (F) 1-Hexyl-3-(1-naphthoyl)indole (JWH-019);

75.4 (G) 1-Pentyl-3-(4-methyl-1-naphthoyl)indole (JWH-122);

75.5 (H) 1-Pentyl-3-(4-ethyl-1-naphthoyl)indole (JWH-210);

75.6 (I) 1-Pentyl-3-(4-chloro-1-naphthoyl)indole (JWH-398);

75.7 (J) 1-(5-fluoropentyl)-3-(1-naphthoyl)indole (AM-2201).

75.8 (ii) Naphthylmethyloindoles, which are any compounds containing a

75.9 1H-indol-3-yl-(1-naphthyl)methane structure with substitution at the nitrogen atom

75.10 of the indole ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,

75.11 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group, whether or not further

75.12 substituted in the indole ring to any extent and whether or not substituted in the naphthyl

75.13 ring to any extent. Examples of naphthylmethyloindoles include, but are not limited to:

75.14 (A) 1-Pentyl-1H-indol-3-yl-(1-naphthyl)methane (JWH-175);

75.15 (B) 1-Pentyl-1H-indol-3-yl-(4-methyl-1-naphthyl)methane (JWH-184).

75.16 (iii) Naphthoylpyrroles, which are any compounds containing a

75.17 3-(1-naphthoyl)pyrrole structure with substitution at the nitrogen atom of the

75.18 pyrrole ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,

75.19 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group whether or not

75.20 further substituted in the pyrrole ring to any extent, whether or not substituted in the

75.21 naphthyl ring to any extent. Examples of naphthoylpyrroles include, but are not limited to,

75.22 (5-(2-fluorophenyl)-1-pentylpyrrol-3-yl)-naphthalen-1-ylmethanone (JWH-307).

75.23 (iv) Naphthylmethylindenes, which are any compounds containing a

75.24 naphthylideneindene structure with substitution at the 3-position of the indene

75.25 ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,

75.26 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group whether or not further

75.27 substituted in the indene ring to any extent, whether or not substituted in the naphthyl

75.28 ring to any extent. Examples of naphthylmethylindenes include, but are not limited to,

75.29 E-1-[1-(1-naphthalenylmethylene)-1H-inden-3-yl]pentane (JWH-176).

75.30 (v) Phenylacetylindoles, which are any compounds containing a 3-phenylacetylindole

75.31 structure with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl,

75.32 alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or

75.33 2-(4-morpholinyl)ethyl group whether or not further substituted in the indole ring to

75.34 any extent, whether or not substituted in the phenyl ring to any extent. Examples of

75.35 phenylacetylindoles include, but are not limited to:

75.36 (A) 1-(2-cyclohexylethyl)-3-(2-methoxyphenylacetyl)indole (RCS-8);

- 76.1 (B) 1-pentyl-3-(2-methoxyphenylacetyl)indole (JWH-250);
- 76.2 (C) 1-pentyl-3-(2-methylphenylacetyl)indole (JWH-251);
- 76.3 (D) 1-pentyl-3-(2-chlorophenylacetyl)indole (JWH-203).
- 76.4 (vi) Cyclohexylphenols, which are compounds containing a
- 76.5 2-(3-hydroxycyclohexyl)phenol structure with substitution at the 5-position
- 76.6 of the phenolic ring by an alkyl, haloalkyl, alkenyl, cycloalkylmethyl, cycloalkylethyl,
- 76.7 1-(N-methyl-2-piperidinyl)methyl or 2-(4-morpholinyl)ethyl group whether or not
- 76.8 substituted in the cyclohexyl ring to any extent. Examples of cyclohexylphenols include,
- 76.9 but are not limited to:
- 76.10 (A) 5-(1,1-dimethylheptyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol (CP 47,497);
- 76.11 (B) 5-(1,1-dimethyloctyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol
- 76.12 (Cannabicyclohexanol or CP 47,497 C8 homologue);
- 76.13 (C) 5-(1,1-dimethylheptyl)-2-[(1R,2R)-5-hydroxy-2-(3-hydroxypropyl)cyclohexyl]
- 76.14 -phenol (CP 55,940).
- 76.15 (vii) Benzoylindoles, which are any compounds containing a 3-(benzoyl)indole
- 76.16 structure with substitution at the nitrogen atom of the indole ring by an alkyl, haloalkyl,
- 76.17 alkenyl, cycloalkylmethyl, cycloalkylethyl, 1-(N-methyl-2-piperidinyl)methyl or
- 76.18 2-(4-morpholinyl)ethyl group whether or not further substituted in the indole ring to
- 76.19 any extent and whether or not substituted in the phenyl ring to any extent. Examples of
- 76.20 benzoylindoles include, but are not limited to:
- 76.21 (A) 1-Pentyl-3-(4-methoxybenzoyl)indole (RCS-4);
- 76.22 (B) 1-(5-fluoropentyl)-3-(2-iodobenzoyl)indole (AM-694);
- 76.23 (C) (4-methoxyphenyl-[2-methyl-1-(2-(4-morpholinyl)ethyl)indol-3-yl]methanone
- 76.24 (WIN 48,098 or Pravadoline).
- 76.25 (viii) Others specifically named:
- 76.26 (A) (6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)
- 76.27 -6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol (HU-210);
- 76.28 (B) (6aS,10aS)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)
- 76.29 -6a,7,10,10a-tetrahydrobenzo[c]chromen-1-ol (Dexanabinol or HU-211);
- 76.30 (C) 2,3-dihydro-5-methyl-3-(4-morpholinylmethyl)pyrrolo[1,2,3-de]
- 76.31 -1,4-benzoxazin-6-yl-1-naphthalenylmethanone (WIN 55,212-2);
- 76.32 (D) (1-pentylindol-3-yl)-(2,2,3,3-tetramethylcyclopropyl)methanone (UR-144);
- 76.33 (E) (1-(5-fluoropentyl)-1H-indol-3-yl)(2,2,3,3-tetramethylcyclopropyl)methanone
- 76.34 (XLR-11);
- 76.35 (F) 1-pentyl-N-tricyclo[3.3.1.1<sup>3,7</sup>]dec-1-yl-1H-indazole-3-carboxamide
- 76.36 (AKB-48(APINACA));

- 77.1 (G) N-((3s,5s,7s)-adamantan-1-yl)-1-(5-fluoropentyl)-1H-indazole-3-carboxamide  
77.2 (5-Fluoro-AKB-48);
- 77.3 (H) 1-pentyl-8-quinolinyl ester-1H-indole-3-carboxylic acid (PB-22);
- 77.4 (I) 8-quinolinyl ester-1-(5-fluoropentyl)-1H-indole-3-carboxylic acid (5-Fluoro  
77.5 PB-22);
- 77.6 (J) N-[(1S)-1-(aminocarbonyl)-2-methylpropyl]-1-pentyl-1H-indazole-  
77.7 3-carboxamide (AB-PINACA);
- 77.8 (K) N-[(1S)-1-(aminocarbonyl)-2-methylpropyl]-1-[(4-fluorophenyl)methyl]-  
77.9 1H-indazole-3-carboxamide (AB-FUBINACA);
- 77.10 (L) N-[(1S)-1-(aminocarbonyl)-2-methylpropyl]-1-(cyclohexylmethyl)-1H-  
77.11 indazole-3-carboxamide(AB-CHMINACA);
- 77.12 (M) (S)-methyl 2-(1-(5-fluoropentyl)-1H-indazole-3-carboxamido)-3-  
77.13 methylbutanoate (5-fluoro-AMB);
- 77.14 (N) [1-(5-fluoropentyl)-1H-indazol-3-yl](naphthalen-1-yl) methanone (THJ-2201);
- 77.15 (O) (1-(5-fluoropentyl)-1H-benzo[d]imidazol-2-yl)(naphthalen-1-yl)methanone  
77.16 (FUBIMINA);
- 77.17 (P) (7-methoxy-1-(2-morpholinoethyl)-N-((1S,2S,4R)-1,3,3-trimethylbicyclo  
77.18 [2.2.1]heptan-2-yl)-1H-indole-3-carboxamide (MN-25 or UR-12);
- 77.19 (Q) (S)-N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(5-fluoropentyl)  
77.20 -1H-indole-3-carboxamide (5-fluoro-ABICA);
- 77.21 (R) N-(1-amino-3-phenyl-1-oxopropan-2-yl)-1-(5-fluoropentyl)  
77.22 -1H-indole-3-carboxamide;
- 77.23 (S) N-(1-amino-3-phenyl-1-oxopropan-2-yl)-1-(5-fluoropentyl)  
77.24 -1H-indazole-3-carboxamide; and
- 77.25 (T) methyl 2-(1-(cyclohexylmethyl)-1H-indole-3-carboxamido)  
77.26 -3,3-dimethylbutanoate.
- 77.27 (i) A controlled substance analog, to the extent that it is implicitly or explicitly  
77.28 intended for human consumption.

77.29 Sec. 2. Minnesota Statutes 2014, section 152.02, subdivision 3, is amended to read:

77.30 Subd. 3. **Schedule II.** (a) Schedule II consists of the substances listed in this  
77.31 subdivision.

77.32 (b) Unless specifically excepted or unless listed in another schedule, any of  
77.33 the following substances whether produced directly or indirectly by extraction from  
77.34 substances of vegetable origin or independently by means of chemical synthesis, or by a  
77.35 combination of extraction and chemical synthesis:

78.1 (1) Opium and opiate, and any salt, compound, derivative, or preparation of opium  
78.2 or opiate.

78.3 (i) Excluding:

78.4 (A) apomorphine;

78.5 (B) thebaine-derived butorphanol;

78.6 (C) dextrophan;

78.7 (D) nalbuphine;

78.8 (E) nalmefene;

78.9 (F) naloxegol;

78.10 ~~(F)~~ (G) naloxone;

78.11 ~~(G)~~ (H) naltrexone; and

78.12 ~~(H) and (I)~~ (I) their respective salts;

78.13 (ii) but including the following:

78.14 (A) opium, in all forms and extracts;

78.15 (B) codeine;

78.16 (C) dihydroetorphine;

78.17 (D) ethylmorphine;

78.18 (E) etorphine hydrochloride;

78.19 (F) hydrocodone;

78.20 (G) hydromorphone;

78.21 (H) metopon;

78.22 (I) morphine;

78.23 (J) oxycodone;

78.24 (K) oxymorphone;

78.25 (L) thebaine;

78.26 (M) oripavine;

78.27 (2) any salt, compound, derivative, or preparation thereof which is chemically  
78.28 equivalent or identical with any of the substances referred to in clause (1), except that  
78.29 these substances shall not include the isoquinoline alkaloids of opium;

78.30 (3) opium poppy and poppy straw;

78.31 (4) coca leaves and any salt, cocaine compound, derivative, or preparation of coca  
78.32 leaves (including cocaine and ecgonine and their salts, isomers, derivatives, and salts  
78.33 of isomers and derivatives), and any salt, compound, derivative, or preparation thereof  
78.34 which is chemically equivalent or identical with any of these substances, except that the  
78.35 substances shall not include decocainized coca leaves or extraction of coca leaves, which  
78.36 extractions do not contain cocaine or ecgonine;

- 79.1 (5) concentrate of poppy straw (the crude extract of poppy straw in either liquid,  
79.2 solid, or powder form which contains the phenanthrene alkaloids of the opium poppy).
- 79.3 (c) Any of the following opiates, including their isomers, esters, ethers, salts, and  
79.4 salts of isomers, esters and ethers, unless specifically excepted, or unless listed in another  
79.5 schedule, whenever the existence of such isomers, esters, ethers and salts is possible  
79.6 within the specific chemical designation:
- 79.7 (1) alfentanil;  
79.8 (2) alphaprodine;  
79.9 (3) anileridine;  
79.10 (4) bezitramide;  
79.11 (5) bulk dextropropoxyphene (nondosage forms);  
79.12 (6) carfentanil;  
79.13 (7) dihydrocodeine;  
79.14 (8) dihydromorphinone;  
79.15 (9) diphenoxylate;  
79.16 (10) fentanyl;  
79.17 (11) isomethadone;  
79.18 (12) levo-alpha-acetylmethadol (LAAM);  
79.19 (13) levomethorphan;  
79.20 (14) levorphanol;  
79.21 (15) metazocine;  
79.22 (16) methadone;  
79.23 (17) methadone - intermediate, 4-cyano-2-dimethylamino-4, 4-diphenylbutane;  
79.24 (18) moramide - intermediate, 2-methyl-3-morpholino-1,  
79.25 1-diphenyl-propane-carboxylic acid;  
79.26 (19) pethidine;  
79.27 (20) pethidine - intermediate - a, 4-cyano-1-methyl-4-phenylpiperidine;  
79.28 (21) pethidine - intermediate - b, ethyl-4-phenylpiperidine-4-carboxylate;  
79.29 (22) pethidine - intermediate - c, 1-methyl-4-phenylpiperidine-4-carboxylic acid;  
79.30 (23) phenazocine;  
79.31 (24) piminodine;  
79.32 (25) racemethorphan;  
79.33 (26) racemorphan;  
79.34 (27) remifentanil;  
79.35 (28) sufentanil;  
79.36 (29) tapentadol;

80.1 (30) 4-Anilino-N-phenethyl-4-piperidine (ANPP).

80.2 (d) Unless specifically excepted or unless listed in another schedule, any material,  
80.3 compound, mixture, or preparation which contains any quantity of the following  
80.4 substances having a stimulant effect on the central nervous system:

80.5 (1) amphetamine, its salts, optical isomers, and salts of its optical isomers;

80.6 (2) methamphetamine, its salts, isomers, and salts of its isomers;

80.7 (3) phenmetrazine and its salts;

80.8 (4) methylphenidate;

80.9 (5) lisdexamfetamine.

80.10 (e) Unless specifically excepted or unless listed in another schedule, any material,  
80.11 compound, mixture, or preparation which contains any quantity of the following  
80.12 substances having a depressant effect on the central nervous system, including its salts,  
80.13 isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of  
80.14 isomers is possible within the specific chemical designation:

80.15 (1) amobarbital;

80.16 (2) glutethimide;

80.17 (3) secobarbital;

80.18 (4) pentobarbital;

80.19 (5) phencyclidine;

80.20 (6) phencyclidine immediate precursors:

80.21 (i) 1-phenylcyclohexylamine;

80.22 (ii) 1-piperidinocyclohexanecarbonitrile;

80.23 (7) phenylacetone.

80.24 (f) Hallucinogenic substances: nabilone.

80.25 Sec. 3. Minnesota Statutes 2014, section 152.02, subdivision 4, is amended to read:

80.26 Subd. 4. **Schedule III.** (a) Schedule III consists of the substances listed in this  
80.27 subdivision.

80.28 (b) Stimulants. Unless specifically excepted or unless listed in another schedule,  
80.29 any material, compound, mixture, or preparation which contains any quantity of the  
80.30 following substances having a potential for abuse associated with a stimulant effect on the  
80.31 central nervous system, including its salts, isomers, and salts of such isomers whenever  
80.32 the existence of such salts, isomers, and salts of isomers is possible within the specific  
80.33 chemical designation:

80.34 (1) benzphetamine;

80.35 (2) chlorphentermine;

81.1 (3) clortermine;

81.2 (4) phendimetrazine.

81.3 (c) Depressants. Unless specifically excepted or unless listed in another schedule,  
81.4 any material, compound, mixture, or preparation which contains any quantity of the  
81.5 following substances having a potential for abuse associated with a depressant effect on  
81.6 the central nervous system:

81.7 (1) any compound, mixture, or preparation containing amobarbital, secobarbital,  
81.8 pentobarbital or any salt thereof and one or more other active medicinal ingredients which  
81.9 are not listed in any schedule;

81.10 (2) any suppository dosage form containing amobarbital, secobarbital, pentobarbital,  
81.11 or any salt of any of these drugs and approved by the food and drug administration for  
81.12 marketing only as a suppository;

81.13 (3) any substance which contains any quantity of a derivative of barbituric acid, or  
81.14 any salt of a derivative of barbituric acid, except those substances which are specifically  
81.15 listed in other schedules;

81.16 (4) any drug product containing gamma hydroxybutyric acid, including its salts,  
81.17 isomers, and salts of isomers, for which an application is approved under section 505 of  
81.18 the federal Food, Drug, and Cosmetic Act;

81.19 (5) any of the following substances:

81.20 (i) chlorhexadol;

81.21 (ii) ketamine, its salts, isomers and salts of isomers;

81.22 (iii) lysergic acid;

81.23 (iv) lysergic acid amide;

81.24 (v) methyprylon;

81.25 (vi) sulfondiethylmethane;

81.26 (vii) sulfonethylmethane;

81.27 (viii) sulfonmethane;

81.28 (ix) tiletamine and zolazepam and any salt thereof;

81.29 (x) embutramide;

81.30 (xi) Perampanel [2-(2-oxo-1-phenyl-5-pyridin-2-yl-1,2-Dihydropyridin-3-yl)  
81.31 benzotrile].

81.32 (d) Nalorphine.

81.33 (e) Narcotic drugs. Unless specifically excepted or unless listed in another schedule,  
81.34 any material, compound, mixture, or preparation containing any of the following narcotic  
81.35 drugs, or their salts calculated as the free anhydrous base or alkaloid, in limited quantities  
81.36 as follows:

82.1 (1) not more than 1.80 grams of codeine per 100 milliliters or not more than 90  
82.2 milligrams per dosage unit, with an equal or greater quantity of an isoquinoline alkaloid  
82.3 of opium;

82.4 (2) not more than 1.80 grams of codeine per 100 milliliters or not more than 90  
82.5 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized  
82.6 therapeutic amounts;

82.7 ~~(3) not more than 300 milligrams of dihydrocodeinone per 100 milliliters or not~~  
82.8 ~~more than 15 milligrams per dosage unit, with a fourfold or greater quantity of an~~  
82.9 ~~isoquinoline alkaloid of opium;~~

82.10 ~~(4) not more than 300 milligrams of dihydrocodeinone per 100 milliliters or not~~  
82.11 ~~more than 15 milligrams per dosage unit, with one or more active, nonnarcotic ingredients~~  
82.12 ~~in recognized therapeutic amounts;~~

82.13 ~~(5)~~ (3) not more than 1.80 grams of dihydrocodeine per 100 milliliters or not more  
82.14 than 90 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in  
82.15 recognized therapeutic amounts;

82.16 ~~(6)~~ (4) not more than 300 milligrams of ethylmorphine per 100 milliliters or not  
82.17 more than 15 milligrams per dosage unit, with one or more active, nonnarcotic ingredients  
82.18 in recognized therapeutic amounts;

82.19 ~~(7)~~ (5) not more than 500 milligrams of opium per 100 milliliters or per 100 grams,  
82.20 or not more than 25 milligrams per dosage unit, with one or more active, nonnarcotic  
82.21 ingredients in recognized therapeutic amounts;

82.22 ~~(8)~~ (6) not more than 50 milligrams of morphine per 100 milliliters or per 100 grams  
82.23 with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;

82.24 (f) Anabolic steroids ~~and~~, human growth hormone, and chorionic gonadotropin.

82.25 (1) Anabolic steroids, for purposes of this subdivision, means any drug or hormonal  
82.26 substance, chemically and pharmacologically related to testosterone, other than estrogens,  
82.27 progestins, corticosteroids, and dehydroepiandrosterone, and includes:

82.28 (i) 3[beta],17[beta]-dihydroxy-5[alpha]-androstane;

82.29 (ii) 3[alpha],17[beta]-dihydroxy-5[alpha]-androstane;

82.30 (iii) androstenedione (5[alpha]-androst-3,17-dione);

82.31 (iv) 1-androstenediol (3[beta],17[beta]-dihydroxy-5[alpha]-androst-1-ene);

82.32 (v) 3[alpha],17[beta]-dihydroxy-5[alpha]-androst-1-ene);

82.33 (vi) 4-androstenediol (3[beta],17[beta]-dihydroxy-androst-4-ene);

82.34 (vii) 5-androstenediol (3[beta],17[beta]-dihydroxy-androst-5-ene);

82.35 (viii) 1-androstenedione (5[alpha]-androst-1-en-3,17-dione);

82.36 (ix) 4-androstenedione (androst-4-en-3,17-dione);

- 83.1 (x) 5-androstenedione (androst-5-en-3,17-dione);
- 83.2 (xi) bolasterone (7[alpha],17[alpha]-dimethyl-17[beta]-hydroxyandrost-4-en-3-one);
- 83.3 (xii) boldenone (17[beta]-hydroxyandrost-1,4-diene-3-one);
- 83.4 (xiii) boldione (androsta-1,4-diene-3,17-dione);
- 83.5 (xiv) calusterone (7[beta],17[alpha]-dimethyl-17[beta]-hydroxyandrost-4-en-3-one);
- 83.6 (xv) clostebol (4-chloro-17[beta]-hydroxyandrost-4-en-3-one);
- 83.7 (xvi) dehydrochloromethyltestosterone  
(4-chloro-17[beta]-hydroxy-17[alpha]-methylandrost-1,4-dien-3-one);
- 83.8 (xvii) desoxymethyltestosterone  
(17[alpha]-methyl-5[alpha]-androst-2-en-17[beta]-ol);
- 83.9 (xviii) [delta]1-dihydrotestosterone-  
(17[beta]-hydroxy-5[alpha]-androst-1-en-3-one);
- 83.10 (xix) 4-dihydrotestosterone (17[beta]-hydroxy-androstan-3-one);
- 83.11 (xx) drostanolone (17[beta]hydroxy-2[alpha]-methyl-5[alpha]-androstan-3-one);
- 83.12 (xxi) ethylestrenol (17[alpha]-ethyl-17[beta]-hydroxyestr-4-ene);
- 83.13 (xxii) fluoxymesterone  
(9-fluoro-17[alpha]-methyl-11[beta],17[beta]-dihydroxyandrost-4-en-3-one);
- 83.14 (xxiii) formebolone  
(2-formyl-17[alpha]-methyl-11[alpha],17[beta]-dihydroxyandrost-1,4-dien-3-one);
- 83.15 (xxiv) furazabol  
(17[alpha]-methyl-17[beta]-hydroxyandrostano[2,3-c]-furazan)13[beta]-ethyl-17[beta]-  
83.16 -hydroxygon-4-en-3-one;
- 83.17 (xxv) 4-hydroxytestosterone (4,17[beta]-dihydroxyandrost-4-en-3-one);
- 83.18 (xxvi) 4-hydroxy-19-nortestosterone (4,17[beta]-dihydroxyestr-4-en-3-one);
- 83.19 (xxvii) mestanolone (17[alpha]-methyl-17[beta]-hydroxy-5[alpha]-androstan-3-one);
- 83.20 (xxviii) mesterolone (1[alpha]-methyl-17[beta]-hydroxy-5[alpha]-androstan-3-one);
- 83.21 (xxix) methandienone (17[alpha]-methyl-17[beta]-hydroxyandrost-1,4-dien-3-one);
- 83.22 (xxx) methandriol (17[alpha]-methyl-3[beta],17[beta]-dihydroxyandrost-5-ene);
- 83.23 (xxxi) methasterone (2 alpha-17 alpha-dimethyl-5 alpha-androstan-17beta-ol-3-one)
- 83.24 ~~(xxxii)~~ (xxxii) methenolone  
(1-methyl-17[beta]-hydroxy-5[alpha]-androst-1-en-3-one);
- 83.25 ~~(xxxiii)~~ (xxxiii) 17[alpha]-methyl-3[beta],17[beta]-dihydroxy-5[alpha]-androstane;
- 83.26 ~~(xxxiiii)~~ (xxxiv) 17[alpha]-methyl-3[alpha],17[beta]-dihydroxy-5[alpha]-androstane;
- 83.27 ~~(xxxiv)~~ (xxxv) 17[alpha]-methyl-3[beta],17[beta]-dihydroxyandrost-4-ene;
- 83.28 ~~(xxxv)~~ (xxxvi) 17[alpha]-methyl-4-hydroxynandrolone  
(17[alpha]-methyl-4-hydroxy-17[beta]-hydroxyestr-4-en-3-one);
- 83.29
- 83.30
- 83.31
- 83.32
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- 83.34
- 83.35
- 83.36

- 84.1 ~~(xxxvi)~~ (xxxvii) methyldienolone
- 84.2 (17[alpha]-methyl-17[beta]-hydroxyestra-4,9(10)-dien-3-one);
- 84.3 ~~(xxxvii)~~ (xxxviii) methyltrienolone
- 84.4 (17[alpha]-methyl-17[beta]-hydroxyestra-4,9-11-trien-3-one);
- 84.5 ~~(xxxviii)~~ (xxxix) methyltestosterone
- 84.6 (17[alpha]-methyl-17[beta]-hydroxyandrost-4-en-3-one);
- 84.7 ~~(xxxix)~~ (xl) mibolerone
- 84.8 (7[alpha],17[alpha]-dimethyl-17[beta]-hydroxyestr-4-en-3-one);
- 84.9 ~~(xl)~~ (xli) 17[alpha]-methyl-[delta]1-dihydrotestosterone
- 84.10 (17[beta]-hydroxy-17[alpha]-methyl-5[alpha]-androst-1-en-3-one);
- 84.11 ~~(xli)~~ (xlii) nandrolone (17[beta]-hydroxyestr-4-en-3-one);
- 84.12 ~~(xlii)~~ (xliii) 19-nor-4-androstenediol (3[beta],17[beta]-dihydroxyestr-4-ene;
- 84.13 ~~(xliii)~~ (xliv) 3[alpha],17[beta]-dihydroxyestr-4-ene); 19-nor-5-androstenediol
- 84.14 (3[beta],17[beta]-dihydroxyestr-5-ene;
- 84.15 ~~(xliv)~~ (xlv) 3[alpha],17[beta]-dihydroxyestr-5-ene);
- 84.16 ~~(xlv)~~ (xlvi) 19-nor-4,9(10)-androstadienedione (estra-4,9(10)-diene-3,17-dione);
- 84.17 ~~(xlvi)~~ (xlvii) 19-nor-5-androstenedione (estr-5-en-3,17-dione);
- 84.18 ~~(xlvii)~~ (xlviii) norbolethone
- 84.19 (13[beta],17[alpha]-diethyl-17[beta]-hydroxygon-4-en-3-one);
- 84.20 ~~(xlviii)~~ (xlix) norclostebol (4-chloro-17[beta]-hydroxyestr-4-en-3-one);
- 84.21 ~~(xlix)~~ (l) norethandrolone (17[alpha]-ethyl-17[beta]-hydroxyestr-4-en-3-one);
- 84.22 ~~(l)~~ (li) normethandrolone (17[alpha]-methyl-17[beta]-hydroxyestr-4-en-3-one);
- 84.23 ~~(li)~~ (lii) oxandrolone
- 84.24 (17[alpha]-methyl-17[beta]-hydroxy-2-oxa-5[alpha]-androstan-3-one);
- 84.25 ~~(lii)~~ (liii) oxymesterone (17[alpha]-methyl-4,17[beta]-dihydroxyandrost-4-en-3-one);
- 84.26 ~~(liii)~~ (liv) oxymetholone
- 84.27 (17[alpha]-methyl-2-hydroxymethylene-17[beta]-hydroxy-5[alpha]-androstan-3-one);
- 84.28 (lv) prostanazol (17 beta-hydroxy-5 alpha-androstano[3,2-C]pyrazole
- 84.29 ~~(liv)~~ (lvi) stanozolol
- 84.30 (17[alpha]-methyl-17[beta]-hydroxy-5[alpha]-androst-2-eno[3,2-c]-pyrazole);
- 84.31 ~~(lv)~~ (lvii) stenbolone (17[beta]-hydroxy-2-methyl-5[alpha]-androst-1-en-3-one);
- 84.32 ~~(lvi)~~ (lviii) testolactone (13-hydroxy-3-oxo-13,17-secoandrosta-1,4-dien-17-oic
- 84.33 acid lactone);
- 84.34 ~~(lvii)~~ (lix) testosterone (17[beta]-hydroxyandrost-4-en-3-one);
- 84.35 ~~(lviii)~~ (lx) tetrahydrogestrinone
- 84.36 (13[beta],17[alpha]-diethyl-17[beta]-hydroxygon-4,9,11-trien-3-one);

85.1 ~~(ix)~~ (lxi) trenbolone (17[beta]-hydroxyestr-4,9,11-trien-3-one);  
 85.2 ~~(x)~~ (lxii) any salt, ester, or ether of a drug or substance described in this paragraph.

85.3 Anabolic steroids are not included if they are: (A) expressly intended for administration  
 85.4 through implants to cattle or other nonhuman species; and (B) approved by the United  
 85.5 States Food and Drug Administration for that use;

85.6 (2) Human growth hormones.

85.7 (3) Chorionic gonadotropin.

85.8 (g) Hallucinogenic substances. Dronabinol (synthetic) in sesame oil and encapsulated  
 85.9 in a soft gelatin capsule in a United States Food and Drug Administration approved product.

85.10 (h) Any material, compound, mixture, or preparation containing the following  
 85.11 narcotic drug or its salt: buprenorphine.

85.12 Sec. 4. Minnesota Statutes 2014, section 152.02, subdivision 5, is amended to read:

85.13 Subd. 5. **Schedule IV.** (a) Schedule IV consists of the substances listed in this  
 85.14 subdivision.

85.15 (b) Narcotic drugs. Unless specifically excepted or unless listed in another schedule,  
 85.16 any material, compound, mixture, or preparation containing any of the following narcotic  
 85.17 drugs, or their salts calculated as the free anhydrous base or alkaloid, in limited quantities  
 85.18 as follows:

85.19 (1) not more than one milligram of difenoxin and not less than 25 micrograms of  
 85.20 atropine sulfate per dosage unit;

85.21 (2) dextropropoxyphene (Darvon and Darvocet);<sub>2</sub>

85.22 (3) 2-[(dimethylamino)methyl]-1-(3-methoxyphenyl)cyclohexanol, its salts, optical  
 85.23 and geometric isomers, and salts of these isomers (including tramadol).

85.24 (c) Depressants. Unless specifically excepted or unless listed in another schedule,  
 85.25 any material, compound, mixture, or preparation containing any quantity of the following  
 85.26 substances, including its salts, isomers, and salts of isomers whenever the existence of the  
 85.27 salts, isomers, and salts of isomers is possible:

85.28 (1) Alfaxalone (5 $\alpha$ -pregnan-3 $\alpha$ -ol-11,20-dione);

85.29 ~~(1)~~ (2) alprazolam;

85.30 ~~(2)~~ (3) barbital;

85.31 ~~(3)~~ (4) bromazepam;

85.32 ~~(4)~~ (5) camazepam;

85.33 ~~(5)~~ (6) carisoprodol;

85.34 ~~(6)~~ (7) chloral betaine;

85.35 ~~(7)~~ (8) chloral hydrate;

- 86.1 ~~(8)~~ (9) chlordiazepoxide;
- 86.2 ~~(9)~~ (10) clobazam;
- 86.3 ~~(10)~~ (11) clonazepam;
- 86.4 ~~(11)~~ (12) clorazepate;
- 86.5 ~~(12)~~ (13) clotiazepam;
- 86.6 ~~(13)~~ (14) cloxazolam;
- 86.7 ~~(14)~~ (15) delorazepam;
- 86.8 ~~(15)~~ (16) diazepam;
- 86.9 ~~(16)~~ (17) dichloralphenazone;
- 86.10 ~~(17)~~ (18) estazolam;
- 86.11 ~~(18)~~ (19) ethchlorvynol;
- 86.12 ~~(19)~~ (20) ethinamate;
- 86.13 ~~(20)~~ (21) ethyl loflazepate;
- 86.14 ~~(21)~~ (22) fludiazepam;
- 86.15 ~~(22)~~ (23) flurazepam;
- 86.16 (24) fospropofol
- 86.17 ~~(23)~~ (25) halazepam;
- 86.18 ~~(24)~~ (26) haloxazolam;
- 86.19 ~~(25)~~ (27) ketazolam;
- 86.20 ~~(26)~~ (28) loprazolam;
- 86.21 ~~(27)~~ (29) lorazepam;
- 86.22 ~~(28)~~ (30) lormetazepam mebutamate;
- 86.23 ~~(29)~~ (31) medazepam;
- 86.24 ~~(30)~~ (32) meprobamate;
- 86.25 ~~(31)~~ (33) methohexital;
- 86.26 ~~(32)~~ (34) methylphenobarbital;
- 86.27 ~~(33)~~ (35) midazolam;
- 86.28 ~~(34)~~ (36) nimetazepam;
- 86.29 ~~(35)~~ (37) ~~nitrazepam~~~~nordiazepam~~ nitrazepam;
- 86.30 (38) nordiazepam;
- 86.31 ~~(36)~~ (39) oxazepam;
- 86.32 ~~(37)~~ (40) oxazolam;
- 86.33 ~~(38)~~ (41) ~~paraldehyde~~~~petrichloral~~ paraldehyde;
- 86.34 (42) petrichloral;
- 86.35 ~~(39)~~ (43) phenobarbital;
- 86.36 ~~(40)~~ (44) pinazepam;

- 87.1 ~~(41)~~ (45) prazepam;
- 87.2 ~~(42)~~ (46) quazepam;
- 87.3 (47) Suvorexant;
- 87.4 ~~(43)~~ (48) temazepam;
- 87.5 ~~(44)~~ (49) tetrazepam;
- 87.6 ~~(45)~~ (50) triazolam;
- 87.7 ~~(46)~~ (51) zaleplon;
- 87.8 ~~(47)~~ (52) zolpidem;
- 87.9 ~~(48)~~ (53) zopiclone.

87.10 (d) Any material, compound, mixture, or preparation which contains any quantity of

87.11 the following substance including its salts, isomers, and salts of such isomers, whenever

87.12 the existence of such salts, isomers, and salts of isomers is possible: fenfluramine.

87.13 (e) Stimulants. Unless specifically excepted or unless listed in another schedule,

87.14 any material, compound, mixture, or preparation which contains any quantity of the

87.15 following substances having a stimulant effect on the central nervous system, including its

87.16 salts, isomers, and salts of isomers:

- 87.17 (1) cathine (norpseudoephedrine);
- 87.18 (2) diethylpropion;
- 87.19 (3) fencamfamine;
- 87.20 (4) fenproporex;
- 87.21 (5) mazindol;
- 87.22 (6) mefenorex;
- 87.23 (7) modafinil;
- 87.24 (8) pemoline (including organometallic complexes and chelates thereof);
- 87.25 (9) phentermine;
- 87.26 (10) pipradol;
- 87.27 (11) sibutramine;
- 87.28 (12) SPA (1-dimethylamino-1,2-diphenylethane).
- 87.29 (f) lorcaserin.

87.30 Sec. 5. Minnesota Statutes 2014, section 152.02, subdivision 6, is amended to read:

87.31 Subd. 6. **Schedule V; restrictions on methamphetamine precursor drugs.** (a) As

87.32 used in this subdivision, the following terms have the meanings given:

87.33 (1) "methamphetamine precursor drug" means any compound, mixture, or

87.34 preparation intended for human consumption containing ephedrine or pseudoephedrine as

87.35 its sole active ingredient or as one of its active ingredients; and

88.1 (2) "over-the-counter sale" means a retail sale of a drug or product but does not  
88.2 include the sale of a drug or product pursuant to the terms of a valid prescription.

88.3 (b) The following items are listed in Schedule V:

88.4 (1) any compound, mixture, or preparation containing any of the following limited  
88.5 quantities of narcotic drugs, which shall include one or more nonnarcotic active medicinal  
88.6 ingredients in sufficient proportion to confer upon the compound, mixture or preparation  
88.7 valuable medicinal qualities other than those possessed by the narcotic drug alone:

88.8 (i) not more than 100 milligrams of dihydrocodeine per 100 milliliters or per 100  
88.9 grams;

88.10 (ii) not more than 100 milligrams of ethylmorphine per 100 milliliters or per 100  
88.11 grams;

88.12 (iii) not more than 2.5 milligrams of diphenoxylate and not less than 25 micrograms  
88.13 of atropine sulfate per dosage unit;

88.14 (iv) not more than 100 milligrams of opium per 100 milliliters or per 100 grams; or

88.15 (v) not more than 0.5 milligrams of difenoxin and not less than 25 micrograms of  
88.16 atropine sulfate per dosage unit.

88.17 (2) Stimulants. Unless specifically exempted or excluded or unless listed in another  
88.18 schedule, any material, compound, mixture, or preparation that contains any quantity of  
88.19 the following substance having a stimulant effect on the central nervous system, including  
88.20 its salts, isomers, and salts of isomers: pyrovalerone.

88.21 (3) Depressants. Unless specifically exempted or excluded or unless listed in another  
88.22 schedule, any material, compound, mixture, or preparation that contains any quantity  
88.23 of the following substance having a depressant effect on the central nervous system,  
88.24 including its salts, isomers, and salts of isomers:

88.25 (i) ezogabine;

88.26 (ii) pregabalin;

88.27 (iii) lacosamide.

88.28 (4) Any compound, mixture, or preparation containing ephedrine or pseudoephedrine  
88.29 as its sole active ingredient or as one of its active ingredients.

88.30 (c) No person may sell in a single over-the-counter sale more than two packages of a  
88.31 methamphetamine precursor drug or a combination of methamphetamine precursor drugs or  
88.32 any combination of packages exceeding a total weight of six grams, calculated as the base.

88.33 (d) Over-the-counter sales of methamphetamine precursor drugs are limited to:

88.34 (1) packages containing not more than a total of three grams of one or  
88.35 more methamphetamine precursor drugs, calculated in terms of ephedrine base or  
88.36 pseudoephedrine base; or

89.1 (2) for nonliquid products, sales in blister packs, where each blister contains not  
89.2 more than two dosage units, or, if the use of blister packs is not technically feasible, sales  
89.3 in unit dose packets or pouches.

89.4 (e) A business establishment that offers for sale methamphetamine precursor drugs  
89.5 in an over-the-counter sale shall ensure that all packages of the drugs are displayed  
89.6 behind a checkout counter where the public is not permitted and are offered for sale only  
89.7 by a licensed pharmacist, a registered pharmacy technician, or a pharmacy clerk. The  
89.8 establishment shall ensure that the person making the sale requires the buyer:

89.9 (1) to provide photographic identification showing the buyer's date of birth; and

89.10 (2) to sign a written or electronic document detailing the date of the sale, the name  
89.11 of the buyer, and the amount of the drug sold.

89.12 A document described under clause (2) must be retained by the establishment for  
89.13 at least three years and must at all reasonable times be open to the inspection of any  
89.14 law enforcement agency.

89.15 Nothing in this paragraph requires the buyer to obtain a prescription for the drug's  
89.16 purchase.

89.17 (f) No person may acquire through over-the-counter sales more than six grams of  
89.18 methamphetamine precursor drugs, calculated as the base, within a 30-day period.

89.19 (g) No person may sell in an over-the-counter sale a methamphetamine precursor  
89.20 drug to a person under the age of 18 years. It is an affirmative defense to a charge under  
89.21 this paragraph if the defendant proves by a preponderance of the evidence that the  
89.22 defendant reasonably and in good faith relied on proof of age as described in section  
89.23 340A.503, subdivision 6.

89.24 (h) A person who knowingly violates paragraph (c), (d), (e), (f), or (g) is guilty of  
89.25 a misdemeanor and may be sentenced to imprisonment for not more than 90 days, or to  
89.26 payment of a fine of not more than \$1,000, or both.

89.27 (i) An owner, operator, supervisor, or manager of a business establishment that  
89.28 offers for sale methamphetamine precursor drugs whose employee or agent is convicted of  
89.29 or charged with violating paragraph (c), (d), (e), (f), or (g) is not subject to the criminal  
89.30 penalties for violating any of those paragraphs if the person:

89.31 (1) did not have prior knowledge of, participate in, or direct the employee or agent to  
89.32 commit the violation; and

89.33 (2) documents that an employee training program was in place to provide the  
89.34 employee or agent with information on the state and federal laws and regulations regarding  
89.35 methamphetamine precursor drugs.

90.1 (j) Any person employed by a business establishment that offers for sale  
90.2 methamphetamine precursor drugs who sells such a drug to any person in a suspicious  
90.3 transaction shall report the transaction to the owner, supervisor, or manager of the  
90.4 establishment. The owner, supervisor, or manager may report the transaction to local law  
90.5 enforcement. A person who reports information under this subdivision in good faith is  
90.6 immune from civil liability relating to the report.

90.7 (k) Paragraphs (b) to (j) do not apply to:

90.8 (1) pediatric products labeled pursuant to federal regulation primarily intended for  
90.9 administration to children under 12 years of age according to label instructions;

90.10 (2) methamphetamine precursor drugs that are certified by the Board of Pharmacy as  
90.11 being manufactured in a manner that prevents the drug from being used to manufacture  
90.12 methamphetamine;

90.13 (3) methamphetamine precursor drugs in gel capsule or liquid form; or

90.14 (4) compounds, mixtures, or preparations in powder form where pseudoephedrine  
90.15 constitutes less than one percent of its total weight and is not its sole active ingredient.

90.16 (l) The Board of Pharmacy, in consultation with the Department of Public Safety,  
90.17 shall certify methamphetamine precursor drugs that meet the requirements of paragraph  
90.18 (k), clause (2), and publish an annual listing of these drugs.

90.19 (m) Wholesale drug distributors licensed and regulated by the Board of Pharmacy  
90.20 pursuant to sections 151.42 to 151.51 and registered with and regulated by the United  
90.21 States Drug Enforcement Administration are exempt from the methamphetamine precursor  
90.22 drug storage requirements of this section.

90.23 (n) This section preempts all local ordinances or regulations governing the sale  
90.24 by a business establishment of over-the-counter products containing ephedrine or  
90.25 pseudoephedrine. All ordinances enacted prior to the effective date of this act are void."

90.26 Amend the title accordingly