

STATE OF MINNESOTA

# Journal of the House

NINETY-FIRST SESSION — 2020

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EIGHTY-SEVENTH DAY

SAINT PAUL, MINNESOTA, TUESDAY, MAY 5, 2020

The House of Representatives convened at 6:00 p.m. and was called to order by Melissa Hortman, Speaker of the House.

Prayer was offered by Melissa Hortman, Speaker of the House.

The members of the House gave the pledge of allegiance to the flag of the United States of America.

The roll was called and the following members were present:

Acomb	Davnie	Hansen	Lesch	Nash	Sauke
Albright	Dehn	Hassan	Liebling	Nelson, M.	Schomacker
Anderson	Demuth	Hausman	Lien	Nelson, N.	Schultz
Backer	Dettmer	Heinrich	Lillie	Noor	Scott
Bahner	Drazkowski	Heintzeman	Lippert	Novotny	Stephenson
Bahr	Ecklund	Her	Lislegard	O'Driscoll	Sundin
Baker	Edelson	Hertaus	Long	Olson	Swedzinski
Becker-Finn	Elkins	Hornstein	Lucero	O'Neill	Tabke
Bennett	Erickson	Howard	Lueck	Pelowski	Theis
Bernardy	Fabian	Huot	Mahoney	Persell	Torkelson
Bierman	Fischer	Johnson	Mann	Petersburg	Urdahl
Boe	Franson	Jordan	Mariani	Pierson	Vang
Brand	Freiberg	Jurgens	Marquart	Pinto	Vogel
Cantrell	Garofalo	Kiel	Masin	Poppe	Wagenius
Carlson, A.	Gomez	Klevorn	McDonald	Poston	Wazlawik
Carlson, L.	Green	Koegel	Mekeland	Pryor	West
Christensen	Grossell	Kotzya-Witthuhn	Miller	Quam	Winkler
Clafin	Gruenhagen	Koznick	Moller	Richardson	Wolgamott
Considine	Gunther	Kresha	Moran	Robbins	Xiong, J.
Daniels	Haley	Kunesh-Podein	Morrison	Runbeck	Xiong, T.
Daudt	Halverson	Layman	Munson	Sandell	Youakim
Davids	Hamilton	Lee	Murphy	Sandstede	Spk. Hortman

A quorum was present.

Neu and Normes were excused.

The Chief Clerk proceeded to read the Journal of the preceding day. There being no objection, further reading of the Journal was dispensed with and the Journal was approved as corrected by the Chief Clerk.

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**REPORTS OF CHIEF CLERK**

S. F. No. 3020 and H. F. No. 3242, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Neu moved that S. F. No. 3020 be substituted for H. F. No. 3242 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 4091 and H. F. No. 4055, which had been referred to the Chief Clerk for comparison, were examined and found to be not identical.

Kotzya-Witthuhn moved that S. F. No. 4091 be substituted for H. F. No. 4055 and that the House File be indefinitely postponed. The motion prevailed.

**REPORTS OF STANDING COMMITTEES AND DIVISIONS**

Lesch from the Judiciary Finance and Civil Law Division to which was referred:

H. F. No. 2475, A bill for an act relating to financial institutions; modifying provisions governing financial exploitation protections for vulnerable adults; amending Minnesota Statutes 2018, sections 45A.01, by adding a subdivision; 45A.02; 45A.03; 45A.04; 45A.05; 45A.06; 45A.07.

Reported the same back with the recommendation that the bill be placed on the General Register.

The report was adopted.

Lesch from the Judiciary Finance and Civil Law Division to which was referred:

H. F. No. 3812, A bill for an act relating to human services; changing provisions regarding the juvenile treatment screening team; modifying provisions regarding child foster care services payments under Title IV-E of the Social Security Act; amending provisions regarding services for homeless and sexually exploited children; adding provisions allowing counties and tribes to reach agreements regarding oversight of Indian children's welfare; providing for a child welfare response to child sex trafficking and sexual exploitation of children; amending Minnesota Statutes 2018, sections 245.4871, by adding a subdivision; 245.4885, subdivision 1; 256.0112, subdivision 10; 256.82, subdivision 2; 256B.092, by adding a subdivision; 256N.02, subdivision 14a; 256N.21, subdivisions 2, 5; 256N.24, subdivision 4; 260C.007, by adding a subdivision; 260C.157, subdivision 3; 260C.202; 260C.204; 260C.212, subdivision 4a, by adding subdivisions; 260C.4412; 260C.503, by adding a subdivision; 260D.01; 260D.02, subdivisions 3, 5, 10, 11, by adding subdivisions; 260D.03; 260D.04; 260D.06; 260D.07; 260D.08; 260D.09; Minnesota Statutes 2019 Supplement, sections 260C.212, subdivision 2; 260C.503, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 256K; 260; 260D.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2018, section 245.4871, is amended by adding a subdivision to read:

Subd. 32a. **Responsible social services agency.** "Responsible social services agency" is defined in section 260C.007, subdivision 27a.

**EFFECTIVE DATE.** This section is effective September 30, 2021.

Sec. 2. Minnesota Statutes 2018, section 245.4885, subdivision 1, is amended to read:

Subdivision 1. **Admission criteria.** (a) Prior to admission or placement, except in the case of an emergency admission, all children referred for treatment of severe emotional disturbance in a treatment foster care setting, residential treatment facility, or informally admitted to a regional treatment center shall undergo an assessment to determine the appropriate level of care if public funds are used to pay for the services.

(b) ~~The county board~~ responsible social services agency shall determine the appropriate level of care for a child when county-controlled funds are used to pay for the child's services or placement in a qualified residential treatment facility under chapter 260C and licensed by the commissioner under chapter 245A. In accordance with section 260C.157, a juvenile treatment screening team shall conduct a screening before the team may recommend whether to place a child in a qualified residential treatment program as defined in section 260C.007, subdivision 26d. When a social services agency does not have responsibility for a child's placement and the child is enrolled in a prepaid health program under section 256B.69, the enrolled child's contracted health plan must determine the appropriate level of care. When Indian Health Services funds or funds of a tribally owned facility funded under the Indian Self-Determination and Education Assistance Act, Public Law 93-638, are to be used, the Indian Health Services or 638 tribal health facility must determine the appropriate level of care. When more than one entity bears responsibility for coverage, the entities shall coordinate level of care determination activities to the extent possible.

(c) The responsible social services agency must make the level of care determination shall available to the juvenile treatment screening team, as permitted under chapter 13. The level of care determination shall inform the juvenile treatment screening team process and the assessment in section 260C.704 when considering whether to place the child in a qualified residential treatment program. When the responsible social services agency is not involved in determining a child's placement, the child's level of care determination shall determine whether the proposed treatment:

- (1) is necessary;
- (2) is appropriate to the child's individual treatment needs;
- (3) cannot be effectively provided in the child's home; and
- (4) provides a length of stay as short as possible consistent with the individual child's need.

(d) When a level of care determination is conducted, the responsible social services agency or other entity may not determine that a screening under section 260C.157 or referral or admission to a treatment foster care setting or residential treatment facility is not appropriate solely because services were not first provided to the child in a less restrictive setting and the child failed to make progress toward or meet treatment goals in the less restrictive setting. The level of care determination must be based on a diagnostic assessment that includes a functional assessment which evaluates family, school, and community living situations; and an assessment of the child's need for care out of the home using a validated tool which assesses a child's functional status and assigns an appropriate level of care.

The validated tool must be approved by the commissioner of human services. If a diagnostic assessment including a functional assessment has been completed by a mental health professional within the past 180 days, a new diagnostic assessment need not be completed unless in the opinion of the current treating mental health professional the child's mental health status has changed markedly since the assessment was completed. The child's parent shall be notified if an assessment will not be completed and of the reasons. A copy of the notice shall be placed in the child's file. Recommendations developed as part of the level of care determination process shall include specific community services needed by the child and, if appropriate, the child's family, and shall indicate whether or not these services are available and accessible to the child and family.

(e) During the level of care determination process, the child, child's family, or child's legal representative, as appropriate, must be informed of the child's eligibility for case management services and family community support services and that an individual family community support plan is being developed by the case manager, if assigned.

(f) ~~The level of care determination shall comply with section 260C.212. The parent shall be consulted in the process, unless clinically detrimental to the child.~~ When the responsible social services agency has authority, the agency must engage the child's parents in case planning under sections 260C.212 and 260C.708 unless a court terminates the parent's rights or court orders restrict the parent from participating in case planning, visitation, or parental responsibilities.

(g) The level of care determination, and placement decision, and recommendations for mental health services must be documented in the child's record, as required in chapters 260C.

**EFFECTIVE DATE.** This section is effective September 30, 2021.

Sec. 3. Minnesota Statutes 2018, section 245C.02, subdivision 5, is amended to read:

Subd. 5. **Background study.** "Background study" means the review of records conducted by the commissioner to determine whether a subject is disqualified from direct contact with persons served by a program and, where specifically provided in statutes, whether a subject is disqualified from having access to persons served by a program and from working in a children's residential facility or foster residence setting.

Sec. 4. Minnesota Statutes 2018, section 245C.02, is amended by adding a subdivision to read:

Subd. 11a. **Foster family setting.** "Foster family setting" has the meaning given in Minnesota Rules, chapter 2960.3010, subpart 23.

Sec. 5. Minnesota Statutes 2018, section 245C.02, is amended by adding a subdivision to read:

Subd. 11b. **Foster residence setting.** "Foster residence setting" has the meaning given in Minnesota Rules, chapter 2960.3010, subpart 26, and includes settings licensed by the commissioner of corrections or the commissioner of human services.

Sec. 6. Minnesota Statutes 2018, section 245C.02, is amended by adding a subdivision to read:

Subd. 21. **Title IV-E eligible.** "Title IV-E eligible" means a children's residential facility or foster residence setting that is designated by the commissioner as eligible to receive Title IV-E payments for a child placed at the children's residential facility or foster residence setting.

Sec. 7. Minnesota Statutes 2019 Supplement, section 245C.03, subdivision 1, is amended to read:

Subdivision 1. **Licensed programs.** (a) The commissioner shall conduct a background study on:

(1) the person or persons applying for a license;

(2) an individual age 13 and over living in the household where the licensed program will be provided who is not receiving licensed services from the program;

(3) current or prospective employees or contractors of the applicant who will have direct contact with persons served by the facility, agency, or program;

(4) volunteers or student volunteers who will have direct contact with persons served by the program to provide program services if the contact is not under the continuous, direct supervision by an individual listed in clause (1) or (3);

(5) an individual age ten to 12 living in the household where the licensed services will be provided when the commissioner has reasonable cause as defined in section 245C.02, subdivision 15;

(6) an individual who, without providing direct contact services at a licensed program, may have unsupervised access to children or vulnerable adults receiving services from a program, when the commissioner has reasonable cause as defined in section 245C.02, subdivision 15;

(7) all controlling individuals as defined in section 245A.02, subdivision 5a;

(8) notwithstanding the other requirements in this subdivision, child care background study subjects as defined in section 245C.02, subdivision 6a; and

(9) notwithstanding clause (3), for children's residential facilities and foster residence settings, any adult working in the facility, whether or not the individual will have direct contact with persons served by the facility.

(b) For child foster care when the license holder resides in the home where foster care services are provided, a short-term substitute caregiver providing direct contact services for a child for less than 72 hours of continuous care is not required to receive a background study under this chapter.

Sec. 8. Minnesota Statutes 2018, section 245C.04, subdivision 1, is amended to read:

**Subdivision 1. Licensed programs; other child care programs.** (a) The commissioner shall conduct a background study of an individual required to be studied under section 245C.03, subdivision 1, at least upon application for initial license for all license types.

(b) The commissioner shall conduct a background study of an individual required to be studied under section 245C.03, subdivision 1, including a child care background study subject as defined in section 245C.02, subdivision 6a, in a family child care program, licensed child care center, certified license-exempt child care center, or legal nonlicensed child care provider, on a schedule determined by the commissioner. Except as provided in section 245C.05, subdivision 5a, a child care background study must include submission of fingerprints for a national criminal history record check and a review of the information under section 245C.08. A background study for a child care program must be repeated within five years from the most recent study conducted under this paragraph.

(c) At reapplication for a family child care license:

(1) for a background study affiliated with a licensed family child care center or legal nonlicensed child care provider, the individual shall provide information required under section 245C.05, subdivision 1, paragraphs (a), (b), and (d), to the county agency, and be fingerprinted and photographed under section 245C.05, subdivision 5;

(2) the county agency shall verify the information received under clause (1) and forward the information to the commissioner to complete the background study; and

(3) the background study conducted by the commissioner under this paragraph must include a review of the information required under section 245C.08.

(d) The commissioner is not required to conduct a study of an individual at the time of reapplication for a license if the individual's background study was completed by the commissioner of human services and the following conditions are met:

(1) a study of the individual was conducted either at the time of initial licensure or when the individual became affiliated with the license holder;

(2) the individual has been continuously affiliated with the license holder since the last study was conducted; and

(3) the last study of the individual was conducted on or after October 1, 1995.

(e) The commissioner of human services shall conduct a background study of an individual specified under section 245C.03, subdivision 1, paragraph (a), clauses (2) to (6), who is newly affiliated with a child foster ~~care~~ family setting license holder:

(1) the county or private agency shall collect and forward to the commissioner the information required under section 245C.05, subdivisions 1 and 5, when the child foster ~~care~~ family setting applicant or license holder resides in the home where child foster care services are provided; and

~~(2) the child foster care license holder or applicant shall collect and forward to the commissioner the information required under section 245C.05, subdivisions 1 and 5, when the applicant or license holder does not reside in the home where child foster care services are provided; and~~

~~(3)~~ (2) the background study conducted by the commissioner of human services under this paragraph must include a review of the information required under section 245C.08, subdivisions 1, 3, and 4.

(f) The commissioner shall conduct a background study of an individual specified under section 245C.03, subdivision 1, paragraph (a), clauses (2) to (6), who is newly affiliated with an adult foster care or family adult day services and with a family child care license holder or a legal nonlicensed child care provider authorized under chapter 119B and:

(1) except as provided in section 245C.05, subdivision 5a, the county shall collect and forward to the commissioner the information required under section 245C.05, subdivision 1, paragraphs (a) and (b), and subdivision 5, paragraphs (a), (b), and (d), for background studies conducted by the commissioner for all family adult day services, for adult foster care when the adult foster care license holder resides in the adult foster care residence, and for family child care and legal nonlicensed child care authorized under chapter 119B;

(2) the license holder shall collect and forward to the commissioner the information required under section 245C.05, subdivisions 1, paragraphs (a) and (b); and 5, paragraphs (a) and (b), for background studies conducted by the commissioner for adult foster care when the license holder does not reside in the adult foster care residence; and

(3) the background study conducted by the commissioner under this paragraph must include a review of the information required under section 245C.08, subdivision 1, paragraph (a), and subdivisions 3 and 4.

(g) Applicants for licensure, license holders, and other entities as provided in this chapter must submit completed background study requests to the commissioner using the electronic system known as NETStudy before individuals specified in section 245C.03, subdivision 1, begin positions allowing direct contact in any licensed program.

(h) For an individual who is not on the entity's active roster, the entity must initiate a new background study through NETStudy when:

(1) an individual returns to a position requiring a background study following an absence of 120 or more consecutive days; or

(2) a program that discontinued providing licensed direct contact services for 120 or more consecutive days begins to provide direct contact licensed services again.

The license holder shall maintain a copy of the notification provided to the commissioner under this paragraph in the program's files. If the individual's disqualification was previously set aside for the license holder's program and the new background study results in no new information that indicates the individual may pose a risk of harm to persons receiving services from the license holder, the previous set-aside shall remain in effect.

(i) For purposes of this section, a physician licensed under chapter 147 is considered to be continuously affiliated upon the license holder's receipt from the commissioner of health or human services of the physician's background study results.

(j) For purposes of family child care, a substitute caregiver must receive repeat background studies at the time of each license renewal.

(k) A repeat background study at the time of license renewal is not required if the family child care substitute caregiver's background study was completed by the commissioner on or after October 1, 2017, and the substitute caregiver is on the license holder's active roster in NETStudy 2.0.

(l) Before and after school programs authorized under chapter 119B, are exempt from the background study requirements under section 123B.03, for an employee for whom a background study under this chapter has been completed.

Sec. 9. Minnesota Statutes 2018, section 245C.04, is amended by adding a subdivision to read:

**Subd. 11. Children's residential facilities and foster residence settings.** Applicants and license holders for children's residential facilities and foster residence settings must submit a background study request to the commissioner using the electronic system known as NETStudy 2.0:

(1) before the commissioner issues a license to an applicant;

(2) before an individual age 13 or older, who is not currently receiving services from the licensed facility or setting, may live in the licensed program or setting;

(3) before a volunteer has unsupervised direct contact with persons that the program serves;

(4) before an individual becomes a controlling individual as defined in section 245A.02, subdivision 5a;

(5) before an adult, regardless of whether or not the individual will have direct contact with persons served by the facility, begins working in the facility or setting;

(6) when directed to by the commissioner for an individual who resides in the household as described in section 245C.03, subdivision 1, paragraph (a), clause (5); and

(7) when directed to by the commissioner for an individual who may have unsupervised access to children or vulnerable adults as described in section 245C.03, subdivision 1, paragraph (a), clause (6).

Sec. 10. Minnesota Statutes 2019 Supplement, section 245C.08, subdivision 1, is amended to read:

Subdivision 1. **Background studies conducted by Department of Human Services.** (a) For a background study conducted by the Department of Human Services, the commissioner shall review:

(1) information related to names of substantiated perpetrators of maltreatment of vulnerable adults that has been received by the commissioner as required under section 626.557, subdivision 9c, paragraph (j);

(2) the commissioner's records relating to the maltreatment of minors in licensed programs, and from findings of maltreatment of minors as indicated through the social service information system;

(3) information from juvenile courts as required in subdivision 4 for individuals listed in section 245C.03, subdivision 1, paragraph (a), when there is reasonable cause;

(4) information from the Bureau of Criminal Apprehension, including information regarding a background study subject's registration in Minnesota as a predatory offender under section 243.166;

(5) except as provided in clause (6), information received as a result of submission of fingerprints for a national criminal history record check, as defined in section 245C.02, subdivision 13c, when the commissioner has reasonable cause for a national criminal history record check as defined under section 245C.02, subdivision 15a, or as required under section 144.057, subdivision 1, clause (2);

(6) for a background study related to a child foster ~~care~~ family setting application for licensure, foster residence settings, children's residential facilities, a transfer of permanent legal and physical custody of a child under sections 260C.503 to 260C.515, or adoptions, and for a background study required for family child care, certified license-exempt child care, child care centers, and legal nonlicensed child care authorized under chapter 119B, the commissioner shall also review:

(i) information from the child abuse and neglect registry for any state in which the background study subject has resided for the past five years;

(ii) when the background study subject is 18 years of age or older, or a minor under section 245C.05, subdivision 5a, paragraph (c), information received following submission of fingerprints for a national criminal history record check; and

(iii) when the background study subject is 18 years of age or older or a minor under section 245C.05, subdivision 5a, paragraph (d), for licensed family child care, certified license-exempt child care, licensed child care centers, and legal nonlicensed child care authorized under chapter 119B, information obtained using non-fingerprint-based data including information from the criminal and sex offender registries for any state in which the background study subject resided for the past five years and information from the national crime information database and the national sex offender registry; and

(7) for a background study required for family child care, certified license-exempt child care centers, licensed child care centers, and legal nonlicensed child care authorized under chapter 119B, the background study shall also include, to the extent practicable, a name and date-of-birth search of the National Sex Offender Public website.

(b) Notwithstanding expungement by a court, the commissioner may consider information obtained under paragraph (a), clauses (3) and (4), unless the commissioner received notice of the petition for expungement and the court order for expungement is directed specifically to the commissioner.

(c) The commissioner shall also review criminal case information received according to section 245C.04, subdivision 4a, from the Minnesota court information system that relates to individuals who have already been studied under this chapter and who remain affiliated with the agency that initiated the background study.

(d) When the commissioner has reasonable cause to believe that the identity of a background study subject is uncertain, the commissioner may require the subject to provide a set of classifiable fingerprints for purposes of completing a fingerprint-based record check with the Bureau of Criminal Apprehension. Fingerprints collected under this paragraph shall not be saved by the commissioner after they have been used to verify the identity of the background study subject against the particular criminal record in question.

(e) The commissioner may inform the entity that initiated a background study under NETStudy 2.0 of the status of processing of the subject's fingerprints.

Sec. 11. Minnesota Statutes 2019 Supplement, section 245C.13, subdivision 2, is amended to read:

Subd. 2. ~~Direct contact~~ **Activities pending completion of background study.** The subject of a background study may not perform any activity requiring a background study under paragraph (c) until the commissioner has issued one of the notices under paragraph (a).

(a) Notices from the commissioner required prior to activity under paragraph ~~(b)~~ (c) include:

(1) a notice of the study results under section 245C.17 stating that:

(i) the individual is not disqualified; or

(ii) more time is needed to complete the study but the individual is not required to be removed from direct contact or access to people receiving services prior to completion of the study as provided under section 245C.17, subdivision 1, paragraph (b) or (c). The notice that more time is needed to complete the study must also indicate whether the individual is required to be under continuous direct supervision prior to completion of the background study. When more time is necessary to complete a background study of an individual affiliated with a Title IV-E eligible children's residential facility or foster residence setting, the individual may not work in the facility or setting regardless of whether or not the individual is supervised;

(2) a notice that a disqualification has been set aside under section 245C.23; or

(3) a notice that a variance has been granted related to the individual under section 245C.30.

(b) For a background study affiliated with a licensed child care center or certified license-exempt child care center, the notice sent under paragraph (a), clause (1), item (ii), must require the individual to be under continuous direct supervision prior to completion of the background study except as permitted in subdivision 3.

(c) Activities prohibited prior to receipt of notice under paragraph (a) include:

(1) being issued a license;

(2) living in the household where the licensed program will be provided;

(3) providing direct contact services to persons served by a program unless the subject is under continuous direct supervision;

(4) having access to persons receiving services if the background study was completed under section 144.057, subdivision 1, or 245C.03, subdivision 1, paragraph (a), clause (2), (5), or (6), unless the subject is under continuous direct supervision; ~~or~~

(5) for licensed child care centers and certified license-exempt child care centers, providing direct contact services to persons served by the program; or

(6) for children's residential facilities or foster residence settings, working in the facility or setting.

Sec. 12. Minnesota Statutes 2018, section 245C.14, is amended by adding a subdivision to read:

**Subd. 3. Disqualification from working in children's residential facilities and foster residence settings.** (a) For a background study affiliated with a children's residential facility or foster residence setting, if an individual is disqualified from direct contact under subdivision 1, the commissioner must also disqualify the individual from working in the children's residential facility or foster residence setting and from having access to a person receiving services from the facility or setting.

(b) Notwithstanding any other requirement of this chapter, for a background study affiliated with a Title IV-E eligible children's residential facility or foster residence setting, if an individual is disqualified, the individual may not work in the facility or setting until the commissioner has issued a notice stating that:

(1) the individual is not disqualified;

(2) a disqualification has been set aside under section 245C.23; or

(3) a variance has been granted related to the individual under section 245C.30.

Sec. 13. Minnesota Statutes 2018, section 245C.16, subdivision 1, is amended to read:

Subdivision 1. **Determining immediate risk of harm.** (a) If the commissioner determines that the individual studied has a disqualifying characteristic, the commissioner shall review the information immediately available and make a determination as to the subject's immediate risk of harm to persons served by the program where the individual studied will have direct contact with, or access to, people receiving services.

(b) The commissioner shall consider all relevant information available, including the following factors in determining the immediate risk of harm:

(1) the recency of the disqualifying characteristic;

(2) the recency of discharge from probation for the crimes;

(3) the number of disqualifying characteristics;

(4) the intrusiveness or violence of the disqualifying characteristic;

(5) the vulnerability of the victim involved in the disqualifying characteristic;

(6) the similarity of the victim to the persons served by the program where the individual studied will have direct contact;

(7) whether the individual has a disqualification from a previous background study that has not been set aside; and

(8) if the individual has a disqualification which may not be set aside because it is a permanent bar under section 245C.24, subdivision 1, or the individual is a child care background study subject who has a felony-level conviction for a drug-related offense in the last five years, the commissioner may order the immediate removal of the individual from any position allowing direct contact with, or access to, persons receiving services from the program and from working in a children's residential facility or foster residence setting.

(c) This section does not apply when the subject of a background study is regulated by a health-related licensing board as defined in chapter 214, and the subject is determined to be responsible for substantiated maltreatment under section 626.556 or 626.557.

(d) This section does not apply to a background study related to an initial application for a child foster ~~care~~ family setting license.

(e) Except for paragraph (f), this section does not apply to a background study that is also subject to the requirements under section 256B.0659, subdivisions 11 and 13, for a personal care assistant or a qualified professional as defined in section 256B.0659, subdivision 1.

(f) If the commissioner has reason to believe, based on arrest information or an active maltreatment investigation, that an individual poses an imminent risk of harm to persons receiving services, the commissioner may order that the person be continuously supervised or immediately removed pending the conclusion of the maltreatment investigation or criminal proceedings.

Sec. 14. Minnesota Statutes 2018, section 245C.16, subdivision 2, is amended to read:

Subd. 2. **Findings.** (a) After evaluating the information immediately available under subdivision 1, the commissioner may have reason to believe one of the following:

(1) the individual poses an imminent risk of harm to persons served by the program where the individual studied will have direct contact or access to persons served by the program or where the individual studied will work;

(2) the individual poses a risk of harm requiring continuous, direct supervision while providing direct contact services during the period in which the subject may request a reconsideration; or

(3) the individual does not pose an imminent risk of harm or a risk of harm requiring continuous, direct supervision while providing direct contact services during the period in which the subject may request a reconsideration.

(b) After determining an individual's risk of harm under this section, the commissioner must notify the subject of the background study and the applicant or license holder as required under section 245C.17.

(c) For Title IV-E eligible children's residential facilities and foster residence settings, the commissioner is prohibited from making the findings in paragraph (a), clause (2) or (3).

Sec. 15. Minnesota Statutes 2018, section 245C.17, subdivision 1, is amended to read:

Subdivision 1. **Time frame for notice of study results and auditing system access.** (a) Within three working days after the commissioner's receipt of a request for a background study submitted through the commissioner's NETStudy or NETStudy 2.0 system, the commissioner shall notify the background study subject and the license holder or other entity as provided in this chapter in writing or by electronic transmission of the results of the study or that more time is needed to complete the study. The notice to the individual shall include the identity of the entity that initiated the background study.

(b) Before being provided access to NETStudy 2.0, the license holder or other entity under section 245C.04 shall sign an acknowledgment of responsibilities form developed by the commissioner that includes identifying the sensitive background study information person, who must be an employee of the license holder or entity. All queries to NETStudy 2.0 are electronically recorded and subject to audit by the commissioner. The electronic record shall identify the specific user. A background study subject may request in writing to the commissioner a report listing the entities that initiated a background study on the individual.

(c) When the commissioner has completed a prior background study on an individual that resulted in an order for immediate removal and more time is necessary to complete a subsequent study, the notice that more time is needed that is issued under paragraph (a) shall include an order for immediate removal of the individual from any position allowing direct contact with or access to people receiving services and from working in a children's residential facility or foster residence setting pending completion of the background study.

Sec. 16. Minnesota Statutes 2018, section 245C.17, is amended by adding a subdivision to read:

Subd. 7. **Disqualification notice to children's residential facilities and foster residence settings.** (a) For children's residential facilities and foster residence settings, all notices under this section that order the license holder to immediately remove the individual studied from any position allowing direct contact with, or access to a person served by the program, must also order the license holder to immediately remove the individual studied from working in the program, facility, or setting.

(b) For Title IV-E eligible children's residential facilities and foster residence settings, notices under this section must not allow an individual to work in the program, facility, or setting under supervision.

Sec. 17. Minnesota Statutes 2018, section 245C.18, is amended to read:

**245C.18 OBLIGATION TO REMOVE DISQUALIFIED INDIVIDUAL FROM DIRECT CONTACT AND FROM WORKING IN A PROGRAM, FACILITY, OR SETTING.**

(a) Upon receipt of notice from the commissioner, the license holder must remove a disqualified individual from direct contact with persons served by the licensed program if:

(1) the individual does not request reconsideration under section 245C.21 within the prescribed time;

(2) the individual submits a timely request for reconsideration, the commissioner does not set aside the disqualification under section 245C.22, subdivision 4, and the individual does not submit a timely request for a hearing under sections 245C.27 and 256.045, or 245C.28 and chapter 14; or

(3) the individual submits a timely request for a hearing under sections 245C.27 and 256.045, or 245C.28 and chapter 14, and the commissioner does not set aside or rescind the disqualification under section 245A.08, subdivision 5, or 256.045.

(b) For children's residential facility and foster residence setting license holders, upon receipt of notice from the commissioner under paragraph (a), the license holder must also remove the disqualified individual from working in the program, facility, or setting and from access to persons served by the licensed program.

(c) For Title IV-E eligible children's residential facility and foster residence setting license holders, upon receipt of notice from the commissioner under paragraph (a), the license holder must also remove the disqualified individual from working in the program and from access to persons served by the program and must not allow the individual to work in the facility or setting until the commissioner has issued a notice stating that:

(1) the individual is not disqualified;

(2) a disqualification has been set aside under section 245C.23; or

(3) a variance has been granted related to the individual under section 245C.30.

Sec. 18. Minnesota Statutes 2018, section 256.0112, subdivision 10, is amended to read:

Subd. 10. **Contracts for child foster care services.** When local agencies negotiate lead county contracts or purchase of service contracts for child foster care services, the foster care maintenance payment made on behalf of the child shall follow the provisions of Northstar Care for Children, chapter 256N. Foster care maintenance payments as defined in section 256N.02, subdivision 15, represent costs for activities similar in nature to those expected of parents and do not cover services rendered by the licensed or tribally approved foster parent, ~~facility~~, or administrative costs or fees. Payments made to foster parents must follow the requirements of section 256N.26, subdivision 15. The legally responsible agency must provide foster parents with the assessment and notice as specified in section 256N.24. The financially responsible agency is permitted to make additional payments for specific services provided by the foster parents ~~or facility~~, as permitted in section 256N.21, subdivision 5. These additional payments are not considered foster care maintenance.

**EFFECTIVE DATE.** This section is effective September 30, 2021.

Sec. 19. Minnesota Statutes 2018, section 256.82, subdivision 2, is amended to read:

Subd. 2. **Foster care maintenance payments.** (a) For the purpose of foster care maintenance payments under title IV-E of the Social Security Act, United States Code, title 42, sections 670 to 676, the county ~~or American Indian child welfare initiative tribes under section 256.01, subdivision 14b~~, paying the maintenance costs must be reimbursed for the costs from the federal money available for the purpose. Beginning July 1, 1997, for the purposes of determining a child's eligibility under title IV-E of the Social Security Act, the placing agency shall use AFDC requirements in effect on July 16, 1996.

(b) For the purpose of foster care maintenance payments under title IV-E of the Social Security Act, United States Code, title 42, sections 670 to 676, the state is responsible for approving of child care institutions for the county paying the facility's maintenance costs to be reimbursed from the federal money available for the purpose. The facility must be licensed by the state or approved or licensed by a tribe.

**EFFECTIVE DATE.** This section is effective September 30, 2021.

Sec. 20. **[256K.451] MINOR CONSENT TO HOMELESS AND SEXUALLY EXPLOITED YOUTH SERVICES.**

A minor living separately from the minor's parent or legal guardian may give consent to receive homeless youth services and services for sexually exploited youth. A minor's consent to receive services does not affect a parent or legal guardian's custody of the minor.

Sec. 21. Minnesota Statutes 2018, section 256N.02, subdivision 14a, is amended to read:

Subd. 14a. **Licensed child foster parent.** "Licensed child foster parent" means ~~a person~~ an individual or family who is licensed for child foster care under Minnesota Rules, ~~parts 2960.3000 to 2960.3340~~ chapter 2960, excluding foster residence settings licensed under Minnesota Rules, parts 2960.3200 to 2960.3230, or licensed or approved by a Minnesota tribe in accordance with tribal standards with whom the foster child resides.

**EFFECTIVE DATE.** This section is effective September 30, 2021.

Sec. 22. Minnesota Statutes 2018, section 256N.21, subdivision 2, is amended to read:

Subd. 2. **Placement in foster care.** To be eligible for foster care benefits under this section, the child must be in placement away from the child's legal parent, guardian, or Indian custodian as defined in section 260.755, subdivision 10, and must meet one of the criteria in clause (1) and either clause (2) or (3):

(1) the legally responsible agency must have placement authority to place the child with: (i) a voluntary placement agreement or a court order, consistent with sections 260B.198, 260C.001, and 260D.01, or consistent with section 260C.451 for a child 18 years old or older and under age 21 who maintains eligibility for foster care; or (ii) a voluntary placement agreement or court order by a Minnesota tribe that is consistent with United States Code, title 42, section 672(a)(2); and

(2) the child is placed with a licensed child foster parent who resides with the child; or

(3) the child is placed in one of the following unlicensed child foster care settings:

(i) an emergency relative placement under tribal licensing regulations or section 245A.035, with the legally responsible agency ensuring the relative completes the required child foster care application process;

(ii) a licensed adult foster home with an approved age variance under section 245A.16 for no more than six months where the license holder resides with the child;

(iii) for a child 18 years old or older and under age 21 who is eligible for extended foster care under section 260C.451, an unlicensed supervised independent living setting approved by the agency responsible for the child's care; or

(iv) a preadoptive placement in a home specified in section 245A.03, subdivision 2, paragraph (a), clause (9), with an approved adoption home study and signed adoption placement agreement.

**EFFECTIVE DATE.** This section is effective September 30, 2021.

Sec. 23. Minnesota Statutes 2018, section 256N.21, subdivision 5, is amended to read:

Subd. 5. **Excluded activities.** The basic and supplemental difficulty of care payment represents costs for activities similar in nature to those expected of parents, and does not cover services rendered by the licensed or tribally approved foster parent, ~~facility~~, or administrative costs or fees. The financially responsible agency may pay an additional fee for specific services provided by the licensed foster parent ~~or facility~~. A foster parent ~~or residence setting~~ must distinguish such a service from the daily care of the child as assessed through the process under section 256N.24.

**EFFECTIVE DATE.** This section is effective September 30, 2021.

Sec. 24. Minnesota Statutes 2018, section 256N.24, subdivision 4, is amended to read:

Subd. 4. **Extraordinary levels.** (a) The assessment tool established under subdivision 2 must provide a mechanism through which up to five levels can be added to the supplemental difficulty of care for a particular child under section 256N.26, subdivision 4. In establishing the assessment tool, the commissioner must design the tool so that the levels applicable to the portions of the assessment other than the extraordinary levels can accommodate the requirements of this subdivision.

(b) These extraordinary levels are available when all of the following circumstances apply:

(1) the child has extraordinary needs as determined by the assessment tool provided for under subdivision 2, and the child meets other requirements established by the commissioner, such as a minimum score on the assessment tool;

(2) the child's extraordinary needs require extraordinary care and intense supervision that is provided by the child's caregiver as part of the parental duties as described in the supplemental difficulty of care rate, section 256N.02, subdivision 21. This extraordinary care provided by the caregiver is required so that the child can be safely cared for in the home and community, and prevents residential placement;

(3) the child is physically living in a foster family setting, as defined in Minnesota Rules, part 2960.3010, subpart 23, ~~in a foster residence setting~~, or physically living in the home with the adoptive parent or relative custodian; and

(4) the child is receiving the services for which the child is eligible through medical assistance programs or other programs that provide necessary services for children with disabilities or other medical and behavioral conditions to live with the child's family, but the agency with caregiver's input has identified a specific support gap that cannot be met through home and community support waivers or other programs that are designed to provide support for children with special needs.

(c) The agency completing an assessment, under subdivision 2, that suggests an extraordinary level must document as part of the assessment, the following:

(1) the assessment tool that determined that the child's needs or disabilities require extraordinary care and intense supervision;

(2) a summary of the extraordinary care and intense supervision that is provided by the caregiver as part of the parental duties as described in the supplemental difficulty of care rate, section 256N.02, subdivision 21;

(3) confirmation that the child is currently physically residing ~~in the foster family setting or~~ in the home with the foster parent, adoptive parent, or relative custodian;

(4) the efforts of the agency, caregiver, parents, and others to request support services in the home and community that would ease the degree of parental duties provided by the caregiver for the care and supervision of the child. This would include documentation of the services provided for the child's needs or disabilities, and the services that were denied or not available from the local social service agency, community agency, the local school district, local public health department, the parent, or child's medical insurance provider;

(5) the specific support gap identified that places the child's safety and well-being at risk in the home or community and is necessary to prevent residential placement; and

(6) the extraordinary care and intense supervision provided by the foster, adoptive, or guardianship caregivers to maintain the child safely in the child's home and prevent residential placement that cannot be supported by medical assistance or other programs that provide services, necessary care for children with disabilities, or other medical or behavioral conditions in the home or community.

(d) An agency completing an assessment under subdivision 2 that suggests an extraordinary level is appropriate must forward the assessment and required documentation to the commissioner. If the commissioner approves, the extraordinary levels must be retroactive to the date the assessment was forwarded.

**EFFECTIVE DATE.** This section is effective September 30, 2021.

Sec. 25. **[260.7611] COUNTY AND TRIBAL AGREEMENTS; MALTREATMENT ASSESSMENTS AND INVESTIGATIONS OF INDIAN CHILDREN.**

A tribe and a county may enter a written agreement transferring responsibility for the screening and initial response to a child maltreatment report regarding an Indian child residing in the county where the child's reservation is located, from the county to the tribe. An agreement under this subdivision shall include a provision clarifying whether the county or the tribe is responsible for ongoing case management stemming from a child maltreatment report.

Sec. 26. Minnesota Statutes 2018, section 260C.007, is amended by adding a subdivision to read:

Subd. 16a. **Family and permanency team.** "Family and permanency team" means a team consisting of the child's parent or legal custodian, relatives, foster care providers, and professionals who are resources to the child's family such as teachers, medical or mental health providers who have treated the child, or clergy, as appropriate. In the case of an Indian child, the family and permanency team includes tribal representatives, delegates, and cultural resources as identified by the child's tribe. Consistent with section 260C.212, subdivision 1, paragraph (b), if the child is age 14 or older, the team must also include two team members that the child selects who are not the child's foster parent or caseworker. The responsible social services agency may reject an individual that the child selects if the agency has good cause to believe that the individual would not act in the best interests of the child.

**EFFECTIVE DATE.** This section is effective September 30, 2021.

Sec. 27. Minnesota Statutes 2018, section 260C.007, is amended by adding a subdivision to read:

Subd. 16b. **Family foster home.** "Family foster home" means the home of an individual or family who is licensed for child foster care under Minnesota Statutes, chapter 245A, meeting the standards in Minnesota Rules, chapter 2960, excluding foster residence settings licensed under Minnesota Rules, parts 2960.3000 to 2960.3200, or licensed or approved by a tribe in accordance with tribal standards with whom the foster child resides. Family foster home includes an emergency unlicensed relative placement under section 245A.035.

**EFFECTIVE DATE.** This section is effective September 30, 2021.

Sec. 28. Minnesota Statutes 2018, section 260C.007, is amended by adding a subdivision to read:

Subd. 21a. **Legal authority to place the child.** "Legal authority to place the child" means that the agency has legal responsibility for the care and control of the child while the child is in foster care. The agency may have legal authority to place a child through a court order under this chapter through a voluntary placement agreement between the agency and the child's parent under section 260C.227 or, in the case of an Indian child, through tribal court.

**EFFECTIVE DATE.** This section is effective September 30, 2021.

Sec. 29. Minnesota Statutes 2018, section 260C.007, is amended by adding a subdivision to read:

Subd. 25a. **Permanency plan.** "Permanency plan" means the established goal in the out-of-home placement plan that will achieve a safe, permanent home for the child. There are four permanency goals for children:

- (1) reunification with the child's parent or legal guardian;
- (2) placement with other relatives;
- (3) adoption; or
- (4) establishment of a new legal guardianship.

**EFFECTIVE DATE.** This section is effective September 30, 2021.

Sec. 30. Minnesota Statutes 2018, section 260C.007, is amended by adding a subdivision to read:

Subd. 26c. **Qualified individual.** "Qualified individual" means a trained culturally competent professional or licensed clinician, including a mental health professional under section 245.4871, subdivision 27, who is not an employee of the responsible social services agency and who is not connected to or affiliated with any placement setting in which a responsible social services agency has placed children.

**EFFECTIVE DATE.** This section is effective September 30, 2021.

Sec. 31. Minnesota Statutes 2018, section 260C.007, is amended by adding a subdivision to read:

Subd. 26d. **Qualified residential treatment program.** "Qualified residential treatment program" means a children's residential treatment program licensed under chapter 245A or licensed or approved by a tribe that is approved to receive foster care maintenance payments under section 256.82 that:

- (1) has a trauma-informed treatment model designed to address the needs of children with serious emotional or behavioral disorders or disturbances;
- (2) has registered or licensed nursing staff and other licensed clinical staff who:
  - (i) provide care within the scope of their practice; and
  - (ii) are available 24 hours per day and seven days per week;
- (3) is accredited by any of the following independent, nonprofit organizations: the Commission on Accreditation of Rehabilitation Facilities (CARF), the Joint Commission on Accreditation of Healthcare Organizations (JCAHO), and the Council on Accreditation (COA), or any other nonprofit accrediting organization approved by the United States Department of Health and Human Services;

(4) if it is in the child's best interests, facilitates participation of the child's family members in the child's treatment programming consistent with the child's out-of-home placement plan under sections 260C.212, subdivision 1, and 260C.708;

(5) facilitates outreach to family members of the child, including siblings;

(6) documents how the facility facilitates outreach to the child's parents and relatives, as well as documents the child's parents' and other relatives' contact information;

(7) documents how the facility includes family members in the child's treatment process, including after the child's discharge, and how the facility maintains the child's sibling connections; and

(8) provides the child and child's family with discharge planning and family-based aftercare support for at least six months after the child's discharge.

**EFFECTIVE DATE.** This section is effective September 30, 2021.

Sec. 32. Minnesota Statutes 2018, section 260C.007, is amended by adding a subdivision to read:

Subd. 27b. **Residential treatment facility.** "Residential treatment facility" means a 24-hour-a-day program that provides treatment for children with emotional disturbance, consistent with section 245.4871, subdivision 32, and includes a licensed residential program specializing in caring 24 hours a day for children with a developmental delay or related condition. A residential treatment facility does not include a psychiatric residential treatment facility under section 256B.0941 or a family foster home as defined in section 260C.007, subdivision 16b.

Sec. 33. Minnesota Statutes 2018, section 260C.157, subdivision 3, is amended to read:

Subd. 3. **Juvenile treatment screening team.** (a) The responsible social services agency shall establish a juvenile treatment screening team to conduct screenings and prepare case plans under this chapter, chapter 260D, and section 245.487, subdivision 3, for a child to receive treatment for an emotional disturbance, a developmental disability, or related condition in a residential treatment facility licensed by the commissioner of human services under chapter 245A, or licensed or approved by a tribe. A screening team is not required for a child to be in: (1) a residential facility specializing in prenatal, postpartum, or parenting support; (2) a facility specializing in high-quality residential care and supportive services to children and youth who are sex-trafficking victims or are at risk of becoming sex-trafficking victims; (3) supervised settings for youth 18 years old or older living independently; or (4) a licensed residential family-based treatment facility for substance abuse consistent with section 260C.190. Screenings are also not required when a child must be placed in a facility due to an emotional crisis or other mental health emergency.

(b) The responsible social services agency shall conduct screenings shall be conducted within 15 days of a request for a screening, unless the screening is for the purpose of placement in mental health residential treatment and the child is enrolled in a prepaid health program under section 256B.69, in which case the agency shall conduct the screening shall be conducted within ten working days of a request. The responsible social services agency shall convene the team, which may be the team constituted under section 245.4885 or 256B.092 or Minnesota Rules, parts 9530.6600 to 9530.6655, The team shall consist of social workers, juvenile justice professionals, persons with expertise in the treatment of juveniles who are emotionally disabled, chemically dependent, or have a developmental disability, and the child's parent, guardian, or permanent legal custodian under Minnesota Statutes 2010, section 260C.201, subdivision 11, or section 260C.515, subdivision 4. The team may be the same team as defined in section 260B.157, subdivision 3. The team may include the child's relatives as defined in section 260C.007, subdivisions 26b and 27, the child's foster care provider, and professionals who are a resource to the child's family such as teachers, medical or mental health providers, and clergy, as appropriate, consistent with the family and permanency

team as defined in section 260C.007, subdivision 16a. Prior to forming the team, the responsible social services agency must consult with the child if the child is age 14 or older, the child's parents, and, if applicable, the child's tribe to ensure that the team is family-centered and will act in the child's best interest. If the child, child's parents, or legal guardians raise concerns about specific relatives or professionals, the team should not include those individuals. This provision does not apply to paragraph (c).

~~(b) The social services agency shall determine whether a child brought to its attention for the purposes described in this section is an Indian child, as defined in section 260C.007, subdivision 21, and shall determine the identity of the Indian child's tribe, as defined in section 260.755, subdivision 9. When a child to be evaluated~~ (c) If the agency provides notice to tribes under section 260.761, and the child screened is an Indian child, the team provided in paragraph (a) shall include responsible social services agency must make a rigorous and concerted effort to include a designated representative of the Indian child's tribe on the juvenile treatment screening team, unless the child's tribal authority declines to appoint a representative. The Indian child's tribe may delegate its authority to represent the child to any other federally recognized Indian tribe, as defined in section 260.755, subdivision 12. The provisions of the Indian Child Welfare Act of 1978, United States Code, title 25, sections 1901 to 1963, and the Minnesota Indian Family Preservation Act, sections 260.751 to 260.835, apply to this section.

~~(e) (d) If the court, prior to, or as part of, a final disposition or other court order, proposes to place a child:~~ with an emotional disturbance or developmental disability or related condition in residential treatment, the responsible social services agency must conduct a screening. If the team recommends treating the child in a qualified residential treatment program, the agency must follow the requirements of sections 260C.70 to 260C.714.

~~(1) for the primary purpose of treatment for an emotional disturbance, a developmental disability, or chemical dependency in a residential treatment facility out of state or in one which is within the state and licensed by the commissioner of human services under chapter 245A; or~~

~~(2) in any out of home setting potentially exceeding 30 days in duration, including a postdispositional placement in a facility licensed by the commissioner of corrections or human services, The court shall ascertain whether the child is an Indian child and shall notify the county welfare agency responsible social services agency and, if the child is an Indian child, shall notify the Indian child's tribe. The county's juvenile treatment screening team must either: (i) screen and evaluate the child and file its recommendations with the court within 14 days of receipt of the notice; or (ii) elect not to screen a given case and notify the court of that decision within three working days as paragraph (c) requires.~~

~~(d) The child may not be placed for the primary purpose of treatment for an emotional disturbance, a developmental disability, or chemical dependency, in a residential treatment facility out of state nor in a residential treatment facility within the state that is licensed under chapter 245A, unless one of the following conditions applies:~~

~~(1) a treatment professional certifies that an emergency requires the placement of the child in a facility within the state;~~

~~(2) the screening team has evaluated the child and recommended that a residential placement is necessary to meet the child's treatment needs and the safety needs of the community, that it is a cost-effective means of meeting the treatment needs, and that it will be of therapeutic value to the child; or~~

~~(3) the court, having reviewed a screening team recommendation against placement, determines to the contrary that a residential placement is necessary. The court shall state the reasons for its determination in writing, on the record, and shall respond specifically to the findings and recommendation of the screening team in explaining why the recommendation was rejected. The attorney representing the child and the prosecuting attorney shall be afforded an opportunity to be heard on the matter.~~

~~(e) When the county's juvenile treatment screening team has elected to screen and evaluate a child determined to be an Indian child, the team shall provide notice to the tribe or tribes that accept jurisdiction for the Indian child or that recognize the child as a member of the tribe or as a person eligible for membership in the tribe, and permit the tribe's representative to participate in the screening team.~~

(e) When the responsible social services agency is responsible for placing and caring for the child and the screening team recommends placing a child in a qualified residential treatment program as defined in section 260C.007, subdivision 26d, the agency must: (1) begin the assessment and processes required in section 260C.704 without delay; and (2) conduct a relative search according to section 260C.221 to assemble the child's family and permanency team under section 260C.706. Prior to notifying relatives regarding the family and permanency team, the responsible social services agency must consult with the child if the child is age 14 or older, the child's parents and, if applicable, the child's tribe to ensure that the agency is providing notice to individuals who will act in the child's best interest. The child and the child's parents may identify a culturally competent qualified individual to complete the child's assessment. The agency shall make efforts to refer the assessment to the identified qualified individual. The assessment may not be delayed for the purpose of having the assessment completed by a specific qualified individual.

(f) When a screening team determines that a child does not need treatment in a qualified residential treatment program, the screening team must:

(1) document the services and supports that will prevent the child's foster care placement and will support the child remaining at home;

(2) document the services and supports that the agency will arrange to place the child in a family foster home; or

(3) document the services and supports that the agency has provided in any other setting.

~~(g)~~ (g) When the Indian child's tribe or tribal health care services provider or Indian Health Services provider proposes to place a child for the primary purpose of treatment for an emotional disturbance, a developmental disability, or co-occurring emotional disturbance and chemical dependency, the Indian child's tribe or the tribe delegated by the child's tribe shall submit necessary documentation to the county juvenile treatment screening team, which must invite the Indian child's tribe to designate a representative to the screening team.

(h) The responsible social services agency must conduct and document the screening in a format approved by the commissioner of human services.

**EFFECTIVE DATE.** This section is effective September 30, 2021.

Sec. 34. Minnesota Statutes 2018, section 260C.202, is amended to read:

**260C.202 COURT REVIEW OF FOSTER CARE.**

(a) If the court orders a child placed in foster care, the court shall review the out-of-home placement plan and the child's placement at least every 90 days as required in juvenile court rules to determine whether continued out-of-home placement is necessary and appropriate or whether the child should be returned home. This review is not required if the court has returned the child home, ordered the child permanently placed away from the parent under sections 260C.503 to 260C.521, or terminated rights under section 260C.301. Court review for a child permanently placed away from a parent, including where the child is under guardianship of the commissioner, shall be governed by section 260C.607. When a child is placed in a qualified residential treatment program setting as defined in section 260C.007, subdivision 26d, the responsible social services agency must submit evidence to the court as specified in section 260C.712.

(b) No later than three months after the child's placement in foster care, the court shall review agency efforts pursuant to section 260C.221, and order that the efforts continue if the agency has failed to perform the duties under that section. The court must order the agency to continue to appropriately engage relatives who responded to the notice under section 260C.221 in placement and case planning decisions and to engage other relatives who came to the agency's attention after notice under section 260C.221 was sent.

(c) The court shall review the out-of-home placement plan and may modify the plan as provided under section 260C.201, subdivisions 6 and 7.

(d) When the court orders transfer of custody to a responsible social services agency resulting in foster care or protective supervision with a noncustodial parent under subdivision 1, the court shall notify the parents of the provisions of sections 260C.204 and 260C.503 to 260C.521, as required under juvenile court rules.

(e) When a child remains in or returns to foster care pursuant to section 260C.451 and the court has jurisdiction pursuant to section 260C.193, subdivision 6, paragraph (c), the court shall at least annually conduct the review required under section 260C.203.

**EFFECTIVE DATE.** This section is effective September 30, 2021.

Sec. 35. Minnesota Statutes 2018, section 260C.204, is amended to read:

**260C.204 PERMANENCY PROGRESS REVIEW FOR CHILDREN IN FOSTER CARE FOR SIX MONTHS.**

(a) When a child continues in placement out of the home of the parent or guardian from whom the child was removed, no later than six months after the child's placement the court shall conduct a permanency progress hearing to review:

(1) the progress of the case, the parent's progress on the case plan or out-of-home placement plan, whichever is applicable;

(2) the agency's reasonable, or in the case of an Indian child, active efforts for reunification and its provision of services;

(3) the agency's reasonable efforts to finalize the permanent plan for the child under section 260.012, paragraph (e), and to make a placement as required under section 260C.212, subdivision 2, in a home that will commit to being the legally permanent family for the child in the event the child cannot return home according to the timelines in this section; and

(4) in the case of an Indian child, active efforts to prevent the breakup of the Indian family and to make a placement according to the placement preferences under United States Code, title 25, chapter 21, section 1915.

(b) When a child is placed in a qualified residential treatment program setting as defined in section 260C.007, subdivision 26d, the responsible social services agency must submit evidence to the court as specified in section 260C.712.

~~(b)~~ (c) The court shall ensure that notice of the hearing is sent to any relative who:

(1) responded to the agency's notice provided under section 260C.221, indicating an interest in participating in planning for the child or being a permanency resource for the child and who has kept the court apprised of the relative's address; or

(2) asked to be notified of court proceedings regarding the child as is permitted in section 260C.152, subdivision 5.

~~(c)(4)~~ (d)(1) If the parent or guardian has maintained contact with the child and is complying with the court-ordered out-of-home placement plan, and if the child would benefit from reunification with the parent, the court may either:

(i) return the child home, if the conditions which led to the out-of-home placement have been sufficiently mitigated that it is safe and in the child's best interests to return home; or

(ii) continue the matter up to a total of six additional months. If the child has not returned home by the end of the additional six months, the court must conduct a hearing according to sections 260C.503 to 260C.521.

(2) If the court determines that the parent or guardian is not complying with the out-of-home placement plan or is not maintaining regular contact with the child as outlined in the visitation plan required as part of the out-of-home placement plan under section 260C.212, the court may order the responsible social services agency:

(i) to develop a plan for legally permanent placement of the child away from the parent;

(ii) to consider, identify, recruit, and support one or more permanency resources from the child's relatives and foster parent to be the legally permanent home in the event the child cannot be returned to the parent. Any relative or the child's foster parent may ask the court to order the agency to consider them for permanent placement of the child in the event the child cannot be returned to the parent. A relative or foster parent who wants to be considered under this item shall cooperate with the background study required under section 245C.08, if the individual has not already done so, and with the home study process required under chapter 245A for providing child foster care and for adoption under section 259.41. The home study referred to in this item shall be a single-home study in the form required by the commissioner of human services or similar study required by the individual's state of residence when the subject of the study is not a resident of Minnesota. The court may order the responsible social services agency to make a referral under the Interstate Compact on the Placement of Children when necessary to obtain a home study for an individual who wants to be considered for transfer of permanent legal and physical custody or adoption of the child; and

(iii) to file a petition to support an order for the legally permanent placement plan.

~~(d)~~ (e) Following the review under this section:

(1) if the court has either returned the child home or continued the matter up to a total of six additional months, the agency shall continue to provide services to support the child's return home or to make reasonable efforts to achieve reunification of the child and the parent as ordered by the court under an approved case plan;

(2) if the court orders the agency to develop a plan for the transfer of permanent legal and physical custody of the child to a relative, a petition supporting the plan shall be filed in juvenile court within 30 days of the hearing required under this section and a trial on the petition held within 60 days of the filing of the pleadings; or

(3) if the court orders the agency to file a termination of parental rights, unless the county attorney can show cause why a termination of parental rights petition should not be filed, a petition for termination of parental rights shall be filed in juvenile court within 30 days of the hearing required under this section and a trial on the petition held within 60 days of the filing of the petition.

**EFFECTIVE DATE.** This section is effective September 30, 2021.

Sec. 36. Minnesota Statutes 2018, section 260C.212, subdivision 1, is amended to read:

Subdivision 1. **Out-of-home placement; plan.** (a) An out-of-home placement plan shall be prepared within 30 days after any child is placed in foster care by court order or a voluntary placement agreement between the responsible social services agency and the child's parent pursuant to section 260C.227 or chapter 260D.

(b) An out-of-home placement plan means a written document which is prepared by the responsible social services agency jointly with the parent or parents or guardian of the child and in consultation with the child's guardian ad litem, the child's tribe, if the child is an Indian child, the child's foster parent or representative of the foster care facility, and, where appropriate, the child. When a child is age 14 or older, the child may include two other individuals on the team preparing the child's out-of-home placement plan. The child may select one member of the case planning team to be designated as the child's advisor and to advocate with respect to the application of the reasonable and prudent parenting standards. The responsible social services agency may reject an individual selected by the child if the agency has good cause to believe that the individual would not act in the best interest of the child. For a child in voluntary foster care for treatment under chapter 260D, preparation of the out-of-home placement plan shall additionally include the child's mental health treatment provider. For a child 18 years of age or older, the responsible social services agency shall involve the child and the child's parents as appropriate. As appropriate, the plan shall be:

(1) submitted to the court for approval under section 260C.178, subdivision 7;

(2) ordered by the court, either as presented or modified after hearing, under section 260C.178, subdivision 7, or 260C.201, subdivision 6; and

(3) signed by the parent or parents or guardian of the child, the child's guardian ad litem, a representative of the child's tribe, the responsible social services agency, and, if possible, the child.

(c) The out-of-home placement plan shall be explained to all persons involved in its implementation, including the child who has signed the plan, and shall set forth:

(1) a description of the foster care home or facility selected, including how the out-of-home placement plan is designed to achieve a safe placement for the child in the least restrictive, most family-like, setting available which is in close proximity to the home of the parent or parents or guardian of the child when the case plan goal is reunification, and how the placement is consistent with the best interests and special needs of the child according to the factors under subdivision 2, paragraph (b);

(2) the specific reasons for the placement of the child in foster care, and when reunification is the plan, a description of the problems or conditions in the home of the parent or parents which necessitated removal of the child from home and the changes the parent or parents must make for the child to safely return home;

(3) a description of the services offered and provided to prevent removal of the child from the home and to reunify the family including:

(i) the specific actions to be taken by the parent or parents of the child to eliminate or correct the problems or conditions identified in clause (2), and the time period during which the actions are to be taken; and

(ii) the reasonable efforts, or in the case of an Indian child, active efforts to be made to achieve a safe and stable home for the child including social and other supportive services to be provided or offered to the parent or parents or guardian of the child, the child, and the residential facility during the period the child is in the residential facility;

(4) a description of any services or resources that were requested by the child or the child's parent, guardian, foster parent, or custodian since the date of the child's placement in the residential facility, and whether those services or resources were provided and if not, the basis for the denial of the services or resources;

(5) the visitation plan for the parent or parents or guardian, other relatives as defined in section 260C.007, subdivision 26b or 27, and siblings of the child if the siblings are not placed together in foster care, and whether visitation is consistent with the best interest of the child, during the period the child is in foster care;

(6) when a child cannot return to or be in the care of either parent, documentation of steps to finalize adoption as the permanency plan for the child through reasonable efforts to place the child for adoption. At a minimum, the documentation must include consideration of whether adoption is in the best interests of the child, child-specific recruitment efforts such as relative search and the use of state, regional, and national adoption exchanges to facilitate orderly and timely placements in and outside of the state. A copy of this documentation shall be provided to the court in the review required under section 260C.317, subdivision 3, paragraph (b);

(7) when a child cannot return to or be in the care of either parent, documentation of steps to finalize the transfer of permanent legal and physical custody to a relative as the permanency plan for the child. This documentation must support the requirements of the kinship placement agreement under section 256N.22 and must include the reasonable efforts used to determine that it is not appropriate for the child to return home or be adopted, and reasons why permanent placement with a relative through a Northstar kinship assistance arrangement is in the child's best interest; how the child meets the eligibility requirements for Northstar kinship assistance payments; agency efforts to discuss adoption with the child's relative foster parent and reasons why the relative foster parent chose not to pursue adoption, if applicable; and agency efforts to discuss with the child's parent or parents the permanent transfer of permanent legal and physical custody or the reasons why these efforts were not made;

(8) efforts to ensure the child's educational stability while in foster care for a child who attained the minimum age for compulsory school attendance under state law and is enrolled full time in elementary or secondary school, or instructed in elementary or secondary education at home, or instructed in an independent study elementary or secondary program, or incapable of attending school on a full-time basis due to a medical condition that is documented and supported by regularly updated information in the child's case plan. Educational stability efforts include:

(i) efforts to ensure that the child remains in the same school in which the child was enrolled prior to placement or upon the child's move from one placement to another, including efforts to work with the local education authorities to ensure the child's educational stability and attendance; or

(ii) if it is not in the child's best interest to remain in the same school that the child was enrolled in prior to placement or move from one placement to another, efforts to ensure immediate and appropriate enrollment for the child in a new school;

(9) the educational records of the child including the most recent information available regarding:

(i) the names and addresses of the child's educational providers;

(ii) the child's grade level performance;

(iii) the child's school record;

(iv) a statement about how the child's placement in foster care takes into account proximity to the school in which the child is enrolled at the time of placement; and

(v) any other relevant educational information;

(10) the efforts by the responsible social services agency to ensure the oversight and continuity of health care services for the foster child, including:

(i) the plan to schedule the child's initial health screens;

(ii) how the child's known medical problems and identified needs from the screens, including any known communicable diseases, as defined in section 144.4172, subdivision 2, shall be monitored and treated while the child is in foster care;

(iii) how the child's medical information shall be updated and shared, including the child's immunizations;

(iv) who is responsible to coordinate and respond to the child's health care needs, including the role of the parent, the agency, and the foster parent;

(v) who is responsible for oversight of the child's prescription medications;

(vi) how physicians or other appropriate medical and nonmedical professionals shall be consulted and involved in assessing the health and well-being of the child and determine the appropriate medical treatment for the child; and

(vii) the responsibility to ensure that the child has access to medical care through either medical insurance or medical assistance;

(11) the health records of the child including information available regarding:

(i) the names and addresses of the child's health care and dental care providers;

(ii) a record of the child's immunizations;

(iii) the child's known medical problems, including any known communicable diseases as defined in section 144.4172, subdivision 2;

(iv) the child's medications; and

(v) any other relevant health care information such as the child's eligibility for medical insurance or medical assistance;

(12) an independent living plan for a child 14 years of age or older, developed in consultation with the child. The child may select one member of the case planning team to be designated as the child's advisor and to advocate with respect to the application of the reasonable and prudent parenting standards in subdivision 14. The plan should include, but not be limited to, the following objectives:

(i) educational, vocational, or employment planning;

(ii) health care planning and medical coverage;

(iii) transportation including, where appropriate, assisting the child in obtaining a driver's license;

(iv) money management, including the responsibility of the responsible social services agency to ensure that the child annually receives, at no cost to the child, a consumer report as defined under section 13C.001 and assistance in interpreting and resolving any inaccuracies in the report;

(v) planning for housing;

(vi) social and recreational skills;

(vii) establishing and maintaining connections with the child's family and community; and

(viii) regular opportunities to engage in age-appropriate or developmentally appropriate activities typical for the child's age group, taking into consideration the capacities of the individual child;

(13) for a child in voluntary foster care for treatment under chapter 260D, diagnostic and assessment information, specific services relating to meeting the mental health care needs of the child, and treatment outcomes; ~~and~~

(14) for a child 14 years of age or older, a signed acknowledgment that describes the child's rights regarding education, health care, visitation, safety and protection from exploitation, and court participation; receipt of the documents identified in section 260C.452; and receipt of an annual credit report. The acknowledgment shall state that the rights were explained in an age-appropriate manner to the child; and

(15) for a child placed in a qualified residential treatment program, the plan must include the requirements in section 260C.708.

(d) The parent or parents or guardian and the child each shall have the right to legal counsel in the preparation of the case plan and shall be informed of the right at the time of placement of the child. The child shall also have the right to a guardian ad litem. If unable to employ counsel from their own resources, the court shall appoint counsel upon the request of the parent or parents or the child or the child's legal guardian. The parent or parents may also receive assistance from any person or social services agency in preparation of the case plan.

After the plan has been agreed upon by the parties involved or approved or ordered by the court, the foster parents shall be fully informed of the provisions of the case plan and shall be provided a copy of the plan.

Upon discharge from foster care, the parent, adoptive parent, or permanent legal and physical custodian, as appropriate, and the child, if appropriate, must be provided with a current copy of the child's health and education record.

**EFFECTIVE DATE.** This section is effective September 30, 2021.

Sec. 37. Minnesota Statutes 2018, section 260C.212, is amended by adding a subdivision to read:

**Subd. 1a. Out-of-home placement plan update.** (a) Within 30 days of placing the child in foster care, the agency must file the initial out-of-home placement plan with the court. After filing the initial out-of-home placement plan, the agency shall update and file the out-of-home placement plan with the court as follows:

(1) when the agency moves a child to a different foster care setting, the agency shall inform the court within 30 days of the placement change or court-ordered trial home visit. The agency must file the updated out-of-home placement plan with the court at the next required review hearing;

(2) when the agency places a child in a qualified residential treatment program as defined in section 260C.007, subdivision 26d, or moves a child from one qualified residential treatment program to a different qualified residential treatment program, the agency must update the out-of-home placement plan within 60 days. To meet the

requirements of 260C.708, the agency must file the out-of-home placement plan with the court as part of the 60-day hearing and must update the plan after the court hearing to document the court's approval or disapproval of the child's placement in a qualified residential treatment program;

(3) when the agency places a child with the child's parent in a licensed residential family-based substance use disorder treatment program under section 260C.190, the agency must identify the treatment program in the child's out-of-home placement plan prior to the child's placement. The agency must file the out-of-home placement plan with the court at the next required review hearing; and

(4) under sections 260C.227 and 260C.521, the agency must update the out-of-home placement plan and file the plan with the court.

(b) When none of the items in paragraph (a) apply, the agency must update the out-of-home placement plan no later than 180 days after the child's initial placement and every six months thereafter, consistent with section 260C.203, paragraph (a).

**EFFECTIVE DATE.** This section is effective September 30, 2021.

Sec. 38. Minnesota Statutes 2019 Supplement, section 260C.212, subdivision 2, is amended to read:

Subd. 2. **Placement decisions based on best interests of the child.** (a) The policy of the state of Minnesota is to ensure that the child's best interests are met by requiring an individualized determination of the needs of the child and of how the selected placement will serve the needs of the child being placed. The authorized child-placing agency shall place a child, released by court order or by voluntary release by the parent or parents, in a family foster home selected by considering placement with relatives and important friends in the following order:

- (1) with an individual who is related to the child by blood, marriage, or adoption; or
- (2) with an individual who is an important friend with whom the child has resided or had significant contact.

For an Indian child, the agency shall follow the order of placement preferences in the Indian Child Welfare Act of 1978, United States Code, title 25, section 1915.

(b) Among the factors the agency shall consider in determining the needs of the child are the following:

- (1) the child's current functioning and behaviors;
- (2) the medical needs of the child;
- (3) the educational needs of the child;
- (4) the developmental needs of the child;
- (5) the child's history and past experience;
- (6) the child's religious and cultural needs;
- (7) the child's connection with a community, school, and faith community;
- (8) the child's interests and talents;

(9) the child's relationship to current caretakers, parents, siblings, and relatives;

(10) the reasonable preference of the child, if the court, or the child-placing agency in the case of a voluntary placement, deems the child to be of sufficient age to express preferences; and

(11) for an Indian child, the best interests of an Indian child as defined in section 260.755, subdivision 2a.

(c) Placement of a child cannot be delayed or denied based on race, color, or national origin of the foster parent or the child.

(d) Siblings should be placed together for foster care and adoption at the earliest possible time unless it is documented that a joint placement would be contrary to the safety or well-being of any of the siblings or unless it is not possible after reasonable efforts by the responsible social services agency. In cases where siblings cannot be placed together, the agency is required to provide frequent visitation or other ongoing interaction between siblings unless the agency documents that the interaction would be contrary to the safety or well-being of any of the siblings.

(e) Except for emergency placement as provided for in section 245A.035, the following requirements must be satisfied before the approval of a foster or adoptive placement in a related or unrelated home: (1) a completed background study under section 245C.08; and (2) a completed review of the written home study required under section 260C.215, subdivision 4, clause (5), or 260C.611, to assess the capacity of the prospective foster or adoptive parent to ensure the placement will meet the needs of the individual child.

(f) The agency must determine whether colocation with a parent who is receiving services in a licensed residential family-based substance use disorder treatment program is in the child's best interests according to paragraph (b) and include that determination in the child's case plan under subdivision 1. The agency may consider additional factors not identified in paragraph (b). The agency's determination must be documented in the child's case plan before the child is colocated with a parent.

(g) The agency must establish a juvenile treatment screening team under section 260C.157 to determine whether it is necessary and appropriate to recommend placing a child in a qualified residential treatment program, as defined in section 260C.007, subdivision 26d.

**EFFECTIVE DATE.** This section is effective September 30, 2021.

Sec. 39. Minnesota Statutes 2018, section 260C.212, subdivision 4a, is amended to read:

Subd. 4a. **Monthly caseworker visits.** (a) Every child in foster care or on a trial home visit shall be visited by the child's caseworker or another person who has responsibility for visitation of the child on a monthly basis, with the majority of visits occurring in the child's residence. The responsible social services agency may designate another person responsible for monthly case visits. For the purposes of this section, the following definitions apply:

(1) "visit" is defined as a face-to-face contact between a child and the child's caseworker;

(2) "visited on a monthly basis" is defined as at least one visit per calendar month;

(3) "the child's caseworker" is defined as the person who has responsibility for managing the child's foster care placement case as assigned by the responsible social ~~service~~ services agency; ~~and~~

(4) "another person" means the professional staff whom the responsible social services agency has assigned in the out-of-home placement plan or case plan. Another person must be professionally trained to assess the child's safety, permanency, well-being, and case progress. The agency may not designate the guardian ad litem, the child foster care provider, residential facility staff, or a qualified individual as defined in section 260C.007, subdivision 26b, as another person; and

(4) (5) "the child's residence" is defined as the home where the child is residing, and can include the foster home, child care institution, or the home from which the child was removed if the child is on a trial home visit.

(b) Caseworker visits shall be of sufficient substance and duration to address issues pertinent to case planning and service delivery to ensure the safety, permanency, and well-being of the child, including whether the child is enrolled and attending school as required by law.

**EFFECTIVE DATE.** This section is effective September 30, 2021.

Sec. 40. Minnesota Statutes 2018, section 260C.227, is amended to read:

**260C.227 VOLUNTARY FOSTER CARE; REQUIRED COURT REVIEW.**

(a) When the responsible social services agency and the child's parent or guardian agree that the child's safety, health, and best interests require that the child be in foster care, the agency and the parent or guardian may enter into a voluntary agreement for the placement of the child in foster care. The voluntary agreement must be in writing and in a form approved by the commissioner.

(b) When the child has been placed in foster care pursuant to a voluntary foster care agreement between the agency and the parent, under this section and the child is not returned home within 90 days after initial placement in foster care, the agency responsible for the child's placement in foster care shall:

(1) return the child to the home of the parent or parents; or

(2) file a petition according to section 260C.141, subdivision 1 or 2, which may:

(i) ask the court to review the child's placement in foster care and approve it as continued voluntary foster care for up to an additional 90 days;

(ii) ask the court to order continued foster care according to sections 260C.178 and 260C.201; or

(iii) ask the court to terminate parental rights under section 260C.301.

(3) The out-of-home placement plan must be updated and filed along with the petition.

(c) If the court approves continuing the child in foster care for up to 90 more days on a voluntary basis, at the end of the court-approved 90-day period, the child must be returned to the parent's home. If the child is not returned home, the responsible social services agency must proceed on the petition filed alleging the child in need of protection or services or the petition for termination of parental rights or other permanent placement of the child away from the parent. The court must find a statutory basis to order the placement of the child under section 260C.178; 260C.201; 260C.503 to 260C.521; or 260C.317.

(d) If the child is placed in a qualified residential treatment program, the placement must follow the requirements of sections 260C.70 to 260C.714.

Sec. 41. Minnesota Statutes 2018, section 260C.4412, is amended to read:

**260C.4412 PAYMENT FOR RESIDENTIAL PLACEMENTS.**

(a) When a child is placed in a foster care group residential setting under Minnesota Rules, parts 2960.0020 to 2960.0710, a foster residence licensed under chapter 245A that meets the standards of Minnesota Rules, parts 2960.3200 to 2960.3230, or a children's residential facility licensed or approved by a tribe, foster care maintenance

payments must be made on behalf of the child to cover the cost of providing food, clothing, shelter, daily supervision, school supplies, child's personal incidentals and supports, reasonable travel for visitation, or other transportation needs associated with the items listed. Daily supervision in the group residential setting includes routine day-to-day direction and arrangements to ensure the well-being and safety of the child. It may also include reasonable costs of administration and operation of the facility.

(b) The commissioner of human services shall specify the title IV-E administrative procedures under section 256.82 for each of the following residential program settings:

(1) residential programs licensed under chapter 245A or licensed by a tribe, including:

(i) qualified residential treatment programs as defined in section 260C.007, subdivision 26d;

(ii) program settings specializing in providing prenatal, postpartum, or parenting supports for youth; and

(iii) program settings providing high-quality residential care and supportive services to children and youth who are, or are at risk of becoming, sex trafficking victims;

(2) licensed residential family-based substance use disorder treatment programs as defined in section 260C.007, subdivision 22a; and

(3) supervised settings in which a foster child age 18 or older may live independently, consistent with section 260C.451.

**EFFECTIVE DATE.** This section is effective September 30, 2021.

Sec. 42. Minnesota Statutes 2018, section 260C.503, is amended by adding a subdivision to read:

Subd. 4. **Qualified residential treatment program; permanency hearing requirements.** When a child is placed in a qualified residential treatment program as defined in section 260C.007, subdivision 26d, the responsible social services agency must submit evidence to the court as specified in section 260C.712.

**EFFECTIVE DATE.** This section is effective September 30, 2021.

#### **PLACEMENTS IN QUALIFIED RESIDENTIAL TREATMENT PROGRAMS.**

Sec. 43. **[260C.70] CITATION.**

Sections 260C.70 to 260C.714 may be cited as "Placements in Qualified Residential Treatment Programs." Sections 260C.70 to 260C.714 implement the requirements of the Family First Prevention Services Act of 2018, Public Law 115-123, and apply to children for whom the juvenile treatment screening team under section 260C.157, subdivision 3, recommends placement in a qualified residential treatment program.

**EFFECTIVE DATE.** This section is effective September 30, 2021.

Sec. 44. **[260C.702] REQUIREMENTS FOR PLACEMENTS IN QUALIFIED RESIDENTIAL TREATMENT PROGRAMS.**

For the responsible social services agency to place a child in a qualified residential treatment program, there must be:

(1) an assessment by a qualified individual of whether it is necessary and appropriate to place the child at a qualified residential treatment program under section 260C.704;

(2) a family and permanency team under section 260C.706;

(3) an out-of-home placement plan under section 260C.708;

(4) court approval of a child's placement in a qualified residential treatment program under section 260C.71;

(5) ongoing reviews and permanency hearings under section 260C.712; and

(6) a court review of any extended placement of the child in a qualified residential treatment program under section 260C.714.

**EFFECTIVE DATE.** This section is effective September 30, 2021.

**Sec. 45. [260C.704] REQUIREMENTS FOR THE QUALIFIED INDIVIDUAL'S ASSESSMENT OF THE CHILD FOR PLACEMENT IN A QUALIFIED RESIDENTIAL TREATMENT PROGRAM.**

(a) A qualified individual must complete an assessment of the child prior to or within 30 days of the child's placement in a qualified residential treatment program in a format approved by the commissioner of human services, and must:

(1) assess the child's needs and strengths, using an age-appropriate, evidence-based, validated, functional assessment approved by the commissioner of human services;

(2) determine whether the child's needs be met by the child's family members or through placement in a family foster home; or, if not, determine which residential setting would provide the child with the most effective and appropriate level of care to the child in the least restrictive environment;

(3) develop a list of short- and long-term mental and behavioral health goals for the child; and

(4) work with the child's family and permanency team using culturally competent practices.

(b) The child and the child's parents, when appropriate, may request that a specific culturally competent qualified individual complete the child's assessment. The agency shall make efforts to refer the child to the identified qualified individual to complete the assessment. The assessment must not be delayed for a specific qualified individual to complete the assessment.

(c) The qualified individual must provide the assessment, when complete, to the responsible social services agency, the child's parents or legal guardians, the guardian ad litem, and to the court as required in section 260C.71. If court rules and chapter 13 permit disclosure of the results of the child's assessment, the agency may share the results of the child's assessment with the child's foster care provider, other members of the child's family, and the family and permanency team. The agency must not share the child's private medical data with the family and permanency team unless: (1) chapter 13 permits the agency to disclose the child's private medical data to the family and permanency team; or (2) the child's parent has authorized the agency to disclose the child's private medical data to the family and permanency team.

(d) For an Indian child, the assessment of the child must follow the order of placement preferences in the Indian Child Welfare Act of 1978, United States Code, title 25, section 1915.

(e) In the assessment determination, the qualified individual must specify in writing:

(1) the reasons why the child's needs cannot be met by the child's family or in a family foster home. A shortage of family foster homes is not an acceptable reason for determining that a family foster home cannot meet a child's needs;

(2) why the recommended placement in a qualified residential treatment program will provide the child with the most effective and appropriate level of care to meet the child's needs in the least restrictive environment possible and how placing the child at the treatment program is consistent with the short-term and long-term goals of the child's permanency plan; and

(3) if the qualified individual's placement recommendation is not the placement setting that the parent, family and permanency team, child, or tribe prefer, the qualified individual must identify the reasons why the qualified individual does not recommend the parent's, family and permanency team's, child's, or tribe's placement preferences. The out-of-home placement plan under section 260C.708 must also include reasons why the qualified individual did not recommend the preferences of the parents, family and permanency team, child, or tribe.

(f) If the qualified individual determines that the child's family or a family foster home or other less restrictive placement may meet the child's needs, the agency must move the child out of the qualified residential treatment program and transition the child to a less restrictive setting within 30 days of the determination.

**EFFECTIVE DATE.** This section is effective September 30, 2021.

Sec. 46. **[260C.706] FAMILY AND PERMANENCY TEAM REQUIREMENTS.**

(a) When the responsible social services agency's juvenile treatment screening team, as defined in section 260C.157, recommends placing the child in a qualified residential treatment program, the agency must assemble a family and permanency team within ten days.

(1) The team must include all appropriate biological family members, the child's parents, legal guardians or custodians, foster care providers, and relatives as defined in section 260C.007, subdivisions 26c and 27, and professionals, as appropriate, who are a resource to the child's family, such as teachers, medical or mental health providers, or clergy.

(2) When a child is placed in foster care prior to the qualified residential treatment program, the agency shall include relatives responding to the relative search notice as required under section 260C.221 on this team, unless the juvenile court finds that contacting a specific relative would endanger the parent, guardian, child, sibling, or any other family member.

(3) When a qualified residential treatment program is the child's initial placement setting, the responsible social services agency must engage with the child and the child's parents to determine the appropriate family and permanency team members.

(4) When the permanency goal is to reunify the child with the child's parent or legal guardian, the purpose of the relative search and focus of the family and permanency team is to preserve family relationships and identify and develop supports for the child and parents.

(5) The responsible agency must make a good faith effort to identify and assemble all appropriate individuals to be part of the child's family and permanency team and request input from the parents regarding relative search efforts consistent with section 260C.221. The out-of-home placement plan in section 260C.708 must include all contact information for the team members, as well as contact information for family members or relatives who are not a part of the family and permanency team.

(6) If the child is age 14 or older, the team must include members of the family and permanency team that the child selects in accordance with section 260C.212, subdivision 1, paragraph (b).

(7) Consistent with section 260C.221, a responsible social services agency may disclose relevant and appropriate private data about the child to relatives in order for the relatives to participate in caring and planning for the child's placement.

(8) If the child is an Indian child under section 260.751, the responsible social services agency must make active efforts to include the child's tribal representative on the family and permanency team.

(b) The family and permanency team shall meet regarding the assessment required under section 260C.704 to determine whether it is necessary and appropriate to place the child in a qualified residential treatment program and to participate in case planning under section 260C.708.

(c) When reunification of the child with the child's parent or legal guardian is the permanency plan, the family and permanency team shall support the parent-child relationship by recognizing the parent's legal authority, consulting with the parent regarding ongoing planning for the child, and assisting the parent with visiting and contacting the child.

(d) When the agency's permanency plan is to transfer the child's permanent legal and physical custody to a relative or for the child's adoption, the team shall:

(1) coordinate with the proposed guardian to provide the child with educational services, medical care, and dental care;

(2) coordinate with the proposed guardian, the agency, and the foster care facility to meet the child's treatment needs after the child is placed in a permanent placement with the proposed guardian;

(3) plan to meet the child's need for safety, stability, and connection with the child's family and community after the child is placed in a permanent placement with the proposed guardian; and

(4) in the case of an Indian child, communicate with the child's tribe to identify necessary and appropriate services for the child, transition planning for the child, the child's treatment needs, and how to maintain the child's connections to the child's community, family, and tribe.

(e) The agency shall invite the family and permanency team to participate in case planning and the agency shall give the team notice of court reviews under sections 260C.152 and 260C.221 until: (1) the child is reunited with the child's parents; or (2) the child's foster care placement ends and the child is in a permanent placement.

**EFFECTIVE DATE.** This section is effective September 30, 2021.

Sec. 47. **[260C.708] OUT-OF-HOME PLACEMENT PLAN FOR QUALIFIED RESIDENTIAL TREATMENT PROGRAM PLACEMENTS.**

(a) When the responsible social services agency places a child in a qualified residential treatment program as defined in section 260C.007, subdivision 26d, the out-of-home placement plan must include:

(1) the case plan requirements in section 260.212, subdivision 1;

(2) the reasonable and good faith efforts of the responsible social services agency to identify and include all of the individuals required to be on the child's family and permanency team under section 260C.007;

(3) all contact information for members of the child's family and permanency team and for other relatives who are not part of the family and permanency team;

(4) evidence that the agency scheduled meetings of the family and permanency team, including meetings relating to the assessment required under section 260C.704, at a time and place convenient for the family;

(5) when reunification of the child with the child's parent or legal guardian is the agency's goal, evidence demonstrating that the parent or legal guardian provided input about the members of the family and permanency team under section 260C.706;

(6) when the agency's permanency goal is to reunify the child with the child's parent or legal guardian, the out-of-home placement plan must identify services and supports that maintain the parent-child relationship and the parent's legal authority, decision-making, and responsibility for ongoing planning for the child. In addition, the agency must assist the parent with visiting and contacting the child;

(7) when the agency's permanency goal is to transfer permanent legal and physical custody of the child to a proposed guardian or to finalize the child's adoption, the case plan must document the agency's steps to transfer permanent legal and physical custody of the child or finalize adoption, as required in section 260C.212, subdivision 1, paragraph (c), clauses (6) and (7); and

(8) the qualified individual's recommendation regarding the child's placement in a qualified residential treatment program and the court approval or disapproval of the placement as required in section 260C.71.

(b) If the placement preferences of the family and permanency team, child, and tribe, if applicable, are not consistent with the placement setting that the qualified individual recommends, the case plan must include the reasons why the qualified individual did not recommend following the preferences of the family and permanency team, child, and the tribe.

(c) The agency must file the out-of-home placement plan with the court as part of the 60-day hearing under section 260C.71.

**EFFECTIVE DATE.** This section is effective September 30, 2021.

Sec. 48. **[260C.71] COURT APPROVAL REQUIREMENTS.**

(a) Within 60 days from the beginning of each placement in a qualified residential treatment program, the court must:

(1) consider the qualified individual's assessment of whether it is necessary and appropriate to place the child in a qualified residential treatment program under section 260C.704;

(2) determine whether a family foster home can meet the child's needs, whether it is necessary and appropriate to place a child in a qualified residential treatment program that is the least restrictive environment possible, and whether the child's placement is consistent with the child's short and long term goals as specified in the permanency plan; and

(3) approve or disapprove of the child's placement.

(b) In the out-of-home placement plan, the agency must document the court's approval or disapproval of the placement, as specified in section 260C.708.

**EFFECTIVE DATE.** This section is effective September 30, 2021.

Sec. 49. **[260C.712] ONGOING REVIEWS AND PERMANENCY HEARING REQUIREMENTS.**

As long as a child remains placed in a qualified residential treatment program, the responsible social services agency shall submit evidence at each administrative review under section 260C.203; each court review under sections 260C.202, 260C.203, and 260C.204; and each permanency hearing under section 260C.515, 260C.519, or 260C.521, that:

(1) demonstrates that an ongoing assessment of the strengths and needs of the child continues to support the determination that the child's needs cannot be met through placement in a family foster home;

(2) demonstrates that the placement of the child in a qualified residential treatment program provides the most effective and appropriate level of care for the child in the least restrictive environment;

(3) demonstrates how the placement is consistent with the short-term and long-term goals for the child, as specified in the child's permanency plan;

(4) documents how the child's specific treatment or service needs will be met in the placement;

(5) documents the length of time that the agency expects the child to need treatment or services; and

(6) documents the responsible social services agency's efforts to prepare the child to return home or to be placed with a fit and willing relative, legal guardian, adoptive parent, or foster family.

**EFFECTIVE DATE.** This section is effective September 30, 2021.

Sec. 50. **[260C.714] REVIEW OF EXTENDED QUALIFIED RESIDENTIAL TREATMENT PROGRAM PLACEMENTS.**

(a) When a responsible social services agency places a child in a qualified residential treatment program for more than 12 consecutive months or 18 nonconsecutive months or, in the case of a child who is under 13 years of age, for more than six consecutive or nonconsecutive months, the agency must submit: (1) the signed approval by the county social services director of the responsible social services agency; and (2) the evidence supporting the child's placement at the most recent court review or permanency hearing under section 260C.712, paragraph (b).

(b) The commissioner shall specify the procedures and requirements for the agency's review and approval of a child's extended qualified residential treatment program placement. The commissioner may consult with counties, tribes, child-placing agencies, mental health providers, licensed facilities, the child, the child's parents, and the family and permanency team members to develop case plan requirements and engage in periodic reviews of the case plan.

**EFFECTIVE DATE.** This section is effective September 30, 2021.

Sec. 51. **INSTRUCTION TO COMMISSIONER.**

The commissioner must confer with the Association of Minnesota Counties, the Minnesota Association of County Social Service Administrators, other state and county agencies, Minnesota's Tribal communities, National Alliance on Mental Illness Minnesota, AspireMN, and other relevant stakeholders to make recommendations to the legislature regarding payment for the cost of treatment and care for residential treatment services, including community-based group care, for children currently served under Minnesota Statutes, chapter 260D. The recommendations must include the approximate cost of care that will no longer be eligible for federal Title IV-E reimbursement paid to the counties for children currently served through voluntary foster care placements. The recommendations must also explore the impact on youth currently served under Minnesota Statutes, chapter 260D,

including access to medical assistance and nonresidential services, as well as the impact on equity for overrepresented populations in the child protection and child welfare systems in Minnesota. The commissioner must report back to the legislature by January 15, 2021."

Delete the title and insert:

"A bill for an act relating to human services; modifying child welfare provisions; amending Minnesota Statutes 2018, sections 245.4871, by adding a subdivision; 245.4885, subdivision 1; 245C.02, subdivision 5, by adding subdivisions; 245C.04, subdivision 1, by adding a subdivision; 245C.14, by adding a subdivision; 245C.16, subdivisions 1, 2; 245C.17, subdivision 1, by adding a subdivision; 245C.18; 256.0112, subdivision 10; 256.82, subdivision 2; 256N.02, subdivision 14a; 256N.21, subdivisions 2, 5; 256N.24, subdivision 4; 260C.007, by adding subdivisions; 260C.157, subdivision 3; 260C.202; 260C.204; 260C.212, subdivisions 1, 4a, by adding a subdivision; 260C.227; 260C.4412; 260C.503, by adding a subdivision; Minnesota Statutes 2019 Supplement, sections 245C.03, subdivision 1; 245C.08, subdivision 1; 245C.13, subdivision 2; 260C.212, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 256K; 260; 260C."

With the recommendation that when so amended the bill be re-referred to the Committee on Health and Human Services Policy.

The report was adopted.

Pursuant to Joint Rule 2.03 and in accordance with Senate Concurrent Resolution No. 6, H. F. No. 3812 was re-referred to the Committee on Rules and Legislative Administration.

Lesch from the Judiciary Finance and Civil Law Division to which was referred:

H. F. No. 3837, A bill for an act relating to public safety; expanding the reporting of crimes motivated by bias; amending the crime of property damage motivated by bias; requiring the Peace Officer Standards and Training Board to update training in recognizing, responding to, and reporting crimes of bias; requiring law enforcement agencies to adopt standard policies regarding crimes motivated by bias; appropriating money; amending Minnesota Statutes 2018, sections 363A.06, subdivision 1; 609.595, subdivisions 1a, 2; 626.5531, subdivision 1; 626.8451, subdivision 1; 626.8469, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 626.

Reported the same back with the following amendments:

Page 3, line 30, delete "motivated" and insert "committed" and delete "by the person's bias against any" and insert "because of the property owner's or another's actual or perceived"

Page 4, line 1, delete everything after "(2)"

Page 4, line 2, delete "another because of that person's actual or perceived" and insert "was motivated in whole or in part by an intent to intimidate or harm an individual or group of individuals because of"

Page 4, line 26, delete "motivated" and insert "committed" and delete "by the person's bias against any" and insert "because of the property owner's or another's actual or perceived"

Page 4, line 28, delete everything after "(2)"

Page 4, line 29, delete "another because of that person's actual or perceived" and insert "was motivated in whole or in part by an intent to intimidate or harm an individual or group of individuals because of"

With the recommendation that when so amended the bill be re-referred to the Committee on Ways and Means.

The report was adopted.

Pursuant to Joint Rule 2.03 and in accordance with Senate Concurrent Resolution No. 6, H. F. No. 3837 was re-referred to the Committee on Rules and Legislative Administration.

Lesch from the Judiciary Finance and Civil Law Division to which was referred:

H. F. No. 4137, A bill for an act relating to public safety; requiring intent for the crimes of repeated harassing conduct; amending Minnesota Statutes 2018, sections 609.79, subdivision 1; 609.795, subdivision 1; Minnesota Statutes 2019 Supplement, sections 504B.206, subdivision 1; 609.749, subdivisions 2, 3, 8; repealing Minnesota Statutes 2018, section 609.749, subdivision 1a; Minnesota Statutes 2019 Supplement, section 609.749, subdivision 1.

Reported the same back with the following amendments:

Page 2, line 20, delete "and"

Page 2, line 21, delete the period and insert "; and"

Page 2, after line 21, insert:

"(4) "substantial emotional distress" means mental distress, mental suffering, or mental anguish as demonstrated by a victim's response to an act including but not limited to seeking psychotherapy as defined in section 604.20, losing sleep or appetite, being diagnosed with a mental-health condition, experiencing suicidal ideation, or having difficulty concentrating on tasks resulting in a loss of productivity."

Page 2, line 28, delete ", attempts to cause,"

Page 4, line 1, strike "possesses"

Page 4, line 2, strike "at the time" and insert "was used in any way in the commission"

Page 4, delete section 4

Page 7, line 16, delete "death or serious bodily injury" and insert "substantial bodily harm"

Page 7, line 18, delete "death or serious bodily injury" and insert "substantial bodily harm" and delete ", attempts to cause,"

Page 7, line 23, delete "death or serious bodily" and insert "substantial bodily harm"

Page 7, line 24, delete "injury"

Page 7, line 25, delete "death or serious bodily injury" and insert "substantial bodily harm" and delete ", attempts to cause,"

Page 7, line 26, after "distress" insert "as defined in section 609.749, subdivision 2, paragraph (a), clause (4)."

Page 8, line 12, delete "death or serious bodily injury" and insert "substantial bodily harm"

Page 8, line 13, delete "death or serious bodily injury" and insert "substantial bodily harm" and delete ", attempts"

Page 8, line 14, delete "to cause," and after "distress" insert "as defined in section 609.749, subdivision 2, paragraph (a), clause (4)."

Renumber the sections in sequence and correct the internal references

With the recommendation that when so amended the bill be placed on the General Register.

The report was adopted.

Pursuant to Joint Rule 2.03 and in accordance with Senate Concurrent Resolution No. 6, H. F. No. 4137 was re-referred to the Committee on Rules and Legislative Administration.

Carlson, L., from the Committee on Ways and Means to which was referred:

H. F. No. 4180, A bill for an act relating to environment; prohibiting using perchloroethylene as dry cleaning solvent; modifying prior appropriations; appropriating money; amending Laws 2019, First Special Session chapter 4, article 1, section 2, subdivision 10; proposing coding for new law in Minnesota Statutes, chapter 325E.

Reported the same back with the recommendation that the bill be placed on the General Register.

The report was adopted.

Freiberg from the Committee on Government Operations to which was referred:

H. F. No. 4257, A bill for an act relating to education; amending teacher license renewal requirements to include mental illness training; requiring rulemaking; amending Minnesota Statutes 2018, sections 122A.181, subdivision 3; 122A.182, subdivision 3; 122A.187, subdivision 6.

Reported the same back with the following amendments:

Page 2, line 11, delete "2020" and insert "2021"

Page 2, line 21, delete "2020" and insert "2021"

Page 3, line 3, delete the new language

Page 3, delete line 4

With the recommendation that when so amended the bill be placed on the General Register.

The report was adopted.

Pursuant to Joint Rule 2.03 and in accordance with Senate Concurrent Resolution No. 6, H. F. No. 4257 was re-referred to the Committee on Rules and Legislative Administration.

Carlson, L., from the Committee on Ways and Means to which was referred:

H. F. No. 4498, A bill for an act relating to natural resources; appropriating money from environment and natural resources trust fund; modifying previous appropriations; amending Laws 2017, chapter 96, section 2, subdivision 9, as amended; Laws 2018, chapter 214, article 4, section 2, subdivision 6.

Reported the same back with the recommendation that the bill be placed on the General Register.

The report was adopted.

Freiberg from the Committee on Government Operations to which was referred:

H. F. No. 4527, A bill for an act relating to state government; changing the name of the Office of MN.IT Services; changing provisions in chapter 16E; amending Minnesota Statutes 2018, sections 16E.01; 16E.016; 16E.02; 16E.03, subdivisions 2, 3, 6; 16E.036; 16E.04, subdivision 3; 16E.0465, subdivision 2; 16E.05, subdivision 1; 16E.07, subdivision 12; 16E.21, subdivision 2; 97A.057, subdivision 1; Minnesota Statutes 2019 Supplement, section 16E.03, subdivision 1; repealing Minnesota Statutes 2018, sections 16E.0466, subdivision 1; 16E.05, subdivision 3; 16E.071; 16E.145.

Reported the same back with the following amendments:

Page 6, line 3, strike "office" and insert "department"

Page 6, line 9, strike "Office" and insert "Department"

Page 9, delete lines 22 and 23

Page 10, line 4, strike "office's" and insert "department's"

Page 10, line 7, strike "office" and insert "department"

With the recommendation that when so amended the bill be placed on the General Register.

The report was adopted.

Pursuant to Joint Rule 2.03 and in accordance with Senate Concurrent Resolution No. 6, H. F. No. 4527 was re-referred to the Committee on Rules and Legislative Administration.

Carlson, L., from the Committee on Ways and Means to which was referred:

H. F. No. 4582, A bill for an act relating to human services; appropriating money for a onetime MFIP supplemental payment.

Reported the same back with the recommendation that the bill be placed on the General Register.

The report was adopted.

Freiberg from the Committee on Government Operations to which was referred:

H. F. No. 4605, A bill for an act relating to local government; authorizing counties, cities, and townships to accept certain documents or signatures electronically, by mail, or by facsimile.

Reported the same back with the following amendments:

Page 1, delete line 15

Page 1, line 16, delete "(4)" and insert "(3)"

Page 1, line 19, delete "(5)" and insert "(4)"

Page 1, line 21, delete "(6)" and insert "(5)"

Page 2, line 7, after "2021" insert ", or 60 days after the peacetime public health emergency is terminated, whichever is earlier"

With the recommendation that when so amended the bill be placed on the General Register.

The report was adopted.

Pursuant to Joint Rule 2.03 and in accordance with Senate Concurrent Resolution No. 6, H. F. No. 4605 was re-referred to the Committee on Rules and Legislative Administration.

Carlson, L., from the Committee on Ways and Means to which was referred:

S. F. No. 1098, A bill for an act relating to health; establishing the Prescription Drug Price Transparency Act; requiring drug manufacturers to submit drug price information to the commissioner of health; providing civil penalties; requiring a report; modifying appropriations; proposing coding for new law in Minnesota Statutes, chapter 62J.

Reported the same back with the recommendation that the bill be placed on the General Register.

The report was adopted.

Halverson from the Committee on Commerce to which was referred:

S. F. No. 2130, A bill for an act relating to liquor; allowing the Metropolitan Airports Commission to set on-sale hours in security areas of Minneapolis-St. Paul International Airport; providing for an accounting adjustment; authorizing various local licenses; amending Minnesota Statutes 2018, sections 340A.5041; 340A.602; Laws 1999, chapter 202, section 13, as amended.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2018, section 340A.404, subdivision 1, is amended to read:

Subdivision 1. **Cities.** (a) A city may issue an on-sale intoxicating liquor license to the following establishments located within its jurisdiction:

(1) hotels;

(2) restaurants;

(3) bowling centers;

(4) clubs or congressionally chartered veterans organizations with the approval of the commissioner, provided that the organization has been in existence for at least three years and liquor sales will only be to members and bona fide guests, except that a club may permit the general public to participate in a wine tasting conducted at the club under section 340A.419;

(5) sports facilities, restaurants, clubs, or bars located on land owned or leased by the Minnesota Sports Facilities Authority;

(6) sports facilities located on land owned by the Metropolitan Sports Commission; and

(7) exclusive liquor stores.

(b) A city may issue an on-sale intoxicating liquor license, an on-sale wine license, or an on-sale malt liquor license to a theater within the city, notwithstanding any law, local ordinance, or charter provision. A license issued under this paragraph authorizes sales on all days of the week to persons attending events at the theater.

(c) A city may issue an on-sale intoxicating liquor license, an on-sale wine license, or an on-sale malt liquor license to a convention center within the city, notwithstanding any law, local ordinance, or charter provision. A license issued under this paragraph authorizes sales on all days of the week to persons attending events at the convention center. This paragraph does not apply to convention centers located in the seven-county metropolitan area.

(d) A city may issue an on-sale wine license and an on-sale malt liquor license to a person who is the owner of a summer collegiate league baseball team, or to a person holding a concessions or management contract with the owner, for beverage sales at a ballpark or stadium located within the city for the purposes of summer collegiate league baseball games and any other events at the ballpark or stadium, notwithstanding any law, local ordinance, or charter provision. A license issued under this paragraph authorizes sales on all days of the week to persons attending baseball games and any other events at the ballpark or stadium.

Sec. 2. Minnesota Statutes 2018, section 340A.404, subdivision 2, is amended to read:

Subd. 2. **Special provision; city of Minneapolis.** (a) The city of Minneapolis may issue an on-sale intoxicating liquor license to the Guthrie Theater, the Cricket Theatre, the Orpheum Theatre, the State Theatre, and the Historic Pantages Theatre, notwithstanding the limitations of law, or local ordinance, or charter provision relating to zoning or school or church distances. The licenses authorize sales on all days of the week to holders of tickets for performances presented by the theaters and to members of the nonprofit corporations holding the licenses and to their guests.

(b) The city of Minneapolis may issue an intoxicating liquor license to 510 Groveland Associates, a Minnesota cooperative, for use by a restaurant on the premises owned by 510 Groveland Associates, notwithstanding limitations of law, or local ordinance, or charter provision.

(c) The city of Minneapolis may issue an on-sale intoxicating liquor license to Zuhrah Shrine Temple for use on the premises owned by Zuhrah Shrine Temple at 2540 Park Avenue South in Minneapolis, notwithstanding limitations of law, or local ordinances, or charter provision relating to zoning or school or church distances.

(d) The city of Minneapolis may issue an on-sale intoxicating liquor license to the American Association of University Women, Minneapolis branch, for use on the premises owned by the American Association of University Women, Minneapolis branch, at 2115 Stevens Avenue South in Minneapolis, notwithstanding limitations of law, or local ordinances, or charter provisions relating to zoning or school or church distances.

(e) The city of Minneapolis may issue an on-sale wine license and an on-sale 3.2 percent malt liquor license to a restaurant located at 5000 Penn Avenue South, and an on-sale wine license and an on-sale malt liquor license to a restaurant located at 1931 Nicollet Avenue South, notwithstanding any law or local ordinance or charter provision.

(f) The city of Minneapolis may issue an on-sale wine license and an on-sale malt liquor license to the Brave New Workshop Theatre located at 3001 Hennepin Avenue South, the Theatre de la Jeune Lune, the Illusion Theatre located at 528 Hennepin Avenue South, the Hollywood Theatre located at 2815 Johnson Street Northeast, the Loring Playhouse located at 1633 Hennepin Avenue South, the Jungle Theater located at 2951 Lyndale Avenue South, Brave New Institute located at 2605 Hennepin Avenue South, the Guthrie Lab located at 700 North First Street, and the Southern Theatre located at 1420 Washington Avenue South, notwithstanding any law or local ordinance or charter provision. The license authorizes sales on all days of the week.

(g) The city of Minneapolis may issue an on-sale intoxicating liquor license to University Gateway Corporation, a Minnesota nonprofit corporation, for use by a restaurant or catering operator at the building owned and operated by the University Gateway Corporation on the University of Minnesota campus, notwithstanding limitations of law, or local ordinance or charter provision. The license authorizes sales on all days of the week.

(h) The city of Minneapolis may issue an on-sale intoxicating liquor license to the Walker Art Center's concessionaire or operator, for a restaurant and catering operator on the premises of the Walker Art Center, notwithstanding limitations of law, or local ordinance or charter provisions. The license authorizes sales on all days of the week.

(i) The city of Minneapolis may issue an on-sale intoxicating liquor license to the Guthrie Theater's concessionaire or operator for a restaurant and catering operator on the premises of the Guthrie Theater, notwithstanding limitations of law, local ordinance, or charter provisions. The license authorizes sales on all days of the week.

(j) The city of Minneapolis may issue an on-sale wine license and an on-sale malt liquor license to the Minnesota Book and Literary Arts Building, Inc.'s concessionaire or operator for a restaurant and catering operator on the premises of the Minnesota Book and Literary Arts Building, Inc. (dba Open Book), notwithstanding limitations of law, or local ordinance or charter provision. The license authorizes sales on all days of the week.

(k) The city of Minneapolis may issue an on-sale intoxicating liquor license to a restaurant located at 5411 Penn Avenue South, notwithstanding any law or local ordinance or charter provision.

(l) The city of Minneapolis may issue an on-sale intoxicating liquor license to the Museum of Russian Art's concessionaire or operator for a restaurant and catering operator on the premises of the Museum of Russian Art located at 5500 Stevens Avenue South, notwithstanding any law or local ordinance or charter provision.

(m) The city of Minneapolis may issue an on-sale intoxicating liquor license to the American Swedish Institute or to its concessionaire or operator for use on the premises owned by the American Swedish Institute at 2600 Park Avenue South, notwithstanding limitations of law, or local ordinances, or charter provision relating to zoning or school or church distances.

(n) Notwithstanding any other law, local ordinance, or charter provision, the city of Minneapolis may issue one or more on-sale intoxicating liquor licenses to the Minneapolis Society of Fine Arts (dba Minneapolis Institute of Arts), or to an entity holding a concessions or catering contract with the Minneapolis Institute of Arts for use on the premises of the Minneapolis Institute of Arts. The licenses authorized by this subdivision may be issued for space that is not compact and contiguous, provided that all such space is included in the description of the licensed premises on the approved license application. The licenses authorize sales on all days of the week.

(o) The city of Minneapolis may issue an on-sale intoxicating liquor license to Norway House or to its concessionaire or operator for use on the premises owned by Norway House at 913 East Franklin Avenue, notwithstanding limitations of law, or local ordinances, or charter provision relating to zoning or school or church distances.

(p) Notwithstanding any other law, local ordinance, or charter provision, the city of Minneapolis may issue one or more on-sale intoxicating liquor licenses to any entity holding a concessions or catering contract with the Minneapolis Park and Recreation Board for use on the premises of the Downtown Commons Park, the Minneapolis Sculpture Garden, or at Boom Island Park. The licenses authorized by this subdivision may be used for space specified within the park property, provided all such space is included in the description of the licensed premises on the approved license application. The licenses authorize sales on the dates on the approved license application.

**EFFECTIVE DATE.** This section is effective upon approval by the Minneapolis City Council and compliance with Minnesota Statutes, section 645.021.

Sec. 3. Minnesota Statutes 2018, section 340A.504, subdivision 4, is amended to read:

Subd. 4. **Intoxicating liquor; off-sale.** (a) No sale of intoxicating liquor may be made by an off-sale licensee:

- (1) on Sundays, except between the hours of 11:00 a.m. and 6:00 p.m.;
- (2) before 8:00 a.m. or after 10:00 p.m. on Monday through Saturday;
- (3) on Thanksgiving Day;
- (4) on Christmas Day, December 25; or
- (5) after 8:00 p.m. on Christmas Eve, December 24.

(b) No delivery of alcohol to an off-sale or on-sale licensee may be made by a wholesaler or accepted by an off-sale or on-sale licensee on a Sunday. No order solicitation or merchandising may be made by a wholesaler on a Sunday.

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

Sec. 4. Minnesota Statutes 2018, section 340A.5041, is amended to read:

**340A.5041 AIRPORT COMMISSION; EXTENDED HOURS.**

Notwithstanding any law, rule, or ordinance to the contrary, the Metropolitan Airports Commission may ~~allow extended hours of sale~~ set the hours of sale at on-sale locations within the security areas of the Lindbergh and Humphrey Terminals. ~~Extended hours are allowed for sales during the hours between 6:00 a.m. and 2:00 a.m. Monday through Sunday.~~

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

Sec. 5. Minnesota Statutes 2018, section 340A.602, is amended to read:

**340A.602 CONTINUATION.**

In any city in which the report of the operations of a municipal liquor store has shown a net loss prior to interfund transfer and without regard to costs related to pension obligations of store employees, as required by Statement 68 of the Governmental Accounting Standards Board, in any two of three consecutive years, the city council shall, not more than 45 days prior to the end of the fiscal year following the three-year period, hold a public hearing on the question of whether the city shall continue to operate a municipal liquor store. Two weeks' notice, written in clear and easily understandable language, of the hearing must be printed in the city's official newspaper. Following the hearing the city council may on its own motion or shall upon petition of five percent or more of the registered voters of the city, submit to the voters at a general or special municipal election the question of whether the city shall continue or discontinue municipal liquor store operations by a date which the city council shall designate. The date designated by the city council must not be more than 30 months following the date of the election. The form of the question shall be: "Shall the city of (name) discontinue operating the municipal liquor store on (Month xx, 2xxx)?".

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

Sec. 6. Laws 1999, chapter 202, section 13, as amended by Laws 2013, chapter 42, section 8, and Laws 2017, First Special Session chapter 4, article 5, section 10, is amended to read:

Sec. 13. **CITY OF ST. PAUL; LICENSES AUTHORIZED.**

(a) The city of St. Paul may issue temporary intoxicating liquor licenses under Minnesota Statutes, section 340A.404, subdivision 10, to Macalester college for the Macalester Scottish fair, Springfest, and for the annual alumni reunion weekend without regard to the limitation in Minnesota Statutes, section 340A.410, subdivision 10, paragraph (b).

(b) Notwithstanding Minnesota Statutes, section 340A.412, subdivision 4, the city of St. Paul may issue a temporary on-sale intoxicating liquor license to Twin Cities in Motion, or its successor organization, if any. The license may authorize the sale of intoxicating liquor on the grounds of the state capitol on both days of the day weekend of the Twin Cities Marathon. Any malt liquor and 3.2 percent malt liquor sold must be produced by a Minnesota brewery. All provisions of Minnesota Statutes, section 340A.404, subdivision 10, not inconsistent with this section, apply to the license authorized by this section.

**EFFECTIVE DATE.** This section is effective upon approval by the St. Paul City Council and compliance with Minnesota Statutes, section 645.021.

Sec. 7. Laws 2017, First Special Session chapter 4, article 5, section 17, is amended to read:

Sec. 17. **SPECIAL LICENSE; SARTELL.**

The city of Sartell may issue an on-sale intoxicating liquor license, an on-sale wine license, or an on-sale malt liquor license to a person or entity holding a concessions or management contract with the city or its agent for the city-owned facilities known as Sartell Community Center, located at 850 19th Street South; Pinecone Central Park, located at 1105 Central Park Blvd; and ~~Champion Field~~ St. Cloud Orthopedics Field, located at ~~710~~ 802 12th Street North, notwithstanding any law, local ordinance, or charter provision. A license issued under this section authorizes sales on all days of the week to persons attending events at these facilities. The provisions of Minnesota Statutes, chapter 340A, not inconsistent with this section, apply to the licenses issued under this section. ~~The city of Sartell is deemed the licensee under this section, and the provisions of Minnesota Statutes, sections 340A.603 and 340A.604, apply to the licenses as if the facilities were a municipal liquor store.~~

**EFFECTIVE DATE.** This section is effective upon approval by the Sartell City Council and compliance with Minnesota Statutes, section 645.021.

Sec. 8. **CHASKA ATHLETIC PARK LIQUOR LICENSE.**

Notwithstanding any law or ordinance to the contrary, the city of Chaska may issue an on-sale intoxicating liquor license for events, other than high school amateur events, occurring each year between May 1 and August 30, at Athletic Park located at 725 West 1st Street in the city of Chaska. The provisions of Minnesota Statutes, chapter 340A, not inconsistent with this section, apply to the license issued under this section. The city of Chaska is deemed the licensee under this section, and the provisions of Minnesota Statutes, sections 340A.603 and 340A.604, apply to the license as if the establishment were a municipal liquor store. The license authorized by this section may be issued for space that is not compact and contiguous, provided that all such space is included in the description of the licensed premises on the approved license application. The license authorizes sales on all days of the week.

**EFFECTIVE DATE.** This section is effective upon approval by the Chaska City Council and compliance with Minnesota Statutes, section 645.021.

Sec. 9. **FOOD HALL LICENSE; ST. PAUL.**

Notwithstanding Minnesota Statutes, section 340A.101, subdivision 25; 340A.401; or 340A.410, subdivision 7, or any other law or ordinance to the contrary, the city of St. Paul may issue an on-sale intoxicating liquor license for a licensee serving as an anchor tenant or umbrella operator for a distinct, compact, and contiguous premises which contains restaurants and closes by midnight. The license may allow service and consumption anywhere within the defined premises as long as consumption of licensed beverages sold by the license holder is within a food establishment area or common areas within the licensed premises.

**EFFECTIVE DATE.** This section is effective upon approval by the St. Paul City Council and compliance with Minnesota Statutes, section 645.021.

Sec. 10. **TEMPORARY LICENSES; LAKE OF THE WOODS COUNTY.**

Lake of the Woods County may issue temporary licenses pursuant to law for premises of the Baudette Arena Association, without regard to the restriction set forth in Minnesota Statutes, section 340A.412, subdivision 4, paragraph (a), clause (7).

**EFFECTIVE DATE.** This section is effective upon approval by the Lake of the Woods County Board of Commissioners and compliance with Minnesota Statutes, section 645.021.

Sec. 11. **SPECIAL LICENSE; MAPLE LAKE.**

Wright County may issue, and the commissioner of public safety may approve, a temporary on-sale license to the Maple Lake Ice Fishing Derby, Inc., notwithstanding the prohibition under Minnesota Statutes, section 340A.404, subdivision 10, paragraph (a), clause (1), on issuing a temporary on-sale license to a nonprofit organization that has not been in existence for at least three years. The authority to issue and approve the on-sale license under this section expires May 1, 2022.

**EFFECTIVE DATE.** This section is effective upon approval by the Wright County Board of Commissioners and compliance with Minnesota Statutes, section 645.021.

Sec. 12. **FOREST LAKE; ON-SALE LICENSE.**

Notwithstanding any law or ordinance to the contrary, the city of Forest Lake may issue an on-sale intoxicating liquor license for a golf course known as Castlewood Golf Course, which is located at 7050 Scandia Trail North in the city of Forest Lake, and is owned by the city. The on-sale intoxicating liquor license shall permit the on-sale of intoxicating liquor and other alcoholic beverages anywhere on the property constituting the Castlewood Golf Course, other than the parking lot, including inside the pro shop, on the golf course grounds, and inside any future structures, including a potential clubhouse or restaurant, that may be constructed on the premises. The license may be issued to the city of Forest Lake or to any person or entity under contract or agreement with the city with respect to operation of the golf course. The provisions of Minnesota Statutes, chapter 340A, not inconsistent with this section, apply to the license issued under this section. The city of Forest Lake is deemed the licensee under this section, and the provisions of Minnesota Statutes, sections 340A.603 and 340A.604, apply to the licenses as if the facilities were a municipal liquor store.

**EFFECTIVE DATE.** This section is effective upon approval by the Forest Lake City Council and compliance with Minnesota Statutes, section 645.021.

Sec. 13. **CITY OF ST. CLOUD; ON-SALE LICENSE.**

Notwithstanding any law or ordinance to the contrary, in addition to the number of licenses authorized, the city of St. Cloud may issue an on-sale wine license and an on-sale malt liquor license to a person who is the owner of a junior league hockey team or to a person holding a concessions or management contract with the city or the team owner for beverage sales at the St. Cloud municipal ice arena. The licenses must authorize the dispensing of wine or malt liquor only to persons attending events at the arena for consumption on the premises. A license issued under this section authorizes sales on all days of the week to persons attending junior hockey league games or other events at the arena.

**EFFECTIVE DATE.** This section is effective upon approval by the St. Cloud City Council and compliance with Minnesota Statutes, section 645.021.

Sec. 14. **CITY OF AUSTIN; ON-SALE LICENSE.**

Notwithstanding any law or ordinance to the contrary, in addition to the number of licenses authorized, the city of Austin may issue an on-sale wine license and an on-sale malt liquor license to a person who is the owner of a junior hockey league team or to a person holding a concessions or management contract with the city or the team owner, for beverage sales at the Riverside Arena. The licenses must authorize the dispensing of wine or malt liquor only to persons attending events at the arena for consumption on the premises. A license issued under this section authorizes sales on all days of the week to persons attending junior hockey league games at the arena.

**EFFECTIVE DATE.** This section is effective upon approval by the Austin City Council and compliance with Minnesota Statutes, section 645.021.

Sec. 15. **CITY OF ROCHESTER; ON-SALE LICENSE.**

Notwithstanding any law or ordinance to the contrary, in addition to the number of licenses authorized, the city of Rochester may issue an on-sale wine license and an on-sale malt liquor license to a person who is the owner of a junior hockey league team or to a person holding a concessions or management contract with the city or the team owner, for beverage sales at the Rochester Recreation Center. The licenses must authorize the dispensing of wine or malt liquor only to persons attending events at the arena for consumption on the premises. A license issued under this section authorizes sales on all days of the week to persons attending junior hockey league games at the arena.

**EFFECTIVE DATE.** This section is effective upon approval by the Rochester City Council and compliance with Minnesota Statutes, section 645.021.

Sec. 16. **SPECIAL LICENSE; CITY OF PIERZ.**

The city of Pierz may issue an on-sale intoxicating liquor license, an on-sale wine license, or an on-sale malt liquor license for the city-owned Pierz Golf Course, notwithstanding any law, local ordinance, or charter provision. The provisions of Minnesota Statutes, chapter 340A, not inconsistent with this section, apply to the license issued under this section. The city of Pierz is deemed the licensee under this section, and the provisions of Minnesota Statutes, sections 340A.603 and 340A.604, apply to the license as if the facility was a municipal liquor store.

**EFFECTIVE DATE.** This section is effective upon approval by the Pierz City Council and compliance with Minnesota Statutes, section 645.021.

Sec. 17. **SPECIAL LICENSE; CITY OF PEMBERTON.**

The city of Pemberton may issue an on-sale intoxicating liquor license, an on-sale wine license, or an on-sale malt liquor license for the city-owned facility known as the Pemberton Community Center, notwithstanding any law, local ordinance, or charter provision. The license issued under this section authorizes sales on all days of the week to persons attending events at the Pemberton Community Center. The provisions of Minnesota Statutes, chapter 340A, not inconsistent with this section, apply to the license issued under this section. The city of Pemberton is deemed the licensee under this section, and the provisions of Minnesota Statutes, sections 340A.603 and 340A.604, apply to the license as if the facility was a municipal liquor store.

**EFFECTIVE DATE.** This section is effective upon approval by the Pemberton City Council and compliance with Minnesota Statutes, section 645.021.

Sec. 18. **ROSEVILLE; GOLF COURSE LIQUOR LICENSE.**

Notwithstanding any law or ordinance to the contrary, the city of Roseville may issue an on-sale intoxicating liquor license for the Roseville Cedarholm Golf Course that is located at 2323 Hamline Avenue North and is owned by the city. The provisions of Minnesota Statutes, chapter 340A, not inconsistent with this section, apply to the license issued under this section. The city of Roseville is deemed the licensee under this section, and the provisions of Minnesota Statutes, sections 340A.603 and 340A.604, apply to the license as if the establishment were a municipal liquor store.

**EFFECTIVE DATE.** This section is effective upon approval by the Roseville City Council and compliance with Minnesota Statutes, section 645.021.

Sec. 19. **TEMPORARY LICENSE; ALEXANDRIA.**

The city of Alexandria may issue temporary licenses pursuant to law to the Minnesota Lakes Maritime Society, doing business as the Legacy of the Lakes Museum, without regard to the restriction set forth in Minnesota Statutes, section 340A.410, subdivision 10, paragraph (b).

**EFFECTIVE DATE.** This section is effective upon approval by the Alexandria City Council and compliance with Minnesota Statutes, section 645.021."

Delete the title and insert:

"A bill for an act relating to liquor; modifying various provisions relating to the sale and delivery of intoxicating liquor; providing for an accounting adjustment; authorizing various local licenses; amending Minnesota Statutes 2018, sections 340A.404, subdivisions 1, 2; 340A.504, subdivision 4; 340A.5041; 340A.602; Laws 1999, chapter 202, section 13, as amended; Laws 2017, First Special Session chapter 4, article 5, section 17."

With the recommendation that when so amended the bill be placed on the General Register.

The report was adopted.

Pursuant to Joint Rule 2.03 and in accordance with Senate Concurrent Resolution No. 6, S. F. No. 2130 was re-referred to the Committee on Rules and Legislative Administration.

## **SECOND READING OF HOUSE BILLS**

H. F. Nos. 2475, 4180, 4498 and 4582 were read for the second time.

## **SECOND READING OF SENATE BILLS**

S. F. Nos. 3020, 4091 and 1098 were read for the second time.

## **INTRODUCTION AND FIRST READING OF HOUSE BILLS**

The following House Files were introduced:

Green introduced:

H. F. No. 4629, A bill for an act relating to state government; proposing a constitutional amendment to the Minnesota Constitution article V, section 3; declaring an emergency by the governor; amending Minnesota Statutes 2018, section 12.31, subdivision 2.

The bill was read for the first time and referred to the Committee on Government Operations.

Hamilton introduced:

H. F. No. 4630, A bill for an act relating to capital investment; appropriating money for flood hazard mitigation; authorizing the sale and issuance of state bonds.

The bill was read for the first time and referred to the Capital Investment Division.

Scott introduced:

H. F. No. 4631, A bill for an act relating to domestic relations; modifying provisions regarding spousal maintenance; amending Minnesota Statutes 2018, sections 518.131, by adding subdivisions; 518.552; 518A.39, subdivisions 1, 2; repealing Minnesota Statutes 2018, sections 518.131, subdivision 11; 518A.39, subdivision 3.

The bill was read for the first time and referred to the Judiciary Finance and Civil Law Division.

Winkler; Moran; Gomez; Liebling; Dehn; Xiong, J.; Lee; Lien; Wolgamott; Hausman; Tabke; Sauke; Howard; Long; Koegel; Mahoney; Schultz; Stephenson; Hornstein; Vang; Her; Jordan; Noor; Persell; Masin; Cantrell; Lesch; Olson; Davnie; Kunesh-Podein; Mariani; Sundin; Carlson, A., and Hassan introduced:

H. F. No. 4632, A bill for an act relating to cannabis; establishing the Cannabis Management Board; establishing advisory councils; requiring reports relating to cannabis use and sales; legalizing and limiting the possession and use of cannabis by adults; providing for the licensing, inspection, and regulation of cannabis businesses; requiring testing of cannabis and cannabis products; requiring labeling of cannabis and cannabis products; limiting the advertisement of cannabis, cannabis products, and cannabis businesses; providing for the cultivation of cannabis in private residences; transferring regulatory authority for the medical cannabis program; taxing the sale of adult-use cannabis; establishing grant and loan programs; amending criminal penalties; establishing expungement procedures for certain individuals; establishing labor standards for the use of cannabis by employees and testing of employees; creating a civil cause of action for certain nuisances; amending the scheduling of marijuana and tetrahydrocannabinols; classifying data; appropriating money; amending Minnesota Statutes 2018, sections 13.411, by adding a subdivision; 13.871, by adding a subdivision; 152.02, subdivisions 2, 4; 152.022, subdivisions 1, 2; 152.023, subdivisions 1, 2; 152.024, subdivision 1; 152.025, subdivisions 1, 2; 181.938, subdivision 2; 181.950, subdivisions 2, 4, 5, 8, 13, by adding a subdivision; 181.951, by adding subdivisions; 181.952, by adding a subdivision; 181.953, by adding a subdivision; 181.955; 181.957, subdivision 1; 244.05, subdivision 2; 256.01, subdivision 18c; 256D.024, subdivision 1; 256J.26, subdivision 1; 297A.61, subdivision 12; 609.135, subdivision 1; 609.531, subdivision 1; 609.5311, subdivision 1; 609.5314, subdivision 1; 609.5316, subdivision 2; 609.5317, subdivision 1; 609A.01; 609A.03, subdivisions 5, 9; Minnesota Statutes 2019 Supplement, sections 290.0132, subdivision 29; 290.0134, subdivision 19; proposing coding for new law in Minnesota Statutes, chapters 17; 28A; 34A; 116J; 116L; 120B; 144; 152; 175; 295; 604; 609A; proposing coding for new law as Minnesota Statutes, chapter 342; repealing Minnesota Statutes 2018, sections 152.027, subdivisions 3, 4; 152.22, subdivisions 1, 2, 3, 4, 5, 7, 8, 9, 10, 12, 14; 152.23; 152.24; 152.25, subdivisions 1b, 2, 3; 152.26; 152.261; 152.27, subdivisions 1, 7; 152.28, subdivisions 2, 3; 152.29, subdivision 4; 152.30; 152.32, subdivisions 1, 3; 152.33, subdivisions 1a, 3, 4, 5, 6; 152.35; 152.36, subdivisions 1, 1a, 3, 4, 5; 152.37; Minnesota Statutes 2019 Supplement, sections 152.22, subdivisions 5a, 5b, 6, 11, 13; 152.25, subdivisions 1, 1a, 1c, 4; 152.27, subdivisions 2, 3, 4, 5, 6; 152.28, subdivision 1; 152.29, subdivisions 1, 2, 3, 3a; 152.31; 152.32, subdivision 2; 152.33, subdivisions 1, 2; 152.34; 152.36, subdivision 2; Minnesota Rules, parts 4770.0100; 4770.0200; 4770.0300; 4770.0400; 4770.0500; 4770.0600; 4770.0800; 4770.0900; 4770.1000; 4770.1100; 4770.1200; 4770.1300; 4770.1400; 4770.1460; 4770.1500; 4770.1600; 4770.1700; 4770.1800; 4770.1900; 4770.2000; 4770.2100; 4770.2200; 4770.2300;

4770.2400; 4770.2700; 4770.2800; 4770.4000; 4770.4002; 4770.4003; 4770.4004; 4770.4005; 4770.4007; 4770.4008; 4770.4009; 4770.4010; 4770.4012; 4770.4013; 4770.4014; 4770.4015; 4770.4016; 4770.4017; 4770.4018; 4770.4030.

The bill was read for the first time and referred to the Committee on Commerce.

Masin introduced:

H. F. No. 4633, A bill for an act relating to religious holidays; modifying student absence from school for religious observances; amending Minnesota Statutes 2018, sections 120A.35; 120A.40.

The bill was read for the first time and referred to the Committee on Education Policy.

Kunesh-Podein introduced:

H. F. No. 4634, A bill for an act relating to public safety; extending the deadline for the task force on missing and murdered indigenous women to submit a final report; appropriating money for the task force on missing and murdered indigenous women; amending Laws 2019, First Special Session chapter 5, article 1, section 12, subdivisions 1, 7; article 2, section 28, subdivisions 4, 5.

The bill was read for the first time and referred to the Public Safety and Criminal Justice Reform Finance and Policy Division.

Gunther introduced:

H. F. No. 4635, A bill for an act relating to capital investment; appropriating money for wastewater, clean water, and storm water infrastructure in Vernon Center; authorizing the sale and issuance of state bonds.

The bill was read for the first time and referred to the Capital Investment Division.

Gunther introduced:

H. F. No. 4636, A bill for an act relating to capital investment; appropriating money for infrastructure improvements in Waldorf; authorizing the sale and issuance of state bonds.

The bill was read for the first time and referred to the Capital Investment Division.

Gunther introduced:

H. F. No. 4637, A bill for an act relating to arts and cultural heritage; appropriating money for improvements to repurposed school building in Delavan.

The bill was read for the first time and referred to the Legacy Finance Division.

Gunther introduced:

H. F. No. 4638, A bill for an act relating to capital investment; appropriating money for water and lighting infrastructure in Madison Lake; authorizing the sale and issuance of state bonds.

The bill was read for the first time and referred to the Capital Investment Division.

Huot introduced:

H. F. No. 4639, A bill for an act relating to state government; establishing LiveMore ScreenLess Action Week; proposing coding for new law in Minnesota Statutes, chapter 10.

The bill was read for the first time and referred to the Committee on Government Operations.

Olson and Jordan introduced:

H. F. No. 4640, A bill for an act relating to liquor; allowing temporary and special off-sale during and beyond the COVID-19 peacetime emergency; amending Laws 2020, chapter 75, section 1.

The bill was read for the first time and referred to the Committee on Commerce.

Lislegard introduced:

H. F. No. 4641, A bill for an act relating to taxation; sales and use; providing an exemption for construction materials for certain public facilities in the city of Virginia; amending Minnesota Statutes 2019 Supplement, section 297A.71, subdivision 52.

The bill was read for the first time and referred to the Committee on Taxes.

### **MESSAGES FROM THE SENATE**

The following message was received from the Senate:

Madam Speaker:

I hereby announce the passage by the Senate of the following Senate File, herewith transmitted:

S. F. No. 3072.

CAL R. LUDEMAN, Secretary of the Senate

### FIRST READING OF SENATE BILLS

S. F. No. 3072, A bill for an act relating to public safety; modifying criteria for publishing court of appeals opinions; requiring a government entity to obtain a search warrant before accessing electronic communication information; regulating use of unmanned aerial vehicles; classifying data; making clarifying, conforming, and technical changes; expanding the scope of location tracking warrants; amending Minnesota Statutes 2018, sections 13.82, subdivision 15, by adding a subdivision; 480A.08, subdivision 3; 626A.08, subdivision 2; 626A.26, subdivision 3; 626A.27, subdivision 2; 626A.28, subdivisions 3, 4, 5; 626A.31, subdivision 1; 626A.37, subdivision 4; 626A.42, subdivisions 1, 2, 3, 5; proposing coding for new law in Minnesota Statutes, chapter 626; repealing Minnesota Statutes 2018, sections 626A.28, subdivisions 1, 2; 626A.29; 626A.30.

The bill was read for the first time.

Lesch moved that S. F. No. 3072 and H. F. No. 3012, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

### REPORT FROM THE COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

Winkler from the Committee on Rules and Legislative Administration, pursuant to rules 1.21 and 3.33, designated the following bill to be placed on the Calendar for the Day for Thursday, May 7, 2020 and established a prefiling requirement for amendments offered to the following bill:

H. F. No. 1507.

### MOTIONS AND RESOLUTIONS

Schultz moved that the name of Masin be added as an author on H. F. No. 168. The motion prevailed.

Edelson moved that the name of Halverson be added as an author on H. F. No. 331. The motion prevailed.

Gruenhagen moved that his name be stricken as an author on H. F. No. 1246. The motion prevailed.

Stephenson moved that the name of Hausman be added as an author on H. F. No. 1507. The motion prevailed.

Christensen moved that the name of Munson be added as an author on H. F. No. 3202. The motion prevailed.

Morrison moved that the names of Tabke and Freiberg be added as authors on H. F. No. 3398. The motion prevailed.

Nelson, M., moved that the name of Masin be added as an author on H. F. No. 3429. The motion prevailed.

Davnie moved that the names of Noor, Masin and Murphy be added as authors on H. F. No. 4415. The motion prevailed.

Kresha moved that the name of Hassan be added as an author on H. F. No. 4443. The motion prevailed.

Poppe moved that the name of Brand be added as an author on H. F. No. 4490. The motion prevailed.

Hansen moved that the name of Tabke be added as an author on H. F. No. 4498. The motion prevailed.

Stephenson moved that the names of Tabke and Pryor be added as authors on H. F. No. 4502. The motion prevailed.

Swedzinski moved that the name of Baker be added as an author on H. F. No. 4588. The motion prevailed.

Hertaus moved that the name of Fabian be added as an author on H. F. No. 4592. The motion prevailed.

Lippert moved that the names of Winkler and Haley be added as authors on H. F. No. 4599. The motion prevailed.

#### ADJOURNMENT

Winkler moved that when the House adjourns today it adjourn until 1:30 p.m., Thursday, May 7, 2020. The motion prevailed.

Winkler moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 1:30 p.m., Thursday, May 7, 2020.

PATRICK D. MURPHY, Chief Clerk, House of Representatives

