

STATE OF MINNESOTA

FIRST SPECIAL SESSION — 2020

 FIFTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, JUNE 18, 2020

The House of Representatives convened at 5:00 p.m. and was called to order by Melissa Hortman, Speaker of the House.

Prayer was offered by the Reverend Richard D. Buller, Valley Community Presbyterian Church, Golden Valley, Minnesota.

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

A quorum was present.

Bennett was excused.

Halverson was excused until 5:20 p.m.

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.

REPORTS OF CHIEF CLERK

S. F. No. 7 and H. F. No. 36, which had been referred to the Chief Clerk for comparison, were examined and found to be not identical.

Kunesh-Podein moved that S. F. No. 7 be substituted for H. F. No. 36 and that the House File be indefinitely postponed. The motion prevailed.

REPORTS OF STANDING COMMITTEES AND DIVISIONS

Hausman from the Housing Finance and Policy Division to which was referred:

H. F. No. 9, A bill for an act relating to housing; providing an extension for the issuance of certain housing bonds.

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

The report was adopted.

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

H. F. No. 28, A bill for an act relating to state government; appropriating money for environment and natural resources; modifying provisions related to certifiable fish diseases; modifying provisions on farmed Cervidae; modifying reporting requirement on school trust lands; modifying certain provisions for transporting snowmobiles; requiring recommendations for watercraft operators safety program; modifying definition of all-terrain vehicle; regulating insecticide use in wildlife management areas; modifying provisions for certain invasive species permits; modifying state park provisions; providing for special-use permits; providing for regulation of possessing, propagating, and selling snakes, lizards, and salamanders; modifying hunting and fishing provisions; modifying date of Lake Superior Management Plan; modifying review and approval of local regulation in Mississippi River Corridor Critical Area; modifying requirements for exchanging wild rice leases; modifying provisions for acquiring and conveying state property interests; modifying Water Law; creating soil and water conservation fund; modifying provisions for closed landfill investment fund; reestablishing Advisory Council on Water Supply Systems and Wastewater Treatment Facilities; modifying provisions for riparian protection aid; modifying provisions for priority qualified facilities; prohibiting PFAS in food packaging; providing for labeling of certain nonwoven disposable products; modifying certain accounts; providing for management of certain units of outdoor recreation; adding to and deleting from state parks and recreation areas; authorizing sales of certain state lands; modifying prior appropriations; requiring rulemaking; amending Minnesota Statutes 2018, sections 16A.531, by adding a subdivision; 17.4982, subdivisions 6, 8, 9, 12, by adding subdivisions; 17.4985, subdivisions 2, 3, 5; 17.4986, subdivisions 2, 4; 17.4991, subdivision 3; 17.4992, subdivision 2; 35.155, subdivision 1; 84.63; 84.82, subdivisions 1a, 7a; 84.92, subdivision 8; 84D.11, subdivision 1a; 85.052, subdivisions 1, 2, 6, by adding a subdivision; 85.053, subdivision 2, by adding a subdivision; 85.43; 92.502; 97A.015, subdivision 51; 97A.137, subdivision 5; 97A.401, subdivision 1, by adding a subdivision; 97A.421, subdivision 1, by adding a subdivision; 97B.031, subdivision 1; 97B.036; 97C.005, subdivision 3; 97C.342, subdivision 2; 97C.515, subdivision 2; 97C.621; 97C.805, subdivision 2; 97C.836; 103C.315, subdivision 4; 103G.271, by adding subdivisions; 103G.287, subdivision 5; 115B.17, subdivision 13; 115B.406, subdivisions 1, 9; 115B.407; 115B.49, subdivision 3; 116.07, by adding a subdivision; 116G.07, by adding a subdivision; 116G.15, by adding a subdivision; Minnesota Statutes 2019 Supplement, sections 35.155, subdivision 6; 84.027, subdivision 18; 85.054, subdivision 1; 85.47; 97A.505, subdivision 8; 97B.086; Laws 2016, chapter 154, section 16; Laws 2016, chapter 189, article 3, section 3, subdivision 5; Laws 2017, chapter 96,

section 2, subdivision 9, as amended; Laws 2018, chapter 214, article 4, section 2, subdivision 6; Laws 2019, First Special Session chapter 4, article 1, sections 2, subdivision 10; 3, subdivision 5; proposing coding for new law in Minnesota Statutes, chapters 84; 92; 97A; 97B; 115; 325E; 325F; repealing Minnesota Statutes 2018, sections 85.0505, subdivision 3; 85.0507; 85.054, subdivision 19; Minnesota Rules, part 7044.0350.

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

The report was adopted.

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

H. F. No. 41, A bill for an act relating to human services; modifying the child care assistance provider reimbursement rates; amending Minnesota Statutes 2018, section 119B.13, subdivision 1.

Reported the same back with the following amendments:

Page 3, after line 14, insert:

"Sec. 3. **APPROPRIATION; CHILD CARE SYSTEMS.**

\$53,000 in fiscal year 2021 is appropriated from the general fund to the commissioner of human services for information technology systems costs related to implementing section 1 of this act. The base for this appropriation is \$53,000 in fiscal year 2022 and \$11,000 in fiscal year 2023. The base for the basic sliding fee child care program is increased by \$16,976,000 in fiscal year 2022 and \$22,717,000 in fiscal year 2023."

Amend the title as follows:

Page 1, line 3, after the semicolon, insert "appropriating money;"

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

The report was adopted.

Marquart from the Committee on Taxes to which was referred:

H. F. No. 79, A bill for an act relating to taxation; providing sales tax exemptions for certain destroyed or damaged properties; providing property tax relief for properties damaged by fire or vandalism; amending Minnesota Statutes 2018, section 297A.71, by adding a subdivision; Minnesota Statutes 2019 Supplement, section 297A.75, subdivisions 1, as amended, 2.

Reported the same back with the following amendments:

Page 2, line 3, delete "\$....." and insert "\$30,000,000"

Page 5, line 12, before "in" insert "for a disaster or emergency that occurred"

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

The report was adopted.

Hausman from the Housing Finance and Policy Division to which was referred:

H. F. No. 82, A bill for an act relating to housing; providing assistance to residential and commercial tenants in areas of civil unrest.

Reported the same back with the recommendation that the bill be re-referred to the Committee on Ways and Means.

The report was adopted.

Marquart from the Committee on Taxes to which was referred:

H. F. No. 87, A bill for an act relating to local government; establishing the Metropolitan Area Redevelopment Corporation; providing for certain tax revenues; providing powers and duties to the corporation; requiring a report; appropriating money; amending Minnesota Statutes 2019 Supplement, section 297A.993, subdivisions 1, 2; proposing coding for new law as Minnesota Statutes, chapter 473K.

Reported the same back with the following amendments:

Page 1, delete section 1

Page 2, delete section 2

Page 3, delete subdivision 1 and insert:

"Subdivision 1. **Findings; creation; purpose.** The legislature finds that the adverse impacts of past and ongoing racial discrimination in the metropolitan area in all areas of life, including economic and small business development, health, education, and housing, requires creation of a public entity that is led by people of color and indigenous people to bring specific, personal knowledge and experience to the work of addressing the adverse impacts. The Metropolitan Area Redevelopment Corporation is established as a public corporation and political subdivision of the state with jurisdiction in the metropolitan area. The corporation shall identify and address the adverse impacts of racial discrimination in the metropolitan area by facilitating access by people of color and indigenous people to resources for development of health care facilities and services, small businesses, safe and affordable housing, and other benefits of society that have historically been unavailable to them due to systemic barriers. The corporation shall foster equitable economic development to prevent gentrification and displacement of low-income residents, homes, and small businesses owned by people of color and indigenous people. The corporation shall foster enterprise development and wealth creation in communities adversely affected by racial discrimination and poverty."

Page 5, line 29, delete everything after the period and insert "The organization must be one that is led by a person of color or an indigenous person, and has a staff and board of which at least 51 percent are people of color or indigenous people."

Page 5, delete lines 30 and 31

Page 6, line 2, after "with" insert "annual"

Page 7, delete subdivision 1 and insert:

"Subdivision 1. **Account.** (a) A metropolitan area redevelopment account is established in the special revenue fund. Money in the account, including interest, is appropriated to the commissioner of management and budget for transfer to the Metropolitan Area Redevelopment Corporation by July 1 each year.

(b) The Metropolitan Area Redevelopment Corporation must use the funds for the purposes of this chapter, including to make grants, to pay debt service on any bonds issued under this section, and to pay the compensation and reasonable expenses of board members."

Page 7, after line 17, insert:

"Sec. 6. **METROPOLITAN COUNTY SALES AND USE TAX.**

Subdivision 1. **Tax imposed; rates.** Notwithstanding Minnesota Statutes, section 297A.99, subdivisions 1, 2, 3, 5, and 13, or any other law, a metropolitan county as defined in section 473.121, subdivision 4, beginning January 1, 2021, shall impose a sales and use tax at a rate of 0.125 percent on retail sales and uses taxable under Minnesota Statutes, chapter 297A that are made within the imposing county's boundaries or delivered to a destination within the imposing county's boundaries.

Subd. 2. **Reverse referendum.** If by August 1, 2020, a petition signed by voters equal in number to 20 percent of the voters who voted in the county at the last state general election, requesting a vote on the tax imposed by this section is filed with the county auditor, a tax must not be imposed under this section until it has been submitted to the voters at the general election held on November 3, 2020, and a majority of votes cast on the question of approving the imposition of a tax under this section are in the affirmative. The petition submitted to the county auditor must meet the standards adopted by rule of the secretary of state for the format and content of petitions.

Subd. 3. **Administration; collection; enforcement.** The administration, collection, and enforcement provisions in Minnesota Statutes, section 297A.99, subdivisions 4 and 6 to 12, apply to all taxes imposed under this section.

Subd. 4. **Allocation; account.** The commissioner of revenue must retain and deposit to the account created by Minnesota Statutes, section 473K.07, the proceeds from a tax imposed under this section to be used for purposes specified in Minnesota Statutes, chapter 473K.

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

Renumber the sections in sequence and correct the internal references

Correct the title numbers accordingly

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

The report was adopted.

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

H. F. No. 105, A bill for an act relating to human services; extending the expiration of the executive order relating to use of telemedicine in the state medical cannabis program; extending the expiration of certain human services program waivers and modifications issued by the commissioner of human services pursuant to executive orders during the peacetime emergency declared in response to the COVID-19 pandemic; establishing a 60-day period for the commissioner of human services to transition affected programs off of COVID-19 waivers and modifications following expiration of the peacetime emergency; appropriating money.

Reported the same back with the following amendments:

Page 2, after line 28, insert:

"(10) CV45: modifying certain licensing requirements for substance use disorder treatment, except that the extension shall be limited to the portions of this modification requiring programs to become and remain familiar with Minnesota Department of Health and Centers for Disease Control and Prevention guidance on COVID-19; requiring programs to follow Minnesota Department of Health and Centers for Disease Control and Prevention guidance specific to the situation and program capabilities if a person receiving services or a staff person tests positive for COVID-19; permitting programs to temporarily suspend group counseling or limit attendance at sessions when unable to accommodate requirements for social distancing and community mitigation; permitting comprehensive assessments to be completed by telephone or video communication; permitting a counselor, recovery peer, or treatment coordinator to provide treatment services from their home by telephone or video communication to a client in their home; permitting programs to follow the Substance Abuse and Mental Health Services Administration guidelines as directed by the State Opioid Treatment Authority within the Department of Human Services Behavioral Health division to allow for an increased number of take-home doses in accordance with an assessment conducted under Minnesota Statutes, section 245G.22, subdivision 6; removing the requirement for opioid treatment programs to conduct outreach activities in the community; and permitting programs to document a client's verbal approval of a treatment plan instead of requiring the client's signature;

(11) CV49: modifying certain license requirements for adult day services;"

Page 2, line 29, delete "(10)" and insert "(12)"

Page 2, line 30, delete "and"

Page 3, line 1, delete "(11)" and insert "(13)"

Page 3, line 3, delete the period and insert " ; and"

Page 3, after line 3, insert:

"(14) CV64: modifying certain certification requirements for mental health centers, except that the extension shall be limited to the portions of this modification requiring programs to become and remain familiar with Minnesota Department of Health and Centers for Disease Control and Prevention guidance on COVID-19; requiring programs to follow Minnesota Department of Health and Centers for Disease Control and Prevention guidance specific to the situation and program capabilities if a person receiving services or a staff person tests positive for COVID-19; permitting alternative mental health professional supervision of clinical services at satellite locations; permitting an alternative process for case consultation meetings; and permitting mental health professionals to provide required client-specific supervisory contact by telephone or video communication instead of face-to-face supervision."

Page 4, line 5, after the period, insert "This is a onetime appropriation."

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

The report was adopted.

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

H. F. No. 108, A bill for an act relating to state government; providing COVID-19 grant and appropriation extensions; requiring a report.

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

The report was adopted.

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

H. F. No. 111, A bill for an act relating to state government; appropriating money to the Amateur Sports Commission and Minnesota Zoological Garden.

Reported the same back with the following amendments:

Page 1, after line 12, insert:

"Sec. 3. **APPROPRIATIONS GIVEN EFFECT ONCE.**

If an appropriation in this bill is enacted more than once during the 2020 First Special Session, it shall be given effect only once."

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

The report was adopted.

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

H. F. No. 132, A bill for an act relating to state government; establishing a special master panel to make awards to compensate for damages suffered by certain persons resulting from the civil unrest during May and June of 2020; appropriating money.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"ARTICLE 1
PROMISE ACT

Section 1. **TITLE.**

This act may be cited as the "Providing Resources, Opportunity, and Maximizing Investments in Striving Entrepreneurs (PROMISE) Act."

ARTICLE 2
COMMUNITY REPAIR PANEL

Section 1. **PURPOSE; EMERGENCY ASSISTANCE FOR DAMAGE DUE TO CIVIL UNREST.**

Subdivision 1. **Legislative findings.** (a) The legislature recognizes the civil unrest that occurred in Minnesota in May and June of 2020. While the immediate cause of the unrest was the apparent murder of George Floyd by an officer of the Minneapolis Police Department, it was compounded by other long-standing structural systems of inequality and racism within the city, state, and nation. The legislature finds that the resulting protests and acts of civil disobedience were largely a peaceful exercise of first amendment rights: a genuine expression of grief at the death of Mr. Floyd and frustration and anger at the lack of an adequate mechanism for communities long unheard or ignored by public institutions to have their voices heard and meaningful action be taken as a result.

(b) The legislature further recognizes that some acts of protest and civil disobedience, occurring among a small minority of participants, led to severe destruction or damage to small businesses and other private property in Minneapolis, St. Paul, and other areas of the state. In many cases, the damage and destruction impacted businesses and locations owned, managed, or frequented by those communities that the acts of protest and civil disobedience were intended to uplift. The physical and psychological toll from this devastation is immense and touches all Minnesotans.

Subd. 2. **Intent of award process.** The award process established by this act is intended to provide a onetime disaster assistance payment so that persons economically impacted by the civil unrest are able to cover losses that are not eligible for compensation through insurance policies. It furthers the public interest by ensuring affected communities have access to immediate resources that allow them to regroup and rebuild, while minimizing the uncertainty and expense of navigating complex and protracted administrative procedures to seek relief.

Sec. 2. **DEFINITIONS.**

Subdivision 1. **Application.** The definitions in this section apply to this act.

Subd. 2. **Damage.** "Damage" means the following types of damage which are reasonably the result of the civil unrest that occurred during the period of May 25, 2020, to June 8, 2020:

(1) physical damage to structures or personal property located within an eligible zone; and

(2) economic damage impacting an organization's or business's operations within an eligible zone including but not limited to a lost inventory, and lost wages or benefits of employees.

Damage does not include the loss of future expected earnings, attorney fees, or other fees incurred by an eligible person in applying for an award under this act.

Subd. 3. **Eligible person.** (a) "Eligible person" means:

(1) a nonprofit organization or a for-profit business located in an eligible zone;

(2) an employee of a nonprofit organization or for-profit business whose regular work assignment is located in an eligible zone;

(3) an individual who owns real property within an eligible zone; or

(4) an individual who resides in an eligible zone.

(b) A for-profit business is not an eligible person if it employs more than the equivalent of 50 full-time employees. This limitation does not restrict the eligibility of individual employees of the business to file a claim.

Subd. 4. **Eligible zone.** "Eligible zone" means:

(1) in Minneapolis:

(i) Lake Street between Hennepin Avenue and West River Parkway, and any area within two city blocks of that portion of Lake Street in any direction; and

(ii) West Broadway Avenue, and any area within two city blocks of West Broadway Avenue in any direction;

(2) in Saint Paul, University Avenue between Rice Street and Highway 280, and any area within two city blocks of that portion of University Avenue in any direction; and

(3) any additional locations or zones designated by the governor as experiencing significant, widespread damage or destruction of private property due to the civil unrest described in section 1.

Subd. 5. **Award.** "Award" means a onetime payment of money to an eligible person in response to a properly submitted claim for disaster assistance under this act. An award is not a grant for purposes of Minnesota Statutes, sections 16B.97 to 16B.991, or other applicable law or rules governing grant administration, and does not constitute a payment from a public benefit program for purposes of any applicable federal or state law.

Subd. 6. **Panel.** "Panel" means the community repair panel established in this act.

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

Sec. 3. **COMMUNITY REPAIR PANEL.**

Subdivision 1. **Appointment.** (a) The governor shall establish a community repair panel to consider claims and determine awards for disaster assistance to eligible persons on behalf of the state. The panel must be established by July 1, 2020. The panel must consist of at least three and not more than nine attorneys appointed by the governor. In making appointments, the governor must consult with members of the legislature whose districts include an eligible zone and ensure that the appointees are knowledgeable and representative of the impacted communities. Members of the panel must have experience in legal and business issues involving the calculation and determination of damages in a judicial setting. The governor shall designate one member of the panel to serve as chair.

(b) Within available appropriations, the commissioner of management and budget shall determine the pay and expenses to be received by the panel. A member's total pay, not including expenses, may not exceed \$25,000. The chair of the panel shall forward documentation of salaries, expenses, and administrative costs incurred to the commissioner of management and budget for payment of those amounts.

Subd. 2. **Staff; community outreach.** (a) The commissioner of management and budget, in consultation with the panel, may hire employees or retain consultants necessary to assist the panel in performing its duties under this section. Employees are in the unclassified state civil service. The panel may also use consultants who are under a contract with the state or current state employees to assist the panel in processing claims under this section.

(b) The panel must engage one or more nonprofit organizations with a primary mission to serve communities located within each eligible zone to assist the panel in publicizing the award opportunity provided by this act, and to provide technical assistance to applicants in submitting a claim.

Subd. 3. **General duties; procedure.** The panel shall consider claims for damages and determine award amounts as authorized by this section. The panel may adopt and modify procedures, rules, and forms for receiving and considering claims, provided that the panel must allow each eligible person who submits a claim to appear electronically or in person before the panel or one of its members to describe the claim and respond to questions. Procedures and rules of the panel are not rules for purposes of Minnesota Statutes, chapter 14, and Minnesota Statutes, section 14.386 does not apply.

Subd. 4. **Deadlines.** To be eligible to receive an award, an eligible person must file a claim with the panel by September 1, 2020. On a case-by-case basis, the panel may accept claims that are received after this deadline. The panel must make an award determination for each claim no later than March 1, 2021.

Subd. 5. **Calculation of award amount.** (a) The panel shall determine a base award for each eligible person that reflects the total damages incurred as described in the claim. Damage that qualifies for compensation through an applicable insurance policy must be excluded from the base award. After a base award is established, the panel may provide an equity adjustment to increase or decrease the award, based on a review of the totality of the eligible person's circumstances. Before any claim is reviewed for an award determination, the panel must establish a reasonable maximum award amount that applies equally to all eligible persons.

(b) The panel may not make an award determination for any eligible person until all claims filed prior to the deadline established in subdivision 4 have been considered. Claims arriving after the deadline may only be considered for an award after all awards for timely claim filings have been determined.

(c) If the total amount of awards determined for all eligible persons exceeds the available appropriation, the panel must make awards on a pro rata basis.

(d) The panel must not consider negligence or any other theory of liability on the part of the eligible person or any other party in making an award determination.

Subd. 6. **Payment.** The panel shall promptly forward to the commissioner of management and budget documentation of each award amount determined under this section. The commissioner of management and budget shall pay that amount to the eligible person within 30 days after receiving the documentation and in the order in which the documentation from the panel was received.

Subd. 7. **Immunity; indemnification.** Members of the panel, employees, and consultants acting under the direction of the panel are employees of the state for purposes of Minnesota Statutes, section 3.736.

Subd. 8. **Data practices; meetings.** (a) Data collected, created, or maintained by the panel related to a claim filed by an eligible person are private data on individuals, as defined in Minnesota Statutes, section 13.02, subdivision 12, or nonpublic data, as defined in Minnesota Statutes, section 13.02, subdivision 9, except for:

(1) the name of an eligible person to whom an award is paid; and

(2) the amount awarded to that person.

(b) Data created by a member of the panel related to the member's service as a member of the panel are not discoverable in any civil or administrative proceeding except a record relating to any statement or conduct that may constitute a crime.

(c) Meetings of the panel are not subject to Minnesota Statutes, chapter 13D.

Subd. 9. **Effect of awards process.** (a) A determination by the panel regarding an award is final and not subject to judicial review.

(b) The amount of damages incurred by an eligible person as calculated by the panel, or the eligible person's award determination, may not be used in a subsequent court proceeding in evidence or otherwise to determine any rights, duties, or responsibilities of the state, the eligible person, or any other party.

(c) A member of the panel must not testify in any civil or administrative proceeding regarding any matter involving or arising out of the member's service as a member of the panel, except as to a statement or conduct that may constitute a crime.

Subd. 10. **Panel recommendations for future action; truth and reconciliation.** (a) Upon conclusion of its work making award determinations, the panel must convene to consider and recommend to the governor and legislature future steps that may be taken to provide communities impacted by racism and race-based harm an opportunity to share their experiences in public and private institutions, and how those experiences impact the quality of life of those communities in Minnesota. The panel's recommendations must be informed, in part, by lessons learned from the claims submitted by eligible persons under this section, and adhere to a goal of providing an ongoing, meaningful structure to bring public attention to the truth of the experience of these communities. The recommendations must also suggest a process for engaging and reconciling those experiences with an expectation that all Minnesotans can live free of the harms caused by systemic and institutional racism in the state.

(b) A report describing the panel's work and recommendations under this subdivision must be submitted to the governor and to the speaker of the house, president of the senate, and majority and minority leaders of each body's respective political caucuses no later than May 1, 2021.

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

Sec. 4. **RELATIONSHIP TO OTHER LAW.**

Subdivision 1. **No state liability or duty created.** The establishment of the award process in this act is not an admission of liability by the state or a municipality or their employees and does not establish a duty of the state, a municipality, or their employees to compensate eligible persons for damage. The creation and funding of the compensation process under this act is not admissible in a judicial or administrative proceeding to establish liability or a legal duty.

Subd. 2. **Payments as additional compensation.** Payments made under this section are intended to supplement and be in addition to any payments required to be made by a third party under law or contract.

Subd. 3. **Payments from other sources.** (a) Notwithstanding any statutory or common law or agreement to the contrary, a person who is not a third-party tortfeasor and who is required to make payments to an eligible person may not eliminate or reduce those payments as a result of compensation paid under this act. The obligation of any person other than the state to make payments to an eligible person is primary as compared to any payment made or to be made under this act. The persons referenced in and covered by this subdivision include, without limitation:

(1) reparation obligors, as defined in Minnesota Statutes, section 65B.43, subdivision 9, whether they are insurers or self-insurers;

(2) health plan companies, as defined in Minnesota Statutes, section 62Q.01, subdivision 4;

(3) insurance companies, as defined in Minnesota Statutes, section 60A.02, subdivision 4;

(4) self-insured pools of political subdivisions organized under Minnesota Statutes, section 471.617 or 471.981, including service cooperatives pools organized under Minnesota Statutes, section 123A.21;

(5) risk retention groups, as defined in Minnesota Statutes, section 60E.02, subdivision 12;

(6) joint self-insurance plans governed by Minnesota Statutes, chapter 60F;

(7) joint self-insurance plans and multiple-employer welfare arrangements, governed by Minnesota Statutes, chapter 62H, including agricultural cooperative health plans under Minnesota Statutes, section 62H.18;

(8) workers' compensation insurers and private self-insurers, as defined in Minnesota Statutes, section 79.01;

(9) the Minnesota Life and Health Insurance Guaranty Association governed by Minnesota Statutes, chapter 61B;

(10) the Minnesota Insurance Guaranty Association governed by Minnesota Statutes, chapter 60C;

(11) the Minnesota Joint Underwriting Association governed by Minnesota Statutes, chapter 62I;

(12) all insurers providing credit life, credit accident and health, and credit involuntary unemployment insurance under Minnesota Statutes, chapter 62B, but also including those coverages written in connection with real estate mortgage loans and those provided to borrowers at no additional cost;

(13) the Minnesota unemployment insurance program provided under Minnesota Statutes, chapter 268;

(14) coverage offered by the state under medical assistance and MinnesotaCare; and

(15) any other plan providing health, life, disability income, or long-term care coverage.

(b) A third-party tortfeasor who is required to make payments, including future payments, to an eligible person may not eliminate or reduce those payments as a result of compensation paid to an eligible person under this act.

Subd. 4. **Qualification for public assistance programs.** Payments made to eligible persons under this act shall not be counted as income, assets, or resources for purposes of determining eligibility for health care, income maintenance, and assistance programs under Minnesota Statutes, chapters 119B, 256B, 256D, 256I, 256J, 256L, and 256S, for eligible persons and their households. The commissioner of human services shall seek any federal approvals necessary to exclude payments made to eligible persons when determining eligibility for a program that receives federal funding or a federal match, in order to continue to receive that federal funding or federal match for services provided to eligible persons and their households. Until and unless federal approval to exclude payments to eligible persons when determining eligibility for a specific federal program is obtained, the commissioner shall provide health coverage or income or other assistance under that program using state-only dollars, to eligible persons and their households who otherwise meet program eligibility requirements.

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

Sec. 5. **APPROPRIATIONS.**

Subdivision 1. **Compensation to eligible persons.** \$125,000,000 in fiscal year 2021 is appropriated from the general fund to the commissioner of management and budget for the purpose of making awards to eligible persons as authorized by this act. This is a onetime appropriation.

Subd. 2. **Administrative expenses.** \$5,000,000 in fiscal year 2021 is appropriated from the general fund to the commissioner of management and budget to pay salaries, expenses, and administrative costs of the community repair panel, including any costs associated with consultants or other staff, necessary to make award determinations under this act. This is a onetime appropriation.

Subd. 3. **Report.** No later than April 15, 2021, the commissioner of management and budget must submit a report to the chairs and ranking minority members of the legislative committees with jurisdiction over finance and ways and means on the expenditure of funds appropriated under this section. The report must list the amount of compensation paid to each eligible person and must detail any administrative expenses incurred by the special master in conducting its work.

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

ARTICLE 3
REBUILDING GENERAL DEVELOPMENT PROGRAMS

Section 1. **CIVIL UNREST IMMEDIATE RELIEF PROGRAM.**

Subdivision 1. Definitions. (a) For the purposes of this section, the following terms have the meanings given.

(b) "Commissioner" means the commissioner of employment and economic development.

(c) "Community organization" means an organization that has the experience and capacity to make grants and loans to entities under this section, including providing outreach to affected populations and technical assistance to applicants. The cities of Minneapolis and Saint Paul qualify as community organizations under this section.

(d) "Entity" includes any business or nonprofit organization. This includes businesses, cooperatives, utilities, industrial, commercial, retail, and nonprofit organizations.

Subd. 2. Establishment. The commissioner shall establish a program to make grants to community organizations to develop and implement local economic relief programs designed with the primary goal of assisting areas adversely affected by civil unrest during the peacetime emergency declared in governor's Executive Order No. 20-64 by preserving incumbent entities and encouraging new entities to locate in those areas. To this end, local programs should include outreach to cultural communities, support for microenterprises, and preferences for entities that were already under stress from the COVID-19 peacetime emergency.

Subd. 3. Available relief. (a) The local programs established by community organizations under this section may include grants or loans as provided in this section. Prior to awarding a grant to a community organization for a local program under this section:

(1) the community organization must develop criteria, procedures, and requirements for:

(i) determining eligibility for assistance;

(ii) the duration, terms, underwriting and security requirements, and repayment requirements for loans;

(iii) evaluating applications for assistance;

(iv) awarding assistance; and

(v) administering the grant and loan programs authorized under this section;

(2) the community organization must submit its criteria, procedures, and requirements developed pursuant to clause (1) to the commissioner of employment and economic development for review; and

(3) the commissioner must approve the criteria, procedures, and requirements as developed pursuant to clause (1) to be used by a community organization in determining eligibility for assistance, evaluating, awarding, and administering a grant and loan program.

(b) The relief authorized under this section includes:

(1) grants to entities. These grants are not to exceed \$250,000 per entity. Grants may be awarded to applicants only when a community organization determines that a loan is not appropriate to address the needs of the applicant; and

(2) loans to entities, with or without interest, and deferred or forgivable loans. The maximum loan amount under this subdivision is \$500,000 per entity. The lending criteria adopted by a community organization for loans under this subdivision must:

(i) specify that an entity receiving a deferred or forgivable loan must remain in the local community a minimum of three years after the date of the loan. The maximum loan deferral period must not exceed three years from the date the loan is approved; and

(ii) require submission of a plan for continued operation. The plan must document the probable success of the applicant's plan and probable success in repaying the loan according to the terms established for the loan program.

(c) All loan repayment funds under this subdivision must be paid to the commissioner of employment and economic development for deposit in the general fund.

Subd. 4. **Monitoring and reporting.** (a) Participating community organizations must establish performance measures that include but are not limited to the following components:

(1) the number of loans approved and the amounts and terms of the loans;

(2) the number of grants awarded, award amounts, and the reason that a grant award was made in lieu of a loan;

(3) the loan default rate;

(4) the number of jobs created or retained as a result of the assistance, including information on the wages and benefit levels, the status of the jobs as full-time or part-time, and the status of the jobs as temporary or permanent;

(5) the amount of business activity and changes in gross revenues of the grant or loan recipient as a result of the assistance; and

(6) the new tax revenue generated as a result of the assistance.

(b) The commissioner of employment and economic development must monitor the participating community organizations' compliance with this section and the performance measures developed under paragraph (a).

(c) Participating community organizations must comply with all requests made by the commissioner under this section.

(d) By December 15 of each year the program is in existence, participating community organizations must report their performance measures to the commissioner. By January 15 of each year the program is in existence, after the first, the commissioner must submit a report of these performance measures to the chairs and ranking minority members of the committees of the house of representatives and the senate having jurisdiction over economic development that details the use of funds under this section.

Subd. 5. **Business subsidy requirements.** Minnesota Statutes, sections 116J.993 to 116J.995, do not apply to assistance under this section. Entities in receipt of assistance under this section must provide for job creation and retention goals and wage and benefit goals.

Subd. 6. **Administrative costs.** The commissioner of employment and economic development may use up to four percent of the appropriation made for this section for administrative expenses of the department or for assisting participating community organizations with their administrative expenses.

EFFECTIVE DATE. This section is effective the day following final enactment and expires the day after the last loan is repaid or forgiven as provided under this section.

Sec. 2. **CIVIL UNREST IMMEDIATE RELIEF PROGRAM.**

\$167,570,000 in fiscal year 2020 is appropriated from the general fund to the commissioner of employment and economic development for the civil unrest immediate relief program. Of this amount, \$17,500,000 is for a grant to the city of Minneapolis and \$17,500,000 is for a grant to the city of Saint Paul. Of the amount granted to the city of Minneapolis, \$5,000,000 is for the city to acquire and hold property, either directly or through an appropriate entity, in the area of the Lake Street business corridor to prevent displacement, retain existing businesses, and maintain the character of the community. Of the amount granted to the city of Saint Paul, \$5,000,000 is for the city to acquire and hold property, either directly or through an appropriate entity, in affected areas to prevent displacement, retain existing businesses, and maintain the character of the community. This is a onetime appropriation and is available until June 30, 2021.

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

ARTICLE 4
METROPOLITAN AREA REDEVELOPMENT CORPORATION

Section 1. **[473K.01] DEFINITIONS.**

Subdivision 1. **Application.** For the purposes of this chapter, the terms defined in this section have the meanings given them.

Subd. 2. **Board.** "Board" means the governing body of the corporation or Metropolitan Area Redevelopment Corporation established in section 473K.03.

Subd. 3. **Bonds.** "Bonds" means obligations as defined in section 475.51, subdivision 3.

Subd. 4. **City.** "City" means a statutory or home rule charter city in the metropolitan area. Until December 31, 2025, "city" means only the cities included in Executive Order No. 20-64. Thereafter, "city" includes any city in the metropolitan area.

Subd. 5. **Metropolitan area.** "Metropolitan area" means the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

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

Sec. 2. **[473K.03] METROPOLITAN AREA REDEVELOPMENT CORPORATION.**

Subdivision 1. **Findings; creation; purpose.** The legislature finds that the adverse impacts of past and ongoing racial discrimination in the metropolitan area in all areas of life, including economic and small business development, health, education, and housing, requires creation of a public entity that is led by people of color and indigenous people to bring specific, personal knowledge and experience to the work of addressing the adverse impacts. The Metropolitan Area Redevelopment Corporation is established as a public corporation and political subdivision of the state with jurisdiction in the metropolitan area. The corporation shall identify and address the adverse impacts of racial discrimination in the metropolitan area by facilitating access by people of color and indigenous people to resources for development, improvement, and expansion of health care facilities and services, small businesses, safe and affordable housing, and other benefits of society that have historically been unavailable to them due to systemic barriers. The corporation shall foster equitable economic development to prevent gentrification and displacement of low-income residents, homes, and small businesses owned by people of color and indigenous people. The corporation shall foster enterprise development and wealth creation in communities adversely affected by racial discrimination and poverty.

Subd. 2. **Membership; qualifications; appointment.** (a) The board of the corporation consists of nine members appointed by the Executive Council. Until appointments made after December 31, 2025, each member appointed must live in an area of a city that was affected by the civil unrest between May 26, 2020, and June 10, 2020. For appointments made after December 31, 2025, a member may be from any part of the metropolitan area.

(b) Each appointee must be a person of color or an indigenous person. At least five members must have an interest in and knowledge of the needs of the areas affected by the civil unrest. At least four members must have experience with or knowledge of public health, economic development, urban redevelopment, nonprofit finance, or community empowerment. The appointing authority is encouraged to also consider a candidate's experience as a leader in community-based organizations working on economic development.

Subd. 3. **Chair; other officers.** The chair of the corporation shall be selected by and from among members of the corporation to serve a one-year term. The chair may be reappointed by the members.

Subd. 4. **Terms.** The initial terms of five members, determined by lot, shall end the first Monday in January 2024. The initial terms of four members, determined by lot, shall end the first Monday in January 2022. Thereafter, each member shall serve a four-year term and until the member's successor is appointed. A member may be reappointed.

Subd. 5. **Vacancies.** A vacancy occurs as provided in section 351.02 or upon a member's removal under subdivision 6. A vacancy must be filled by the appointing authority in subdivision 2 for the balance of the term in the same manner as a regular appointment.

Subd. 6. **Removal.** A member may be removed by the board for inefficiency, neglect of duty, or misconduct in office. A member may be removed only after a hearing of the board. A written copy of the charges must be given to the board member subject to the allegations in the charges at least ten days before the hearing. The board member must be given an opportunity to be heard in person or by counsel at the hearing. The board may temporarily suspend a board member if written charges are submitted against the member. The board must immediately reinstate the suspended board member if the board finds that the charges against the member are not substantiated. If a board member is removed, a record of the proceedings, together with the charges and findings, must be filed with the appointing authority in subdivision 2.

Subd. 7. **Compensation.** Members of the corporation shall be paid \$10,000 per year, at times and in the amounts provided in the bylaws. Members may also be reimbursed for reasonable expenses as provided in section 15.059, subdivision 3.

Subd. 8. **Audits.** The state auditor shall audit the finances of the corporation.

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

Sec. 3. **[473K.05] POWERS; DUTIES.**

Subdivision 1. **General authority.** The Metropolitan Area Redevelopment Corporation has all powers necessary or convenient to accomplish the purposes for which it is created and the duties assigned to it in law.

Subd. 2. **Bylaws.** The corporation shall adopt bylaws for the regulation of its affairs and rules of procedure for governing its actions, not inconsistent with law.

Subd. 3. **Meetings; data practices; records.** The board must meet regularly at least once a month. Meetings are subject to chapter 13D, the Minnesota Open Meeting Law. The corporation is subject to chapter 13, the Minnesota Government Data Practices Act, and the records retention law in section 15.17.

Subd. 4. **Executive director; staff; facilities.** (a) The corporation may hire an executive director. Compensation shall be determined by the board. Until the corporation has hired an executive director, the commissioner of employment and economic development, or the commissioner's designee, shall serve as executive director and facilitate hiring an executive director.

(b) The mayor of each city shall appoint a member of the city council or a department head to serve as liaison to the corporation. The liaison shall attend all meetings to the extent practicable, assist the board with assessing proposals, and help facilitate projects funded by the board.

(c) The Metropolitan Council and any state agency, upon request by the executive director, shall provide staff, technical and administrative assistance, and the use of facilities for meetings. The council and state agencies must provide the assistance within existing resources available to the council or state agency.

Subd. 5. **Redevelopment plans.** (a) The board shall develop both short-term and long-term plans for the redevelopment of the cities. The board must consult with the mayors and city councils, and all interested and affected parties, in the development of the plans. The plans must provide for maximum grant amounts, the purposes for which grants may be used, how grantees must account for use of grant funds, how results will be determined, and what reports must be submitted to the corporation and the cities in which grant funds are spent.

(b) The redevelopment plans must:

(1) be developed by the communities using a design process that includes using art and culture to support and define the community;

(2) identify the expertise needed to implement long-term community redevelopment plans;

(3) maximize resources from multiple sources and sectors;

(4) support projects that will act as incubators for small business ownership, including ownership of the land and buildings in which the businesses and institutions grow; and

(5) use public investment as seed money to encourage public-private partnerships.

Subd. 6. **Grants.** (a) In addition to any other requirements in this chapter, the board shall develop criteria for awarding grants and provide for the equitable distribution of grant funds. All grants must be approved by the board before distribution.

(b) A grantee must be a nonprofit organization, organized under Internal Revenue Code, section 501(c)(3). The organization must be one that is led by a person of color or an indigenous person, or has a staff and board of which at least 51 percent are people of color or indigenous people.

(c) At least 15 percent of the funds available each year must be used for grants to organizations with annual operating budgets of less than \$500,000.

(d) A grantee must substantially complete the project funded within two years of entering into the grant agreement unless another time frame is specified in the grant agreement.

(e) Projects that may be funded include but are not limited to projects that:

(1) conduct community engagement processes to determine community priorities and develop strategies to accomplish those priorities;

(2) plan and implement commercial and economic development projects;

(3) acquire property in order to obtain site control and ensure the property is maintained and secured against further deterioration or incompatible development;

(4) serve as incubators for small business ownership, ownership of the land and buildings in which the businesses and institutions grow;

(5) develop and improve a grantee's organizational infrastructure, including developing database management systems, financial systems, and other administrative functions that increase the organization's ability to access new funding sources;

(6) improve a grantee's organization with training and skills development, planning, and other methods of increasing staff capacity and cultural competency; and

(7) increase the capacity of the grantee to improve other services in the community, such as health care and education.

(f) A grantee may partner with other existing organizations, public or private, that have useful specialized expertise or capacity, including but not limited to faith-based groups, schools, health care clinics, government agencies, or for-profit entities.

Subd. 7. **Report.** By March 1 each year, the board must submit an annual report to the chairs and ranking minority members of the legislative committees with jurisdiction over government operations, jobs and economic development, and taxes. The report must include aggregate and detailed information on the grants awarded, including the locations, amounts, uses, and any other information that the board determines would be of interest or use to the legislature.

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

Sec. 4. **[473K.07] FINANCING; BONDING.**

Subdivision 1. **Account.** (a) A metropolitan area redevelopment account is established in the special revenue fund. Money in the account, including interest, is appropriated to the commissioner of management and budget to make payments to the Metropolitan Area Redevelopment Corporation at least quarterly each year.

(b) The Metropolitan Area Redevelopment Corporation must use the funds for the purposes of this chapter, including to make grants, pay debt service on any bonds issued under this section, and to pay the compensation and reasonable expenses of board members.

Subd. 2. **Bonds.** The corporation may request a city, a county in the metropolitan area, or the Metropolitan Council to issue bonds, the proceeds of which may be used to make grants under this chapter. Notwithstanding any limit on debt in a home rule charter, ordinance, or law, a city, county, or the Metropolitan Council may issue bonds under chapter 475 without an election in order to provide money for grants approved by the corporation. The bonds may be issued as general obligation sales tax revenue bonds or any other debt obligation form available to the city, and the issuing entity and the corporation may pledge the sales tax revenues to the repayment of the bonds.

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

Sec. 5. **METROPOLITAN COUNTY SALES AND USE TAX.**

Subdivision 1. **Tax imposed; rates.** Notwithstanding Minnesota Statutes, section 297A.99, subdivisions 1, 2, 3, 5, 12, and 13, or any other law, a metropolitan county as defined in Minnesota Statutes, section 473.121, subdivision 4, beginning January 1, 2021, shall impose a sales and use tax at a rate of 0.125 percent on retail sales and uses taxable under Minnesota Statutes, chapter 297A, that are made within the imposing county's boundaries or delivered to a destination within the imposing county's boundaries.

Subd. 2. **Reverse referendum.** If by August 1, 2020, a petition signed by voters equal in number to 20 percent of the voters who voted in the county at the last state general election, requesting a vote on the tax imposed by this section is filed with the county auditor, a tax must not be imposed under this section until it has been submitted to the voters at the general election held on November 3, 2020, and a majority of votes cast on the question of approving the imposition of a tax under this section are in the affirmative. The petition submitted to the county auditor must meet the standards adopted by rule of the secretary of state for the format and content of petitions.

Subd. 3. **Administration, collection, and enforcement.** The administration, collection, and enforcement provisions in Minnesota Statutes, section 297A.99, subdivisions 4 and 6 to 12, apply to all taxes imposed under this section.

Subd. 4. **Allocation; account.** The commissioner of revenue must retain and deposit to the account created by Minnesota Statutes, section 473K.07, the proceeds from a tax imposed under this section to be used for purposes specified in Minnesota Statutes, chapter 473K.

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

ARTICLE 5
REBUILDING INSURANCE PROVISIONS

Section 1. **INSURANCE CLAIMS.**

Subdivision 1. **Commissioner; responsibilities.** The commissioner of commerce must provide assistance to the public in order to ensure the timely resolution of property, casualty, and liability claims for businesses affected by civil unrest during the peacetime emergency declared by Executive Order 20-64. The commissioner must provide assistance via telephone and publicly release information regarding the claims submission process. The commissioner must accept, review, and work to resolve complaints regarding the handling of claims related to businesses affected by civil unrest during the peacetime emergency declared by Executive Order 20-64. The commissioner must review the information submitted under subdivision 2 for compliance with relevant statutes and regulations.

Subd. 2. **Insurers; responsibilities.** (a) An insurer that writes property, casualty, or liability insurance in Minnesota must submit the following information to the commissioner of commerce:

(1) the number of claims related to businesses affected by riot or civil commotion during the peacetime emergency declared by Executive Order 20-64 that it has rejected or has not fulfilled;

(2) the number of policies that were not renewed for businesses:

(i) affected by riot or civil commotion during the peacetime emergency declared by Executive Order 20-64; or

(ii) unaffected but located in the geographic area where the riot or civil commotion occurred;

(3) any increase in rates for businesses;

- (i) affected by riot or civil commotion during the peacetime emergency declared by Executive Order 20-64; or
 - (ii) unaffected but located in the geographic area where the riot or civil commotion occurred; and
 - (4) any other information requested by the commissioner which is relevant to the evaluation of an insurer's compliance with relevant statutes and regulations.
- (b) The information required to be submitted under this subdivision must be:
- (1) in form and substance acceptable to the commissioner;
 - (2) provided upon request of the commissioner; and
 - (3) provided to the commissioner by January 1, 2021, and June 1, 2021.
- (c) Only insurers who have received claims, not renewed policies, or increased rates, as described in paragraph (a), must submit information to the commissioner.

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

ARTICLE 6 REBUILDING LEASE PROVISIONS

Section 1. **COMMERCIAL AND RESIDENTIAL LEASE ASSISTANCE; PEACETIME EMERGENCY.**

(a) A renewed or new commercial or residential lease must not require a rental amount that is more than the amount of rent charged for the residential or commercial property on or immediately before March 1, 2020, for entities that receive or are eligible to receive state funding related to the civil unrest, including incumbent entities that are recipients of entity grants or loans through the civil unrest immediate relief program or a person eligible for an award determined by the emergency assistance community repair panel in areas affected by civil unrest during the peacetime emergency declared in Executive Order 20-64. To calculate the amount of rent charged prior to March 1, 2020, the landlord may use either an average of monthly rent charged for January, February, and March 2020, or, if rent was charged on an annual basis, the last annual rent paid by the residential or commercial tenant prior to March 1, 2020. A lessor of a commercial or residential property affected by this section may increase rent on April 1 of each year in an amount equal to the percentage provided by the commissioner of the Housing Finance Agency consistent with paragraph (b).

(b) By February 1 of each year, the commissioner of the Housing Finance Agency must determine the percentage change in the Consumer Price Index for all urban consumers (CPI-U) during the 12-month period ending in November of the previous year and publish that percentage on the Housing Finance Agency website and make that information available upon request.

(c) A residential tenant may file an action against a landlord under Minnesota Statutes, section 504B.381, and if the court finds a violation of this section has occurred, the court must order equitable and monetary damages, if any, to the tenant. A residential tenant has an affirmative defense to an action brought under Minnesota Statutes, section 504B.285 or 504B.291, if the landlord for the residential property has violated this section. In a tenant action to enforce this section under Minnesota Statutes, section 504B.381, or in an action brought by a commercial lessee to enforce this section, the court shall award a prevailing commercial or residential tenant reasonable attorney fees and costs.

EFFECTIVE DATE. This section is effective July 1, 2020, and applies to leases signed or renewed on or after that date, and expires April 1, 2024.

ARTICLE 7
REDEVELOPMENT TOOLS

Section 1. **LIMITED USE OF EMINENT DOMAIN.**

Subdivision 1. **Definitions.** (a) For the purposes of this section, the following terms have the meanings given them.

(b) "City" means the cities included in Executive Order 20-64.

(c) "Events" mean the civil unrest that resulted in damaged property in the cities between May 26, 2020, and June 10, 2020, that are the subject of Executive Order 20-64.

(d) "Eligible zone" means:

(1) in Minneapolis:

(i) Lake Street between Hennepin Avenue and West River Parkway, and any area within two city blocks of that portion of Lake Street in any direction; and

(ii) West Broadway Avenue, and any area within two city blocks of West Broadway Avenue in any direction;

(2) in Saint Paul, University Avenue between Rice Street and Highway 280, and any area within two city blocks of that portion of University Avenue in any direction; and

(3) any additional locations or zones designated by the governor as experiencing significant, widespread damage or destruction of private property due to the civil unrest described in Executive Order 20-64.

(e) "Property owner" includes all persons with any interest in the property subject to a taking, whether as proprietors, tenants, life estate holders, encumbrancers, beneficial interest holders, or otherwise.

Subd. 2. **Authority.** Notwithstanding any home rule charter provision, city ordinance, or Minnesota Statutes, section 117.025, subdivision 11, paragraph (b), a city may use eminent domain to acquire real property or interests in real property for the purposes of this section.

Subd. 3. **Public purpose.** It is a public purpose for a city to use the power of eminent domain to acquire real property or an interest in real property in an eligible zone, and then resell the property subject to redevelopment agreements in order to support the ability of the businesses and uses directly and adversely affected by the events to be reestablished consistent with the needs of the neighborhoods and property owners.

Subd. 4. **Debt financing.** For the purposes of this section, the city may issue obligations under Minnesota Statutes, chapter 475, without an election, and not subject to debt limitations in the home rule charter or in statute.

Subd. 5. **Resale of property acquired by eminent domain.** Any property acquired by the city by eminent domain under this section may be sold to private parties, subject to the redevelopment agreement. The redevelopment agreement must include reasonable limitations on the use of the property and must be approved by a redevelopment oversight committee established by the city.

Subd. 6. **Effective date; expiration.** This section is effective the day following final enactment and expires December 31, 2022.

ARTICLE 8
TAX PROVISIONS FOR AFFECTED PROPERTIES

Section 1. Minnesota Statutes 2018, section 297A.71, is amended by adding a subdivision to read:

Subd. 53. **Properties destroyed or damaged during protests and unrest in May and June of 2020.** (a) The sale and purchase of the following items are exempt if the items are used to repair, replace, clean, or otherwise recover from real and personal property damage and destruction after May 24, 2020, and before June 16, 2020, resulting from protests and unrest in the cities included in the peacetime emergency declared in the governor's Executive Order No. 20-64:

(1) building materials and supplies used or consumed in, and equipment incorporated into, the construction, replacement, or repair of real property;

(2) capital equipment, including retail fixtures, office equipment, and restaurant equipment, with a cost of \$5,000 or more and a useful life of more than one year; and

(3) building cleaning and disinfecting services related to mitigating smoke damage and graffiti on and in impacted buildings.

(b) The exemption in this subdivision only applies to materials, supplies, and services purchased to repair, replace, or clean buildings owned by a government entity or by a private owner provided the building housed one or more of the following entities at the time of the damage or destruction:

(1) a commercial establishment with annual gross income of \$30,000,000 or less in calendar year 2019;

(2) a nonprofit organization; or

(3) a low-income housing development that meets the certification requirements under section 273.128, whether or not the development was occupied at the time of its damage or destruction.

(c) The tax must be imposed and collected as if the rate under section 297A.62, subdivision 1, applied and then refunded in the manner provided in section 297A.75. The exemption under paragraph (a) applies to sales and purchases made after May 25, 2020, and before December 1, 2022.

(d) Both the owner and occupants of the real property at the time of the damage or destruction may apply for a refund under this subdivision but may only request a refund for the goods and services they paid for, or were contracted and paid for on their behalf. The exemption does not apply to purchases of an owner if the owner did not own the real property at the time of the damage or destruction.

EFFECTIVE DATE. This section is effective the day following final enactment and applies retroactively to sales and purchases made after May 25, 2020.

Sec. 2. Minnesota Statutes 2019 Supplement, section 297A.75, subdivision 1, as amended by Laws 2020, chapter 83, article 1, section 74, is amended to read:

Subdivision 1. **Tax collected.** The tax on the gross receipts from the sale of the following exempt items must be imposed and collected as if the sale were taxable and the rate under section 297A.62, subdivision 1, applied. The exempt items include:

(1) building materials for an agricultural processing facility exempt under section 297A.71, subdivision 13;

- (2) building materials for mineral production facilities exempt under section 297A.71, subdivision 14;
- (3) building materials for correctional facilities under section 297A.71, subdivision 3;
- (4) building materials used in a residence for veterans with a disability exempt under section 297A.71, subdivision 11;
- (5) elevators and building materials exempt under section 297A.71, subdivision 12;
- (6) materials and supplies for qualified low-income housing under section 297A.71, subdivision 23;
- (7) materials, supplies, and equipment for municipal electric utility facilities under section 297A.71, subdivision 35;
- (8) equipment and materials used for the generation, transmission, and distribution of electrical energy and an aerial camera package exempt under section 297A.68, subdivision 37;
- (9) commuter rail vehicle and repair parts under section 297A.70, subdivision 3, paragraph (a), clause (10);
- (10) materials, supplies, and equipment for construction or improvement of projects and facilities under section 297A.71, subdivision 40;
- (11) materials, supplies, and equipment for construction, improvement, or expansion of a biopharmaceutical manufacturing facility exempt under section 297A.71, subdivision 45;
- (12) enterprise information technology equipment and computer software for use in a qualified data center exempt under section 297A.68, subdivision 42;
- (13) materials, supplies, and equipment for qualifying capital projects under section 297A.71, subdivision 44, paragraph (a), clause (1), and paragraph (b);
- (14) items purchased for use in providing critical access dental services exempt under section 297A.70, subdivision 7, paragraph (c);
- (15) items and services purchased under a business subsidy agreement for use or consumption primarily in greater Minnesota exempt under section 297A.68, subdivision 44;
- (16) building materials, equipment, and supplies for constructing or replacing real property exempt under section 297A.71, subdivisions 49; 50, paragraph (b); and 51; ~~and~~
- (17) building materials, equipment, and supplies for qualifying capital projects under section 297A.71, subdivision 52; and
- (18) building materials, equipment, supplies, and capital equipment for constructing or replacing real property, and cleaning and disinfecting services for impacted property exempt under section 297A.71, subdivision 53.

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

Sec. 3. Minnesota Statutes 2019 Supplement, section 297A.75, subdivision 2, is amended to read:

Subd. 2. **Refund; eligible persons.** Upon application on forms prescribed by the commissioner, a refund equal to the tax paid on the gross receipts of the exempt items must be paid to the applicant. Only the following persons may apply for the refund:

- (1) for subdivision 1, clauses (1), (2), and (14), the applicant must be the purchaser;
- (2) for subdivision 1, clause (3), the applicant must be the governmental subdivision;
- (3) for subdivision 1, clause (4), the applicant must be the recipient of the benefits provided in United States Code, title 38, chapter 21;
- (4) for subdivision 1, clause (5), the applicant must be the owner of the homestead property;
- (5) for subdivision 1, clause (6), the owner of the qualified low-income housing project;
- (6) for subdivision 1, clause (7), the applicant must be a municipal electric utility or a joint venture of municipal electric utilities;
- (7) for subdivision 1, clauses (8), (11), (12), and (15), the owner of the qualifying business;
- (8) for subdivision 1, clauses (9), (10), (13), and (17), the applicant must be the governmental entity that owns or contracts for the project or facility; ~~and~~
- (9) for subdivision 1, clause (16), the applicant must be the owner or developer of the building or project; ~~and~~
- (10) for subdivision 1, clause (18), the applicant must be an owner or occupant of the real property at the time of its damage or destruction.

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

Sec. 4. **PROPERTY TAX RELIEF FOR PROPERTIES DAMAGED BY FIRE OR VANDALISM.**

Subdivision 1. **Definitions.** (a) For the purposes of this section, the following terms have the meanings given.

(b) "Damage amount" means the difference between (1) a property's estimated market value as determined on January 2, 2020, and (2) the property's estimated market value as determined under subdivision 4.

(c) "Qualifying property" means a property that:

(1) is located in the area included in the peacetime emergency declared in the governor's Executive Order No. 20-64;

(2) was damaged or destroyed due to the unrest in the cities of Minneapolis and St. Paul and surrounding communities after May 24, 2020, and before June 16, 2020;

(3) has a damage amount equal to at least 25 percent of the property's estimated market value, excluding the value of the land, as determined on January 2, 2020; and

(4) has not received abatements or credits under Minnesota Statutes, sections 273.1231 to 273.1235, for a disaster or emergency that occurred in 2020.

(d) "Utility property" means property appraised and classified for tax purposes by order of the commissioner of revenue under Minnesota Statutes, sections 273.33 to 273.3711.

Subd. 2. **Application.** The owner of a property that is not a utility property must apply to the county board and county or local assessor by September 1, 2020, in a manner prescribed by the assessor, in order to be eligible for an abatement under subdivision 3. The owner of a utility property must apply to the commissioner of revenue by September 1, 2020, in a manner prescribed by the commissioner, in order to be eligible for an abatement under subdivision 3.

Subd. 3. **Abatements.** (a) Notwithstanding Minnesota Statutes, sections 270C.86 and 375.192, the county board and commissioner of revenue must grant abatements in the amounts provided in paragraphs (b) and (c) for qualifying properties that submitted an application under subdivision 2.

(b) For a qualifying property with a damage amount equal to less than 50 percent of the property's estimated market value, excluding the value of the land, as determined on January 2, 2020, the abatement amount is equal to 50 percent of the net property tax due on the property in 2020.

(c) For a qualifying property with a damage amount equal to at least 50 percent of the property's estimated market value, excluding the value of the land, as determined on January 2, 2020, the abatement amount is equal to 100 percent of the net property tax due on the property in 2020.

(d) If application is made after payment of all or a portion of the taxes being abated, the portion of the abatement already paid must be refunded to the taxpayer by the county treasurer as soon as practicable.

Subd. 4. **Reassessments required.** For the purposes of this section, the county or local assessor must reassess all damaged property for which an application is submitted under subdivision 2, except that the commissioner of revenue must reassess all utility property for which an application is submitted under subdivision 2.

Subd. 5. **Valuation increase prohibited.** (a) The estimated market value for qualifying properties that receive an abatement under subdivision 3 must not exceed the property's estimated market value as determined under subdivision 4 until assessment year 2025, provided that the property retains the same ownership it had as of May 25, 2020.

(b) Owners of property meeting the requirements of this subdivision must submit any information the county or local assessor or commissioner of revenue deems necessary to determine continued eligibility under this subdivision by December 15 of each year prior to the assessment year for which the property qualifies under paragraph (a).

Subd. 6. **Reimbursement and appropriation.** (a) The county auditor must certify the abatements granted under this section to the commissioner of revenue for reimbursement to each taxing jurisdiction in which qualifying property is located. The commissioner must make the payments to the taxing jurisdictions containing qualifying property, other than school districts and the state, at the time distributions are made under Minnesota Statutes, section 473H.10, subdivision 3. Reimbursements to school districts must be made as provided in Minnesota Statutes, section 273.1392. No reimbursement is to be paid to the state treasury.

(b) An amount necessary to make payments required by this section is appropriated to the commissioner of revenue from the general fund in fiscal year 2021.

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

Delete the title and insert:

"A bill for an act relating to state government; establishing the PROMISE Act; creating a community repair panel to consider claims and determine awards; classifying certain data; creating redevelopment and relief programs; establishing a Metropolitan Area Redevelopment Corporation; imposing a sales and use tax; requiring insurance claims assistance; regulating certain leases; authorizing limited use of eminent domain; exempting certain items

from sales and use tax; requiring property tax abatement for certain properties; appropriating money; amending Minnesota Statutes 2018, section 297A.71, by adding a subdivision; Minnesota Statutes 2019 Supplement, section 297A.75, subdivisions 1, as amended, 2; proposing coding for new law as Minnesota Statutes, chapter 473K."

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

The report was adopted.

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

H. F. No. 134, A bill for an act relating to environment; prioritizing expenditures from dry cleaner environmental response and reimbursement account; banning perchloroethylene; modifying prior appropriation; appropriating money for cost-share program; amending Minnesota Statutes 2018, section 115B.49, subdivision 3; 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.

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

S. F. No. 1, A bill for an act relating to public safety; modifying membership of the Peace Officer Standards and Training Board; providing for crisis intervention, mental illness crisis, and autism training; modifying a past appropriation to the Peace Officer Standards and Training Board; appropriating money; amending Minnesota Statutes 2018, sections 626.841; 626.8469; Laws 2019, First Special Session chapter 5, article 1, section 13, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 626.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2018, section 13.43, subdivision 9, is amended to read:

Subd. 9. **Peer counseling debriefing data.** (a) Data acquired by a critical incident stress management team member when providing critical incident stress management services are governed by section 181.9731 and data acquired by a peer group member in a support counselor when providing public safety peer counseling debriefing is private data on the person being debriefed are governed by section 181.9732.

(b) For purposes of this subdivision, ~~"public safety peer counseling debriefing" means a group process oriented debriefing session held for peace officers, firefighters, medical emergency persons, dispatchers, or other persons involved with public safety emergency services, that is established by any government entity providing public safety emergency services and is designed to help a person who has suffered an occupation related traumatic event begin the process of healing and effectively dealing with posttraumatic stress;~~

(1) "critical incident stress management services" has the meaning given in section 181.9731, subdivision 1, paragraph (c);

(2) "critical incident stress management team member" has the meaning given in section 181.9731, subdivision 1, paragraph (e);

(3) "peer support counselor has the meaning given in section 181.9732, subdivision 1, paragraph (c); and

(4) "public safety peer counseling" has the meaning given in section 181.9732, subdivision 1, paragraph (c).

Sec. 2. **[181.9731] CRITICAL INCIDENT STRESS MANAGEMENT.**

Subdivision 1. **Definitions.** (a) For purposes of this section, the following terms have the meanings given.

(b) "Critical incident" means an event that results in acute or cumulative psychological stress or trauma to an emergency service provider. "Critical incident" includes, but is not limited to, any encounter which may result in the death of or serious injury to another person such as fatal motor vehicle accidents, child abuse investigations, death investigations, and large scale man-made or natural disasters.

(c) "Critical incident stress management services" means consultation, risk assessment, education, intervention, and other crisis intervention services provided by a critical incident stress management team or critical incident stress management team member to an emergency service provider affected by a critical incident.

(d) "Critical incident stress management team" means a group organized to provide critical incident stress management to emergency service providers and consists of members trained in accordance with standards established by a nationally accredited critical incident stress management organization or network and recognized by the commissioner of public safety. A critical incident stress management team may include members from any emergency service discipline, mental health professionals, and designated emergency service chaplains.

(e) "Critical incident stress management team member" means an individual who is specially trained to provide critical incident stress management services, has met the critical incident stress management team training requirements, was approved to function as a critical incident stress management team member prior to the time critical incident stress management services are provided, and is approved to function as a critical incident stress management team member at the time the critical incident stress management services are provided.

(f) "Emergency service provider" includes a peace officer, correctional officer, probation officer, supervision agent, firefighter, rescue squad member, dispatcher, hospital or emergency medical clinic personnel, or other person involved with public safety emergency services, either paid or volunteer.

Subd. 2. **Disclosure prohibited.** (a) Except as provided in subdivision 3, a critical incident stress management team member or any person who receives critical incident stress management services shall not be required to disclose any information obtained solely through the provision of or receipt of such services to a third party.

(b) Government data on individuals receiving critical incident stress management services are classified as private data on individuals, as defined by section 13.02, subdivision 12, but may be disclosed as provided in subdivision 3.

Subd. 3. **Exceptions.** The prohibition established under subdivision 2 does not apply if any of the following are true:

(1) the critical incident stress management team member reasonably believes the disclosure is necessary to prevent harm to the person in receipt of critical incident stress management services or to prevent harm to another person;

(2) the person who received critical incident stress management services provides written consent to the disclosure of the information;

(3) the critical incident stress management team member is a witness or a party to a critical incident that prompted the emergency service provider to receive critical stress management services;

(4) the person receiving critical incident stress management services discloses information that is required to be reported under the mandated reporting laws, including, but not limited to, the reporting of maltreatment of minors under section 626.556 and the reporting of maltreatment of vulnerable adults under section 626.557;

(5) the emergency service provider who received critical incident stress management services is deceased and the surviving spouse or administrator of the estate of the deceased emergency service provider gives written consent to the disclosure; or

(6) the emergency service provider who received critical incident stress management services voluntarily testifies, in which case the critical incident stress management team member may be compelled to testify on the same subject.

Sec. 3. **[181.9732] PUBLIC SAFETY PEER COUNSELING.**

Subdivision 1. **Definitions.** (a) For purposes of this section, the following terms have the meanings given.

(b) "Emergency service providers" includes a peace officer, correctional officer, probation officer, supervision agent, firefighter, rescue squad member, dispatcher, hospital or emergency medical clinic personnel, or other person involved with public safety emergency services, either paid or volunteer.

(c) "Peer support counselor" means an individual who is specially trained to provide public safety peer counseling services in accordance with standards established by an accredited mental health organization or network and recognized by the commissioner, and who is designated by the emergency service provider's agency to provide such services.

(d) "Public safety peer counseling" means a counseling session, led by a peer support counselor for emergency service providers that is designed to help a person who has suffered an occupation-related trauma, illness, or stress begin the process of healing and effectively dealing with the person's problems, and includes the use of referrals to better service these occupation-related issues.

Subd. 2. **Disclosure prohibited.** (a) Except as provided in subdivision 3, a peer support counselor or any person who receives public safety peer counseling shall not be required to disclose any information obtained solely through the provision of or receipt of such services to a third party.

(b) Government data on individuals receiving peer counseling are classified as private data on individuals, as defined by section 13.02, subdivision 12, but may be disclosed as provided in subdivision 3.

Subd. 3. **Exceptions.** The prohibition established under subdivision 2 does not apply if any of the following are true:

(1) the peer support counselor reasonably believes the disclosure is necessary to prevent harm to the person in receipt of public safety peer counseling or to prevent harm to another person;

(2) the person who received public safety peer counseling provides written consent to the disclosure of the information;

(3) the peer support counselor is a witness or a party to a critical incident that prompted the emergency service provider to receive public safety peer counseling;

(4) the person receiving public safety peer counseling discloses information that is required to be reported under the mandated reporting laws, including, but not limited to, the reporting of maltreatment of minors under section 626.556 and the reporting of maltreatment of vulnerable adults under section 626.557;

(5) the emergency service provider who received public safety peer counseling is deceased and the surviving spouse or administrator of the estate of the deceased emergency service provider gives written consent to the disclosure; or

(6) the emergency service provider who received public safety peer counseling voluntarily testifies, in which case the peer support counselor may be compelled to testify on the same subject.

Sec. 4. Minnesota Statutes 2018, section 201.014, is amended by adding a subdivision to read:

Subd. 2a. **Felony conviction; restoration of civil right to vote.** An individual convicted of a felony has the civil right to vote restored when the individual completes any incarceration imposed and executed by the court for the offense, or upon sentencing if no incarceration is imposed. If the individual is later incarcerated for the same offense, the individual's civil right to vote is lost only during the period of incarceration.

Sec. 5. Minnesota Statutes 2018, section 201.071, subdivision 1, is amended to read:

Subdivision 1. **Form.** Both paper and electronic voter registration applications must contain the same information unless otherwise provided by law. A voter registration application must contain spaces for the following required information: voter's first name, middle name, and last name; voter's previous name, if any; voter's current address; voter's previous address, if any; voter's date of birth; voter's municipality and county of residence; voter's telephone number, if provided by the voter; date of registration; current and valid Minnesota driver's license number or Minnesota state identification number, or if the voter has no current and valid Minnesota driver's license or Minnesota state identification, the last four digits of the voter's Social Security number; and voter's signature. The paper registration application may include the voter's e-mail address, if provided by the voter. The electronic voter registration application must include the voter's e-mail address. The registration application may include the voter's interest in serving as an election judge, if indicated by the voter. The application must also contain the following certification of voter eligibility:

"I certify that I:

- (1) will be at least 18 years old on election day;
- (2) am a citizen of the United States;
- (3) will have resided in Minnesota for 20 days immediately preceding election day;
- (4) maintain residence at the address given on the registration form;
- (5) am not under court-ordered guardianship in which the court order revokes my right to vote;
- (6) have not been found by a court to be legally incompetent to vote;

~~(7) have the right to vote because, if I have been convicted of a felony, my felony sentence has expired (been completed) or I have been discharged from my sentence~~ am not currently incarcerated for a felony offense; and

(8) have read and understand the following statement: that giving false information is a felony punishable by not more than five years imprisonment or a fine of not more than \$10,000, or both."

The certification must include boxes for the voter to respond to the following questions:

"(1) Are you a citizen of the United States?" and

"(2) Will you be 18 years old on or before election day?"

And the instruction:

"If you checked 'no' to either of these questions, do not complete this form."

The form of the voter registration application and the certification of voter eligibility must be as provided in this subdivision and approved by the secretary of state. Voter registration forms authorized by the National Voter Registration Act must also be accepted as valid. The federal postcard application form must also be accepted as valid if it is not deficient and the voter is eligible to register in Minnesota.

An individual may use a voter registration application to apply to register to vote in Minnesota or to change information on an existing registration.

Sec. 6. **[201.276] DUTIES OF SECRETARY OF STATE; INFORMATION ABOUT VOTING RIGHTS.**

The secretary of state shall develop accurate and complete information in a single publication about the voting rights of people who have been charged with or convicted of a crime. This publication must be made available electronically to the state court administrator for distribution to judges, court personnel, probation officers, and the commissioner of corrections for distribution to corrections officials, parole and supervised release agents, and the public.

Sec. 7. Minnesota Statutes 2019 Supplement, section 204C.10, is amended to read:

204C.10 POLLING PLACE ROSTER; VOTER SIGNATURE CERTIFICATE; VOTER RECEIPT.

(a) An individual seeking to vote shall sign a polling place roster or voter signature certificate which states that the individual;

(1) is at least 18 years of age;

(2) is a citizen of the United States;

(3) has resided in Minnesota for 20 days immediately preceding the election;

(4) maintains residence at the address shown;

(5) is not under a guardianship in which the court order revokes the individual's right to vote;

(6) has not been found by a court of law to be legally incompetent to vote;

(7) has the right to vote because, if the individual was convicted of a felony, ~~the felony sentence has expired or been completed or the individual has been discharged from the sentence,~~ completed the term of incarceration, if any, for the felony offense;

(8) is registered; and

(9) has not already voted in the election.

The roster must also state: "I understand that deliberately providing false information is a felony punishable by not more than five years imprisonment and a fine of not more than \$10,000, or both."

(b) At the presidential nomination primary, the polling place roster must also state: "I am in general agreement with the principles of the party for whose candidate I intend to vote." This statement must appear separately from the statements required in paragraph (a). The felony penalty provided for in paragraph (a) does not apply to this paragraph.

(c) A judge may, before the applicant signs the roster or voter signature certificate, confirm the applicant's name, address, and date of birth.

(d) After the applicant signs the roster or voter signature certificate, the judge shall give the applicant a voter's receipt. The voter shall deliver the voter's receipt to the judge in charge of ballots as proof of the voter's right to vote, and thereupon the judge shall hand to the voter the ballot. The voters' receipts must be maintained during the time for notice of filing an election contest.

(e) Whenever a challenged status appears on the polling place roster, an election judge must ensure that the challenge is concealed or hidden from the view of any voter other than the voter whose status is challenged.

Sec. 8. [243.205] NOTICE OF RESTORATION OF RIGHT TO VOTE.

Subdivision 1. **Correctional facilities; designation of official.** The chief executive officer of each state and local correctional facility shall designate an official within the facility to provide the notice and application required under this section to persons to whom the civil right to vote is restored by reason of the persons' release from actual incarceration. The official shall maintain an adequate supply of voter registration applications and informational materials for this purpose.

Subd. 2. **Notice requirement.** A notice of restoration of the civil right to vote and a voter registration application must be provided as follows:

(1) the chief executive officer of each state and local correctional facility shall provide the notice and application to a person being released from the facility following incarceration for a felony-level offense; and

(2) a probation officer or supervised release agent shall provide the notice and application to all individuals under correctional supervision for a felony-level offense.

Subd. 3. **Form of notice.** The notice required by subdivision 2 must appear substantially as follows:

"NOTICE OF RESTORATION OF YOUR RIGHT TO VOTE.

Your receipt of this notice today means that your right to vote in Minnesota has been restored. Before you can vote on election day, you still need to register to vote. To register, you may complete a voter registration application and return it to the Office of the Minnesota Secretary of State. You may also register to vote in your polling place on election day. You will not be permitted to cast a ballot until you register to vote. The first time you appear at your polling place to cast a ballot, you may be required to provide proof of your current residence."

Subd. 4. **Failure to provide notice.** A failure to provide proper notice as required by this section does not prevent the restoration of the person's civil right to vote.

Sec. 9. [299A.018] OFFICER-INVOLVED DEATH REVIEW BOARD.

Subdivision 1. **Definitions.** (a) The following terms have the meanings provided.

(b) "Board" means the Officer-Involved Death Review Board.

(c) "Commissioner" means the commissioner of public safety.

(d) "Law enforcement agency" has the meaning given in section 626.84, subdivision 1, paragraph (f).

(e) "Officer-involved death" means the death of a person that results from a peace officer's use of force while the officer is on duty or off duty but performing activities that are within the scope of the officer's law enforcement duties.

(f) "Peace officer" has the meaning given in section 626.84, subdivision 1, paragraph (c).

Subd. 2. Establishment; membership; office support. (a) The Officer-Involved Death Review Board is established in the Department of Public Safety. The board consists of the following members:

(1) the superintendent of the Bureau of Criminal Apprehension;

(2) a member of the Peace Officer Standards and Training Board selected by the executive director of the Peace Officer Standards and Training Board;

(3) a representative of the Office of Violence Prevention in the Department of Health;

(4) the commissioner of the Department of Human Rights or a designee;

(5) the commissioner of corrections or a designee; and

(6) six persons selected by the commissioner that must include:

(i) a medical examiner or coroner;

(ii) a use of force expert;

(iii) a civil rights expert;

(iv) a prosecutor with expertise in officer-involved death reviews;

(v) a member of the public from the seven-county metropolitan area; and

(vi) a member of the public from outside of the seven-county metropolitan area.

(b) Members appointed by the commissioner of public safety under paragraph (a), clause (6), serve a two-year term, and may be re-appointed for one additional term.

(c) The commissioner must convene the board no later than November 1, 2020, and provide meeting space and administrative assistance necessary for the board to conduct its work, including documentation of meetings and review findings.

Subd. 3. Review teams. (a) The board shall appoint a review team from among the board members to collect, review, and analyze data related to each officer-involved death that occurs in the state. The board may also invite other relevant persons to participate as full members of a review team as needed. Review team membership should represent the cultural and racial diversity of the community where the death occurred, to the extent possible. A member may not participate in a review if the member is a current or former employee of the agency that is the subject of the team's review.

(b) In determining the cause of death, the review team shall consider death certificates and other data relevant to determining cause of death, including investigative reports and medical records. The review team may also analyze additional available information concerning the decedent.

(c) As part of the review team's investigation of a peace officer involved in an officer-involved death, the team should review:

- (1) the peace officer's complete employment and training records;
- (2) the policies and standard operating procedures of the agency that employs the peace officer;
- (3) applicable collective bargaining agreements; and
- (4) other pertinent information concerning the peace officer and the agency that employs the peace officer.

Subd. 4. **Access to data.** (a) The review team has access to the following not public data, as defined in section 13.02, subdivision 8a, relating to an officer-involved death:

- (1) inactive law enforcement investigative data under section 13.82;
- (2) autopsy records and coroner or medical examiner investigative data under section 13.83;
- (3) hospital, public health, or other medical records of the decedent under section 13.384; and
- (4) records under section 13.46, created by social service agencies that provided services to the decedent.

(b) Access to medical records under this paragraph also includes records governed by sections 144.291 to 144.298.

(c) The board has access to corrections and detention data as provided in section 13.85.

Subd. 5. **Agency notice; cooperation.** (a) The chief law enforcement officer of a law enforcement agency that has an officer-involved death must notify the commissioner within 30 days of the death. The commissioner shall forward a copy of the filing to the board. The notification shall contain information concerning the reason for and circumstances surrounding the death.

(b) The law enforcement agency that employs a peace officer who was involved in an officer-involved death must cooperate fully with the board and a review team appointed by the board. The chief law enforcement officer of the agency that employs an officer under investigation by a review team must provide written answers to questions posed by the review team or the board.

Subd. 6. **Compel production of records; subpoena.** As part of any review, the board may compel the production of other records by applying to the district court for a subpoena, which will be effective throughout the state according to the Rules of Civil Procedure.

Subd. 7. **Officer-involved death reviews and recommendations.** (a) The board must conduct an initial review of each officer-involved death within 90 days of the final adjudication of the event to determine any immediate action, appropriate local representation, and timeline. The board must submit a publicly available summary of the incident and the board's response plan.

(b) The board must identify and analyze the root causes of the incident.

(c) The full review must be completed within six months of the final adjudication of the event and the report must be filed with the commissioner and agency that employed the peace officer involved in the event within 60 days of completion of the review.

(d) The board shall make recommendations to the commissioner for changes in statewide training of peace officers. Following the analysis, the board must prepare a report that recommends policy and system changes to reduce and prevent future incidents across jurisdictions, agencies, and systems.

(e) The commissioner must post the report on the Department of Public Safety's public website. The posted report must comply with chapter 13 and any data that is not public data must be redacted.

Subd. 8. Confidentiality; data privacy. (a) Meetings of the board are not subject to chapter 13D. A person attending a board meeting may not disclose what transpired at the meeting, except to carry out the purposes of the review or as otherwise provided in this subdivision.

(b) The board may disclose the names of the decedents in the cases it reviews.

(c) Proceedings and records of the board are confidential data as defined in section 13.02, subdivision 3, or protected nonpublic data as defined in section 13.02, subdivision 13, regardless of their classification in the hands of the person who provided the data, and are not subject to discovery or introduction into evidence in a civil or criminal action against a professional, the state, or a county agency, arising out of the matters the team is reviewing. Information, documents, and records otherwise available from other sources are not immune from discovery or use in a civil or criminal action solely because they were presented during proceedings of the board.

(d) This subdivision does not limit a person who presented information before the board or who is a member of the panel from testifying about matters within the person's knowledge. However, in a civil or criminal proceeding, a person may not be questioned about the person's good faith presentation of information to the board or opinions formed by the person as a result of the board meetings.

(e) In addition to the requirements of section 13.05, subdivision 5, the board must establish written procedures to ensure individuals have access to not public data only if authorized in writing by the board. The ability of authorized individuals to enter, update, or access not public data must be limited through the use of role-based access that corresponds to the official duties or training level of the individual and the statutory authorization that grants access for that purpose. All queries and responses, and all actions in which data are entered, updated, accessed, shared, or disseminated, must be recorded in a data audit trail. Data contained in the audit trail are public, to the extent that the data are not otherwise classified by law.

Subd. 9. External advice. The board shall identify an external impartial entity to facilitate reviews and establish the review process.

Subd. 10. Reports to the legislature. By June 15 of each year, the board must report to the chairs and ranking minority members of the house of representatives and senate committees and divisions with jurisdiction over public safety on:

(1) the number of reviews performed under this section in the last year;

(2) aggregate data on reviews performed;

(3) the number of reviews that included a recommendation that the law enforcement agency under review implement a corrective action plan;

(4) a description of any recommendations made to the commissioner for statewide training of peace officers; and

(5) recommendations for legislative action.

Sec. 10. **[299A.625] COMMUNITY-LED PUBLIC SAFETY COORDINATOR.**

Subdivision 1. **Community-led public safety coordinator established.** The commissioner of public safety shall appoint a statewide community-led public safety coordinator in the Office of Justice Programs who shall serve in the unclassified service.

Subd. 2. **Duties.** The office shall:

- (1) promote and monitor alternatives to traditional policing models;
- (2) identify effective forms of community-led intervention to promote public safety;
- (3) strengthen connections between community members and local law enforcement agencies;
- (4) encourage the use of restorative justice programs including but not limited to sentencing circles; and
- (5) administer grants to promote community-based crisis intervention and promote community healing.

EFFECTIVE DATE. This section is effective July 1, 2020.

Sec. 11. Minnesota Statutes 2018, section 609.165, subdivision 1, is amended to read:

Subdivision 1. **Restoration.** When a person has been deprived of civil rights by reason of conviction of a crime and is thereafter discharged, such discharge shall restore the person to all civil rights and to full citizenship, ~~with full right to vote and hold office,~~ the same as if such conviction had not taken place, and the order of discharge shall so provide.

Sec. 12. **[626.5534] USE OF FORCE REPORTING.**

Subdivision 1. **Report required.** A chief law enforcement officer must provide the information requested by the Federal Bureau of Investigation about each incident of law enforcement use of force resulting in serious bodily injury or death, as those terms are defined in the Federal Bureau of Investigation's reporting requirements, to the superintendent of the Bureau of Criminal Apprehension. The superintendent shall adopt a reporting form for use by law enforcement agencies in making the report required under this section. The report must include for each incident all of the information requested by the Federal Bureau of Investigation.

Subd. 2. **Use of information collected.** A chief law enforcement officer must file the report under subdivision 1 once a month in the form required by the superintendent. The superintendent must summarize and analyze the information received and submit an annual written report to the chairs and ranking minority members of the house of representatives and senate committees with jurisdiction over public safety. The superintendent shall submit the information to the Federal Bureau of Investigation.

Sec. 13. Minnesota Statutes 2018, section 626.8469, is amended to read:

626.8469 TRAINING IN CRISIS RESPONSE, CONFLICT MANAGEMENT, AND CULTURAL DIVERSITY.

Subdivision 1. **In-service training required.** Beginning July 1, 2018, the chief law enforcement officer of every state and local law enforcement agency shall provide in-service training in crisis intervention and mental illness crises; conflict management and mediation; and recognizing and valuing community diversity and cultural differences to include implicit bias training to every peace officer and part-time peace officer employed by the

agency. The training shall comply with learning objectives developed and approved by the board and shall meet board requirements for board-approved continuing education credit. Crisis intervention and mental illness crisis training shall meet the standards in subdivision 1a. The training shall consist of at least 16 continuing education credits with a minimum of six hours for crisis intervention and mental illness crisis training within an officer's three-year licensing cycle. Each peace officer with a license renewal date after June 30, 2018, is not required to complete this training until the officer's next full three-year licensing cycle.

Subd. 1a. Crisis intervention and mental illness crisis training. (a) The board, in consultation with the commissioner of human services and mental health stakeholders, shall create a list of approved entities and training courses to instruct peace officers in techniques for responding to a mental illness crisis. A course must include scenario-based instruction and cover most of the following issues:

- (1) techniques for relating to individuals with mental illnesses and the individuals' families;
 - (2) techniques for crisis de-escalation;
 - (3) techniques for relating to diverse communities and education on mental illness diversity;
 - (4) mental illnesses and the criminal justice system;
 - (5) community resources and supports for individuals experiencing a mental illness crisis and for the individuals' families;
 - (6) psychotropic medications and the medications' side effects;
 - (7) co-occurring mental illnesses and substance use disorders;
 - (8) suicide prevention; and
 - (9) mental illnesses and disorders and the symptoms.
- (b) A course must also include training on children and families of individuals with mental illnesses to enable officers to respond appropriately to others who are present during a mental illness crisis. The board shall update the list of approved entities and training courses periodically as it considers appropriate.

Subd. 2. Record keeping required. The head of every local and state law enforcement agency shall maintain written records of the agency's compliance with the requirements of ~~subdivision 1.~~ subdivisions 1 and 1a including, at a minimum:

- (1) documentation of the training provider;
- (2) documentation of the content of the training provided;
- (3) documentation that crisis intervention and mental illness crisis training included scenario-based instruction in compliance with the standards described in subdivision 1a;
- (4) compiled evaluations; and
- (5) explanation of expenditure of funds.

The documentation is subject to periodic review by the board, and shall be ~~made available~~ submitted to the board at its request. The board shall include in the compliance reviews required in section 626.8459 an evaluation of the effectiveness of in-service crisis intervention and mental illness crisis training in reducing officer use of force and diverting people experiencing a mental illness crisis from arrest.

Subd. 3. **Licensing sanctions; injunctive relief.** The board may impose licensing sanctions and seek injunctive relief under section 214.11 for failure to comply with the requirements of this section.

Sec. 14. **[626.8474] AUTISM TRAINING.**

Subdivision 1. Learning objectives required. (a) By January 1, 2021, the board shall prepare learning objectives for preservice and in-service training on ensuring safer interactions between peace officers and persons with autism. At a minimum, the objectives must address the following:

(1) autism overview and behavioral understanding;

(2) best practices for interventions and de-escalation strategies;

(3) prevention and crisis reduction models; and

(4) objective review of tools and technology available.

(b) In developing the learning objectives, the board shall consult with, at a minimum:

(1) individuals with autism;

(2) family members of individuals with autism;

(3) autism experts; and

(4) peace officers.

Subd. 2. Preservice training required. (a) The learning objectives developed pursuant to subdivision 1 must be included in the required curriculum of professional peace officer educational programs.

(b) A person is not eligible to take the peace officer licensing examination after July 1, 2021, unless the individual has received the training described in paragraph (a).

Subd. 3. In-service training required. Beginning July 1, 2021, the chief law enforcement officer of every state and local law enforcement agency shall provide in-service autism training to every peace officer and part-time peace officer employed by the agency. The training must comply with the learning objectives developed and approved by the board and must meet board requirements for board-approved continuing education credit. The training must consist of at least four continuing education credits within an officer's three-year licensing cycle. Each peace officer with a license renewal date after June 30, 2021, is not required to complete this training until the officer's next full three-year licensing cycle.

Subd. 4. Record keeping required. The head of every local and state law enforcement agency shall maintain written records of the agency's compliance with the requirements of subdivision 3. The documentation is subject to periodic review by the board, and must be made available to the board at its request.

Subd. 5. Licensing sanctions; injunctive relief. The board may impose licensing sanctions and seek injunctive relief under section 214.11 for failure to comply with the requirements of this section.

Sec. 15. **APPROPRIATION; PEACE OFFICER CRISIS INTERVENTION AND MENTAL ILLNESS CRISIS TRAINING.**

\$145,000 in fiscal year 2021 is appropriated from the general fund to the Peace Officer Standards and Training (POST) Board to reimburse law enforcement agency crisis intervention and mental illness crisis training expenses for training that is provided by approved entities according to Minnesota Statutes, section 626.8469, subdivision 1a. \$137,000 is added to the board's base.

Sec. 16. **APPROPRIATION; POLICE AND MENTAL HEALTH CRISIS TEAM COLLABORATION.**

\$14,000 in fiscal year 2021 is appropriated from the general fund to the Peace Officer Standards and Training (POST) Board to administer a pilot project to create collaborations between county mobile crisis mental health services described in Minnesota Statutes, section 245.469, and municipal law enforcement agencies. The appropriation shall be used to purchase tablets and video conferencing telehealth services to allow peace officers to connect quickly with members of the mobile crisis mental health team to assist individuals in crisis. No later than September 1, 2021, law enforcement agencies awarded grants shall provide a written report to the board describing the expenditure of funds and evaluating the effectiveness of the project in diverting people experiencing a mental illness crisis from arrest. The board shall submit a written report compiling the law enforcement agency reports and evaluating the program to the chairs and ranking minority members of the house of representatives and senate committees with jurisdiction over public safety by January 1, 2022.

Sec. 17. **APPROPRIATION.**

\$8,000 is appropriated from the general fund to the Bureau of Criminal Apprehension for the fiscal year ending June 30, 2021, to implement autism training.

Sec. 18. **COMMUNITY-LED PUBLIC SAFETY GRANTS.**

Subdivision 1. **Appropriation.** \$15,000,000 in fiscal year 2020 is appropriated from the general fund to the commissioner of public safety to promote community-led public safety.

Subd. 2. **Community-led public safety coordinator.** Of the amount appropriated in subdivision 1, \$100,000 is for one community-led public safety coordinator position at the Department of Public Safety.

Subd. 3. **Grants to promote community-based responses to crises.** (a) Of the amount appropriated in subdivision 1, \$7,450,000 is for grants to promote mental health crisis-response teams as provided in this subdivision.

(b) The community-led public safety coordinator shall award grants to local units of government or tribal governments that form a partnership with community-based organizations to support, develop, or establish independent crisis-response teams to de-escalate volatile situations; respond to situations involving a mental health crisis; promote community-based efforts designed to enhance community safety and wellness; and support community-based strategies to interrupt, intervene in, or respond to violence.

Subd. 4. **Grants to promote community healing.** (a) Of the amount appropriated in subdivision 1, \$7,450,000 is for grants to promote healing support in black, indigenous, and people of color communities in Minnesota.

(b) The community-led public safety coordinator shall award grants to community-based organizations that provide programs and direct intervention to promote wellness and healing justice. In awarding grants, the coordinator may collaborate with organizations that provide supportive professional community and mutual aid networks for wellness and healing justice practitioners. Grants are available for:

- (1) programmatic and community care support for wellness and healing justice practitioners;
- (2) the establishment and expansion of community organizations that provide wellness and healing justice services;
- (3) placing wellness and healing justice practitioners in organizations that provide direct service to black, indigenous, and people of color communities in Minnesota;
- (4) providing healing circles;
- (5) establishing and expanding Community Coach Certification programs to train community healers and establish a long-term strategy to build the infrastructure for community healers to be available during times of tragedy; and
- (6) restorative justice programs including but not limited to sentencing circles.

Subd. 5. **Report.** (a) On or before January 15 of each year, the community-led public safety coordinator shall submit a report to the chairs and ranking minority members of the legislative committees and divisions with jurisdiction over public safety that includes:

- (1) the number of grants issued under subdivision 3;
 - (2) the number of grants issued under subdivision 4;
 - (3) the amount of funding awarded for each project;
 - (4) a description of the programs and services funded;
 - (5) plans for the long-term sustainability of the projects; and
 - (6) data on outcomes for the programs and services funded.
- (b) Grantees must provide information and data requested by the coordinator to support the development of this report.

EFFECTIVE DATE. This section is effective July 1, 2020.

Sec. 19. **REPEALER.**

Minnesota Statutes 2018, section 181.973, is repealed."

Delete the title and insert:

"A bill for an act relating to public safety; providing critical incident stress management services; providing for public safety peer counseling; reporting law enforcement use of force; establishing an Officer-Involved Death Review Board; establishing a Community-Led Public Safety Coordinator; establishing grants to promote community-based crisis intervention; establishing grants to promote community healing; establishing standards for crisis intervention and mental illness crisis training for peace officers; requiring the development and implementation of autism training for peace officers; restoring the civil right to vote of an individual upon release from incarceration or upon sentencing if no incarceration is imposed; requiring notice; requiring reports;

appropriating money; amending Minnesota Statutes 2018, sections 13.43, subdivision 9; 201.014, by adding a subdivision; 201.071, subdivision 1; 609.165, subdivision 1; 626.8469; Minnesota Statutes 2019 Supplement, section 204C.10; proposing coding for new law in Minnesota Statutes, chapters 181; 201; 243; 299A; 626; repealing Minnesota Statutes 2018, section 181.973."

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

The report was adopted.

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

S. F. No. 3, A bill for an act relating to public safety; reporting law enforcement use of force; requiring reports; proposing coding for new law in Minnesota Statutes, chapter 626.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2018, section 8.01, is amended to read:

8.01 APPEARANCE.

The attorney general shall appear for the state in all causes in the supreme and federal courts wherein the state is directly interested; also in all civil causes of like nature in all other courts of the state whenever, in the attorney general's opinion, the interests of the state require it. Except as provided for in section 8.37, upon request of the county attorney, the attorney general shall appear in court in such criminal cases as the attorney general deems proper. Upon request of a county attorney, the attorney general may assume the duties of the county attorney in sexual psychopathic personality and sexually dangerous person commitment proceedings under chapter 253D. Whenever the governor shall so request, in writing, the attorney general shall prosecute any person charged with an indictable offense, and in all such cases may attend upon the grand jury and exercise the powers of a county attorney.

Sec. 2. **[8.37] PEACE-OFFICER-INVOLVED DEATHS.**

Subdivision 1. Definitions. (a) As used in this section, the following terms have the meanings provided.

(b) "Law enforcement agency" has the meaning given in section 626.84, subdivision 1, paragraph (f).

(c) "Officer-involved death" means the death of another that results from a peace officer's use of force while the officer is on duty or off duty but performing activities that are within the scope of the officer's law enforcement duties.

(d) "Peace officer" has the meaning given in section 626.84, subdivision 1, paragraph (c).

Subd. 2. Prosecution of officer-involved deaths. (a) The attorney general has charge of the prosecution of peace officers alleged to have caused an officer-involved death.

(b) When requested by the attorney general, a county attorney may appear for the state in any case instituted under this section and assist in the preparation and trial.

Subd. 3. **Local assistance.** Each law enforcement agency with jurisdiction over the area where an officer-involved death occurred must cooperate with the attorney general to the same extent as if the county attorney had charge of the prosecution.

Sec. 3. Minnesota Statutes 2018, section 260B.176, is amended by adding a subdivision to read:

Subd. 1a. **Risk assessment instrument.** If a peace officer or probation or parole officer who took a child into custody does not release the child as provided in subdivision 1, the peace officer or probation or parole officer shall communicate with or deliver the child to a juvenile secure detention facility to determine whether the child should be released or detained. Before detaining a child, the supervisor of the facility shall use an objective and racially, ethnically, and gender-responsive juvenile detention risk assessment instrument developed by the commissioner of corrections, county, group of counties, or judicial district, in consultation with the state coordinator or coordinators of the Minnesota Juvenile Detention Alternative Initiative. The risk assessment instrument must assess the likelihood that a child released from preadjudication detention under this section or section 260B.178 would endanger others or not return for a court hearing. The instrument must identify the appropriate setting for a child who might endanger others or not return for a court hearing pending adjudication, with either continued detention or placement in a noncustodial community-based supervision setting. The instrument must also identify the type of noncustodial community-based supervision setting necessary to minimize the risk that a child who is released from custody will endanger others or not return for a court hearing. If, after using the instrument, a determination is made that the child should be released, the person taking the child into custody or the supervisor of the facility shall release the child as provided in subdivision 1.

EFFECTIVE DATE. This section is effective August 15, 2021.

Sec. 4. **[299C.80] INDEPENDENT USE OF FORCE INVESTIGATIONS UNIT.**

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

(b) "Law enforcement agency" has the meaning given in section 626.84, subdivision 1, paragraph (f).

(c) "Officer-involved death" means the death of another that results from a peace officer's use of force while the officer is on duty or off duty but performing activities that are within the scope of the officer's law enforcement duties.

(d) "Peace officer" has the meaning given in section 626.84, subdivision 1, paragraph (c).

(e) "Superintendent" means the superintendent of the Bureau of Criminal Apprehension.

(f) "Unit" means the independent Use of Force Investigations Unit.

Subd. 2. **Formation; special agent in charge; duty.** The superintendent shall form an independent Use of Force Investigations Unit within the Bureau of Criminal Apprehension to conduct officer-involved death investigations. The superintendent, in consultation with the commissioner of public safety, shall select a special agent in charge of the unit.

Subd. 3. **Additional duty.** The unit shall investigate all criminal sexual conduct cases involving peace officers, including criminal sexual conduct cases involving chief law enforcement officers. The unit may also investigate conflict of interest cases involving peace officers and other public officials accused of crimes

Subd. 4. **Staff; support.** The unit will employ peace officers and staff to conduct investigations and the superintendent shall develop and implement policies and procedures to ensure no conflict of interest exists with agents assigned to investigate a particular incident. The superintendent may permit bureau resources not directly assigned to this unit to be used to assist the unit in fulfilling the duties assigned in this section.

Subd. 5. **Conflicts.** When a peace officer employed by the Bureau of Criminal Apprehension is the subject of an officer-involved death investigation, the investigation shall be conducted by an investigatory agency selected by the attorney general.

Subd. 6. **Reporting.** The superintendent must make all case files publicly available on the bureau's website within 30 days of the end of the last criminal appeal of a subject of an investigation, as provided for in chapter 13. By February 1 of each year, the superintendent shall report to the commissioner, the governor, and the chairs and ranking minority members of the legislative committees with jurisdiction over public safety finance and policy the following information about the unit: the number of investigations initiated; the number of incidents investigated; the outcomes or current status of each investigation; the charging decisions made by the prosecuting authority of incidents investigated by the unit; the number of plea agreements reached in incidents investigated by the unit; and any other information relevant to the unit's mission.

Sec. 5. Minnesota Statutes 2018, section 388.051, subdivision 1, is amended to read:

Subdivision 1. **General provisions.** The county attorney shall:

- (1) appear in all cases in which the county is a party;
- (2) give opinions and advice, upon the request of the county board or any county officer, upon all matters in which the county is or may be interested, or in relation to the official duties of the board or officer;
- (3) except as provided in section 8.37, prosecute felonies, including the drawing of indictments found by the grand jury, and, to the extent prescribed by law, gross misdemeanors, misdemeanors, petty misdemeanors, and violations of municipal ordinances, charter provisions and rules or regulations;
- (4) attend before the grand jury, give them legal advice, and examine witnesses in their presence;
- (5) request the court administrator to issue subpoenas to bring witnesses before the grand jury or any judge or judicial officer before whom the county attorney is conducting a criminal hearing;
- (6) attend any inquest at the request of the coroner; and
- (7) appear, when requested by the attorney general, for the state in any case instituted by the attorney general in the county attorney's county or before the United States Land Office in case of application to preempt or locate any public lands claimed by the state and assist in the preparation and trial.

Sec. 6. Minnesota Statutes 2018, section 609.066, is amended by adding a subdivision to read:

Subd. 1a. **Legislative intent.** The legislature hereby finds and declares the following:

(1) that the authority to use deadly force, conferred on peace officers by this section, is a critical responsibility that shall be exercised judiciously and with respect for human rights and dignity and for the sanctity of every human life. The legislature further finds and declares that every person has a right to be free from excessive use of force by officers acting under color of law;

(2) as set forth below, it is the intent of the legislature that peace officers use deadly force only when necessary in defense of human life. In determining whether deadly force is necessary, officers shall evaluate each situation in light of the particular circumstances of each case and shall use other available resources and techniques if reasonably safe and feasible to an objectively reasonable officer;

(3) that the decision by a peace officer to use deadly force shall be evaluated from the perspective of a reasonable officer in the same situation, based on the totality of the circumstances known to or perceived by the officer at the time, rather than with the benefit of hindsight, and that the totality of the circumstances shall account for occasions when officers may be forced to make quick judgments about using deadly force; and

(4) that peace officers should exercise special care when interacting with individuals with physical, mental health, developmental, or intellectual disabilities as an individual's disability may affect the individual's ability to understand or comply with commands from peace officers.

Sec. 7. Minnesota Statutes 2018, section 609.066, subdivision 2, is amended to read:

Subd. 2. **Use of deadly force.** (a) Notwithstanding the provisions of section 609.06 or 609.065, the use of deadly force by a peace officer in the line of duty is justified only when the officer reasonably believes, based on the totality of the circumstances, that such force is necessary:

(1) to protect the peace officer or another from ~~apparent~~ imminent death or great bodily harm; or

(2) to effect the arrest or capture, or prevent the escape, of a person whom the peace officer knows or has reasonable grounds to believe has committed or attempted to commit a felony ~~involving the use or threatened use of deadly force; or~~ and the officer reasonably believes that the person will cause death or great bodily harm to another person unless immediately apprehended.

~~(3) to effect the arrest or capture, or prevent the escape, of a person whom the officer knows or has reasonable grounds to believe has committed or attempted to commit a felony if the officer reasonably believes that the person will cause death or great bodily harm if the person's apprehension is delayed.~~

(b) A peace officer shall not use deadly force against a person based on the danger the person poses to self if an objectively reasonable officer would believe the person does not pose an imminent threat of death or great bodily harm to the peace officer or to another person.

Sec. 8. Minnesota Statutes 2018, section 626.8452, subdivision 1, is amended to read:

Subdivision 1. **Deadly force policy.** By January 1, 1992, the head of every local and state law enforcement agency shall establish and enforce a written policy governing the use of force, including deadly force, as defined in section 609.066, by peace officers and part-time peace officers employed by the agency. The policy must be consistent with the provisions of section 609.066, ~~subdivision~~ subdivisions 1a and 2, and may not prohibit the use of deadly force under circumstances in which that force is justified under section 609.066, subdivision 2.

Sec. 9. Minnesota Statutes 2018, section 629.53, is amended to read:

629.53 PROVIDING RELEASE ON BAIL; COMMITMENT.

Subdivision 1. **Pretrial release.** A person charged with a criminal offense may be released with or without bail in accordance with rule 6.02 of the Rules of Criminal Procedure and this section. To the extent a court determines there is a conflict between rule 6.02 of the Rules of Criminal Procedure and this section, this section shall control.

Subd. 2. **Release of a person charged with a misdemeanor offense.** (a) A defendant charged with a misdemeanor offense, other than a violation identified in paragraph (e), must be released on personal recognizance unless the court determines that there is a substantial likelihood that the defendant will not appear at future court proceedings or poses a threat to a victim's safety.

(b) If the court determines that there is a substantial likelihood that a defendant will not appear at future court appearances, the court must impose the least restrictive conditions of release that will reasonably assure the person's appearance as ordered. These conditions of release include but are not limited to an unsecured appearance bond or money bail on which the defendant may be released by posting cash or sureties. If the court sets conditions of release other than an unsecured appearance bond or money bail, it must also set money bail without other conditions on which the defendant may be released.

(c) The court must not impose a financial condition of release on a defendant subject to this subdivision that results in the pretrial detention of the defendant. Financial conditions of release include but are not limited to money bail.

(d) If a defendant subject to this subdivision remains in custody for more than 48 hours after the court imposes a financial condition of release, the court must review the conditions of release and there exists a rebuttable presumption that the financial condition resulted in the pretrial detention of the defendant.

(e) This subdivision does not apply to violations of:

(1) section 169A.20;

(2) section 518B.01;

(3) section 609.224;

(4) section 609.2242;

(5) section 609.748;

(6) section 609.749; and

(7) section 629.75.

(f) If a defendant released pursuant to paragraph (a) or (b) fails to appear at a required court hearing, the court shall issue a summons or warrant directing that the defendant appear in court pursuant to rule 6.03 of the Rules of Criminal Procedure.

Subd. 3. Presumption of release on personal recognizance. Except as described in subdivision 2, on appearance before the court, a defendant charged with a misdemeanor must be released on personal recognizance or an unsecured appearance bond unless otherwise provided by law, or a court determines that release will endanger the public safety, a victim's safety, or will not reasonably assure the defendant's appearance.

Subd. 4. Money bail; disposition. Money bail is the property of the accused, whether deposited by that person or by a third person on the accused's behalf. When money bail is accepted by a judge, that judge shall order it to be deposited with the court administrator. The court administrator shall retain it until the final disposition of the case and the final order of the court disposing of the case. Upon release, the amount released must be paid to the accused personally or upon that person's written order. In case of conviction, the judge may order the money bail deposit to be applied to any fine or restitution imposed on the defendant by the court and, if the fine or restitution is less than the deposit, order the balance to be paid to the defendant. Money bail deposited with the court or any officer of it is exempt from garnishment or levy under attachment or execution.

EFFECTIVE DATE. This section is effective August 1, 2020.

Sec. 10. **ATTORNEY GENERAL; APPROPRIATION.**

\$1,636,000 in fiscal year 2021 is appropriated from the general fund to the attorney general for conducting criminal prosecutions, including prosecution of peace-officer-involved death cases pursuant to Minnesota Statutes, section 8.37. This amount is added to the agency's base.

Sec. 11. **APPROPRIATION FOR INDEPENDENT USE OF FORCE INVESTIGATIONS UNIT IN BCA.**

\$3,365,000 in fiscal year 2021 is appropriated from the general fund to the commissioner of public safety to establish and operate the independent Use of Force Investigations Unit in the Bureau of Criminal Apprehension. \$3,272,000 is added to the agency's base for this purpose."

Delete the title and insert:

"A bill for an act relating to public safety; modifying a peace officer's authority to use deadly force; assigning prosecutorial authority for peace-officer-involved deaths to the attorney general; providing for juvenile risk assessments; establishing an independent Use of Force Investigations Unit within the Bureau of Criminal Apprehension; limiting the use of money bail for certain offenses; requiring reports; appropriating money; amending Minnesota Statutes 2018, sections 8.01; 260B.176, by adding a subdivision; 388.051, subdivision 1; 609.066, subdivision 2, by adding a subdivision; 626.8452, subdivision 1; 629.53; proposing coding for new law in Minnesota Statutes, chapters 8; 299C."

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

The report was adopted.

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

S. F. No. 47, A bill for an act relating to local government aid; providing aid and reimbursements to counties, cities, and towns to fund expenses related to COVID-19; appropriating money from the coronavirus relief federal fund.

Reported the same back with the following amendments:

Page 1, after line 5, insert:

"ARTICLE 1
LOCAL GOVERNMENT COVID-19 RELIEF"

Page 5, after line 14, insert:

"Subd. 7a. **Onetime grants.** (a) The commissioner may make onetime grants to a local government from the money allotted under subdivision 8, paragraph (d). The grants may be used for any allowed purpose under title V of Public Law 116-136, but preference shall be given to the following purposes:

(1) to a city, town, or county with high outbreaks of coronavirus;

(2) to a city, town, or county with new and unanticipated costs associated with COVID-19; and

(3) to a city, town, or county establishing or conducting a recovery project or a recovery coordination office related to the effects of COVID-19.

(b) The commissioner of revenue may consult with the commissioner of health and the commissioner of employment and economic development to develop guidelines and forms for accepting applications and awarding grants under this subdivision by July 15, 2020. The grant application must include a plan for spending the grant. Applications may be taken from August 1, 2020, through December 1, 2020. Grants may only be expended for costs incurred by the local government during the period beginning March 1, 2020, and ending December 30, 2020. Any unexpended amount must be returned to the commissioner of revenue by December 30, 2020, and is canceled to the coronavirus relief federal fund."

Page 5, line 15, delete "\$841,464,000" and insert "\$871,464,000"

Page 5, line 18, delete "Fifty-five percent" and insert "A total of \$462,805,200"

Page 5, line 20, delete "The remaining amount" and insert "A total of \$378,658,800"

Page 5, after line 21, insert:

"(d) The remainder of the appropriation under paragraph (a), after payments to eligible towns, cities, and counties, shall be retained by the commissioner and used to make grants under subdivision 7a."

Page 5, after line 22, insert:

"ARTICLE 2 SUPPLEMENTAL BUDGET

Section 1. Minnesota Statutes 2018, section 119B.125, subdivision 1, is amended to read:

Subdivision 1. **Authorization.** ~~Except as provided in subdivision 5,~~ A county or the commissioner must authorize the provider chosen by an applicant or a participant before the county can authorize payment for care provided by that provider. The commissioner must establish the requirements necessary for authorization of providers. A provider must be reauthorized every two years. ~~A legal, nonlicensed family child care provider also must be reauthorized when another person over the age of 13 joins the household, a current household member turns 13, or there is reason to believe that a household member has a factor that prevents authorization. The provider is required to report all family changes that would require reauthorization. When a provider has been authorized for payment for providing care for families in more than one county, the county responsible for reauthorization of that provider is the county of the family with a current authorization for that provider and who has used the provider for the longest length of time.~~

EFFECTIVE DATE. This section is effective January 4, 2021.

Sec. 2. Minnesota Statutes 2018, section 119B.125, subdivision 1a, is amended to read:

Subd. 1a. **Background study required.** (a) This subdivision only applies to legal, nonlicensed family child care providers.

~~(b) Prior to authorization, and as part of each reauthorization required in subdivision 1, the county shall perform the commissioner shall perform a background study on every member of the provider's household who is age 13 and older. The county shall also perform a background study on an individual who has reached age ten but is not yet age 13 and is living in the household where the nonlicensed child care will be provided when the county has reasonable cause as defined under section 245C.02, subdivision 15 individuals identified under section 245C.02, subdivision 6a.~~

(c) After authorization, the commissioner shall perform a background study when an individual identified under section 245C.02, subdivision 6a, joins the household. The provider must report all family changes that would require a new background study.

(d) At each reauthorization, the county shall perform a background study of all individuals in the provider's household for whom paragraphs (b) and (c) require a background study.

(e) Prior to a background study expiring, the commissioner shall perform another background study of all individuals for whom the background study will expire.

EFFECTIVE DATE. This section is effective January 4, 2021.

Sec. 3. Minnesota Statutes 2018, section 119B.125, subdivision 2, is amended to read:

Subd. 2. **Persons who cannot be authorized.** (a) The provider seeking authorization under this section shall collect the information required under section 245C.05, subdivision 1, and forward the information to the county agency. ~~The background study must include a review of the information required under section 245C.08, subdivisions 2, 3, and 4, paragraph (b).~~ The county shall collect and forward the information to the commissioner as directed under section 245C.05, subdivision 2b. A legal nonlicensed family child care provider is not authorized under this section if ~~the commissioner determines that any household member who is the subject of a background study is determined to have a disqualifying characteristic under paragraphs (b) to (c) or under section 245C.14 or 245C.15. If a county has determined that a provider is able to be authorized in that county, and a family in another county later selects that provider, the provider is able to be authorized in the second county without undergoing a new background investigation unless one of the following conditions exists:~~ disqualified from direct contact with, or from access to, persons served by the program, unless the disqualified individual is subsequently set aside under section 245C.22.

~~(1) two years have passed since the first authorization;~~

~~(2) another person age 13 or older has joined the provider's household since the last authorization;~~

~~(3) a current household member has turned 13 since the last authorization; or~~

~~(4) there is reason to believe that a household member has a factor that prevents authorization.~~

~~(b) The person has refused to give written consent for disclosure of criminal history records.~~

~~(c) The person has been denied a family child care license or has received a fine or a sanction as a licensed child care provider that has not been reversed on appeal.~~

~~(d) The person has a family child care licensing disqualification that has not been set aside.~~

~~(e) The person has admitted or a county has found that there is a preponderance of evidence that fraudulent information was given to the county for child care assistance application purposes or was used in submitting child care assistance bills for payment.~~

EFFECTIVE DATE. This section is effective January 4, 2021.

Sec. 4. Minnesota Statutes 2018, section 119B.13, subdivision 1, is amended to read:

Subdivision 1. **Subsidy restrictions.** (a) ~~Beginning February 3, 2014,~~ The maximum rate paid for child care assistance in any county or county price cluster under the child care fund shall be the greater of the ~~25th~~ 30th percentile of the ~~2011 most recent~~ most recent child care provider rate survey under section 119B.02, subdivision 7, or the ~~maximum rate effective November 28, 2011 rates in effect at the time of the update. The first maximum rate update must be based on the 2018 rate survey and must be implemented on September 21, 2020. Thereafter, maximum rate~~

updates are effective the first biweekly period following January 1 after the most recent rate survey. For a child care provider located within the boundaries of a city located in two or more of the counties of Benton, Sherburne, and Stearns, the maximum rate paid for child care assistance shall be equal to the maximum rate paid in the county with the highest maximum reimbursement rates or the provider's charge, whichever is less. The commissioner may: (1) assign a county with no reported provider prices to a similar price cluster; and (2) consider county level access when determining final price clusters.

(b) A rate which includes a special needs rate paid under subdivision 3 may be in excess of the maximum rate allowed under this subdivision.

(c) The department shall monitor the effect of this paragraph on provider rates. The county shall pay the provider's full charges for every child in care up to the maximum established. The commissioner shall determine the maximum rate for each type of care on an hourly, full-day, and weekly basis, including special needs and disability care.

(d) If a child uses one provider, the maximum payment for one day of care must not exceed the daily rate. The maximum payment for one week of care must not exceed the weekly rate.

(e) If a child uses two providers under section 119B.097, the maximum payment must not exceed:

(1) the daily rate for one day of care;

(2) the weekly rate for one week of care by the child's primary provider; and

(3) two daily rates during two weeks of care by a child's secondary provider.

(f) Child care providers receiving reimbursement under this chapter must not be paid activity fees or an additional amount above the maximum rates for care provided during nonstandard hours for families receiving assistance.

(g) If the provider charge is greater than the maximum provider rate allowed, the parent is responsible for payment of the difference in the rates in addition to any family co-payment fee.

(h) Unless otherwise specified in this subdivision, all maximum provider rates changes shall be implemented on the Monday following the effective date of the maximum provider rate.

(i) ~~Notwithstanding Minnesota Rules, part 3400.0130, subpart 7, maximum registration fees in effect on January 1, 2013, shall remain in effect.~~ The maximum registration fee paid for child care assistance in any county or county price cluster under the child care fund shall be the greater of the 30th percentile of the most recent child care provider rate survey under section 119B.02, subdivision 7, or the registration fee in effect at the time of the update. The first maximum registration fee update must be based on the 2018 rate survey and is effective September 21, 2020. Thereafter, maximum registration fee updates are effective the first biweekly period following January 1 after the most recent rate survey. Maximum registration fees must be set for licensed family child care and for child care centers. For a child care provider located in the boundaries of a city located in two or more of the counties of Benton, Sherburne, and Stearns, the maximum registration fee paid for child care assistance shall be equal to the maximum registration fee paid in the county with the highest maximum registration fee or the provider's charge, whichever is less.

EFFECTIVE DATE. This section is effective September 21, 2020.

Sec. 5. Minnesota Statutes 2019 Supplement, section 256B.0659, subdivision 11, as amended by Laws 2020, chapter 115, article 4, section 128, is amended to read:

Subd. 11. **Personal care assistant; requirements.** (a) A personal care assistant must meet the following requirements:

(1) be at least 18 years of age with the exception of persons who are 16 or 17 years of age with these additional requirements:

(i) supervision by a qualified professional every 60 days; and

(ii) employment by only one personal care assistance provider agency responsible for compliance with current labor laws;

(2) be employed by a personal care assistance provider agency;

(3) enroll with the department as a personal care assistant after clearing a background study. Except as provided in subdivision 11a, before a personal care assistant provides services, the personal care assistance provider agency must initiate a background study on the personal care assistant under chapter 245C, and the personal care assistance provider agency must have received a notice from the commissioner that the personal care assistant is:

(i) not disqualified under section 245C.14; or

(ii) disqualified, but the personal care assistant has received a set aside of the disqualification under section 245C.22;

(4) be able to effectively communicate with the recipient and personal care assistance provider agency;

(5) be able to provide covered personal care assistance services according to the recipient's personal care assistance care plan, respond appropriately to recipient needs, and report changes in the recipient's condition to the supervising qualified professional, physician, or advanced practice registered nurse;

(6) not be a consumer of personal care assistance services;

(7) maintain daily written records including, but not limited to, time sheets under subdivision 12;

(8) effective January 1, 2010, complete standardized training as determined by the commissioner before completing enrollment. The training must be available in languages other than English and to those who need accommodations due to disabilities. Personal care assistant training must include successful completion of the following training components: basic first aid, vulnerable adult, child maltreatment, OSHA universal precautions, basic roles and responsibilities of personal care assistants including information about assistance with lifting and transfers for recipients, emergency preparedness, orientation to positive behavioral practices, fraud issues, and completion of time sheets. Upon completion of the training components, the personal care assistant must demonstrate the competency to provide assistance to recipients;

(9) complete training and orientation on the needs of the recipient; and

(10) be limited to providing and being paid for up to ~~275~~ 310 hours per month of personal care assistance services regardless of the number of recipients being served or the number of personal care assistance provider agencies enrolled with. The number of hours worked per day shall not be disallowed by the department unless in violation of the law.

(b) A legal guardian may be a personal care assistant if the guardian is not being paid for the guardian services and meets the criteria for personal care assistants in paragraph (a).

(c) Persons who do not qualify as a personal care assistant include parents, stepparents, and legal guardians of minors; spouses; paid legal guardians of adults; family foster care providers, except as otherwise allowed in section 256B.0625, subdivision 19a; and staff of a residential setting.

(d) Personal care assistance services qualify for the enhanced rate described in subdivision 17a if the personal care assistant providing the services:

(1) provides covered services to a recipient who qualifies for 12 or more hours per day of personal care assistance services; and

(2) satisfies the current requirements of Medicare for training and competency or competency evaluation of home health aides or nursing assistants, as provided in the Code of Federal Regulations, title 42, section 483.151 or 484.36, or alternative state-approved training or competency requirements.

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

Sec. 6. Minnesota Statutes 2019 Supplement, section 256B.85, subdivision 16, is amended to read:

Subd. 16. **Support workers requirements.** (a) Support workers shall:

(1) enroll with the department as a support worker after a background study under chapter 245C has been completed and the support worker has received a notice from the commissioner that the support worker:

(i) is not disqualified under section 245C.14; or

(ii) is disqualified, but has received a set-aside of the disqualification under section 245C.22;

(2) have the ability to effectively communicate with the participant or the participant's representative;

(3) have the skills and ability to provide the services and supports according to the participant's CFSS service delivery plan and respond appropriately to the participant's needs;

(4) complete the basic standardized CFSS training as determined by the commissioner before completing enrollment. The training must be available in languages other than English and to those who need accommodations due to disabilities. CFSS support worker training must include successful completion of the following training components: basic first aid, vulnerable adult, child maltreatment, OSHA universal precautions, basic roles and responsibilities of support workers including information about basic body mechanics, emergency preparedness, orientation to positive behavioral practices, orientation to responding to a mental health crisis, fraud issues, time cards and documentation, and an overview of person-centered planning and self-direction. Upon completion of the training components, the support worker must pass the certification test to provide assistance to participants;

(5) complete employer-directed training and orientation on the participant's individual needs;

(6) maintain the privacy and confidentiality of the participant; and

(7) not independently determine the medication dose or time for medications for the participant.

(b) The commissioner may deny or terminate a support worker's provider enrollment and provider number if the support worker:

- (1) does not meet the requirements in paragraph (a);
- (2) fails to provide the authorized services required by the employer;
- (3) has been intoxicated by alcohol or drugs while providing authorized services to the participant or while in the participant's home;
- (4) has manufactured or distributed drugs while providing authorized services to the participant or while in the participant's home; or
- (5) has been excluded as a provider by the commissioner of human services, or by the United States Department of Health and Human Services, Office of Inspector General, from participation in Medicaid, Medicare, or any other federal health care program.

(c) A support worker may appeal in writing to the commissioner to contest the decision to terminate the support worker's provider enrollment and provider number.

(d) A support worker must not provide or be paid for more than ~~275~~ 310 hours of CFSS per month, regardless of the number of participants the support worker serves or the number of agency-providers or participant employers by which the support worker is employed. The department shall not disallow the number of hours per day a support worker works unless it violates other law.

(e) CFSS qualify for an enhanced rate if the support worker providing the services:

(1) provides services, within the scope of CFSS described in subdivision 7, to a participant who qualifies for 12 or more hours per day of CFSS; and

(2) satisfies the current requirements of Medicare for training and competency or competency evaluation of home health aides or nursing assistants, as provided in the Code of Federal Regulations, title 42, section 483.151 or 484.36, or alternative state-approved training or competency requirements.

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

Sec. 7. Minnesota Statutes 2018, section 609.855, subdivision 1, is amended to read:

Subdivision 1. **Unlawfully obtaining services; misdemeanor.** (a) A person is guilty of a misdemeanor who intentionally obtains or attempts to obtain service for himself, herself, or another person from a provider of public transit or from a public conveyance by doing any of the following:

(1) occupies or rides in any public transit vehicle without paying the applicable fare or otherwise obtaining the consent of the transit provider including:

(i) the use of a reduced fare when a person is not eligible for the fare; or

(ii) the use of a fare medium issued solely for the use of a particular individual by another individual;

(2) presents a falsified, counterfeit, photocopied, or other deceptively manipulated fare medium as fare payment or proof of fare payment;

(3) sells, provides, copies, reproduces, or creates any version of any fare medium without the consent of the transit provider; or

(4) puts or attempts to put any of the following into any fare box, pass reader, ticket vending machine, or other fare collection equipment of a transit provider:

- (i) papers, articles, instruments, or items other than fare media or currency; or
- (ii) a fare medium that is not valid for the place or time at, or the manner in, which it is used.

(b) Where self-service barrier-free fare collection is utilized by a public transit provider, it is a violation of this subdivision to intentionally fail to exhibit proof of fare payment upon the request of an authorized transit representative when entering, riding upon, or leaving a transit vehicle or when present in a designated paid fare zone located in a transit facility.

EFFECTIVE DATE. This section is effective August 1, 2021.

Sec. 8. Minnesota Statutes 2018, section 609.855, subdivision 7, is amended to read:

Subd. 7. **Definitions.** (a) The definitions in this subdivision apply in this section.

(b) "Public transit" or "transit" has the meaning given in section 174.22, subdivision 7.

(c) "Public transit vehicle" or "transit vehicle" means any vehicle used for the purpose of providing public transit, whether or not the vehicle is owned or operated by a public entity.

(d) "Public transit facilities" or "transit facilities" means any vehicles, equipment, property, structures, stations, improvements, plants, parking or other facilities, or rights that are owned, leased, held, or used for the purpose of providing public transit, whether or not the facility is owned or operated by a public entity.

(e) "Fare medium" means a ticket, smart card, pass, coupon, token, transfer, or other medium sold or distributed by a public transit provider, or its authorized agents, for use in gaining entry to or use of the public transit facilities or vehicles of the provider.

(f) "Proof of fare payment" means a fare medium valid for the place or time at, or the manner in, which it is used. If using a reduced-fare medium, proof of fare payment also includes proper identification demonstrating a person's eligibility for the reduced fare. If using a fare medium issued solely for the use of a particular individual, proof of fare payment also includes an identification document bearing a photographic likeness of the individual and demonstrating that the individual is the person to whom the fare medium is issued.

(g) "Authorized transit representative" means the person authorized by the transit provider to operate the transit vehicle, a peace officer, a transit agent, or any other person designated by the transit provider as an authorized transit ~~provider~~ representative under this section.

(h) "Transit agent" means a peace officer, a community service officer, or a person who is authorized by the transit provider to issue administrative citations as provided in this section.

EFFECTIVE DATE. This section is effective August 1, 2021.

Sec. 9. Minnesota Statutes 2018, section 609.855, is amended by adding a subdivision to read:

Subd. 8. **Administrative citations.** (a) Subject to requirements established by the transit provider, a transit agent may issue an administrative citation to a person who commits a violation under subdivision 1, paragraph (a), clause (1), or paragraph (b), or under subdivision 3, if:

(1) the violation occurs in a transit vehicle or transit facility;

(2) the transit vehicle or transit facility utilizes self-service barrier-free fare collection; and

(3) the public transit service is operated, whether in whole or in part, in the metropolitan area, as defined in section 473.121, subdivision 2.

(b) A transit agent has the exclusive authority to issue an administrative citation under this subdivision.

(c) Issuance of an administrative citation prevents imposition of a citation under subdivision 1, paragraph (a), clause (1), or paragraph (b), or under subdivision 3, as appropriate, and any criminal citation arising from the same conduct.

(d) A person who is issued an administrative citation under this subdivision must, within 90 days of issuance, pay a fine of \$35 or contest the citation. A person who fails to either pay the fine or contest the citation within the specified period is considered to have waived the contested citation process and is subject to collections, including collection costs.

(e) The transit provider must provide a civil process that allows a person to contest an administrative citation before a neutral third party. The transit provider may employ a person not associated with its transit operations, or enter into an agreement with another unit of government, to hear and rule on challenges to administrative citations.

(f) Fines under this subdivision must be collected by the transit provider and maintained in a separate account that is only used to cover the costs of enforcement activities under this section.

(g) An administrative citation must include notification that the person has the right to contest the citation, basic procedures for contesting the citation, and information on the timeline and consequences related to the citation.

EFFECTIVE DATE. This section is effective August 1, 2020, and applies to violations committed on or after that date.

Sec. 10. **TRANSPORTATION APPROPRIATIONS.**

The sums shown in the columns marked "Appropriations" are added to the appropriations in Laws 2019, First Special Session chapter 3, article 1, to the agencies and for the purposes specified in sections 11 and 12. The appropriations are from the trunk highway fund, or another named fund, and are available for the fiscal years indicated for each purpose. The figures "2020" and "2021" used below mean that the appropriations listed under them in sections 11 and 12 are available for the fiscal year ending June 30, 2020, or June 30, 2021, respectively.

| <u>APPROPRIATIONS</u> | |
|--------------------------------------|--------------------|
| <u>Available for the Year</u> | |
| <u>Ending June 30</u> | |
| <u>2020</u> | <u>2021</u> |

Sec. 11. **METROPOLITAN COUNCIL**

| | | |
|---|-------------------|-------------------------|
| <u>Transit System Operations</u> | <u>-0-</u> | <u>3,703,000</u> |
|---|-------------------|-------------------------|

This appropriation is from the general fund to the Metropolitan Council for transit system operations under Minnesota Statutes, sections 473.371 to 473.449, to provide additional transit safety

improvements and fare compliance measures on Metro Transit light rail and transitway service, including an administrative citations program, additional law enforcement staffing, and enhanced monitoring.

The base for transit system operations is \$37,551,000 in fiscal year 2022 and \$39,632,000 in fiscal year 2023.

Sec. 12. **DEPARTMENT OF PUBLIC SAFETY**

Subdivision 1. **Appropriations**

The appropriations in this section are to the commissioner of public safety. The amounts that may be spent for each purpose are specified in the following subdivisions.

| | | |
|--|---------------------|---------------------------|
| Subd. 2. <u>Patrolling Highways</u> | <u>\$-0-</u> | <u>\$7,168,000</u> |
|--|---------------------|---------------------------|

This appropriation is for staff and operating costs.

The base from the trunk highway fund for patrolling highways is \$102,452,000 in each of fiscal years 2022 and 2023.

| | | |
|---|---------------------|-------------------------|
| Subd. 3. <u>Commercial Vehicle Enforcement</u> | <u>\$-0-</u> | <u>\$648,000</u> |
|---|---------------------|-------------------------|

This appropriation is for staff and operating costs.

The base for commercial vehicle enforcement is \$9,686,000 in each of fiscal years 2022 and 2023.

| | | |
|---|---------------------|---------------------------|
| Subd. 4. <u>Capitol Security</u> | <u>\$-0-</u> | <u>\$1,278,000</u> |
|---|---------------------|---------------------------|

This appropriation is from the general fund for staff and operating costs.

The base for capitol security is \$10,528,000 in each of fiscal years 2022 and 2023.

Sec. 13. **TEMPORARY PERSONAL CARE ASSISTANCE COMPENSATION FOR SERVICES PROVIDED BY A PARENT OR SPOUSE.**

(a) Notwithstanding Minnesota Statutes, section 256B.0659, subdivisions 3, paragraph (a), clause (1); 11, paragraph (c); and 19, paragraph (b), clause (3), during a peacetime emergency declared by the governor under Minnesota Statutes, section 12.31, subdivision 2, for an outbreak of COVID-19, a parent, stepparent, or legal guardian of a minor who is a personal care assistance recipient or a spouse of a personal care assistance recipient may provide and be paid for providing personal care assistance services.

(b) This section expires January 31, 2021, or 60 days after the peacetime emergency declared by the governor under Minnesota Statutes, section 12.31, subdivision 2, for an outbreak of COVID-19, is terminated or rescinded by proper authority, whichever is earlier.

EFFECTIVE DATE. This section is effective the day following final enactment or upon federal approval, whichever is later. The commissioner of human services shall notify the revisor of statutes when federal approval is obtained.

Sec. 14. **PERSONAL CARE ASSISTANCE TEMPORARY RATE INCREASE.**

Subdivision 1. **Definitions.** (a) For the purposes of this section, the following terms have the meanings given.

(b) "Commissioner" means the commissioner of human services.

(c) "Covered program" has the meaning given in Minnesota Statutes, section 256B.0711, subdivision 1, paragraph (b).

(d) "Direct support professional" means an individual employed to personally provide personal care assistance services covered by medical assistance under Minnesota Statutes, section 256B.0625, subdivisions 19a and 19c; or to personally provide medical assistance services covered under Minnesota Statutes, sections 256B.0913, 256B.092, 256B.49, or chapter 256S. Direct support professional does not include managerial or administrative staff who do not personally provide the services described in this paragraph.

(e) "Direct support services" has the meaning given in Minnesota Statutes, section 256B.0711, subdivision 1, paragraph (c).

Subd. 2. **Temporary rates for direct support services.** (a) To respond to the infectious disease known as COVID-19, the commissioner must temporarily increase rates and enhanced rates by 15 percent for direct support services provided under a covered program or under Minnesota Statutes, section 256B.0659, while this section is effective.

(b) Providers that receive a rate increase under this section must:

(1) use at least 80 percent of the additional revenue to increase wages, salaries, and benefits for personal care assistants and any corresponding increase in the employer's share of FICA taxes, Medicare taxes, state and federal unemployment taxes, and workers' compensation premiums; and

(2) use any remainder of the additional revenue for activities and items necessary to support compliance with Centers for Disease Control and Prevention guidance on sanitation and personal protective equipment.

Subd. 3. **Capitation rates and directed payments.** (a) To implement the temporary rate increase under this section, managed care plans and county-based purchasing plans shall increase rates and enhanced rates by 15 percent for the direct support services.

(b) In combination with contract amendments instructing plans to increase reimbursement rates for direct support services, the commissioner shall adjust capitation rates paid to managed care plans and county-based purchasing plans as needed to maintain managed care plans' expected medical loss ratios.

(c) Contracts between managed care plans and providers and between county-based purchasing plans and providers must allow recovery of payments from providers if federal approval for the provisions of this subdivision is not received and the commissioner reduces capitation payments as a result. Payment recoveries must not exceed the amount equal to any decrease in rates that results from this paragraph.

Subd. 4. **Consumer-directed community supports budgets.** Lead agencies shall temporarily increase the budget for each recipient of consumer-directed community supports to reflect a 15 percent rate increase for direct support services.

Subd. 5. **Consumer support grants; increased maximum allowable grant.** The commissioner shall temporarily increase the maximum allowable monthly grant level for each recipient of consumer support grants to reflect a 15 percent rate increase for direct support services.

Subd. 6. **Distribution plans.** (a) A provider agency or individual provider that receives a rate increase under subdivision 2 shall prepare and, upon request, submit to the commissioner a distribution plan that specifies the anticipated amount and proposed uses of the additional revenue the provider will receive under subdivision 2.

(b) By September 15, 2020, the provider must post the distribution plan for a period of at least six weeks in an area of the provider's operation to which all direct support professionals have access. The provider must post with the distribution plan instructions on how to contact the commissioner if direct support professionals do not believe they have received the wage increase or benefits specified in the distribution plan. The instructions must include a mailing address, e-mail address, and telephone number that the direct support professional may use to contact the commissioner or the commissioner's representative.

Subd. 7. **Expiration.** This section expires January 31, 2021, or 60 days after the peacetime emergency declared by the governor in an executive order that relates to the infectious disease known as COVID-19 is terminated or rescinded by proper authority, whichever is earlier.

EFFECTIVE DATE. This section is effective the day following final enactment or upon federal approval, whichever is later. The commissioner shall notify the revisor of statutes when federal approval is obtained.

Sec. 15. **APPROPRIATION; PERSONAL CARE ASSISTANCE.**

\$21,002,000 in fiscal year 2021 is appropriated from the general fund to the commissioner of human services to implement the personal care assistance provisions in this act.

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

Sec. 16. **APPROPRIATION; CHILD CARE SYSTEMS.**

(a) \$53,000 in fiscal year 2021 is appropriated from the general fund to the commissioner of human services for information technology systems costs related to implementing the change in child care assistance rates under Minnesota Statutes, section 119B.13, subdivision 1. The base for this appropriation is \$53,000 in fiscal year 2022 and \$11,000 in fiscal year 2023. The base for the basic sliding fee child care program is increased by \$16,976,000 in fiscal year 2022 and \$22,717,000 in fiscal year 2023.

(b) Notwithstanding Minnesota Statutes, section 119B.03, subdivisions 6, 6a, and 6b, the commissioner of human services must allocate the additional basic sliding fee child care funds for calendar year 2021 to counties for updated maximum rates based on relative need to cover maximum rate increases. In distributing the additional funds, the commissioner shall consider the following factors by county:

(1) number of children;

(2) provider type;

(3) age of children; and

(4) amount of the increase in maximum rates.

Sec. 17. **APPROPRIATION; SELF-ADMINISTERED MEDICATION-ASSISTED TREATMENT.**

\$28,909,000 in fiscal year 2021 is appropriated from the general fund to the commissioner of human services for repayment to the federal Centers for Medicare and Medicaid Services for the federal share of identified overpayments to the Leech Lake Band of Ojibwe and the White Earth Band of Ojibwe for self-administered medication-assisted treatment from the beginning of fiscal year 2014 through the end of fiscal year 2019. If the Leech Lake Band of Ojibwe and the White Earth Band of Ojibwe are required by law to repay the overpayments, the commissioner of human services may pay up to \$14,666,000 to the Leech Lake Band of Ojibwe and up to \$14,242,000 to the White Earth Band of Ojibwe for each to comply with repayment requirements. This is a onetime appropriation.

Sec. 18. **APPROPRIATION; INSTITUTIONS FOR MENTAL DISEASE PAYMENTS.**

\$8,812,000 in fiscal year 2021 is appropriated from the general fund to the commissioner of human services to reimburse counties for the value of the commissioner's estimate of the statewide county share of costs for which federal funds were claimed, but were not eligible for federal funding for substance use disorder services provided in institutions for mental disease, for claims paid between January 1, 2014, and June 30, 2019. The commissioner of human services shall allocate this appropriation between counties in proportion to each county's estimated county share versus the estimated statewide county share. Prior to payment of the allocated amount to a county, the county must pay in full any unpaid consolidated chemical dependency treatment fund invoiced county share. This is a onetime appropriation.

Sec. 19. **APPROPRIATIONS; DIRECT CARE AND TREATMENT.**

(a) \$6,124,000 in fiscal year 2021 is appropriated from the general fund to the commissioner of human services for forensic services programs. This is a onetime appropriation.

(b) \$4,715,000 in fiscal year 2021 is appropriated from the general fund to the commissioner of human services for the sex offender program. This is a onetime appropriation.

(c) \$463,000 in fiscal year 2021 is appropriated from the general fund to the commissioner of human services for direct care and treatment program operations costs. This is a onetime appropriation.

(d) \$5,742,000 in fiscal year 2021 is appropriated from the general fund to the commissioner of human services for direct care and treatment mental health and substance abuse treatment services. The commissioner must transfer \$547,000 in fiscal year 2021 to the enterprise fund for the Community Addiction Recovery Enterprise program. This is a onetime appropriation.

(e) \$21,066,000 in fiscal year 2021 is appropriated from the general fund to the commissioner of human services for direct care and treatment community-based services. The commissioner must transfer \$20,582,000 in fiscal year 2021 from the general fund to the enterprise fund for Minnesota State Operated Community Services. This is a onetime appropriation.

Sec. 20. **APPROPRIATION; MFIP SUPPLEMENTAL PAYMENT.**

(a) \$13,852,000 in fiscal year 2021 is appropriated from the TANF fund to the commissioner of human services to provide a onetime cash benefit of up to \$500 for each household enrolled in the Minnesota family investment program or diversionary work program under Minnesota Statutes, chapter 256J, at the time that the cash benefit is distributed. The commissioner shall distribute these funds through existing systems and in a manner that minimizes the burden to families. This is a onetime appropriation.

(b) \$92,000 in fiscal year 2021 is appropriated from the general fund to the commissioner of human services for administrative costs associated with distributing the cash benefit in paragraph (a). This is a onetime appropriation.

(c) \$6,000 in fiscal year 2021 is appropriated from the general fund to the commissioner of human services for information technology to administer the cash benefit in paragraph (a). This is a onetime appropriation.

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

Sec. 21. **APPROPRIATION.**

\$100,000 in fiscal year 2021 is appropriated from the general fund to the commissioner of human services to implement child foster care background study modifications. The base for this appropriation is \$115,000 in fiscal year 2022 and \$115,000 in fiscal year 2023. These appropriations include federal financial participation of \$32,000 in fiscal year 2021 and \$37,000 in fiscal years 2022 and 2023.

EFFECTIVE DATE. This section is effective if the commissioner of management and budget determines that an act substantially similar to House File 95 (2020 First Special Session) is enacted during the 2020 First Special Session.

Sec. 22. **DEPARTMENT OF NATURAL RESOURCES; APPROPRIATIONS.**

Subdivision 1. **Chronic wasting disease.** (a) \$1,300,000 in fiscal year 2021 is appropriated from the general fund to the commissioner of natural resources for surveillance and response to chronic wasting disease. This is a onetime appropriation and is available until June 30, 2022.

(b) \$200,000 in fiscal year 2021 is appropriated from the general fund to the commissioner of natural resources for enforcement activities related to chronic wasting disease. This is a onetime appropriation and is available until June 30, 2022.

(c) \$672,000 in fiscal year 2021 is appropriated from the game and fish fund to the commissioner of natural resources for deer research to maintain and promote a healthy deer population. The base for this appropriation is \$546,000 in fiscal year 2023.

Subd. 2. **Aquatic invasive species.** \$5,000,000 in fiscal year 2021 is appropriated from the general fund to the commissioner of natural resources for aquatic invasive species prevention, response, education, and grants. This is a onetime appropriation and is available until June 30, 2023.

Subd. 3. **Legal costs.** \$500,000 in fiscal year 2020 and \$3,500,000 in fiscal year 2021 are appropriated from the general fund to the commissioner of natural resources for legal costs. Of this amount, up to \$500,000 in fiscal year 2020 and \$1,500,000 in fiscal year 2021 may be transferred to the Minnesota Pollution Control Agency. This is a onetime appropriation and is available until June 30, 2023.

Sec. 23. **MINNESOTA ZOO; APPROPRIATION.**

\$6,000,000 in fiscal year 2021 is appropriated from the general fund to the Minnesota Zoological Board for the Minnesota Zoological Garden. This is a onetime appropriation.

Sec. 24. **VETERANS AFFAIRS; APPROPRIATIONS.**

(a) \$1,000,000 in fiscal year 2021 is appropriated from the general fund to the commissioner of veterans affairs for the operation of a Veterans Suicide Office within the Department of Veterans Affairs. The Veterans Suicide Office must address the problem of veteran suicide in Minnesota. The base for this appropriation is \$650,000 in fiscal year 2022 and \$550,000 in fiscal year 2023.

(b) \$3,165,000 in fiscal year 2021 is appropriated from the general fund to the commissioner of veterans affairs for the provision of housing vouchers and other services dedicated to alleviating homelessness for veterans and former service members in Minnesota.

Sec. 25. **APPROPRIATION; DEPARTMENT OF CORRECTIONS.**

Subdivision 1. **Total appropriation.** \$1,208,000 in fiscal year 2020 and \$17,338,000 in fiscal year 2021 are appropriated from the general fund to the commissioner of corrections for overtime and staffing, investment in community supervision partners, and operations support. The appropriation for fiscal year 2020 is available for the purposes specified in this section until June 30, 2021.

Subd. 2. **Correctional institutions.** (a) Of the amounts appropriated in subdivision 1, \$481,000 in fiscal year 2020 and \$9,888,000 in fiscal year 2021 are for additional compensation costs, including overtime. The base for this appropriation is \$12,338,000 in fiscal year 2022 and \$12,338,000 in fiscal year 2023.

(b) A base reduction of \$2,469,000 in fiscal year 2021 is for an anticipated reduction in state prison beds needed by using community-based alternatives for supervision revocations. The base reduction is \$4,938,000 in fiscal year 2022 and \$7,407,000 in fiscal year 2023.

Subd. 3. **Community services.** (a) Of the amounts appropriated in subdivision 1, \$543,000 in fiscal year 2020 and \$9,333,000 in fiscal year 2021 are for community services as provided in this subdivision.

(b) \$205,000 in fiscal year 2020 and \$8,065,000 in fiscal year 2021 are for investment in community supervision partners as follows:

(1) \$3,925,000 in fiscal year 2021 is added to the Community Corrections Act subsidy under Minnesota Statutes, section 401.14. The base for this appropriation is \$4,911,000 in fiscal year 2022 and \$4,911,000 in fiscal year 2023;

(2) \$310,000 in fiscal year 2021 is for county probation officer reimbursement under Minnesota Statutes, section 244.19, subdivision 6;

(3) \$205,000 in fiscal year 2020 and \$430,000 in fiscal year 2021 are to provide offender supervision services in Meeker and Renville Counties. These expenditures must be offset by revenue to the general fund collected under Minnesota Statutes, section 244.19, subdivision 5;

(4) \$422,000 in fiscal year 2021 is to increase offender supervision by the Department of Corrections. The base for this appropriation is \$844,000 in fiscal year 2022 and \$844,000 in fiscal year 2023;

(5) \$2,613,000 in fiscal year 2021 is to establish county and regional revocation intervention service centers for offenders who would otherwise be returned to prison. The base for this appropriation is \$5,100,000 in fiscal year 2022 and \$5,100,000 in fiscal year 2023; and

(6) \$365,000 in fiscal year 2021 is for cognitive behavioral treatment, for community-based sex offender treatment, and to increase housing alternatives for offenders under community supervision. The base for this appropriation is \$730,000 in fiscal year 2022 and \$730,000 in fiscal year 2023.

(c) \$338,000 in fiscal year 2020 and \$1,268,000 in fiscal year 2021 are for additional compensation costs, including overtime.

Subd. 4. **Operations support.** Of the amounts appropriated in subdivision 1, \$184,000 in fiscal year 2020 and \$586,000 in fiscal year 2021 are for additional compensation costs, including overtime.

Sec. 26. **APPROPRIATION; DEPARTMENT OF PUBLIC SAFETY; BUREAU OF CRIMINAL APPREHENSION.**

(a) \$4,482,000 in fiscal year 2021 is appropriated from the general fund to the commissioner of public safety for use by the Bureau of Criminal Apprehension in storing, tracking, and testing sexual assault examination kits; and forensic testing to combat violent crime.

(b) Of the amount appropriated in paragraph (a), \$3,096,000 in fiscal year 2021 is to pay for the testing of unrestricted sexual assault examination kits, storage of restricted kits, and the development of an informational website for sexual assault survivors to learn the status of the testing of the survivor's individual sexual assault examination kit. The base for this appropriation is \$2,067,000 in fiscal year 2022 and each year thereafter.

(c) Of the amount appropriated in paragraph (a), \$1,386,000 in fiscal year 2021 is for staffing and operating costs to provide for training, supplies, and equipment; and renovate space to enhance the capacity for forensic testing to combat violent crime. The base for this appropriation is \$844,000 in fiscal year 2022 and each year thereafter.

Sec. 27. **APPROPRIATIONS GIVEN EFFECT ONCE.**

If an appropriation in this act is enacted more than once during the 2020 First Special Session, it shall be given effect only once.

Sec. 28. **REPEALER.**

Minnesota Statutes 2018, section 119B.125, subdivision 5, is repealed.

ARTICLE 3
COVID-19 APPROPRIATIONS; CANCELLATIONS

Section 1. Laws 2020, chapter 70, article 2, section 2, is amended to read:

Sec. 2. **TRANSFER; HEALTH CARE RESPONSE FUND.**

The commissioner of management and budget shall make a onetime transfer in fiscal year 2020 of ~~\$150,000,000~~ \$42,521,185 from the general fund to the health care response fund under section 1, for the uses specified in section 1. ~~Any unobligated and unexpended amount in the fund on February 1, 2021, shall transfer to the general fund.~~

EFFECTIVE DATE. This section is effective retroactively from March 18, 2020.

Sec. 2. Laws 2020, chapter 71, article 1, section 2, subdivision 9, is amended to read:

Subd. 9. **Appropriation.** (a) \$29,964,000 in fiscal year 2020 is appropriated from the ~~general~~ coronavirus relief federal fund to the commissioner of human services for grants under this section. Of this amount, up to \$450,000 is for Child Care Aware to administer the grants in accordance with subdivision 1.

(b) This is a onetime appropriation and is available until December ~~31~~ 30, 2020.

EFFECTIVE DATE. This section is effective retroactively from March 29, 2020.

Sec. 3. Laws 2020, chapter 71, article 1, section 9, is amended to read:

Sec. 9. **TRANSFER.**

~~\$200,000,000~~ \$189,048,000 in fiscal year 2020 is transferred from the general fund to the COVID-19 Minnesota fund under section 7. This is a onetime transfer.

EFFECTIVE DATE. This section is effective retroactively from March 29, 2020.

Sec. 4. **APPROPRIATION.**

\$107,478,815 is appropriated from the coronavirus relief federal fund to fund grants authorized under Laws 2020, chapter 70, article 2, section 1, and for the uses authorized under Laws 2020, chapter 70, article 2, section 1.

EFFECTIVE DATE. This section is effective retroactively from March 18, 2020.

Sec. 5. **COVID-19 MINNESOTA FUND CANCELLATION; COVID-19 MINNESOTA FEDERAL ACCOUNT USE; APPROPRIATION.**

(a) The commissioner of management and budget shall cancel expenditures authorized from the COVID-19 Minnesota fund identified as Legislative COVID-19 Response Commission Action Order No. 11.

(b) The commissioner of management and budget shall pay for the costs of the action orders canceled in paragraph (a) from the coronavirus relief federal fund.

(c) \$10,952,000 in fiscal year 2020 is appropriated from the coronavirus relief federal fund for expenses related to Legislative COVID-19 Response Commission Action Order No. 11.

EFFECTIVE DATE. This section is effective retroactively from March 29, 2020.

ARTICLE 4
STATE LANDS

Section 1. Minnesota Statutes 2018, section 84.63, is amended to read:

84.63 CONVEYANCE OF INTERESTS IN LANDS TO STATE ~~AND~~, FEDERAL, AND TRIBAL GOVERNMENTS.

(a) Notwithstanding any existing law to the contrary, the commissioner of natural resources is hereby authorized on behalf of the state to convey to the United States, to a federally recognized Indian tribe, or to the state of Minnesota or any of its subdivisions, upon state-owned lands under the administration of the commissioner of natural resources, permanent or temporary easements for specified periods or otherwise for trails, highways, roads including limitation of right of access from the lands to adjacent highways and roads, flowage for development of fish and game resources, stream protection, flood control, and necessary appurtenances thereto, such conveyances to be made upon such terms and conditions including provision for reversion in the event of non-user as the commissioner of natural resources may determine.

(b) In addition to the fee for the market value of the easement, the commissioner of natural resources shall assess the applicant the following fees:

(1) an application fee of \$2,000 to cover reasonable costs for reviewing the application and preparing the easement; and

(2) a monitoring fee to cover the projected reasonable costs for monitoring the construction of the improvement for which the easement was conveyed and preparing special terms and conditions for the easement. The commissioner must give the applicant an estimate of the monitoring fee before the applicant submits the fee.

(c) The applicant shall pay these fees to the commissioner of natural resources. The commissioner shall not issue the easement until the applicant has paid in full the application fee, the monitoring fee, and the market value payment for the easement.

(d) Upon completion of construction of the improvement for which the easement was conveyed, the commissioner shall refund the unobligated balance from the monitoring fee revenue. The commissioner shall not return the application fee, even if the application is withdrawn or denied.

(e) Money received under paragraph (b) must be deposited in the land management account in the natural resources fund and is appropriated to the commissioner of natural resources to cover the reasonable costs incurred for issuing and monitoring easements.

(f) A county or joint county regional railroad authority is exempt from all fees specified under this section for trail easements on state-owned land.

Sec. 2. Minnesota Statutes 2018, section 92.502, is amended to read:

92.502 LEASE OF TAX-FORFEITED AND STATE LANDS.

(a) Notwithstanding section 282.04 or other law to the contrary, St. Louis County may enter a 30-year lease of tax-forfeited land for a wind energy project.

(b) The commissioner of natural resources may enter a 30-year lease of land administered by the commissioner for a wind energy project.

(c) The commissioner of natural resources may enter a 30-year lease of land administered by the commissioner for recreational trails and facilities. The commissioner may assess the lease applicant a monitoring fee to cover the projected reasonable costs of monitoring construction of the recreational trail or facility and preparing special terms and conditions of the license to ensure proper construction. The commissioner must give the applicant an estimate of the monitoring fee before the applicant is required to submit the fee. Upon completion of construction of the trail or facility, the commissioner must refund the unobligated balance from the monitoring fee revenue.

(d) Notwithstanding section 282.04 or other law to the contrary, Lake and St. Louis Counties may enter into 30-year leases of tax-forfeited land for recreational trails and facilities.

Sec. 3. **ADDITION TO STATE PARK.**

[85.012] [Subd. 18.] Fort Snelling State Park, Dakota County. The following areas are added to Fort Snelling State Park, Dakota County:

(1) that part of Section 28, Township 28 North, Range 23 West, Dakota County, Minnesota, bounded by the Dakota County line along the Minnesota River and the following described lines:

Beginning at the intersection of the south line of Lot 18 of Auditor's Subdivision Number 29 of Mendota, according to the plat on file in the Office of the Dakota County Recorder, with the westerly right-of-way line of the existing Sibley Memorial Highway; thence northerly along said westerly right-of-way line to the north line of said Lot 18; thence westerly along the north line of said Lot 18 to the easterly right-of-way line of the Chicago and Northwestern Railroad; thence northerly and northeasterly along said easterly right-of-way to the east line of said Section 28;

(2) that part of Section 33, Township 28 North, Range 23 West, Dakota County, Minnesota, lying westerly of the easterly right-of-way of the Chicago and Northwestern Railroad;

(3) that part of Government Lot 6 of Section 33, Township 28 North, Range 23 West, Dakota County, Minnesota, lying East of the easterly right-of-way of the Chicago and Northwestern Railroad and West of the westerly right-of-way of Sibley Memorial Highway and North of the South 752 feet of said Government Lot 6;

(4) the North 152 feet of the South 752 feet of that part of Government Lot 6 of Section 33, Township 28 North, Range 23 West, Dakota County, Minnesota, lying East of the easterly right-of-way of the Chicago and Northwestern Railroad and West of the westerly right-of-way of Sibley Memorial Highway;

(5) the North 270 feet of the South 600 feet of that part of Government Lot 6 lying between the westerly right-of-way of Sibley Memorial Highway and the easterly right-of-way of the Chicago and Northwestern Railroad in Section 33, Township 28 North, Range 23 West, Dakota County, Minnesota;

(6) that part of the South 20 rods of Government Lot 6 of Section 33, Township 28 North, Range 23 West, Dakota County, Minnesota, lying East of the easterly right-of-way of the Chicago and Northwestern Railroad and West of the westerly right-of-way of Sibley Memorial Highway, excepting therefrom that part described as follows:

Commencing at the southeast corner of said Government Lot 6; thence North 89 degrees 56 minutes 54 seconds West assumed bearing along the south line of said Government Lot 6 a distance of 260.31 feet to the point of beginning of the property to be described; thence continue North 89 degrees 56 minutes 54 seconds West a distance of 71.17 feet; thence northwesterly a distance of 37.25 feet along a nontangential curve concave to the East having a radius of 4,098.00 feet and a central angle of 00 degrees 31 minutes 15 seconds the chord of said curve bears North 23 degrees 31 minutes 27 seconds West; thence northerly a distance of 127.39 feet along a compound curve concave to the East having a radius of 2,005.98 feet and a central angle of 03 degrees 38 minutes 19 seconds; thence North 70 degrees 22 minutes 29 seconds East not tangent to said curve a distance of 65.00 feet; thence southerly a distance of 123.26 feet along a nontangential curve concave to the East having a radius of 1,940.98 feet and a central angle of 03 degrees 38 minutes 19 seconds the chord of said curve bears South 21 degrees 26 minutes 40 seconds East; thence southerly a distance of 65.42 feet to the point of beginning along a compound curve concave to the East having a radius of 4,033.00 feet and a central angle of 00 degrees 55 minutes 46 seconds;

(7) that part of Government Lot 5 of Section 33, Township 28 North, Range 23 West, Dakota County, Minnesota, lying East of the easterly right-of-way of the Chicago and Northwestern Railroad and West of the westerly right-of-way of Sibley Memorial Highway, excepting therefrom that part described as follows:

Commencing at the southeast corner of said Government Lot 5; thence North 89 degrees 56 minutes 18 seconds West assumed bearing along the south line of said Government Lot 5 a distance of 70.48 feet to the point of beginning of the property to be described; thence continue North 89 degrees 56 minutes 18 seconds West along said south line of Government Lot 5 a distance of 40.01 feet; thence North 01 degree 30 minutes 25 seconds East a distance of 6.08 feet; thence northerly a distance of 185.58 feet along a tangential curve concave to the West having a radius of 4,427.00 feet and a central angle of 02 degrees 24 minutes 07 seconds; thence South 89 degrees 06 minutes 18 seconds West not tangent to said curve a distance of 25.00 feet; thence North 00 degrees 53 minutes 42 seconds West a distance of 539.13 feet; thence northerly a distance of 103.77 feet along a tangential curve concave to the West having a radius of 1,524.65 feet and a central angle of 03 degrees 53 minutes 59 seconds; thence northerly a distance of 159.33 feet along a compound curve concave to the West having a radius of 522.45 feet and a central angle of 17 degrees 28 minutes 23 seconds; thence northwesterly a distance of 86.78 feet along a tangential curve concave to the West having a radius of 1,240.87 feet and a central angle of 04 degrees 00 minutes 25 seconds; thence North 26 degrees 16 minutes 30 seconds West tangent to said curve a distance of 92.39 feet; thence northwesterly a distance of 178.12 feet along a tangential curve concave to the East having a radius of 4,098.00 feet and a central angle of 02 degrees 29 minutes 25 seconds to a point on the north line of said Government Lot 5 which is 331.48 feet from the northeast corner thereof as measured along said north line; thence South 89 degrees 56 minutes 54 seconds East along said north line of Government

Lot 5 a distance of 71.17 feet; thence southeasterly a distance of 146.53 feet along a nontangential curve concave to the East having a radius of 4,033.00 feet and a central angle of 02 degrees 04 minutes 54 seconds the chord of said curve bears South 25 degrees 14 minutes 03 seconds East; thence South 26 degrees 16 minutes 30 seconds East tangent to said curve a distance of 92.39 feet; thence southerly a distance of 91.33 feet along a tangential curve concave to the West having a radius of 1,305.87 feet and a central angle of 04 degrees 00 minutes 25 seconds; thence southerly a distance of 179.15 feet along a tangential curve concave to the West having a radius of 587.45 feet and a central angle of 17 degrees 28 minutes 23 seconds; thence southerly a distance of 108.20 feet along a compound curve concave to the West having a radius of 1,589.65 feet and a central angle of 03 degrees 53 minutes 59 seconds; thence South 00 degrees 53 minutes 42 seconds East tangent to said curve a distance of 539.13 feet; thence southerly a distance of 187.26 feet along a tangential curve concave to the West having a radius of 4,467.00 feet and a central angle of 02 degrees 24 minutes 07 seconds; thence South 01 degree 30 minutes 25 seconds West tangent to said curve a distance of 5.07 feet to the point of beginning; and

(8) that part of Government Lot 4 of Section 33, Township 28 North, Range 23 West, Dakota County, Minnesota, lying East of the easterly right-of-way of the Chicago and Northwestern Railroad and northerly of the following described line:

Commencing at the southeast corner of said Government Lot 4; thence North 89 degrees 55 minutes 42 seconds West assumed bearing along the south line of said Government Lot 4 a distance of 312.44 feet to corner B205, MNDOT Right-of-Way Plat No. 19-93, according to the recorded map thereof; thence continue North 89 degrees 55 minutes 42 seconds West along said south line of Government Lot 4 a distance of 318.00 feet to the easterly right-of-way of Chicago and Northwestern Railroad; thence northerly along said railroad right-of-way a distance of 387.97 feet along a nontangential curve concave to the West having a radius of 2,963.54 feet and a central angle of 07 degrees 30 minutes 03 seconds, the chord of said curve bears North 00 degrees 42 minutes 41 seconds East; thence North 03 degrees 02 minutes 21 seconds West tangent to said curve along said railroad right-of-way a distance of 619.45 feet to the point of beginning of the line to be described; thence North 89 degrees 35 minutes 27 seconds East a distance of 417.92 feet; thence North 18 degrees 18 minutes 58 seconds East a distance of 317.52 feet to a point on the north line of said Government Lot 4 which is 135.00 feet from the northeast corner thereof as measured along said north line and there terminating.

Sec. 4. **ADDITION TO STATE RECREATION AREA.**

[85.013] [Subd. 12a.] Iron Range Off-Highway Vehicle Recreation Area, St. Louis County. The following area is added to Iron Range Off-Highway Vehicle Recreation Area, St. Louis County: that part of the South Half of the Northwest Quarter of Section 15, Township 58 North, Range 17 West, St. Louis County, Minnesota, lying northerly of the following described line:

Commencing at the West quarter corner of said Section 15; thence North 01 degree 24 minutes 27 seconds West, bearing assumed, along the west line of said South Half of the Northwest Quarter a distance of 1,034.09 feet to a 3/4-inch rebar with plastic cap stamped "MN DNR LS 44974" (DM) and the point of beginning; thence South 62 degrees 44 minutes 07 seconds East 405.24 feet to a DM; thence South 82 degrees 05 minutes 24 seconds East 314.95 feet to a DM; thence South 86 degrees 18 minutes 01 second East 269.23 feet to a DM; thence North 81 degrees 41 minutes 24 seconds East 243.61 feet to a DM; thence North 71 degrees 48 minutes 05 seconds East 478.17 feet to a DM; thence North 60 degrees 53 minutes 38 seconds East 257.32 feet to a DM; thence South 09 degrees 16 minutes 07 seconds East 179.09 feet to a DM; thence South 49 degrees 16 minutes 00 seconds East 127.27 feet to a DM; thence South 50 degrees 16 minutes 11 seconds East 187.13 feet to a DM; thence South 67 degrees 11 minutes 35 seconds East 189.33 feet to a DM; thence South 67 degrees 13 minutes 16 seconds East 209.43 feet to a DM; thence South 80 degrees 39 minutes 19 seconds East 167.59 feet to a DM on the east line of said South Half of the Northwest Quarter, and there terminating.

Sec. 5. **DELETIONS FROM STATE PARKS.**

Subdivision 1. [85.012] [Subd. 18.] Fort Snelling State Park, Dakota County. The following areas are deleted from Fort Snelling State Park, Dakota County:

(1) all of Section 33, Township 28 North, Range 23 West of the 4th Principal Meridian lying westerly of the westerly right-of-way line of the existing Minnesota Trunk Highway No. 13, excepting the right-of-way owned by the Chicago and Northwestern railway company; and

(2) all of Section 28, Township 28 North, Range 23 West of the 4th Principal Meridian bounded by the Dakota County line along the Minnesota River and the following described lines: Beginning at the south line of said Section 28 at its intersection with the westerly right-of-way line of the existing Minnesota Trunk Highway No. 13; thence northerly along the said westerly right-of-way line of existing Minnesota Trunk Highway No. 13 to the southerly right-of-way line of existing Minnesota Trunk Highway Nos. 55 and 100; thence along the existing southerly right-of-way line of Minnesota Trunk Highway Nos. 55 and 100 to the westerly right-of-way line owned by the Chicago and Northwestern railway company; thence northeasterly along the said westerly right-of-way line of the Chicago and Northwestern railway to the east line of said Section 28, excepting therefrom the right-of-way owned by the Chicago and Northwestern railway company.

Subd. 2. [85.012] [Subd. 60.] William O'Brien State Park, Washington County. The following areas are deleted from William O'Brien State Park, Washington County:

(1) those parts of Section 25, Township 32 North, Range 20 West, Washington County, Minnesota, described as follows:

The West two rods of the Southwest Quarter of the Northeast Quarter, the West two rods of the North two rods of the Northwest Quarter of the Southeast Quarter, and the East two rods of the Southeast Quarter of the Northwest Quarter; and

(2) the East two rods over and across the Northeast Quarter of the Northwest Quarter, excepting therefrom the North 200 feet of said Northeast Quarter of the Northwest Quarter. Also, the West 2 rods of the Northwest Quarter of the Northeast Quarter, excepting therefrom the North 266 feet of said Northwest Quarter of the Northeast Quarter. Also, the South 66 feet of the North 266 feet of that part of said Northwest Quarter of the Northeast Quarter lying southwesterly of the existing public road known as 199th Street North.

Sec. 6. **PRIVATE SALE OF SURPLUS STATE LAND; CASS COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 94.09 to 94.16, the commissioner of natural resources may sell by private sale the surplus land that is described in paragraph (c).

(b) The commissioner may make necessary changes to the legal description to correct errors and ensure accuracy.

(c) The land to be conveyed is located in Cass County and is described as: the westerly 20.00 feet of the West Half of the Northeast Quarter, Section 16, Township 139 North, Range 30 West, Cass County, Minnesota. The Grantor, its employees and agents only, reserves a perpetual easement for ingress and egress over and across the above described land.

(d) The Department of Natural Resources has determined that the land is not needed for natural resource purposes and that the state's land management interests would best be served if the land was returned to private ownership.

Sec. 7. **PRIVATE SALE OF SURPLUS STATE LAND; LAKE OF THE WOODS COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 94.09 to 94.16, the commissioner of natural resources may sell by private sale the surplus land that is described in paragraph (c).

(b) The commissioner may make necessary changes to the legal description to correct errors and ensure accuracy.

(c) The land to be conveyed is located in Lake of the Woods County and is described as: a strip of land lying in Government Lot 3, Section 5, Township 163 North, Range 34 West of the Fifth Principal Meridian, Lake of the Woods County, Minnesota; said strip of land being 33.00 feet in width lying 16.50 feet on each side of the following described centerline:

Commencing at the southeast corner of said Government Lot 3; thence North 00 degrees 09 minutes 28 seconds West, assumed bearing, along the east line of said Government Lot 3, a distance of 690 feet, more or less, to the south line of that particular tract of land deeded to the State of Minnesota according to Document No. 75286, on file and of record in the Office of the Recorder, Lake of the Woods County, Minnesota; thence South 89 degrees 50 minutes 32 seconds West, along said south line of that particular tract of land, a distance of 200.00 feet; thence South 00 degrees 09 minutes 28 seconds East, parallel with the east line of said Government Lot 3, a distance of 40.00 feet; thence South 89 degrees 50 minutes 32 seconds West, a distance of 16.50 feet to the point of beginning of the centerline to be herein described; thence South 00 degrees 09 minutes 28 seconds East, parallel with the east line of said Government Lot 3, a distance of 650.5 feet, more or less, to the south line of said Government Lot 3 and said centerline there terminating.

(d) The Department of Natural Resources has determined that the land is not needed for natural resource purposes and that the state's land management interests would best be served if the land was returned to private ownership.

Sec. 8. **PRIVATE SALE OF SURPLUS STATE LAND; ST. LOUIS COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 94.09 to 94.16, the commissioner of natural resources may convey the surplus land that is described in paragraph (c) to a local unit of government for no consideration.

(b) The commissioner may make necessary changes to the legal description to correct errors and ensure accuracy.

(c) The land to be conveyed is located in St. Louis County and is described as: that part of the Southwest Quarter of the Northwest Quarter of Section 27, Township 52 North, Range 17 West, St. Louis County, Minnesota, described as follows:

Commencing at the quarter corner between Sections 27 and 28 of said Township 52 North, Range 17 West; thence running East 624 feet; thence North 629 feet to the point of beginning; thence North 418 feet; thence East 208 feet; thence South 418 feet; thence West 208 feet to the point of beginning.

(d) The Department of Natural Resources has determined that the land is not needed for natural resource purposes and that the state's land management interests would best be served if the land were conveyed to a local unit of government.

Sec. 9. **PRIVATE SALE OF TAX-FORFEITED LANDS; ST. LOUIS COUNTY.**

(a) Notwithstanding the public sale provisions of Minnesota Statutes, chapter 282, or other law to the contrary, St. Louis County may sell by private sale the tax-forfeited lands described in paragraph (c).

(b) The conveyances must be in a form approved by the attorney general. The attorney general may make changes to the land descriptions to correct errors and ensure accuracy.

(c) The lands to be sold are located in St. Louis County and are described as:

(1) Lot 5, Block 9, including part of vacated Seafield Street adjacent, Bristol Beach 1st Division, Duluth (parcel 010-0300-01030); and

(2) that part of the Southeast Quarter of the Northwest Quarter, Township 58, Range 15, Section 5, lying northerly of the northerly right-of-way line of the town of White road running in an east-west direction connecting County Road No. 138 with State Highway No. 135 and lying westerly of the following described line: commencing at the northeast corner of Government Lot 3; thence South 89 degrees 46 minutes 22 seconds West along the north line of Government Lot 3 558.28 feet; thence South 27 degrees 50 minutes 01 second West 102.75 feet; thence South 41 degrees 51 minutes 46 seconds West 452.29 feet; thence South 28 degrees 19 minutes 22 seconds West 422.74 feet; thence South 30 degrees 55 minutes 42 seconds West 133.79 feet; thence southwesterly 210.75 feet along a tangential curve concave to the southeast having a radius of 300 feet and a central angle of 40 degrees 15 minutes 00 seconds; thence South 09 degrees 19 minutes 19 seconds East tangent to said curve 100.30 feet, more or less, to the north line of said Southeast Quarter of the Northwest Quarter; thence North 89 degrees 09 minutes 31 seconds East along said north line 40.44 feet to the point of beginning of the line; thence South 09 degrees 19 minutes 19 seconds East 148 feet, more or less, to said right-of-way line and said line there terminating. Surface only (parcel 570-0021-00112).

(d) The county has determined that the county's land management interests would best be served if the lands were returned to private ownership.

Sec. 10. **PUBLIC SALE OF SURPLUS STATE LAND BORDERING PUBLIC WATER; WADENA COUNTY.**

(a) Notwithstanding Minnesota Statutes, section 92.45, the commissioner of natural resources may sell by public sale the surplus land bordering public water that is described in paragraph (c).

(b) The commissioner may make necessary changes to the legal description to correct errors and ensure accuracy.

(c) The land that may be sold is located in Wadena County and is described as: the Northeast Quarter of the Southwest Quarter of Section 26, Township 136 North, Range 34 West, Wadena County, Minnesota, except that part described as follows:

Beginning at the northeast corner of said Northeast Quarter of the Southwest Quarter; thence West 10 rods; thence South 8 rods; thence East 10 rods; thence North 8 rods to the point of beginning and there terminating.

(d) The land borders the Redeye River. The Department of Natural Resources has determined that the land is not needed for natural resource purposes and that the state's land management interests would best be served if the land were returned to private ownership."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, delete "local government aid" and insert "state government finance"

Page 1, line 3, after the semicolon, insert "establishing a supplemental budget;"

Page 1, line 4, before the period, insert "; making various changes and cancellations to support state government activities; establishing an administrative citation process; authorizing temporary rate increases; making additions and deletions to certain state parks; authorizing the sale of surplus lands"

Correct the title numbers accordingly

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

The report was adopted.

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

S. F. No. 104, A bill for an act relating to public safety; requiring updated policies regarding the use of force by peace officers; amending Minnesota Statutes 2018, section 626.8452, subdivisions 2, 4, by adding a subdivision.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"ARTICLE 1
LAW ENFORCEMENT OVERSIGHT

Section 1. Minnesota Statutes 2018, section 626.841, is amended to read:

626.841 BOARD; MEMBERS.

The Board of Peace Officer Standards and Training shall be composed of the following ~~15~~ 19 members:

- (1) two members to be appointed by the governor from among the county sheriffs in Minnesota;
- (2) four members to be appointed by the governor from among peace officers in Minnesota municipalities, at least two of whom shall be chiefs of police;
- (3) two members to be appointed by the governor from among peace officers, at least one of whom shall be a member of the Minnesota State Patrol Association;
- (4) the superintendent of the Minnesota Bureau of Criminal Apprehension or a designee;
- (5) two members appointed by the governor from among peace officers, or former peace officers, who are currently employed on a full-time basis in a professional peace officer education program;
- (6) two members to be appointed by the governor, one member to be appointed from among administrators of Minnesota colleges or universities that offer professional peace officer education, and one member to be appointed from among the elected city officials in statutory or home rule charter cities of under 5,000 population outside the metropolitan area, as defined in section 473.121, subdivision 2; ~~and~~
- (7) ~~two~~ four members appointed by the governor from among the general public, of which at least one member must be a representative of a statewide crime victim coalition, at least one member must be a person of color, and at least one member must be a resident of a county other than a metropolitan county as defined in section 473.121, subdivision 4; and

(8) two members appointed by the commissioner of human rights from the general public, of which one member must be a community organizer nominated by an organization that organizes direct action campaigns and one member must have experience serving on a law enforcement agency's civilian review board.

A chair shall be appointed by the governor from among the members. In making appointments the governor shall strive to achieve representation from among the geographic areas of the state.

Sec. 2. **[626.8434] POLICE-COMMUNITY RELATIONS COUNCIL.**

Subdivision 1. Establishment and membership. The Police-Community Relations Council is established under the Peace Officer Standards and Training Board. The council consists of the following 15 members:

(1) the superintendent of the Bureau of Criminal Apprehension, or a designee;

(2) the executive director of the Peace Officer Standards and Training Board, or a designee;

(3) the executive director of the Minnesota Police and Peace Officers Association, or a designee;

(4) the executive director of the Minnesota Sheriff's Association, or a designee;

(5) the executive director of the Minnesota Chiefs of Police Association, or a designee; and

(6) ten community members, of which:

(i) four members shall represent the community-specific boards established under section 257.0768, reflecting one appointment made by each board;

(ii) two members shall be mental health advocates, of which one member shall be appointed by the Minnesota chapter of the National Alliance on Mental Illness and the other appointed by the governor's Council on Mental Health;

(iii) two members shall be advocates for victims, of which one member shall be appointed by the Violence Free Minnesota and the other appointed by the Minnesota Coalition Against Sexual Assault;

(iv) one member shall represent a community organization that organizes direct action campaigns and shall be appointed by the commissioner of human rights; and

(v) one member shall have experience serving on a law enforcement agency's civilian review board and shall be appointed by the commissioner of human rights.

Subd. 2. **Duties.** (a) The council shall:

(1) make recommendations on police-community relations to the board;

(2) review and make disciplinary and policy recommendations to the board on civilian initiated police misconduct complaints filed with the board;

(3) send written notice and a recommendation for intervention to a chief law enforcement officer when notified that a peace officer under the command of the chief is determined to have a pattern of complaints or incidents of excessive use of force under section 626.8435; and

(4) monitor and make recommendations on peace officer community policing excellence data collected under section 626.8435.

(b) The council's recommendations to the board under paragraph (a), clause (2), must be implemented by the board unless two-thirds of the members vote to reject a recommendation within three months of receiving the recommendation from the council.

Subd. 3. **Organization.** The council shall be organized and administered under section 15.059, except that subdivision 2 shall not apply. Council members serve at the pleasure of the appointing authority. The council shall select a chairperson from among the members by majority vote at its first meeting. The chair may serve in that role for a period of two years. The executive director of the board shall serve as the council's executive secretary and is an ex officio, nonvoting member. The council does not expire.

Subd. 4. **Meetings.** The council must meet at least quarterly. Meetings of the council are governed by chapter 13D.

Subd. 5. **Office support.** The executive director of the board shall provide the council with the necessary office space, supplies, equipment, and clerical support to effectively perform the duties imposed.

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

Sec. 3. **[626.8435] PEACE OFFICER COMMUNITY POLICING EXCELLENCE DATA.**

Subdivision 1. **Purpose.** The purpose of this section is:

(1) to create data profiles for stakeholders to conduct needs assessments and make appropriate recommendations to drive improvements in police effectiveness, efficiency, training, supervision, procedural justice, accountability, and community relations;

(2) for police departments to more effectively manage their risks and improve transparency; and

(3) for community members and advocates, as well as policy makers, decision makers, and funders to have access to accurate relevant information to help improve policing practices in Minnesota.

Subd. 2. **Data submission.** (a) Beginning January 15, 2021, a chief law enforcement officer of a law enforcement agency shall submit the following data regarding peace officers employed by the law enforcement agency to a designated community-based research organization that has contracted with the Department of Public Safety to monitor the data, compile the report, and provide the notifications required by this section:

(1) the existence and status of a complaint made against an employed peace officer including:

(i) the peace officer's unique identifier;

(ii) the nature of the complaint;

(iii) whether the complaint was filed by a member of the public, a law enforcement agency, or another source;

(iv) whether the complaint resulted in disciplinary action;

(v) the final disposition of a complaint when disciplinary action was taken including:

(A) the specific reason for the action taken; and

(B) data documenting the basis of the action taken, except that data that would identify confidential sources who are employees of the public body shall not be disclosed; and

(vi) the final disposition of any complaint:

(A) determined to be unfounded or otherwise not sustained;

(B) for which a peace officer was later exonerated; or

(C) which resulted in a nondisciplinary resolution including, but not limited to, employee counseling;

(2) the unique identifier of any peace officer pending criminal prosecution, excluding traffic violations;

(3) the unique identifier of any peace officer who was terminated due to substantiated findings of officer misconduct and a summary of the basis for that termination;

(4) the unique identifier of any peace officer whose employment was terminated by resignation in lieu of termination as a result of officer misconduct, and a summary of the basis for the action; and

(5) the unique identifier of any peace officer involved in a use of force incident.

(b) For purposes of this section "complaint" means all formally filed allegations involving:

(1) public reported misconduct;

(2) excessive force;

(3) the integrity or truthfulness of an officer;

(4) violations of the law; or

(5) sexual misconduct or harassment.

(c) The board shall establish and publish guidelines, in consultation with the designated community-based research organization, that are consistent with paragraph (b) on what constitutes a valid complaint that must be reported under this section.

(d) The reporting requirements in paragraph (a) are in addition to any other officer discipline reporting requirements established in law. Failure of a chief law enforcement officer to comply with the reporting requirements established under this section is a violation of the peace officer professional code of conduct established pursuant to section 626.8457.

Subd. 3. Data storage and access. (a) The designated community-based research organization shall maintain the data collected under this section subject to the provisions of chapter 13, including but not limited to section 13.05, subdivision 5. The civil remedies and penalties under sections 13.08 and 13.09 may be applied against the designated community-based research organization if the organization releases not public data in violation of this section or other applicable provisions of chapter 13.

(b) The designated community-based research organization must establish written procedures to ensure individuals have access to not public data maintained by the organization only if authorized in writing by the organization. The ability of authorized individuals to enter, update, or access not public data maintained by the organization must be limited through the use of role-based access that corresponds to the official duties or training

level of the individual and the statutory authorization that grants access for a purpose authorized by this section. All queries and responses, and all actions in which data are entered, updated, accessed, shared, or disseminated, must be recorded in a data audit trail. Data contained in the audit trail are public, to the extent that the data are not otherwise classified by law, and must be made available upon request to the Peace Officer Standards and Training Board, the Police-Community Relations Council, a law enforcement agency, or the subject of the underlying data.

(c) The Peace Officer Standards and Training Board and the Police-Community Relations Council must have direct access to both summary and individual data collected under this section.

Subd. 4. **Updated data.** Within 30 days of final disposition of a complaint, as defined in section 13.43, subdivision 2, paragraph (b), the chief law enforcement officer of the law enforcement agency that employs the officer shall submit a supplemental report containing the information identified in subdivision 2, clauses (1) to (5).

Subd. 5. **Monitoring data; pattern of misconduct.** The designated community-based research organization must monitor the data on an ongoing basis to collect data on officers subject to multiple complaints and excessive use of force incidents and, in consultation with the Police-Community Relations Council, establish criteria for notifying the council when an officer has been determined to have an excessive number of complaints. If the criteria for notifying the Police-Community Relations Council are met, the designated community-based research organization shall notify the council and suggest the need for an intervention. A notice sent under this subdivision is not available to the public.

Subd. 6. **Confidentiality agreement prohibited.** Law enforcement agencies and political subdivisions are prohibited from entering into a confidentiality agreement that would prevent disclosure of the data identified in subdivision 2 to the board. Any such confidentiality agreement is void as to the requirements of this section.

Subd. 7. **Data classification.** Data received by the designated community-based research organization pursuant to subdivisions 2 and 3 is private data on individuals as defined in section 13.02, subdivision 12, and the data must be maintained according to the statutory provisions applicable to the data. This classification does not restrict the organization's authority to publish summary data as defined in section 13.02, subdivision 19.

Subd. 8. **Public report.** At least annually, the designated community-based research organization shall publish a summary of data submitted pursuant to subdivisions 1 and 2. The board shall make the summary available on the board's website. The summary shall exclude peace officers' names and license numbers and any other not public data as defined by section 13.02, subdivision 8a.

Sec. 4. Minnesota Statutes 2018, section 626.8457, subdivision 1, is amended to read:

Subdivision 1. **Model policy to be developed.** By March 1, 1996, the Peace Officer Standards and Training Board shall develop and distribute to all chief law enforcement officers a model policy regarding the professional conduct of peace officers. The policy must address issues regarding professional conduct not addressed by the standards of conduct under Minnesota Rules, part 6700.1600. The policy must define unprofessional conduct to include, but not be limited to, conduct prohibited by section 609.43, including timely submission of peace officer misconduct data under section 626.8435, whether or not there has been a conviction for a violation of that section. The policy must also describe the procedures that a local law enforcement agency may follow in investigating and disciplining peace officers alleged to have behaved unprofessionally.

Sec. 5. Minnesota Statutes 2018, section 626.89, subdivision 2, is amended to read:

Subd. 2. **Applicability.** The procedures and provisions of this section apply to law enforcement agencies and government units. The procedures and provisions of this section do not apply to:

(1) investigations and proceedings of a citizen oversight council described in section 626.99; or

(2) investigations of criminal charges against an officer.

Sec. 6. Minnesota Statutes 2018, section 626.89, subdivision 17, is amended to read:

Subd. 17. ~~Civilian review~~ **Citizen oversight.** ~~A civilian review board, commission, or other oversight body shall not have the authority to make a finding of fact or determination regarding a complaint against an officer or impose discipline on an officer. A civilian review board, commission, or other oversight body may make a recommendation regarding the merits of a complaint, however, the recommendation shall be advisory only and shall not be binding on nor limit the authority of the chief law enforcement officer of any unit of government. The powers and duties of citizen oversight councils for law enforcement agencies are established under section 626.99.~~

Sec. 7. **[626.99] LOCAL CITIZEN OVERSIGHT COUNCILS FOR LAW ENFORCEMENT AGENCIES.**

Subdivision 1. **Definition.** As used in this section, "law enforcement agency" has the meaning given in section 626.84, subdivision 1, paragraph (f), but does not include state-level law enforcement agencies.

Subd. 2. **Councils required.** The governing body of each local unit of government that oversees a law enforcement agency that employs 50 or more peace officers shall establish a citizen oversight council in compliance with this section.

Subd. 3. **Council membership.** The membership of a citizen oversight council must reflect a broad cross section of the community it represents, including the community's minority and youth populations. The membership must also include individuals who often come into contact with, or who are affected by, the peace officers of the law enforcement agency that the council oversees, other than suspects who are in criminal investigations. The membership of the majority of a council must be weighted toward citizen members. However, a council may also include members that reflect other specific viewpoints, such as law enforcement, prosecutors, educators, mental health professionals, clergy, and business and commercial leaders. A council shall elect a chair from among its members at its first meeting. The board must develop and publish guidance on the best practices for selecting, training, and educating oversight council members.

Subd. 4. **Operation of council; powers and duties.** (a) A citizen oversight council shall meet on a regular basis. Meetings are open to the public and public testimony may be taken.

(b) A council's purpose is to encourage and provide community participation in the operation of the law enforcement agency it oversees. A council shall work collaboratively with the governing body of the local unit of government with authority over the agency and the agency's chief law enforcement officer.

(c) A council may make recommendations and provide assessments relating to any facet of the operation of the agency, including but not limited to:

(1) law enforcement tactics and strategies, such as community policing;

(2) the budget for the agency, including priorities on where money should be spent;

(3) training of the agency's peace officers;

(4) employment policies, such as residency requirements and minority hiring;

(5) the substantive operation of the agency relating to such matters as use of force, profiling, diversion, data collection, equipment, militarization, general investigatory practices, officer-initiated use of force investigations, and cooperation with other law enforcement agencies; and

(6) personnel decisions.

In addition, a council may evaluate the performance of the agency and the agency's chief law enforcement officer. A council may recommend whether to extend the chief's term and on hiring a successor to the chief when a vacancy occurs.

Subd. 5. **Investigations into police misconduct.** (a) At the conclusion of any criminal investigation or prosecution, if any, a citizen oversight council may conduct an investigation into allegations of peace officer misconduct and retain an investigator to facilitate an investigation. Subject to other applicable law, a council may subpoena or compel testimony and documents in an investigation. Upon completion of an investigation, a council may make a finding of misconduct and recommend appropriate discipline against peace officers employed by the agency. If the governing body grants a council the authority, the council may impose discipline on peace officers employed by the agency. A council shall submit investigation reports that contain findings of peace officer misconduct to the chief law enforcement officer and the Peace Officer Standards and Training Board's complaint committee. A council may also make policy recommendations to the chief law enforcement officer and the Peace Officer Standards and Training Board. For purposes of this section, "misconduct" means a violation of law, standards promulgated by the Peace Officer Standards and Training Board, or agency policy.

(b) Peace officer discipline decisions imposed pursuant to the authority granted under this subdivision shall be subjected to the applicable grievance procedure established or agreed to under chapter 179A.

Subd. 6. **Duties of chief law enforcement officer.** The chief law enforcement officer of a law enforcement agency under the jurisdiction of a citizen oversight council shall cooperate with the council and facilitate the council's achievement of its goals. However, the officer is under no obligation to agree with individual recommendations of the council and may oppose a recommendation. If the officer fails to implement a recommendation that is within the officer's authority, the officer shall inform the council of the failure along with the officer's underlying reasons.

Subd. 7. **Duties of governing body.** A governing body shall ensure that a council is given the opportunity to comment in a meaningful way on any matter within its jurisdiction. This opportunity must occur with sufficient time before action on the matter is required.

Subd. 8. **Other applicable law.** Chapters 13 and 13D apply to oversight councils under this section.

Subd. 9. **Annual report.** A citizen oversight council shall release an annual report that addresses its activities. At a minimum, the report must summarize the council's activities for the past year; recommendations made by the council, including what actions, if any, were taken by other entities in response to the recommendations; and the amount of money spent for the council's operation and the money's source.

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

Sec. 8. **TIMING.**

Governing bodies of local units of government shall comply with Minnesota Statutes, section 626.99, by September 1, 2020. A citizen oversight council shall conduct its first meeting by October 1, 2020.

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

Sec. 9. **COMPLIANCE REVIEWS.**

The state auditor shall conduct reviews as appropriate and on a regular basis to ensure that local units of government are in compliance with this article.

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

Sec. 10. **INITIAL APPOINTMENTS; PROPOSED MEETING.**

Initial appointments to the Police-Community Relations Council established in section 2 must be made no later than August 1, 2020. The executive director of the Peace Officer Standards and Training Board must convene the council's first meeting no later than September 1, 2020.

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

Sec. 11. **APPROPRIATION; PEACE OFFICER COMMUNITY POLICING EXCELLENCE REPORT DATABASE.**

(a) \$475,000 in fiscal year 2021 is appropriated from the general fund to the Office of Justice Programs for a grant to a qualified community-based research organization to develop a system to classify and report peace officer discipline by category, severity, type, and demographic data of those involved in the incident. The executive director of the Office of Justice Programs must consult with the Police-Community Relations Council before selecting a community-based research organization to receive the grant. As part of the system, the grant recipient must develop and incorporate:

(1) a protocol to assign a unique identifier for each peace officer; and

(2) safeguards to protect personal identifying information of peace officers.

(b) The grant recipient, in consultation with the stakeholder group identified in paragraph (c), may recommend changes on how to adapt the system under paragraph (a) to collect additional policing data that corresponds with peace officer interactions with the public generally and suspects, arrests, and victims specifically.

(c) In developing the system described in paragraph (a), the grant recipient shall consult with the Police-Community Relations Council established under Minnesota Statutes, section 626.8434.

Sec. 12. **APPROPRIATION; CITIZEN OVERSIGHT COUNCILS.**

\$1,900,000 in fiscal year 2021 is appropriated from the general fund to the commissioner of public safety for grants to local units of government to establish and maintain citizen oversight councils. Up to 2.5 percent of the appropriation may be used by the commissioner to administer the program.

ARTICLE 2
POLICIES, TRAINING, REPORTING, APPROPRIATIONS

Section 1. Minnesota Statutes 2018, section 415.16, subdivision 1, is amended to read:

Subdivision 1. **No exception for on-premises residence.** Except as provided in subdivision 1a, notwithstanding any contrary provision of other law, home rule charter, ordinance or resolution, no statutory or home rule charter city or county shall require that a person be a resident of the city or county as a condition of employment by the city or county except for positions which by their duties require the employee to live on the premises of the person's place of employment.

Sec. 2. Minnesota Statutes 2018, section 415.16, is amended by adding a subdivision to read:

Subd. 1a. **Residency requirements for peace officers; hires made on or after July 1, 2020.** A statutory or home rule charter city or county may require that a person hired as a peace officer, as defined by section 626.84, subdivision 1, paragraph (c), on or after July 1, 2020, be a resident of the city or county as a condition of employment by the city or county.

EFFECTIVE DATE. This section is effective July 1, 2020.

Sec. 3. Minnesota Statutes 2018, section 541.073, subdivision 2, is amended to read:

Subd. 2. **Limitations period.** (a) Except as provided in paragraph (b), an action for damages based on sexual abuse: (1) must be commenced within six years of the alleged sexual abuse in the case of alleged sexual abuse of an individual 18 years or older; (2) may be commenced at any time in the case of alleged sexual abuse of an individual under the age of 18, except as provided for in subdivision 4; and (3) must be commenced before the plaintiff is 24 years of age in a claim against a natural person alleged to have sexually abused a minor when that natural person was under 14 years of age.

(b) An action for damages based on sexual abuse may be commenced at any time in the case of alleged sexual abuse by a peace officer, as defined in section 626.84, subdivision 1, paragraph (c).

~~(b)~~ (c) The plaintiff need not establish which act in a continuous series of sexual abuse acts by the defendant caused the injury.

~~(c)~~ (d) This section does not affect the suspension of the statute of limitations during a period of disability under section 541.15.

EFFECTIVE DATE. This section is effective the day following final enactment and applies to causes of action that arise on or after that date; causes of action that arose before that date if the limitations period has not expired; and, notwithstanding any statutory or common law to the contrary, retroactively to any causes of action that arose before that date.

Sec. 4. **[541.155] PERIODS OF INVESTIGATION OF PEACE OFFICER NOT COUNTED.**

(a) For purposes of this section, "peace officer" has the meaning given in section 626.84, subdivision 1, paragraph (c).

(b) Any of the following, arising anytime after a cause of action accrued and during the period of limitation, shall suspend the running of the period of limitation until the same is removed:

(1) a criminal investigation of a peace officer for any conduct giving rise to the cause of action;

(2) a criminal prosecution of a peace officer for any conduct giving rise to the cause of action; or

(3) investigation by any political subdivision, state law enforcement agency, or the Board of Peace Officer Standards and Training into allegations of misconduct by a peace officer giving rise to the cause of action.

EFFECTIVE DATE. This section is effective the day following final enactment and applies to causes of action that arise on or after that date; causes of action that arose before that date if the limitations period has not expired; and, notwithstanding any statutory or common law to the contrary, retroactively to any causes of action that arose before that date.

Sec. 5. Minnesota Statutes 2018, section 573.02, subdivision 1, is amended to read:

Subdivision 1. **Death action.** When death is caused by the wrongful act or omission of any person or corporation, the trustee appointed as provided in subdivision 3 may maintain an action therefor if the decedent might have maintained an action, had the decedent lived, for an injury caused by the wrongful act or omission. An action to recover damages for a death caused by the alleged professional negligence of a physician, surgeon, dentist, hospital or sanitarium, or an employee of a physician, surgeon, dentist, hospital or sanitarium shall be commenced within three years of the date of death, but in no event shall be commenced beyond the time set forth in section 541.076. An action to recover damages for a death caused by an intentional act constituting murder may be

commenced at any time after the death of the decedent. An action to recover damages for a death caused by a peace officer, as defined in section 626.84, subdivision 1, paragraph (c), may be commenced at any time after the death of the decedent. Any other action under this section may be commenced within three years after the date of death provided that the action must be commenced within six years after the act or omission. The recovery in the action is the amount the jury deems fair and just in reference to the pecuniary loss resulting from the death, and shall be for the exclusive benefit of the surviving spouse and next of kin, proportionate to the pecuniary loss severally suffered by the death. The court then determines the proportionate pecuniary loss of the persons entitled to the recovery and orders distribution accordingly. Funeral expenses and any demand for the support of the decedent allowed by the court having jurisdiction of the action, are first deducted and paid. Punitive damages may be awarded as provided in section 549.20.

If an action for the injury was commenced by the decedent and not finally determined while living, it may be continued by the trustee for recovery of damages for the exclusive benefit of the surviving spouse and next of kin, proportionate to the pecuniary loss severally suffered by the death. The court on motion shall make an order allowing the continuance and directing pleadings to be made and issues framed as in actions begun under this section.

EFFECTIVE DATE. This section is effective the day following final enactment and applies to causes of action that arise on or after that date; causes of action that arose before that date if the limitations period has not expired; and, notwithstanding any statutory or common law to the contrary, retroactively to any causes of action that arose before that date.

Sec. 6. Minnesota Statutes 2018, section 609.06, subdivision 1, is amended to read:

Subdivision 1. **When authorized.** Except as otherwise provided in ~~subdivision~~ subdivisions 2 and 3, reasonable force may be used upon or toward the person of another without the other's consent when the following circumstances exist or the actor reasonably believes them to exist:

- (1) when used by a public officer or one assisting a public officer under the public officer's direction:
 - (a) in effecting a lawful arrest; or
 - (b) in the execution of legal process; or
 - (c) in enforcing an order of the court; or
 - (d) in executing any other duty imposed upon the public officer by law; or
- (2) when used by a person not a public officer in arresting another in the cases and in the manner provided by law and delivering the other to an officer competent to receive the other into custody; or
- (3) when used by any person in resisting or aiding another to resist an offense against the person; or
- (4) when used by any person in lawful possession of real or personal property, or by another assisting the person in lawful possession, in resisting a trespass upon or other unlawful interference with such property; or
- (5) when used by any person to prevent the escape, or to retake following the escape, of a person lawfully held on a charge or conviction of a crime; or
- (6) when used by a parent, guardian, teacher, or other lawful custodian of a child or pupil, in the exercise of lawful authority, to restrain or correct such child or pupil; or

(7) when used by a school employee or school bus driver, in the exercise of lawful authority, to restrain a child or pupil, or to prevent bodily harm or death to another; or

(8) when used by a common carrier in expelling a passenger who refuses to obey a lawful requirement for the conduct of passengers and reasonable care is exercised with regard to the passenger's personal safety; or

(9) when used to restrain a person with a mental illness or a person with a developmental disability from self-injury or injury to another or when used by one with authority to do so to compel compliance with reasonable requirements for the person's control, conduct, or treatment; or

(10) when used by a public or private institution providing custody or treatment against one lawfully committed to it to compel compliance with reasonable requirements for the control, conduct, or treatment of the committed person.

Sec. 7. Minnesota Statutes 2018, section 609.06, is amended by adding a subdivision to read:

Subd. 3. Limitations on the use of certain restraints. (a) A peace officer may not use any of the following restraints unless section 609.066 authorizes the use of deadly force:

(1) a chokehold;

(2) tying all of a person's limbs together behind the person's back to render the person immobile; or

(3) securing a person in any way that results in transporting the person face down in a vehicle.

(b) For the purposes of this subdivision, "chokehold" means a method by which a person applies sufficient pressure to a person to make breathing difficult or impossible and includes but is not limited to any pressure to the neck, throat, or windpipe that may prevent or hinder breathing, or reduce intake of air. Chokehold also means applying pressure to a person's neck on either side of the windpipe, but not to the windpipe itself, to stop the flow of blood to the brain via the carotid arteries.

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

Sec. 8. Minnesota Statutes 2018, section 626.8432, subdivision 2, is amended to read:

Subd. 2. **Mandatory revocation; discovery of disqualifying conviction after licensure; termination for wrongful use of force.** (a) The board ~~may suspend or~~ shall revoke a peace officer or part-time peace officer license when the licensee:

(1) has been convicted of a crime recognized by the board as a crime that would disqualify the licensee from participating in a professional peace officer education course, taking the peace officer licensing examination or the part-time peace officer licensing examination, or maintaining eligibility for licensure under Minnesota Rules, chapter 6700; or

(2) is terminated for a violation of the agency's use of force policy, unless the officer's termination was ordered by a citizen oversight council pursuant to section 626.99, subdivision 5.

(b) The authority to suspend or revoke a license shall include all individuals who have been granted a license when a disqualifying conviction that would have precluded eligibility for licensure is discovered after licensure.

(c) If the board revokes the license of an officer under paragraph (a), clause (1), and the officer is later reinstated after an appeal of the officer's termination, the board must reconsider the decision to revoke the officer's license. If a court orders that the board reinstate an officer's license, the board shall comply with the court's order unless the attorney general appeals the court's ruling on behalf of the board.

Sec. 9. **[626.8434] WARRIOR-STYLE TRAINING PROHIBITED.**

Subdivision 1. **Definition.** For purposes of this section, "warrior-style training" means training for peace officers that is intended to increase a peace officer's likelihood or willingness to use deadly force in encounters with community members.

Subd. 2. **No continuing education credits or tuition reimbursement.** (a) The board may not certify a continuing education course that includes warrior-style training.

(b) The board may not grant continuing education credit to a peace officer for a course that includes warrior-style training.

(c) The board may not reimburse a law enforcement agency or a peace officer for a course that includes warrior-style training.

Subd. 3. **Training prohibited.** A law enforcement agency may not provide warrior-style training, directly or through a third party, to a peace officer.

Sec. 10. **[626.8435] MANDATORY REPORTING PEACE OFFICER TERMINATIONS AND RESIGNATIONS.**

A chief law enforcement officer must report to the Peace Officer Standards and Training Board when a peace officer is discharged or resigns from employment due to misconduct or when a peace officer is suspended or resigns while a misconduct investigation is pending. The report must be made to the board within ten days after the discharge, suspension, or resignation has occurred. The board must investigate the report for and the reporting agency must cooperate in the investigation. Notwithstanding any provision in chapter 13 or any law to the contrary, upon written request from the board, the law enforcement agency shall provide the board with information about the peace officer from the agency's files, any termination or disciplinary proceeding, any settlement or compromise, or any investigative file.

Sec. 11. Minnesota Statutes 2018, section 626.8452, is amended by adding a subdivision to read:

Subd. 1a. **Prohibition on use of certain restraints.** (a) By January 1, 2021, the head of every local and state law enforcement agency shall update and enforce the written policy described in subdivision 1 to prohibit:

(1) the use of a chokehold;

(2) tying all of a person's limbs together behind the person's back to render the person immobile; and

(3) transporting a person face down in a vehicle.

(b) For the purposes of this subdivision, "chokehold" means a method by which a person applies sufficient pressure to a person to make breathing difficult or impossible and includes but is not limited to any pressure to the neck, throat, or windpipe that may prevent or hinder breathing, or reduce intake of air. Chokehold also means applying pressure to a person's neck on either side of the windpipe, but not to the windpipe itself, to stop the flow of blood to the brain via the carotid arteries.

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

Sec. 12. **[626.8475] DUTY TO INTERCEDE AND REPORT; POLICIES REQUIRED.**

Subdivision 1. **Duties; discipline.** (a) Regardless of tenure or rank, a peace officer must intercede when:

(1) present and observing another peace officer using force in violation of section 609.066, subdivision 2, or otherwise beyond that which is objectively reasonable under the circumstances; and

(2) physically or verbally able to do so.

(b) A peace officer who observes another employee or peace officer use force that exceeds the degree of force permitted by law has the duty to report the incident in writing within 24 hours to the chief law enforcement officer of the agency that employs the reporting peace officer.

(c) A peace officer who breaches a duty established in this subdivision is subject to discipline by the board under Minnesota Rules, part 6700.1600.

Subd. 2. **Model policy required.** By September 15, 2020, the commissioner of public safety, in consultation with the board, the attorney general, and other interested parties, must develop a comprehensive model policy to require peace officers to intercede to prevent the use of unreasonable force and report incidents of excessive use of force. The policy, at a minimum, must be consistent with subdivision 1. The board must distribute the model policy to all chief law enforcement officers.

Subd. 3. **Agency policies required.** (a) By December 15, 2020, the chief law enforcement officer of every state and local law enforcement agency must establish and enforce a written policy requiring peace officers employed by the agency to intercede and report that is identical or substantially similar to the model policy developed under subdivision 2.

(b) Every state and local law enforcement agency must certify to the board that it has adopted a written policy in compliance with this subdivision.

(c) The board must assist the chief law enforcement officer of each state and local law enforcement agency in developing and implementing policies under this subdivision.

Subd. 4. **Compliance reviews authorized.** The board has authority to inspect state and local law enforcement agency policies to ensure compliance with subdivision 3. The board may conduct this inspection based upon a complaint it receives about a particular agency or through a random selection process. The board may impose licensing sanctions and seek injunctive relief under section 214.11 for an agency's failure to comply with subdivision 3.

Sec. 13. **[626.892] PEACE OFFICER GRIEVANCE ARBITRATION SELECTION PROCEDURE.**

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

(b) "Commissioner" means the commissioner of the Bureau of Mediation Services.

(c) "Employer" means a political subdivision or law enforcement agency employing a peace officer.

(d) "Grievance" means a dispute or disagreement regarding any written disciplinary action, discharge, or termination decision of a peace officer arising under a collective bargaining agreement covering peace officers.

(e) "Grievance arbitration" means binding arbitration of a grievance under the grievance procedure in a collective bargaining agreement covering peace officers, as required by this section or sections 179A.04, 179A.20, and 179A.21, subdivision 3, to the extent those sections are consistent with this section.

(f) "Grievance procedure" has the meaning given in section 179A.20, subdivision 4, except as otherwise provided in this section or to the extent inconsistent with this section.

(g) "Peace officer" means a licensed peace officer or part-time peace officer subject to licensure under sections 626.84 to 626.863.

Subd. 2. **Applicability.** Notwithstanding any contrary provision of law, home rule charter, ordinance, or resolution, effective the day following final enactment, the arbitrator selection procedure established under this section shall apply to all peace officer grievance arbitrations for written disciplinary action, discharge, or termination, and must be included in the grievance procedure for all collective bargaining agreements covering peace officers negotiated on or after that date. This section does not authorize arbitrators appointed under this section to hear arbitrations of public employees who are not peace officers.

Subd. 3. **Roster of arbitrators.** The governor, in consultation with community and law enforcement stakeholders, shall appoint a roster of six persons specifically suited and qualified by training and experience to act as arbitrators for peace officer grievance arbitrations under this section. Arbitrators appointed to the roster shall only hear grievance arbitrations for peace officers as provided under this section. The governor shall exercise this power of appointment as conferred by law. Arbitrator terms and roster requirements under Minnesota Rules, chapters 5500 to 5530, shall apply to the extent consistent with this section.

Subd. 4. **Arbitrator qualifications.** A person seeking appointment to the arbitrator roster under this section must complete initial training on culture competency, racism, implicit bias, and recognizing and valuing community diversity and cultural differences, and must continue to complete the training as required during the person's appointment. The commissioner may adopt rules establishing training and requirements for this purpose.

Subd. 5. **Selection of arbitrators.** The commissioner shall assign or appoint an arbitrator or panel of arbitrators from the roster to a peace officer grievance arbitration under this section on a random or rotating basis. The parties shall not participate in, negotiate for, or agree to the selection of an arbitrator or arbitration panel under this section. The arbitrator or panel shall decide the grievance, and the decision is binding subject to the provisions of chapter 572B.

Subd. 6. **Interaction with other laws.** (a) Sections 179A.21, subdivision 2, and 572B.11, paragraph (a), and rules for arbitrator selection promulgated pursuant to section 179A.04 shall not apply to a peace officer grievance arbitration under this section.

(b) Notwithstanding any contrary provision of law, home rule charter, ordinance, or resolution, peace officers, through their certified exclusive representatives, shall not have the right to negotiate for or agree to a collective bargaining agreement or a grievance arbitration selection procedure with their employers that is inconsistent with this section.

(c) The arbitrator selection procedure for peace officer grievance arbitrations established under this section supersedes any inconsistent provisions in chapter 179A or 572B or in Minnesota Rules, chapters 5500 to 5530 and 7315 to 7325. Other arbitration requirements in those chapters remain in full force and effect for peace officer grievance arbitrations, except as provided in this section or to the extent inconsistent with this section.

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

Sec. 14. Laws 2019, First Special Session chapter 5, article 1, section 12, subdivision 7, is amended to read:

| | | |
|--|------------|------------|
| Subd. 7. Office of Justice Programs | 40,147,000 | 40,082,000 |
| Appropriations by Fund | | |
| General | 40,051,000 | 39,986,000 |
| State Government Special Revenue | 96,000 | 96,000 |

(a) **Base Adjustment**

To account for the base adjustments provided in Laws 2018, chapter 211, article 21, section 1, paragraph (a), the general fund base is increased by \$2,000 in fiscal years 2022 and 2023.

(b) **Administration Costs**

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

(c) **Indigenous Women Task Force**

\$105,000 the first year and \$45,000 the second year are for expenses related to the task force on missing and murdered indigenous women. This appropriation is available until June 30, 2021. These are onetime appropriations.

(d) **Domestic Abuse Prevention Grants**

\$200,000 each year is for a grant to a domestic abuse prevention program that provides interdisciplinary, trauma-informed treatment and evidence-informed intervention for veterans and current or former service members and their whole families affected by domestic violence. The grantee must offer a combination of services for perpetrators of domestic violence and their families, including individual and group therapy, evaluation and research of programming, and short- and long-term case management services to ensure stabilization and increase in their overall mental health functioning and well-being. These appropriations are onetime.

(e) **Criminal Sexual Conduct Statutory Reform Working Group**

\$20,000 the first year and \$14,000 the second year are to convene, administer, and implement the criminal sexual conduct statutory reform working group. These appropriations are onetime.

Sec. 15. Laws 2019, First Special Session chapter 5, article 2, section 28, subdivision 4, is amended to read:

Subd. 4. **Report.** The task force shall report to the chairs and ranking minority members of the legislative committees and divisions with jurisdiction over public safety, human services, and state government on the work of the task force, including but not limited to the issues to be examined in subdivision 1, and shall include in the report institutional policies and practices or proposed institutional policies and practices that are effective in reducing gender violence and increasing the safety of indigenous women and girls. The report shall include recommendations to reduce and end violence against indigenous women and girls and help victims and communities heal from gender violence and violence against indigenous women and girls. The ^A report shall be submitted to the legislative committees by December 15, 2020, and a final report shall be submitted by June 30, 2021.

Sec. 16. Laws 2019, First Special Session chapter 5, article 2, section 28, subdivision 5, is amended to read:

Subd. 5. **Expiration.** Notwithstanding Minnesota Statutes, section 15.059, the task force expires ~~December 31, 2020~~ June 30, 2021.

Sec. 17. **APPROPRIATION.**

\$17,000 in fiscal year 2021 is appropriated from the general fund to the Peace Officer Standards and Training Board for costs associated with this act. \$15,000 is added to the board's base.

Sec. 18. **APPROPRIATION; BUREAU OF MEDIATION SERVICES.**

\$120,000 in fiscal year 2021 is appropriated from the general fund to the Bureau of Mediation Services for rulemaking, staffing, and other costs associated with peace officer grievance procedures. \$47,000 is added to the bureau's base."

Delete the title and insert:

"A bill for an act relating to public safety; requiring local units of government to establish law enforcement citizen oversight councils; specifying powers and duties of the councils and the responsibilities of local authorities toward them; amending arbitrator selection for peace officer grievance arbitrations; creating a process to collect and analyze data on complaints filed against peace officers; providing for a peace officer discipline report; expanding the membership of the Board of Peace Officer Standards and Training; establishing a Police-Community Relations Council to report to and advise the Peace Officer Standards and Training Board; extending the civil statute of limitations for certain actions by peace officers; tolling the civil statute of limitations during investigations of peace officers; providing for mandatory revocation of peace officer license for violating use of force policy; prohibiting warrior-style training for peace officers; prohibiting the use of certain restraints; requiring law enforcement agencies to update policies regarding the use of force; establishing a duty for peace officers to intercede when another peace officer is using unreasonable force; establishing a duty for peace officers to report excessive force incidents; requiring law enforcement agencies to adopt policies that require peace officers to intercede when another officer is using unreasonable force; providing for mandatory reporting of peace officer terminations and resignation; authorizing residency requirements for peace officers; extending reporting and use of appropriation for missing and murdered indigenous women task force; authorizing rulemaking; appropriating money; amending Minnesota Statutes 2018, sections 415.16, subdivision 1, by adding a subdivision; 541.073, subdivision 2; 573.02, subdivision 1; 609.06, subdivision 1, by adding a subdivision; 626.841; 626.8432, subdivision 2; 626.8452, by adding a subdivision; 626.8457, subdivision 1; 626.89, subdivisions 2, 17; Laws 2019, First Special Session chapter 5, article 1, section 12, subdivision 7; article 2, section 28, subdivisions 4, 5; proposing coding for new law in Minnesota Statutes, chapters 541; 626."

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

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 9, 28, 41, 105, 108, 111, 132 and 134 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 7, 1, 3, 47 and 104 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Bernardy introduced:

H. F. No. 152, A bill for an act relating to transportation; governing requirements related to driver's license examinations; establishing a fee; authorizing use of an appropriation; amending Minnesota Statutes 2018, section 171.13, subdivision 7, by adding a subdivision.

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

Kresha introduced:

H. F. No. 153, A bill for an act proposing an amendment to the Minnesota Constitution, article XIII, section 1; providing for a fundamental right to quality public education for all children.

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

Fischer introduced:

H. F. No. 154, A bill for an act relating to state government; creating a task force to study the design of the state flag.

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

Noor and Bernardy introduced:

H. F. No. 155, A bill for an act relating to higher education; strengthening the Increase Teachers of Color Act in higher education; modifying provisions for student teacher grants and teacher shortage loan forgiveness; directing the Office of Higher Education to develop recommendations for more detailed collection of race and ethnicity data from postsecondary institutions; amending Minnesota Statutes 2018, sections 136A.1275, as amended; 136A.1791, as amended; Laws 2019, chapter 64, article 1, section 2, subdivision 28; repealing Minnesota Rules, part 4830.9130, subparts 2, 3.

The bill was read for the first time and referred to the Higher Education Finance and Policy Division.

Morrison introduced:

H. F. No. 156, A bill for an act relating to health care; modifying certain reimbursement provisions for direct injectable drugs for certain conditions under medical assistance; amending Minnesota Statutes 2019 Supplement, section 256B.0625, subdivision 13e.

The bill was read for the first time and referred to the Health and Human Services Finance Division.

MOTIONS AND RESOLUTIONS

DECLARATION OF URGENCY

Pursuant to Article IV, Section 19, of the Constitution of the state of Minnesota, Winkler moved that the rule therein be suspended and an urgency be declared and that the rules of the House be so far suspended so that H. F. No. 105 be given its third reading and be placed upon its final passage.

The question was taken on the Winkler motion and the roll was called. There were 116 yeas and 17 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

| | | | | | |
|------------|------------|----------|----------|---------|---------|
| Bahr | Green | Heinrich | McDonald | Munson | Quam |
| Drazkowski | Grossell | Hertaus | Mekeland | Nash | Runbeck |
| Franson | Gruenhagen | Lucero | Miller | Pierson | |

The motion prevailed.

H. F. No. 105, A bill for an act relating to human services; extending the expiration of the executive order relating to use of telemedicine in the state medical cannabis program; extending the expiration of certain human services program waivers and modifications issued by the commissioner of human services pursuant to executive

orders during the peacetime emergency declared in response to the COVID-19 pandemic; establishing a 60-day period for the commissioner of human services to transition affected programs off of COVID-19 waivers and modifications following expiration of the peacetime emergency; appropriating money.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 127 yeas and 6 nays as follows:

Those who voted in the affirmative were:

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

Those who voted in the negative were:

| | | | | | |
|------|------------|--------|----------|----------|--------|
| Bahr | Drazkowski | Lucero | McDonald | Mekeland | Munson |
|------|------------|--------|----------|----------|--------|

The bill was passed and its title agreed to.

DECLARATION OF URGENCY

Pursuant to Article IV, Section 19, of the Constitution of the state of Minnesota, Winkler moved that the rule therein be suspended and an urgency be declared and that the rules of the House be so far suspended so that S. F. No. 104 be given its third reading and be placed upon its final passage.

The question was taken on the Winkler motion and the roll was called. There were 116 yeas and 17 nays as follows:

Those who voted in the affirmative were:

| | | | | | |
|----------|--------|-------------|----------|-------------|-----------|
| Acomb | Backer | Becker-Finn | Boe | Carlson, A. | Claflin |
| Albright | Bahner | Bernardy | Brand | Carlson, L. | Considine |
| Anderson | Baker | Bierman | Cantrell | Christensen | Daniels |

| | | | | | |
|------------|-----------------|---------------|------------|------------|--------------|
| Daudt | Hamilton | Koznick | Masin | Pinto | Torkelson |
| Davids | Hansen | Kresha | Moller | Poppe | Urdahl |
| Davnie | Hassan | Kunesh-Podein | Moran | Poston | Vang |
| Dehn | Hausman | Layman | Morrison | Pryor | Vogel |
| Demuth | Heintzeman | Lee | Murphy | Richardson | Wagenius |
| Dettmer | Her | Lesch | Nelson, M. | Robbins | Wazlawik |
| Ecklund | Hertaus | Liebling | Nelson, N. | Sandell | West |
| Edelson | Hornstein | Lien | Neu | Sandstede | Winkler |
| Elkins | Howard | Lillie | Noor | Sauke | Wolgamott |
| Erickson | Huot | Lippert | Nornes | Schomacker | Xiong, J. |
| Fabian | Johnson | Lislegard | Novotny | Schultz | Xiong, T. |
| Fischer | Jordan | Long | O'Driscoll | Scott | Youakim |
| Freiberg | Jurgens | Lueck | Olson | Stephenson | Spk. Hortman |
| Gomez | Kiel | Mahoney | O'Neill | Sundin | |
| Gruenhagen | Klevorn | Mann | Pelowski | Swedzinski | |
| Haley | Koegel | Mariani | Persell | Tabke | |
| Halverson | Kotyza-Witthuhn | Marquart | Petersburg | Theis | |

Those who voted in the negative were:

| | | | | | |
|------------|----------|----------|----------|---------|---------|
| Bahr | Garofalo | Gunther | McDonald | Munson | Quam |
| Drazkowski | Green | Heinrich | Mekeland | Nash | Runbeck |
| Franson | Grossell | Lucero | Miller | Pierson | |

The motion prevailed.

S. F. No. 104 was reported to the House.

Mariani moved to amend S. F. No. 104, the unofficial engrossment, as follows:

Delete everything after the enacting clause and insert:

"ARTICLE 1
LAW ENFORCEMENT OVERSIGHT

Section 1. Minnesota Statutes 2018, section 626.841, is amended to read:

626.841 BOARD; MEMBERS.

The Board of Peace Officer Standards and Training shall be composed of the following ~~15~~ 19 members:

- (1) two members to be appointed by the governor from among the county sheriffs in Minnesota;
- (2) four members to be appointed by the governor from among peace officers in Minnesota municipalities, at least two of whom shall be chiefs of police;
- (3) two members to be appointed by the governor from among peace officers, at least one of whom shall be a member of the Minnesota State Patrol Association;
- (4) the superintendent of the Minnesota Bureau of Criminal Apprehension or a designee;
- (5) two members appointed by the governor from among peace officers, or former peace officers, who are currently employed on a full-time basis in a professional peace officer education program;

(6) two members to be appointed by the governor, one member to be appointed from among administrators of Minnesota colleges or universities that offer professional peace officer education, and one member to be appointed from among the elected city officials in statutory or home rule charter cities of under 5,000 population outside the metropolitan area, as defined in section 473.121, subdivision 2; ~~and~~

(7) ~~two~~ four members appointed by the governor from among the general public, of which at least one member must be a representative of a statewide crime victim coalition, at least one member must be a person of color, and at least one member must be a resident of a county other than a metropolitan county as defined in section 473.121, subdivision 4; and

(8) two members appointed by the commissioner of human rights from the general public, of which one member must be a community organizer nominated by an organization that organizes direct action campaigns and one member must have experience serving on a law enforcement agency's civilian review board.

A chair shall be appointed by the governor from among the members. In making appointments the governor shall strive to achieve representation from among the geographic areas of the state.

Sec. 2. **[626.8434] POLICE-COMMUNITY RELATIONS COUNCIL.**

Subdivision 1. **Establishment and membership.** The Police-Community Relations Council is established under the Peace Officer Standards and Training Board. The council consists of the following 15 members:

(1) the superintendent of the Bureau of Criminal Apprehension, or a designee;

(2) the executive director of the Peace Officer Standards and Training Board, or a designee;

(3) the executive director of the Minnesota Police and Peace Officers Association, or a designee;

(4) the executive director of the Minnesota Sheriff's Association, or a designee;

(5) the executive director of the Minnesota Chiefs of Police Association, or a designee; and

(6) ten community members, of which:

(i) four members shall represent the community-specific boards established under section 257.0768, reflecting one appointment made by each board;

(ii) two members shall be mental health advocates, of which one member shall be appointed by the Minnesota chapter of the National Alliance on Mental Illness and the other appointed by the governor's Council on Mental Health;

(iii) two members shall be advocates for victims, of which one member shall be appointed by the Violence Free Minnesota and the other appointed by the Minnesota Coalition Against Sexual Assault;

(iv) one member shall represent a community organization that organizes direct action campaigns and shall be appointed by the commissioner of human rights; and

(v) one member shall have experience serving on a law enforcement agency's civilian review board and shall be appointed by the commissioner of human rights.

Subd. 2. **Duties.** (a) The council shall:

(1) make recommendations on police-community relations to the board;

(2) review and make disciplinary and policy recommendations to the board on civilian initiated police misconduct complaints filed with the board;

(3) send written notice and a recommendation for intervention to a chief law enforcement officer when notified that a peace officer under the command of the chief is determined to have a pattern of complaints or incidents of excessive use of force under section 626.8435; and

(4) monitor and make recommendations on peace officer community policing excellence data collected under section 626.8435.

(b) The council's recommendations to the board under paragraph (a), clause (2), must be implemented by the board unless two-thirds of the members vote to reject a recommendation within three months of receiving the recommendation from the council.

Subd. 3. **Organization.** The council shall be organized and administered under section 15.059, except that subdivision 2 shall not apply. Council members serve at the pleasure of the appointing authority. The council shall select a chairperson from among the members by majority vote at its first meeting. The chair may serve in that role for a period of two years. The executive director of the board shall serve as the council's executive secretary and is an ex officio, nonvoting member. The council does not expire.

Subd. 4. **Meetings.** The council must meet at least quarterly. Meetings of the council are governed by chapter 13D.

Subd. 5. **Office support.** The executive director of the board shall provide the council with the necessary office space, supplies, equipment, and clerical support to effectively perform the duties imposed.

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

Sec. 3. **[626.8435] PEACE OFFICER COMMUNITY POLICING EXCELLENCE DATA.**

Subdivision 1. **Purpose.** The purpose of this section is:

(1) to create data profiles for stakeholders to conduct needs assessments and make appropriate recommendations to drive improvements in police effectiveness, efficiency, training, supervision, procedural justice, accountability, and community relations;

(2) for police departments to more effectively manage their risks and improve transparency; and

(3) for community members and advocates, as well as policy makers, decision makers, and funders, to have access to accurate relevant information to help improve policing practices in Minnesota.

Subd. 2. **Data submission.** (a) Beginning January 15, 2021, a chief law enforcement officer of a law enforcement agency shall submit the following data regarding peace officers employed by the law enforcement agency to a designated community-based research organization that has contracted with the Department of Public Safety to monitor the data, compile the report, and provide the notifications required by this section:

(1) the existence and status of a complaint made against an employed peace officer including:

(i) the peace officer's unique identifier;

(ii) the nature of the complaint;

(iii) whether the complaint was filed by a member of the public, a law enforcement agency, or another source;

(iv) whether the complaint resulted in disciplinary action;

(v) the final disposition of a complaint when disciplinary action was taken including:

(A) the specific reason for the action taken; and

(B) data documenting the basis of the action taken, except that data that would identify confidential sources who are employees of the public body shall not be disclosed; and

(vi) the final disposition of any complaint:

(A) determined to be unfounded or otherwise not sustained;

(B) for which a peace officer was later exonerated; or

(C) which resulted in a nondisciplinary resolution including, but not limited to, employee counseling;

(2) the unique identifier of any peace officer pending criminal prosecution, excluding traffic violations;

(3) the unique identifier of any peace officer who was terminated due to substantiated findings of officer misconduct and a summary of the basis for that termination;

(4) the unique identifier of any peace officer whose employment was terminated by resignation in lieu of termination as a result of officer misconduct, and a summary of the basis for the action; and

(5) the unique identifier of any peace officer involved in a use of force incident.

(b) For purposes of this section "complaint" means all formally filed allegations involving:

(1) public reported misconduct;

(2) excessive force;

(3) the integrity or truthfulness of an officer;

(4) violations of the law; or

(5) sexual misconduct or harassment.

(c) The board shall establish and publish guidelines, in consultation with the designated community-based research organization, that are consistent with paragraph (b) on what constitutes a valid complaint that must be reported under this section.

(d) The reporting requirements in paragraph (a) are in addition to any other officer discipline reporting requirements established in law. Failure of a chief law enforcement officer to comply with the reporting requirements established under this section is a violation of the peace officer professional code of conduct established pursuant to section 626.8457.

Subd. 3. **Data storage and access.** (a) The designated community-based research organization shall maintain the data collected under this section subject to the provisions of chapter 13, including but not limited to section 13.05, subdivision 5. The civil remedies and penalties under sections 13.08 and 13.09 may be applied against the designated community-based research organization if the organization releases not public data in violation of this section or other applicable provisions of chapter 13.

(b) The designated community-based research organization must establish written procedures to ensure individuals have access to not public data maintained by the organization only if authorized in writing by the organization. The ability of authorized individuals to enter, update, or access not public data maintained by the organization must be limited through the use of role-based access that corresponds to the official duties or training level of the individual and the statutory authorization that grants access for a purpose authorized by this section. All queries and responses, and all actions in which data are entered, updated, accessed, shared, or disseminated, must be recorded in a data audit trail. Data contained in the audit trail are public, to the extent that the data are not otherwise classified by law, and must be made available upon request to the Peace Officer Standards and Training Board, the Police-Community Relations Council, a law enforcement agency, or the subject of the underlying data.

(c) The Peace Officer Standards and Training Board and the Police-Community Relations Council must have direct access to both summary and individual data collected under this section.

Subd. 4. **Updated data.** Within 30 days of final disposition of a complaint, as defined in section 13.43, subdivision 2, paragraph (b), the chief law enforcement officer of the law enforcement agency that employs the officer shall submit a supplemental report containing the information identified in subdivision 2, clauses (1) to (5).

Subd. 5. **Monitoring data; pattern of misconduct.** The designated community-based research organization must monitor the data on an ongoing basis to collect data on officers subject to multiple complaints and excessive use of force incidents and, in consultation with the Police-Community Relations Council, establish criteria for notifying the council when an officer has been determined to have an excessive number of complaints. If the criteria for notifying the Police-Community Relations Council are met, the designated community-based research organization shall notify the council and suggest the need for an intervention. A notice sent under this subdivision is not available to the public.

Subd. 6. **Confidentiality agreement prohibited.** Law enforcement agencies and political subdivisions are prohibited from entering into a confidentiality agreement that would prevent disclosure of the data identified in subdivision 2 to the board. Any such confidentiality agreement is void as to the requirements of this section.

Subd. 7. **Data classification.** Data received by the designated community-based research organization pursuant to subdivisions 2 and 3 is private data on individuals as defined in section 13.02, subdivision 12, and the data must be maintained according to the statutory provisions applicable to the data. This classification does not restrict the organization's authority to publish summary data as defined in section 13.02, subdivision 19.

Subd. 8. **Public report.** At least annually, the designated community-based research organization shall publish a summary of data submitted pursuant to subdivisions 1 and 2. The board shall make the summary available on the board's website. The summary shall exclude peace officers' names and license numbers and any other not public data as defined by section 13.02, subdivision 8a.

Sec. 4. Minnesota Statutes 2018, section 626.8457, subdivision 1, is amended to read:

Subdivision 1. **Model policy to be developed.** By March 1, 1996, the Peace Officer Standards and Training Board shall develop and distribute to all chief law enforcement officers a model policy regarding the professional conduct of peace officers. The policy must address issues regarding professional conduct not addressed by the standards of conduct under Minnesota Rules, part 6700.1600. The policy must define unprofessional conduct to

include, but not be limited to, conduct prohibited by section 609.43, including timely submission of peace officer misconduct data under section 626.8435, whether or not there has been a conviction for a violation of that section. The policy must also describe the procedures that a local law enforcement agency may follow in investigating and disciplining peace officers alleged to have behaved unprofessionally.

Sec. 5. Minnesota Statutes 2018, section 626.89, subdivision 2, is amended to read:

Subd. 2. **Applicability.** The procedures and provisions of this section apply to law enforcement agencies and government units. The procedures and provisions of this section do not apply to:

(1) investigations and proceedings of a citizen oversight council described in section 626.99; or

(2) investigations of criminal charges against an officer.

Sec. 6. Minnesota Statutes 2018, section 626.89, subdivision 17, is amended to read:

Subd. 17. ~~**Civilian review**~~ **Citizen oversight.** ~~A civilian review board, commission, or other oversight body shall not have the authority to make a finding of fact or determination regarding a complaint against an officer or impose discipline on an officer. A civilian review board, commission, or other oversight body may make a recommendation regarding the merits of a complaint, however, the recommendation shall be advisory only and shall not be binding on nor limit the authority of the chief law enforcement officer of any unit of government.~~ The powers and duties of citizen oversight councils for law enforcement agencies are established under section 626.99.

Sec. 7. **[626.99] LOCAL CITIZEN OVERSIGHT COUNCILS FOR LAW ENFORCEMENT AGENCIES.**

Subdivision 1. **Definition.** As used in this section, "law enforcement agency" has the meaning given in section 626.84, subdivision 1, paragraph (f), but does not include state-level law enforcement agencies.

Subd. 2. **Councils required.** The governing body of each local unit of government that oversees a law enforcement agency that employs 50 or more peace officers shall establish a citizen oversight council in compliance with this section.

Subd. 3. **Council membership.** The membership of a citizen oversight council must reflect a broad cross section of the community it represents, including the community's minority and youth populations. The membership must also include individuals who often come into contact with, or who are affected by, the peace officers of the law enforcement agency that the council oversees, other than suspects who are in criminal investigations. The membership of the majority of a council must be weighted toward citizen members. However, a council may also include members that reflect other specific viewpoints, such as law enforcement, prosecutors, educators, mental health professionals, clergy, and business and commercial leaders. A council shall elect a chair from among its members at its first meeting. The board must develop and publish guidance on the best practices for selecting, training, and educating oversight council members.

Subd. 4. **Operation of council; powers and duties.** (a) A citizen oversight council shall meet on a regular basis. Meetings are open to the public and public testimony may be taken.

(b) A council's purpose is to encourage and provide community participation in the operation of the law enforcement agency it oversees. A council shall work collaboratively with the governing body of the local unit of government with authority over the agency and the agency's chief law enforcement officer.

(c) A council may make recommendations and provide assessments relating to any facet of the operation of the agency, including but not limited to:

(1) law enforcement tactics and strategies, such as community policing;

(2) the budget for the agency, including priorities on where money should be spent;

(3) training of the agency's peace officers;

(4) employment policies, such as residency requirements and minority hiring;

(5) the substantive operation of the agency relating to such matters as use of force, profiling, diversion, data collection, equipment, militarization, general investigatory practices, officer-initiated use of force investigations, and cooperation with other law enforcement agencies; and

(6) personnel decisions.

In addition, a council may evaluate the performance of the agency and the agency's chief law enforcement officer. A council may recommend whether to extend the chief's term and on hiring a successor to the chief when a vacancy occurs.

Subd. 5. **Investigations into police misconduct.** (a) At the conclusion of any criminal investigation or prosecution, if any, a citizen oversight council may conduct an investigation into allegations of peace officer misconduct and retain an investigator to facilitate an investigation. Subject to other applicable law, a council may subpoena or compel testimony and documents in an investigation. Upon completion of an investigation, a council may make a finding of misconduct and recommend appropriate discipline against peace officers employed by the agency. If the governing body grants a council the authority, the council may impose discipline on peace officers employed by the agency. A council shall submit investigation reports that contain findings of peace officer misconduct to the chief law enforcement officer and the Peace Officer Standards and Training Board's complaint committee. A council may also make policy recommendations to the chief law enforcement officer and the Peace Officer Standards and Training Board. For purposes of this section, "misconduct" means a violation of law, standards promulgated by the Peace Officer Standards and Training Board, or agency policy.

(b) Peace officer discipline decisions imposed pursuant to the authority granted under this subdivision shall be subject to the applicable grievance procedure established or agreed to under chapter 179A.

Subd. 6. **Duties of chief law enforcement officer.** The chief law enforcement officer of a law enforcement agency under the jurisdiction of a citizen oversight council shall cooperate with the council and facilitate the council's achievement of its goals. However, the officer is under no obligation to agree with individual recommendations of the council and may oppose a recommendation. If the officer fails to implement a recommendation that is within the officer's authority, the officer shall inform the council of the failure along with the officer's underlying reasons.

Subd. 7. **Duties of governing body.** A governing body shall ensure that a council is given the opportunity to comment in a meaningful way on any matter within its jurisdiction. This opportunity must occur with sufficient time before action on the matter is required.

Subd. 8. **Other applicable law.** Chapters 13 and 13D apply to oversight councils under this section.

Subd. 9. **Annual report.** A citizen oversight council shall release an annual report that addresses its activities. At a minimum, the report must summarize the council's activities for the past year; recommendations made by the council, including what actions, if any, were taken by other entities in response to the recommendations; and the amount of money spent for the council's operation and the money's source.

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

Sec. 8. **TIMING.**

Governing bodies of local units of government shall comply with Minnesota Statutes, section 626.99, by September 1, 2020. A citizen oversight council shall conduct its first meeting by October 1, 2020.

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

Sec. 9. **COMPLIANCE REVIEWS.**

Local units of government required to create a citizen oversight council under Minnesota Statutes, section 626.99, shall demonstrate compliance with the statute to the state auditor in a form determined by the state auditor. Citizen oversight councils shall provide a copy of the annual reports required under Minnesota Statutes, section 626.99, subdivision 9, to the state auditor upon issuance. By March 15 of each year, the state auditor shall report on compliance of citizen oversight councils to the chairs and ranking minority members of the legislative committees with jurisdiction over public safety finance and policy.

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

Sec. 10. **INITIAL APPOINTMENTS; PROPOSED MEETING.**

Initial appointments to the Police-Community Relations Council established in section 2 must be made no later than August 1, 2020. The executive director of the Peace Officer Standards and Training Board must convene the council's first meeting no later than September 1, 2020.

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

Sec. 11. **APPROPRIATION; PEACE OFFICER COMMUNITY POLICING EXCELLENCE REPORT DATABASE.**

(a) \$475,000 in fiscal year 2021 is appropriated from the general fund to the Office of Justice Programs for a grant to a qualified community-based research organization to develop a system to classify and report peace officer discipline by category, severity, type, and demographic data of those involved in the incident. This appropriation is onetime. The executive director of the Office of Justice Programs must consult with the Police-Community Relations Council before selecting a community-based research organization to receive the grant. As part of the system, the grant recipient must develop and incorporate:

- (1) a protocol to assign a unique identifier for each peace officer; and
- (2) safeguards to protect personal identifying information of peace officers.

(b) The grant recipient, in consultation with the stakeholder group identified in paragraph (c), may recommend changes on how to adapt the system under paragraph (a) to collect additional policing data that corresponds with peace officer interactions with the public generally and suspects, arrests, and victims specifically.

(c) In developing the system described in paragraph (a), the grant recipient shall consult with the Police-Community Relations Council established under Minnesota Statutes, section 626.8434.

Sec. 12. **APPROPRIATION; CITIZEN OVERSIGHT COUNCILS.**

\$1,900,000 in fiscal year 2021 is appropriated from the general fund to the commissioner of public safety for grants to local units of government to establish and maintain citizen oversight councils. Up to 2.5 percent of the appropriation may be used by the commissioner to administer the program.

ARTICLE 2
POLICIES, TRAINING, REPORTING, APPROPRIATIONS

Section 1. Minnesota Statutes 2018, section 415.16, subdivision 1, is amended to read:

Subdivision 1. **No exception for on-premises residence.** Except as provided in subdivision 1a, notwithstanding any contrary provision of other law, home rule charter, ordinance or resolution, no statutory or home rule charter city or county shall require that a person be a resident of the city or county as a condition of employment by the city or county except for positions which by their duties require the employee to live on the premises of the person's place of employment.

Sec. 2. Minnesota Statutes 2018, section 415.16, is amended by adding a subdivision to read:

Subd. 1a. **Residency requirements for peace officers; hires made on or after July 1, 2020.** A statutory or home rule charter city or county may require that a person hired as a peace officer, as defined by section 626.84, subdivision 1, paragraph (c), on or after July 1, 2020, be a resident of the city or county as a condition of employment by the city or county.

EFFECTIVE DATE. This section is effective July 1, 2020.

Sec. 3. Minnesota Statutes 2018, section 541.073, subdivision 2, is amended to read:

Subd. 2. **Limitations period.** (a) Except as provided in paragraph (b), an action for damages based on sexual abuse: (1) must be commenced within six years of the alleged sexual abuse in the case of alleged sexual abuse of an individual 18 years or older; (2) may be commenced at any time in the case of alleged sexual abuse of an individual under the age of 18, except as provided for in subdivision 4; and (3) must be commenced before the plaintiff is 24 years of age in a claim against a natural person alleged to have sexually abused a minor when that natural person was under 14 years of age.

(b) An action for damages based on sexual abuse may be commenced at any time in the case of alleged sexual abuse by a peace officer, as defined in section 626.84, subdivision 1, paragraph (c).

~~(b)~~ (c) The plaintiff need not establish which act in a continuous series of sexual abuse acts by the defendant caused the injury.

~~(c)~~ (d) This section does not affect the suspension of the statute of limitations during a period of disability under section 541.15.

EFFECTIVE DATE. This section is effective the day following final enactment and applies to causes of action that arise on or after that date; causes of action that arose before that date if the limitations period has not expired; and, notwithstanding any statutory or common law to the contrary, retroactively to any causes of action that arose before that date.

Sec. 4. **[541.155] PERIODS OF INVESTIGATION OF PEACE OFFICER NOT COUNTED.**

(a) For purposes of this section, "peace officer" has the meaning given in section 626.84, subdivision 1, paragraph (c).

(b) Any of the following, arising any time after a cause of action accrued and during the period of limitation, shall suspend the running of the period of limitation until the same is removed:

(1) a criminal investigation of a peace officer for any conduct giving rise to the cause of action;

(2) a criminal prosecution of a peace officer for any conduct giving rise to the cause of action; or

(3) investigation by any political subdivision, state law enforcement agency, or the Board of Peace Officer Standards and Training into allegations of misconduct by a peace officer giving rise to the cause of action.

EFFECTIVE DATE. This section is effective the day following final enactment and applies to causes of action that arise on or after that date; causes of action that arose before that date if the limitations period has not expired; and, notwithstanding any statutory or common law to the contrary, retroactively to any causes of action that arose before that date.

Sec. 5. Minnesota Statutes 2018, section 573.02, subdivision 1, is amended to read:

Subdivision 1. **Death action.** When death is caused by the wrongful act or omission of any person or corporation, the trustee appointed as provided in subdivision 3 may maintain an action therefor if the decedent might have maintained an action, had the decedent lived, for an injury caused by the wrongful act or omission. An action to recover damages for a death caused by the alleged professional negligence of a physician, surgeon, dentist, hospital or sanitarium, or an employee of a physician, surgeon, dentist, hospital or sanitarium shall be commenced within three years of the date of death, but in no event shall be commenced beyond the time set forth in section 541.076. An action to recover damages for a death caused by an intentional act constituting murder may be commenced at any time after the death of the decedent. An action to recover damages for a death caused by a peace officer, as defined in section 626.84, subdivision 1, paragraph (c), may be commenced at any time after the death of the decedent. Any other action under this section may be commenced within three years after the date of death provided that the action must be commenced within six years after the act or omission. The recovery in the action is the amount the jury deems fair and just in reference to the pecuniary loss resulting from the death, and shall be for the exclusive benefit of the surviving spouse and next of kin, proportionate to the pecuniary loss severally suffered by the death. The court then determines the proportionate pecuniary loss of the persons entitled to the recovery and orders distribution accordingly. Funeral expenses and any demand for the support of the decedent allowed by the court having jurisdiction of the action, are first deducted and paid. Punitive damages may be awarded as provided in section 549.20.

If an action for the injury was commenced by the decedent and not finally determined while living, it may be continued by the trustee for recovery of damages for the exclusive benefit of the surviving spouse and next of kin, proportionate to the pecuniary loss severally suffered by the death. The court on motion shall make an order allowing the continuance and directing pleadings to be made and issues framed as in actions begun under this section.

EFFECTIVE DATE. This section is effective the day following final enactment and applies to causes of action that arise on or after that date; causes of action that arose before that date if the limitations period has not expired; and, notwithstanding any statutory or common law to the contrary, retroactively to any causes of action that arose before that date.

Sec. 6. Minnesota Statutes 2018, section 609.06, subdivision 1, is amended to read:

Subdivision 1. **When authorized.** Except as otherwise provided in ~~subdivision~~ subdivisions 2 and 3, reasonable force may be used upon or toward the person of another without the other's consent when the following circumstances exist or the actor reasonably believes them to exist:

(1) when used by a public officer or one assisting a public officer under the public officer's direction:

(a) in effecting a lawful arrest; or

- (b) in the execution of legal process; or
- (c) in enforcing an order of the court; or
- (d) in executing any other duty imposed upon the public officer by law; or
- (2) when used by a person not a public officer in arresting another in the cases and in the manner provided by law and delivering the other to an officer competent to receive the other into custody; or
- (3) when used by any person in resisting or aiding another to resist an offense against the person; or
- (4) when used by any person in lawful possession of real or personal property, or by another assisting the person in lawful possession, in resisting a trespass upon or other unlawful interference with such property; or
- (5) when used by any person to prevent the escape, or to retake following the escape, of a person lawfully held on a charge or conviction of a crime; or
- (6) when used by a parent, guardian, teacher, or other lawful custodian of a child or pupil, in the exercise of lawful authority, to restrain or correct such child or pupil; or
- (7) when used by a school employee or school bus driver, in the exercise of lawful authority, to restrain a child or pupil, or to prevent bodily harm or death to another; or
- (8) when used by a common carrier in expelling a passenger who refuses to obey a lawful requirement for the conduct of passengers and reasonable care is exercised with regard to the passenger's personal safety; or
- (9) when used to restrain a person with a mental illness or a person with a developmental disability from self-injury or injury to another or when used by one with authority to do so to compel compliance with reasonable requirements for the person's control, conduct, or treatment; or
- (10) when used by a public or private institution providing custody or treatment against one lawfully committed to it to compel compliance with reasonable requirements for the control, conduct, or treatment of the committed person.

Sec. 7. Minnesota Statutes 2018, section 609.06, is amended by adding a subdivision to read:

Subd. 3. Limitations on the use of certain restraints. (a) A peace officer may not use any of the following restraints unless section 609.066 authorizes the use of deadly force:

- (1) a chokehold;
- (2) tying all of a person's limbs together behind the person's back to render the person immobile; or
- (3) securing a person in any way that results in transporting the person face down in a vehicle.

(b) For the purposes of this subdivision, "chokehold" means a method by which a person applies sufficient pressure to a person to make breathing difficult or impossible, and includes but is not limited to any pressure to the neck, throat, or windpipe that may prevent or hinder breathing, or reduce intake of air. Chokehold also means applying pressure to a person's neck on either side of the windpipe, but not to the windpipe itself, to stop the flow of blood to the brain via the carotid arteries.

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

Sec. 8. Minnesota Statutes 2018, section 626.8432, subdivision 2, is amended to read:

Subd. 2. **Mandatory revocation; discovery of disqualifying conviction after licensure; termination for wrongful use of force.** (a) ~~The board may suspend or revoke~~ shall review for possible suspension or revocation a peace officer or part-time peace officer license when the licensee:

(1) has been convicted of a crime recognized by the board as a crime that would disqualify the licensee from participating in a professional peace officer education course, taking the peace officer licensing examination or the part-time peace officer licensing examination, or maintaining eligibility for licensure under Minnesota Rules, chapter 6700; or

(2) is terminated for a violation of the agency's use of force policy, unless the officer's termination was ordered by a citizen oversight council pursuant to section 626.99, subdivision 5.

(b) The authority to suspend or revoke a license shall include all individuals who have been granted a license when a disqualifying conviction that would have precluded eligibility for licensure is discovered after licensure.

(c) If the board revokes the license of an officer under paragraph (a), clause (1), and the officer is later reinstated after an appeal of the officer's termination, the board must reconsider the decision to revoke the officer's license. If a court orders that the board reinstate an officer's license, the board shall comply with the court's order unless the attorney general appeals the court's ruling on behalf of the board.

Sec. 9. **[626.8434] WARRIOR-STYLE TRAINING PROHIBITED.**

Subdivision 1. **Definition.** For purposes of this section, "warrior-style training" means training for peace officers that is intended to increase a peace officer's likelihood or willingness to use deadly force in encounters with community members.

Subd. 2. **No continuing education credits or tuition reimbursement.** (a) The board may not certify a continuing education course that includes warrior-style training.

(b) The board may not grant continuing education credit to a peace officer for a course that includes warrior-style training.

(c) The board may not reimburse a law enforcement agency or a peace officer for a course that includes warrior-style training.

Subd. 3. **Training prohibited.** A law enforcement agency may not provide warrior-style training, directly or through a third party, to a peace officer.

Sec. 10. **[626.8435] MANDATORY REPORTING PEACE OFFICER TERMINATIONS AND RESIGNATIONS.**

A chief law enforcement officer must report to the Peace Officer Standards and Training Board when a peace officer is discharged or resigns from employment due to misconduct or when a peace officer is suspended or resigns while a misconduct investigation is pending. The report must be made to the board within ten days after the discharge, suspension, or resignation has occurred. The board must investigate the report for and the reporting agency must cooperate in the investigation. Notwithstanding any provision in chapter 13 or any law to the contrary, upon written request from the board, the law enforcement agency shall provide the board with information about the peace officer from the agency's files, any termination or disciplinary proceeding, any settlement or compromise, or any investigative file.

Sec. 11. Minnesota Statutes 2018, section 626.8452, is amended by adding a subdivision to read:

Subd. 1a. **Prohibition on use of certain restraints.** (a) By January 1, 2021, the head of every local and state law enforcement agency shall update and enforce the written policy described in subdivision 1 to prohibit:

(1) the use of a chokehold;

(2) tying all of a person's limbs together behind the person's back to render the person immobile; and

(3) transporting a person face down in a vehicle.

(b) For the purposes of this subdivision, "chokehold" means a method by which a person applies sufficient pressure to a person to make breathing difficult or impossible, and includes but is not limited to any pressure to the neck, throat, or windpipe that may prevent or hinder breathing, or reduce intake of air. Chokehold also means applying pressure to a person's neck on either side of the windpipe, but not to the windpipe itself, to stop the flow of blood to the brain via the carotid arteries.

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

Sec. 12. **[626.8475] DUTY TO INTERCEDE AND REPORT; POLICIES REQUIRED.**

Subdivision 1. **Duties; discipline.** (a) Regardless of tenure or rank, a peace officer must intercede when:

(1) present and observing another peace officer using force in violation of section 609.066, subdivision 2, or otherwise beyond that which is objectively reasonable under the circumstances; and

(2) physically or verbally able to do so.

(b) A peace officer who observes another employee or peace officer use force that exceeds the degree of force permitted by law has the duty to report the incident in writing within 24 hours to the chief law enforcement officer of the agency that employs the reporting peace officer.

(c) A peace officer who breaches a duty established in this subdivision is subject to discipline by the board under Minnesota Rules, part 6700.1600.

Subd. 2. **Model policy required.** By September 15, 2020, the commissioner of public safety, in consultation with the board, the attorney general, and other interested parties, must develop a comprehensive model policy to require peace officers to intercede to prevent the use of unreasonable force and report incidents of excessive use of force. The policy, at a minimum, must be consistent with subdivision 1. The board must distribute the model policy to all chief law enforcement officers.

Subd. 3. **Agency policies required.** (a) By December 15, 2020, the chief law enforcement officer of every state and local law enforcement agency must establish and enforce a written policy requiring peace officers employed by the agency to intercede and report that is identical or substantially similar to the model policy developed under subdivision 2.

(b) Every state and local law enforcement agency must certify to the board that it has adopted a written policy in compliance with this subdivision.

(c) The board must assist the chief law enforcement officer of each state and local law enforcement agency in developing and implementing policies under this subdivision.

Subd. 4. **Compliance reviews authorized.** The board has authority to inspect state and local law enforcement agency policies to ensure compliance with subdivision 3. The board may conduct this inspection based upon a complaint it receives about a particular agency or through a random selection process. The board may impose licensing sanctions and seek injunctive relief under section 214.11 for an agency's failure to comply with subdivision 3.

Sec. 13. **[626.892] PEACE OFFICER GRIEVANCE ARBITRATION SELECTION PROCEDURE.**

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

(b) "Commissioner" means the commissioner of the Bureau of Mediation Services.

(c) "Employer" means a political subdivision or law enforcement agency employing a peace officer.

(d) "Grievance" means a dispute or disagreement regarding any written disciplinary action, discharge, or termination decision of a peace officer arising under a collective bargaining agreement covering peace officers.

(e) "Grievance arbitration" means binding arbitration of a grievance under the grievance procedure in a collective bargaining agreement covering peace officers, as required by this section or sections 179A.04, 179A.20, and 179A.21, subdivision 3, to the extent those sections are consistent with this section.

(f) "Grievance procedure" has the meaning given in section 179A.20, subdivision 4, except as otherwise provided in this section or to the extent inconsistent with this section.

(g) "Peace officer" means a licensed peace officer or part-time peace officer subject to licensure under sections 626.84 to 626.863.

Subd. 2. **Applicability.** (a) Notwithstanding any contrary provision of law, home rule charter, ordinance, or resolution, the arbitrator selection procedure established under this section shall apply to all peace officer grievance arbitrations for written disciplinary action, discharge, or termination heard on or after the effective date.

(b) The grievance procedure for all collective bargaining agreements covering peace officers negotiated on or after the day following final enactment must include the arbitrator selection procedure established in this section.

(c) This section does not authorize arbitrators appointed under this section to hear arbitrations of public employees who are not peace officers.

Subd. 3. **Fees.** All fees charged by arbitrators under this section shall be in accordance with a schedule of fees established by the commissioner on an annual basis.

Subd. 4. **Roster of arbitrators.** The governor, in consultation with community and law enforcement stakeholders, shall appoint a roster of no fewer than nine and no more than 15 persons suited and qualified by training and experience to act as arbitrators for peace officer grievance arbitrations under this section. In making these appointments, and as applicable, the governor may consider the factors set forth in Minnesota Rules, parts 5530.0600 and 5530.0700, subpart 6, as well as a candidate's experience and training in cultural competency, racism, implicit bias, and recognizing and valuing community diversity and cultural differences. The governor's appointments are effective immediately upon filing with the secretary of state. Arbitrators on the roster created by this subdivision shall not serve as an arbitrator in a labor arbitration other than a grievance arbitration as defined in this section.

Subd. 5. **Applications.** The secretary of state shall solicit and accept applications in the same manner as for open appointments under section 15.0597.

Subd. 6. **Terms.** (a) Initial appointments to the roster of arbitrators shall be made as follows:

(1) at least three, but no more than five, appointments to expire on the first Monday in January 2023;

(2) at least three, but no more than five, appointments to expire on the first Monday in January 2024; and

(3) at least three, but no more than five, appointments to expire on the first Monday in January 2025.

(b) Subsequent appointments to the roster of arbitrators shall be for three-year terms to expire on the first Monday in January, with the terms of no more than five arbitrators to expire in the same year.

(c) An arbitrator may continue to serve until their successor is appointed, but in no case later than July 1 of the year in which the arbitrator's term expires.

Subd. 7. **Applicability of Minnesota Rules, chapter 5530.** To the extent consistent with this section, the following provisions of Minnesota Rules apply to arbitrators on the roster of arbitrators established under this section:

(1) part 5530.0500 (status of arbitrators);

(2) part 5530.0800 (arbitrator conduct and standards); and

(3) part 5530.1000 (arbitration proceedings).

Subd. 8. **Performance measures.** To the extent applicable, the commissioner shall track the performance measures set forth in Minnesota Rules, part 5530.1200, and provide that data to the governor upon request.

Subd. 9. **Removal; vacancies.** An arbitrator appointed to the roster of arbitrators may be removed from the roster only by the commissioner in accordance with the procedures set forth in Minnesota Rules, part 5530.1300. A vacancy on the roster caused by a removal, a resignation, or another reason shall be filled by the governor as necessary to fill the remainder of the arbitrator's term. A vacancy on the roster occurring with less than six months remaining in the arbitrator's term shall be filled for the existing term and the following three-year term.

Subd. 10. **Training.** (a) A person appointed to the arbitrator roster under this section must complete training on culture competency, racism, implicit bias, and recognizing and valuing community diversity and cultural differences, and must continue to complete the training as required by the commissioner during the person's appointment. The commissioner may adopt rules establishing training and requirements for this purpose.

(b) An arbitrator appointed to the roster of arbitrators in 2020 must complete the required training by July 1, 2021. An arbitrator appointed to the roster of arbitrators after 2020 must complete the required training within six months of the arbitrator's appointment.

(c) All costs associated with the required training must be borne by the arbitrator.

Subd. 11. **Selection of arbitrators.** The commissioner shall assign or appoint an arbitrator or panel of arbitrators from the roster to a peace officer grievance arbitration under this section on a random or rotating basis. The parties shall not participate in, negotiate for, or agree to the selection of an arbitrator or arbitration panel under this section. The arbitrator or panel shall decide the grievance, and the decision is binding subject to the provisions of chapter 572B.

Subd. 12. Interaction with other laws. (a) Sections 179A.21, subdivision 2, and 572B.11, paragraph (a), and rules for arbitrator selection promulgated pursuant to section 179A.04 shall not apply to a peace officer grievance arbitration under this section.

(b) Notwithstanding any contrary provision of law, home rule charter, ordinance, or resolution, peace officers, through their certified exclusive representatives, shall not have the right to negotiate for or agree to a collective bargaining agreement or a grievance arbitration selection procedure with their employers that is inconsistent with this section.

(c) The arbitrator selection procedure for peace officer grievance arbitrations established under this section supersedes any inconsistent provisions in chapter 179A or 572B or in Minnesota Rules, chapters 5500 to 5530 and 7315 to 7325. Other arbitration requirements in those chapters remain in full force and effect for peace officer grievance arbitrations, except as provided in this section or to the extent inconsistent with this section.

EFFECTIVE DATE. This section is effective September 1, 2020, except that subdivision 2, paragraph (b), is effective the day following final enactment.

Sec. 14. Laws 2019, First Special Session chapter 5, article 1, section 12, subdivision 7, is amended to read:

| | | |
|--|------------|------------|
| Subd. 7. Office of Justice Programs | 40,147,000 | 40,082,000 |
| Appropriations by Fund | | |
| General | 40,051,000 | 39,986,000 |
| State Government Special Revenue | 96,000 | 96,000 |

(a) Base Adjustment

To account for the base adjustments provided in Laws 2018, chapter 211, article 21, section 1, paragraph (a), the general fund base is increased by \$2,000 in fiscal years 2022 and 2023.

(b) Administration Costs

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

(c) Indigenous Women Task Force

\$105,000 the first year and \$45,000 the second year are for expenses related to the task force on missing and murdered indigenous women. This appropriation is available until June 30, 2021. These are onetime appropriations.

(d) Domestic Abuse Prevention Grants

\$200,000 each year is for a grant to a domestic abuse prevention program that provides interdisciplinary, trauma-informed treatment and evidence-informed intervention for veterans and current or former service members and their whole families affected by

domestic violence. The grantee must offer a combination of services for perpetrators of domestic violence and their families, including individual and group therapy, evaluation and research of programming, and short- and long-term case management services to ensure stabilization and increase in their overall mental health functioning and well-being. These appropriations are onetime.

(e) Criminal Sexual Conduct Statutory Reform Working Group

\$20,000 the first year and \$14,000 the second year are to convene, administer, and implement the criminal sexual conduct statutory reform working group. These appropriations are onetime.

Sec. 15. Laws 2019, First Special Session chapter 5, article 2, section 28, subdivision 4, is amended to read:

Subd. 4. **Report.** The task force shall report to the chairs and ranking minority members of the legislative committees and divisions with jurisdiction over public safety, human services, and state government on the work of the task force, including but not limited to the issues to be examined in subdivision 1, and shall include in the report institutional policies and practices or proposed institutional policies and practices that are effective in reducing gender violence and increasing the safety of indigenous women and girls. The report shall include recommendations to reduce and end violence against indigenous women and girls and help victims and communities heal from gender violence and violence against indigenous women and girls. ~~The A~~ report shall be submitted to the legislative committees by December 15, 2020, and a final report shall be submitted by June 30, 2021.

Sec. 16. Laws 2019, First Special Session chapter 5, article 2, section 28, subdivision 5, is amended to read:

Subd. 5. **Expiration.** Notwithstanding Minnesota Statutes, section 15.059, the task force expires ~~December 31,~~ 2020 June 30, 2021.

Sec. 17. **APPROPRIATION.**

\$17,000 in fiscal year 2021 is appropriated from the general fund to the Peace Officer Standards and Training Board for costs associated with this act. \$15,000 is added to the board's base.

Sec. 18. **APPROPRIATION; BUREAU OF MEDIATION SERVICES.**

\$120,000 in fiscal year 2021 is appropriated from the general fund to the Bureau of Mediation Services for rulemaking, staffing, and other costs associated with peace officer grievance procedures. \$47,000 is added to the bureau's base.

ARTICLE 3
PEACE OFFICER USE OF FORCE AND PRETRIAL DETENTION

Section 1. Minnesota Statutes 2018, section 8.01, is amended to read:

8.01 APPEARANCE.

The attorney general shall appear for the state in all causes in the supreme and federal courts wherein the state is directly interested; also in all civil causes of like nature in all other courts of the state whenever, in the attorney general's opinion, the interests of the state require it. Except as provided for in section 8.37, upon request of the

county attorney, the attorney general shall appear in court in such criminal cases as the attorney general deems proper. Upon request of a county attorney, the attorney general may assume the duties of the county attorney in sexual psychopathic personality and sexually dangerous person commitment proceedings under chapter 253D. Whenever the governor shall so request, in writing, the attorney general shall prosecute any person charged with an indictable offense, and in all such cases may attend upon the grand jury and exercise the powers of a county attorney.

Sec. 2. **[8.37] PEACE-OFFICER-INVOLVED DEATHS.**

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

(b) "Law enforcement agency" has the meaning given in section 626.84, subdivision 1, paragraph (f).

(c) "Officer-involved death" means the death of another that results from a peace officer's use of force while the officer is on duty or off duty but performing activities that are within the scope of the officer's law enforcement duties.

(d) "Peace officer" has the meaning given in section 626.84, subdivision 1, paragraph (c).

Subd. 2. **Prosecution of officer-involved deaths.** (a) The attorney general has charge of the prosecution of peace officers alleged to have caused an officer-involved death.

(b) When requested by the attorney general, a county attorney may appear for the state in any case instituted under this section and assist in the preparation and trial.

Subd. 3. **Local assistance.** Each law enforcement agency with jurisdiction over the area where an officer-involved death occurred must cooperate with the attorney general to the same extent as if the county attorney had charge of the prosecution.

Sec. 3. Minnesota Statutes 2018, section 260B.176, is amended by adding a subdivision to read:

Subd. 1a. **Risk assessment instrument.** If a peace officer or probation or parole officer who took a child into custody does not release the child as provided in subdivision 1, the peace officer or probation or parole officer shall communicate with or deliver the child to a juvenile secure detention facility to determine whether the child should be released or detained. Before detaining a child, the supervisor of the facility shall use an objective and racially, ethnically, and gender-responsive juvenile detention risk assessment instrument developed by the commissioner of corrections, county, group of counties, or judicial district, in consultation with the state coordinator or coordinators of the Minnesota Juvenile Detention Alternative Initiative. The risk assessment instrument must assess the likelihood that a child released from preadjudication detention under this section or section 260B.178 would endanger others or not return for a court hearing. The instrument must identify the appropriate setting for a child who might endanger others or not return for a court hearing pending adjudication, with either continued detention or placement in a noncustodial community-based supervision setting. The instrument must also identify the type of noncustodial community-based supervision setting necessary to minimize the risk that a child who is released from custody will endanger others or not return for a court hearing. If, after using the instrument, a determination is made that the child should be released, the person taking the child into custody or the supervisor of the facility shall release the child as provided in subdivision 1.

EFFECTIVE DATE. This section is effective August 15, 2021.

Sec. 4. **[299C.80] INDEPENDENT USE OF FORCE INVESTIGATIONS UNIT.**

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

(b) "Law enforcement agency" has the meaning given in section 626.84, subdivision 1, paragraph (f).

(c) "Officer-involved death" means the death of another that results from a peace officer's use of force while the officer is on duty or off duty but performing activities that are within the scope of the officer's law enforcement duties.

(d) "Peace officer" has the meaning given in section 626.84, subdivision 1, paragraph (c).

(e) "Superintendent" means the superintendent of the Bureau of Criminal Apprehension.

(f) "Unit" means the independent Use of Force Investigations Unit.

Subd. 2. **Formation; special agent in charge; duty.** The superintendent shall form an independent Use of Force Investigations Unit within the Bureau of Criminal Apprehension to conduct officer-involved death investigations. The superintendent, in consultation with the commissioner of public safety, shall select a special agent in charge of the unit.

Subd. 3. **Additional duty.** The unit shall investigate all criminal sexual conduct cases involving peace officers, including criminal sexual conduct cases involving chief law enforcement officers. The unit may also investigate conflict of interest cases involving peace officers and other public officials accused of crimes

Subd. 4. **Staff; support.** The unit shall employ peace officers and staff to conduct investigations and the superintendent shall develop and implement policies and procedures to ensure no conflict of interest exists with agents assigned to investigate a particular incident. The superintendent may permit bureau resources not directly assigned to this unit to be used to assist the unit in fulfilling the duties assigned in this section.

Subd. 5. **Conflicts.** When a peace officer employed by the Bureau of Criminal Apprehension is the subject of an officer-involved death investigation, the investigation shall be conducted by an investigatory agency selected by the attorney general.

Subd. 6. **Reporting.** The superintendent must make all case files publicly available on the bureau's website within 30 days of the end of the last criminal appeal of a subject of an investigation, as provided for in chapter 13. By February 1 of each year, the superintendent shall report to the commissioner, the governor, and the chairs and ranking minority members of the legislative committees with jurisdiction over public safety finance and policy the following information about the unit: the number of investigations initiated; the number of incidents investigated; the outcomes or current status of each investigation; the charging decisions made by the prosecuting authority of incidents investigated by the unit; the number of plea agreements reached in incidents investigated by the unit; and any other information relevant to the unit's mission.

Sec. 5. Minnesota Statutes 2018, section 388.051, subdivision 1, is amended to read:

Subdivision 1. **General provisions.** The county attorney shall:

- (1) appear in all cases in which the county is a party;
- (2) give opinions and advice, upon the request of the county board or any county officer, upon all matters in which the county is or may be interested, or in relation to the official duties of the board or officer;
- (3) except as provided in section 8.37, prosecute felonies, including the drawing of indictments found by the grand jury, and, to the extent prescribed by law, gross misdemeanors, misdemeanors, petty misdemeanors, and violations of municipal ordinances, charter provisions and rules or regulations;

(4) attend before the grand jury, give them legal advice, and examine witnesses in their presence;

(5) request the court administrator to issue subpoenas to bring witnesses before the grand jury or any judge or judicial officer before whom the county attorney is conducting a criminal hearing;

(6) attend any inquest at the request of the coroner; and

(7) appear, when requested by the attorney general, for the state in any case instituted by the attorney general in the county attorney's county or before the United States Land Office in case of application to preempt or locate any public lands claimed by the state and assist in the preparation and trial.

Sec. 6. Minnesota Statutes 2018, section 609.066, is amended by adding a subdivision to read:

Subd. 1a. **Legislative intent.** The legislature hereby finds and declares the following:

(1) that the authority to use deadly force, conferred on peace officers by this section, is a critical responsibility that shall be exercised judiciously and with respect for human rights and dignity and for the sanctity of every human life. The legislature further finds and declares that every person has a right to be free from excessive use of force by officers acting under color of law;

(2) as set forth below, it is the intent of the legislature that peace officers use deadly force only when necessary in defense of human life. In determining whether deadly force is necessary, officers shall evaluate each situation in light of the particular circumstances of each case and shall use other available resources and techniques if reasonably safe and feasible to an objectively reasonable officer;

(3) that the decision by a peace officer to use deadly force shall be evaluated from the perspective of a reasonable officer in the same situation, based on the totality of the circumstances known to or perceived by the officer at the time, rather than with the benefit of hindsight, and that the totality of the circumstances shall account for occasions when officers may be forced to make quick judgments about using deadly force; and

(4) that peace officers should exercise special care when interacting with individuals with physical, mental health, developmental, or intellectual disabilities as an individual's disability may affect the individual's ability to understand or comply with commands from peace officers.

Sec. 7. Minnesota Statutes 2018, section 609.066, subdivision 2, is amended to read:

Subd. 2. **Use of deadly force.** (a) Notwithstanding the provisions of section 609.06 or 609.065, the use of deadly force by a peace officer in the line of duty is justified only when the officer reasonably believes, based on the totality of the circumstances, that such force is necessary:

(1) to protect the peace officer or another from ~~apparent~~ imminent death or great bodily harm; or

(2) to effect the arrest or capture, or prevent the escape, of a person whom the peace officer knows or has reasonable grounds to believe has committed or attempted to commit a felony ~~involving the use or threatened use of deadly force; or~~ and the officer reasonably believes that the person will cause death or great bodily harm to another person unless immediately apprehended.

~~(3) to effect the arrest or capture, or prevent the escape, of a person whom the officer knows or has reasonable grounds to believe has committed or attempted to commit a felony if the officer reasonably believes that the person will cause death or great bodily harm if the person's apprehension is delayed.~~

(b) A peace officer shall not use deadly force against a person based on the danger the person poses to self if an objectively reasonable officer would believe the person does not pose an imminent threat of death or great bodily harm to the peace officer or to another person.

Sec. 8. Minnesota Statutes 2018, section 626.8452, subdivision 1, is amended to read:

Subdivision 1. **Deadly force policy.** By January 1, 1992, the head of every local and state law enforcement agency shall establish and enforce a written policy governing the use of force, including deadly force, as defined in section 609.066, by peace officers and part-time peace officers employed by the agency. The policy must be consistent with the provisions of section 609.066, ~~subdivision~~ subdivisions 1a and 2, and may not prohibit the use of deadly force under circumstances in which that force is justified under section 609.066, subdivision 2.

Sec. 9. Minnesota Statutes 2018, section 629.53, is amended to read:

629.53 PROVIDING RELEASE ON BAIL; COMMITMENT.

Subdivision 1. **Pretrial release.** A person charged with a criminal offense may be released with or without bail in accordance with rule 6.02 of the Rules of Criminal Procedure and this section. To the extent a court determines there is a conflict between rule 6.02 of the Rules of Criminal Procedure and this section, this section shall control.

Subd. 2. **Release of a person charged with a misdemeanor offense.** (a) A defendant charged with a misdemeanor offense, other than a violation identified in paragraph (e), must be released on personal recognizance unless the court determines that there is a substantial likelihood that the defendant will not appear at future court proceedings or poses a threat to a victim's safety.

(b) If the court determines that there is a substantial likelihood that a defendant will not appear at future court appearances, the court must impose the least restrictive conditions of release that will reasonably assure the person's appearance as ordered. These conditions of release include but are not limited to an unsecured appearance bond or money bail on which the defendant may be released by posting cash or sureties. If the court sets conditions of release other than an unsecured appearance bond or money bail, it must also set money bail without other conditions on which the defendant may be released.

(c) The court must not impose a financial condition of release on a defendant subject to this subdivision that results in the pretrial detention of the defendant. Financial conditions of release include but are not limited to money bail.

(d) If a defendant subject to this subdivision remains in custody for more than 48 hours after the court imposes a financial condition of release, the court must review the conditions of release and there exists a rebuttable presumption that the financial condition resulted in the pretrial detention of the defendant.

(e) This subdivision does not apply to violations of:

(1) section 169A.20;

(2) section 518B.01;

(3) section 609.224;

(4) section 609.2242;

(5) section 609.748;

(6) section 609.749; and

(7) section 629.75.

(f) If a defendant released pursuant to paragraph (a) or (b) fails to appear at a required court hearing, the court shall issue a summons or warrant directing that the defendant appear in court pursuant to rule 6.03 of the Rules of Criminal Procedure.

Subd. 3. **Presumption of release on personal recognizance.** Except as described in subdivision 2, on appearance before the court, a defendant charged with a misdemeanor must be released on personal recognizance or an unsecured appearance bond unless otherwise provided by law, or a court determines that release will endanger the public safety, a victim's safety, or will not reasonably assure the defendant's appearance.

Subd. 4. **Money bail; disposition.** Money bail is the property of the accused, whether deposited by that person or by a third person on the accused's behalf. When money bail is accepted by a judge, that judge shall order it to be deposited with the court administrator. The court administrator shall retain it until the final disposition of the case and the final order of the court disposing of the case. Upon release, the amount released must be paid to the accused personally or upon that person's written order. In case of conviction, the judge may order the money bail deposit to be applied to any fine or restitution imposed on the defendant by the court and, if the fine or restitution is less than the deposit, order the balance to be paid to the defendant. Money bail deposited with the court or any officer of it is exempt from garnishment or levy under attachment or execution.

EFFECTIVE DATE. This section is effective August 1, 2020.

Sec. 10. **ATTORNEY GENERAL; APPROPRIATION.**

\$1,636,000 in fiscal year 2021 is appropriated from the general fund to the attorney general for conducting criminal prosecutions, including prosecution of peace-officer-involved death cases pursuant to Minnesota Statutes, section 8.37. This amount is added to the agency's base.

Sec. 11. **APPROPRIATION FOR INDEPENDENT USE OF FORCE INVESTIGATIONS UNIT IN BCA.**

\$3,365,000 in fiscal year 2021 is appropriated from the general fund to the commissioner of public safety to establish and operate the independent Use of Force Investigations Unit in the Bureau of Criminal Apprehension. \$3,272,000 is added to the agency's base for this purpose.

ARTICLE 4
COMMUNITY INVOLVEMENT IN PUBLIC SAFETY

Section 1. Minnesota Statutes 2018, section 13.43, subdivision 9, is amended to read:

Subd. 9. **Peer counseling debriefing data.** (a) Data acquired by a peer ~~group member in a support counselor~~ when providing public safety peer counseling ~~debriefing is private data on the person being debriefed~~ are governed by section 181.9732.

(b) For purposes of this subdivision, "~~public safety peer counseling debriefing~~" means a ~~group process oriented debriefing session held for peace officers, firefighters, medical emergency persons, dispatchers, or other persons involved with public safety emergency services, that is established by any government entity providing public safety emergency services and is designed to help a person who has suffered an occupation related traumatic event begin the process of healing and effectively dealing with posttraumatic stress;~~

(1) "peer support counselor has the meaning given in section 181.9732, subdivision 1, paragraph (c); and

(2) "public safety peer counseling" has the meaning given in section 181.9732, subdivision 1, paragraph (c).

Sec. 2. Minnesota Statutes 2018, section 13.43, is amended by adding a subdivision to read:

Subd. 9a. **Critical incident stress management data.** (a) Data acquired by a critical incident stress management team member when providing critical incident stress management services are governed by section 181.9731.

(b) For purposes of this subdivision:

(1) "critical incident stress management services" has the meaning given in section 181.9731, subdivision 1, paragraph (c); and

(2) "critical incident stress management team member" has the meaning given in section 181.9731, subdivision 1, paragraph (e).

Sec. 3. **[181.9731] CRITICAL INCIDENT STRESS MANAGEMENT.**

Subdivision 1. **Definitions.** (a) For purposes of this section, the following terms have the meanings given.

(b) "Critical incident" means an event that results in acute or cumulative psychological stress or trauma to an emergency service provider. "Critical incident" includes, but is not limited to, any encounter which may result in the death of or serious injury to another person such as fatal motor vehicle accidents, child abuse investigations, death investigations, and large scale man-made or natural disasters.

(c) "Critical incident stress management services" means consultation, risk assessment, education, intervention, and other crisis intervention services provided by a critical incident stress management team or critical incident stress management team member to an emergency service provider affected by a critical incident.

(d) "Critical incident stress management team" means a group organized to provide critical incident stress management to emergency service providers and consists of members trained in accordance with standards that are both (1) established by a nationally recognized critical incident stress management organization or network, and (2) recognized by the commissioner of public safety. A critical incident stress management team may include members from any emergency service discipline, mental health professionals, and designated emergency service chaplains.

(e) "Critical incident stress management team member" means an individual who is specially trained to provide critical incident stress management services, has met the critical incident stress management team training requirements, was approved to function as a critical incident stress management team member prior to the time critical incident stress management services are provided, and is approved to function as a critical incident stress management team member at the time the critical incident stress management services are provided.

(f) "Emergency service provider" includes a peace officer, correctional officer, probation officer, supervision agent, firefighter, rescue squad member, dispatcher, hospital or emergency medical clinic personnel, forensic science professional, or other person involved with public safety emergency services, either paid or volunteer.

Subd. 2. **Disclosure prohibited.** (a) Except as provided in subdivision 3, a critical incident stress management team member or any person who receives critical incident stress management services shall not be required to disclose to a third party any information obtained solely through the provision of or receipt of such services.

(b) Government data on individuals receiving critical incident stress management services are classified as private data on individuals, as defined by section 13.02, subdivision 12, but may be disclosed as provided in subdivision 3.

Subd. 3. **Exceptions.** The prohibition established under subdivision 2 does not apply if any of the following are true:

(1) the critical incident stress management team member reasonably believes the disclosure is necessary to prevent harm to self by the person in receipt of critical incident stress management services or to prevent the person from harming another person, provided the disclosure is only for the purpose of preventing the person from harming self or others and limited to information necessary to prevent such harm;

(2) the person who received critical incident stress management services provides written consent to the disclosure of the information;

(3) the critical incident stress management team member is a witness or a party to a critical incident that prompted the emergency service provider to receive critical stress management services;

(4) the person receiving critical incident stress management services discloses information that is required to be reported under the mandated reporting laws, including, but not limited to, the reporting of maltreatment of minors under section 626.556 and the reporting of maltreatment of vulnerable adults under section 626.557, provided the disclosure is only for the purpose of reporting maltreatment and limited to information necessary to make such a report;

(5) the emergency service provider who received critical incident stress management services is deceased and the surviving spouse or administrator of the estate of the deceased emergency service provider gives written consent to the disclosure; or

(6) the emergency service provider who received critical incident stress management services voluntarily testifies, in which case the critical incident stress management team member may be compelled to testify on the same subject.

Sec. 4. **[181.9732] PUBLIC SAFETY PEER COUNSELING.**

Subdivision 1. **Definitions.** (a) For purposes of this section, the following terms have the meanings given.

(b) "Emergency service providers" includes a peace officer, correctional officer, probation officer, supervision agent, firefighter, rescue squad member, dispatcher, hospital or emergency medical clinic personnel, forensic science professional, or other person involved with public safety emergency services, either paid or volunteer.

(c) "Peer support counselor" means an individual who is specially trained to provide public safety peer counseling services in accordance with standards established by an accredited mental health organization or network and recognized by the commissioner of public safety, and who is designated by the emergency service provider's agency to provide such services.

(d) "Public safety peer counseling" means a counseling session, led by a peer support counselor for emergency service providers that is designed to help a person who has suffered an occupation-related trauma, illness, or stress begin the process of healing and effectively dealing with the person's problems, and includes the use of referrals to better service these occupation-related issues.

Subd. 2. **Disclosure prohibited.** (a) Except as provided in subdivision 3, a peer support counselor or any person who receives public safety peer counseling shall not be required to disclose any information obtained solely through the provision of or receipt of such services to a third party.

(b) Government data on individuals receiving peer counseling are classified as private data on individuals, as defined by section 13.02, subdivision 12, but may be disclosed as provided in subdivision 3.

Subd. 3. **Exceptions.** The prohibition established under subdivision 2 does not apply if any of the following are true:

(1) the peer support counselor reasonably believes the disclosure is necessary to prevent harm to self by the person in receipt of public safety peer counseling or to prevent the person from harming another person, provided the disclosure is only for the purpose of preventing the person from harming self or others and limited to information necessary to prevent such harm;

(2) the person who received public safety peer counseling provides written consent to the disclosure of the information;

(3) the peer support counselor is a witness or a party to a critical incident that prompted the emergency service provider to receive public safety peer counseling;

(4) the person receiving public safety peer counseling discloses information that is required to be reported under the mandated reporting laws, including, but not limited to, the reporting of maltreatment of minors under section 626.556 and the reporting of maltreatment of vulnerable adults under section 626.557, provided the disclosure is only for the purpose of reporting maltreatment and limited to information necessary to make such a report;

(5) the emergency service provider who received public safety peer counseling is deceased and the surviving spouse or administrator of the estate of the deceased emergency service provider gives written consent to the disclosure; or

(6) the emergency service provider who received public safety peer counseling voluntarily testifies, in which case the peer support counselor may be compelled to testify on the same subject.

Sec. 5. Minnesota Statutes 2018, section 201.014, is amended by adding a subdivision to read:

Subd. 2a. **Felony conviction; restoration of civil right to vote.** An individual convicted of a felony has the civil right to vote restored when the individual completes any incarceration imposed and executed by the court for the offense, or upon sentencing if no incarceration is imposed. If the individual is later incarcerated for the same offense, the individual's civil right to vote is lost only during the period of incarceration.

Sec. 6. Minnesota Statutes 2018, section 201.071, subdivision 1, is amended to read:

Subdivision 1. **Form.** Both paper and electronic voter registration applications must contain the same information unless otherwise provided by law. A voter registration application must contain spaces for the following required information: voter's first name, middle name, and last name; voter's previous name, if any; voter's current address; voter's previous address, if any; voter's date of birth; voter's municipality and county of residence; voter's telephone number, if provided by the voter; date of registration; current and valid Minnesota driver's license number or Minnesota state identification number, or if the voter has no current and valid Minnesota driver's license or Minnesota state identification, the last four digits of the voter's Social Security number; and voter's signature. The paper registration application may include the voter's e-mail address, if provided by the voter. The electronic voter registration application must include the voter's e-mail address. The registration application may include the voter's interest in serving as an election judge, if indicated by the voter. The application must also contain the following certification of voter eligibility:

"I certify that I:

(1) will be at least 18 years old on election day;

(2) am a citizen of the United States;

- (3) will have resided in Minnesota for 20 days immediately preceding election day;
- (4) maintain residence at the address given on the registration form;
- (5) am not under court-ordered guardianship in which the court order revokes my right to vote;
- (6) have not been found by a court to be legally incompetent to vote;

(7) ~~have the right to vote because, if I have been convicted of a felony, my felony sentence has expired (been completed) or I have been discharged from my sentence~~ am not currently incarcerated for a felony offense; and

(8) have read and understand the following statement: that giving false information is a felony punishable by not more than five years imprisonment or a fine of not more than \$10,000, or both."

The certification must include boxes for the voter to respond to the following questions:

"(1) Are you a citizen of the United States?" and

"(2) Will you be 18 years old on or before election day?"

And the instruction:

"If you checked 'no' to either of these questions, do not complete this form."

The form of the voter registration application and the certification of voter eligibility must be as provided in this subdivision and approved by the secretary of state. Voter registration forms authorized by the National Voter Registration Act must also be accepted as valid. The federal postcard application form must also be accepted as valid if it is not deficient and the voter is eligible to register in Minnesota.

An individual may use a voter registration application to apply to register to vote in Minnesota or to change information on an existing registration.

Sec. 7. [201.276] DUTIES OF SECRETARY OF STATE; INFORMATION ABOUT VOTING RIGHTS.

The secretary of state shall develop accurate and complete information in a single publication about the voting rights of people who have been charged with or convicted of a crime. This publication must be made available electronically to the state court administrator for distribution to judges, court personnel, probation officers, and the commissioner of corrections for distribution to corrections officials, parole and supervised release agents, and the public.

Sec. 8. Minnesota Statutes 2019 Supplement, section 204C.10, is amended to read:

204C.10 POLLING PLACE ROSTER; VOTER SIGNATURE CERTIFICATE; VOTER RECEIPT.

(a) An individual seeking to vote shall sign a polling place roster or voter signature certificate which states that the individual:

(1) is at least 18 years of age;

(2) is a citizen of the United States;

(3) has resided in Minnesota for 20 days immediately preceding the election;

(4) maintains residence at the address shown;:

(5) is not under a guardianship in which the court order revokes the individual's right to vote;:

(6) has not been found by a court of law to be legally incompetent to vote or;:

(7) has the right to vote because, if the individual was convicted of a felony, ~~the felony sentence has expired or been completed or the individual has been discharged from the sentence,~~ completed the term of incarceration, if any, for the felony offense;

(8) is registered; and

(9) has not already voted in the election.

The roster must also state: "I understand that deliberately providing false information is a felony punishable by not more than five years imprisonment and a fine of not more than \$10,000, or both."

(b) At the presidential nomination primary, the polling place roster must also state: "I am in general agreement with the principles of the party for whose candidate I intend to vote." This statement must appear separately from the statements required in paragraph (a). The felony penalty provided for in paragraph (a) does not apply to this paragraph.

(c) A judge may, before the applicant signs the roster or voter signature certificate, confirm the applicant's name, address, and date of birth.

(d) After the applicant signs the roster or voter signature certificate, the judge shall give the applicant a voter's receipt. The voter shall deliver the voter's receipt to the judge in charge of ballots as proof of the voter's right to vote, and thereupon the judge shall hand to the voter the ballot. The voters' receipts must be maintained during the time for notice of filing an election contest.

(e) Whenever a challenged status appears on the polling place roster, an election judge must ensure that the challenge is concealed or hidden from the view of any voter other than the voter whose status is challenged.

Sec. 9. [243.205] NOTICE OF RESTORATION OF RIGHT TO VOTE.

Subdivision 1. **Correctional facilities; designation of official.** The chief executive officer of each state and local correctional facility shall designate an official within the facility to provide the notice and application required under this section to persons to whom the civil right to vote is restored by reason of the persons' release from actual incarceration. The official shall maintain an adequate supply of voter registration applications and informational materials for this purpose.

Subd. 2. **Notice requirement.** A notice of restoration of the civil right to vote and a voter registration application must be provided as follows:

(1) the chief executive officer of each state and local correctional facility shall provide the notice and application to a person being released from the facility following incarceration for a felony-level offense; and

(2) a probation officer or supervised release agent shall provide the notice and application to all individuals under correctional supervision for a felony-level offense.

Subd. 3. **Form of notice.** The notice required by subdivision 2 must appear substantially as follows:

"NOTICE OF RESTORATION OF YOUR RIGHT TO VOTE."

Your receipt of this notice today means that your right to vote in Minnesota has been restored. Before you can vote on election day, you still need to register to vote. To register, you may complete a voter registration application and return it to the Office of the Minnesota Secretary of State. You may also register to vote in your polling place on election day. You will not be permitted to cast a ballot until you register to vote. The first time you appear at your polling place to cast a ballot, you may be required to provide proof of your current residence."

Subd. 4. **Failure to provide notice.** A failure to provide proper notice as required by this section does not prevent the restoration of the person's civil right to vote.

Sec. 10. **[299A.018] OFFICER-INVOLVED DEATH REVIEW BOARD.**

Subdivision 1. **Definitions.** (a) The following terms have the meanings provided.

(b) "Board" means the Officer-Involved Death Review Board.

(c) "Commissioner" means the commissioner of public safety.

(d) "Law enforcement agency" has the meaning given in section 626.84, subdivision 1, paragraph (f).

(e) "Officer-involved death" means the death of a person that results from a peace officer's use of force while the officer is on duty or off duty but performing activities that are within the scope of the officer's law enforcement duties.

(f) "Peace officer" has the meaning given in section 626.84, subdivision 1, paragraph (c).

Subd. 2. **Establishment; membership; office support.** (a) The Officer-Involved Death Review Board is established in the Department of Public Safety. The board consists of the following members:

(1) the superintendent of the Bureau of Criminal Apprehension;

(2) a member of the Peace Officer Standards and Training Board selected by the executive director of the Peace Officer Standards and Training Board;

(3) a representative of the Office of Violence Prevention in the Department of Health;

(4) the commissioner of the Department of Human Rights or a designee;

(5) the commissioner of corrections or a designee; and

(6) six persons selected by the commissioner that must include:

(i) a medical examiner or coroner;

(ii) a use of force expert;

(iii) a civil rights expert;

(iv) a prosecutor with expertise in officer-involved death reviews;

(v) a member of the public from the seven-county metropolitan area; and

(vi) a member of the public from outside of the seven-county metropolitan area.

(b) Members appointed by the commissioner of public safety under paragraph (a), clause (6), serve a two-year term, and may be reappointed for one additional term.

(c) The commissioner must convene the board no later than November 1, 2020, and provide meeting space and administrative assistance necessary for the board to conduct its work, including documentation of meetings and review findings.

Subd. 3. **Review teams.** (a) The board shall appoint a review team from among the board members to collect, review, and analyze data related to each officer-involved death that occurs in the state. The board may also invite other relevant persons to participate as full members of a review team as needed. Review team membership should represent the cultural and racial diversity of the community where the death occurred, to the extent possible. A member may not participate in a review if the member is a current or former employee of the agency that is the subject of the team's review.

(b) In determining the cause of death, the review team shall consider death certificates and other data relevant to determining cause of death, including investigative reports and medical records. The review team may also analyze additional available information concerning the decedent.

(c) As part of the review team's investigation of a peace officer involved in an officer-involved death, the team should review:

(1) the peace officer's complete employment and training records;

(2) the policies and standard operating procedures of the agency that employs the peace officer;

(3) applicable collective bargaining agreements; and

(4) other pertinent information concerning the peace officer and the agency that employs the peace officer.

Subd. 4. **Access to data.** (a) The review team has access to the following not public data, as defined in section 13.02, subdivision 8a, relating to an officer-involved death:

(1) inactive law enforcement investigative data under section 13.82;

(2) autopsy records and coroner or medical examiner investigative data under section 13.83;

(3) hospital, public health, or other medical records of the decedent under section 13.384; and

(4) records under section 13.46, created by social service agencies that provided services to the decedent.

(b) Access to medical records under this paragraph also includes records governed by sections 144.291 to 144.298.

(c) The board has access to corrections and detention data as provided in section 13.85.

Subd. 5. **Agency notice; cooperation.** (a) The chief law enforcement officer of a law enforcement agency that has an officer-involved death must notify the commissioner within 30 days of the death. The commissioner shall forward a copy of the filing to the board. The notification shall contain information concerning the reason for and circumstances surrounding the death.

(b) The law enforcement agency that employs a peace officer who was involved in an officer-involved death must cooperate fully with the board and a review team appointed by the board. The chief law enforcement officer of the agency that employs an officer under investigation by a review team must provide written answers to questions posed by the review team or the board.

Subd. 6. Compel production of records; subpoena. As part of any review, the board may compel the production of other records by applying to the district court for a subpoena, which will be effective throughout the state according to the Rules of Civil Procedure.

Subd. 7. Officer-involved death reviews and recommendations. (a) The board must conduct an initial review of each officer-involved death within 90 days of the final adjudication of the event to determine any immediate action, appropriate local representation, and timeline. The board must submit a publicly available summary of the incident and the board's response plan.

(b) The board must identify and analyze the root causes of the incident.

(c) The full review must be completed within six months of the final adjudication of the event and the report must be filed with the commissioner and agency that employed the peace officer involved in the event within 60 days of completion of the review.

(d) The board shall make recommendations to the commissioner for changes in statewide training of peace officers. Following the analysis, the board must prepare a report that recommends policy and system changes to reduce and prevent future incidents across jurisdictions, agencies, and systems.

(e) The commissioner must post the report on the Department of Public Safety's public website. The posted report must comply with chapter 13 and any data that is not public data must be redacted.

Subd. 8. Confidentiality; data privacy. (a) Meetings of the board are not subject to chapter 13D. A person attending a board meeting may not disclose what transpired at the meeting, except to carry out the purposes of the review or as otherwise provided in this subdivision.

(b) The board may disclose the names of the decedents in the cases it reviews.

(c) Proceedings and records of the board are confidential data as defined in section 13.02, subdivision 3, or protected nonpublic data as defined in section 13.02, subdivision 13, regardless of their classification in the hands of the person who provided the data, and are not subject to discovery or introduction into evidence in a civil or criminal action against a professional, the state, or a county agency, arising out of the matters the team is reviewing. Information, documents, and records otherwise available from other sources are not immune from discovery or use in a civil or criminal action solely because they were presented during proceedings of the board.

(d) This subdivision does not limit a person who presented information before the board or who is a member of the panel from testifying about matters within the person's knowledge. However, in a civil or criminal proceeding, a person may not be questioned about the person's good faith presentation of information to the board or opinions formed by the person as a result of the board meetings.

(e) In addition to the requirements of section 13.05, subdivision 5, the board must establish written procedures to ensure individuals have access to not public data only if authorized in writing by the board. The ability of authorized individuals to enter, update, or access not public data must be limited through the use of role-based access that corresponds to the official duties or training level of the individual and the statutory authorization that grants access for that purpose. All queries and responses, and all actions in which data are entered, updated, accessed, shared, or disseminated, must be recorded in a data audit trail. Data contained in the audit trail are public, to the extent that the data are not otherwise classified by law.

Subd. 9. **External advice.** The board shall identify an external impartial entity to facilitate reviews and establish the review process.

Subd. 10. **Reports to the legislature.** By June 15 of each year, the board must report to the chairs and ranking minority members of the house of representatives and senate committees and divisions with jurisdiction over public safety on:

(1) the number of reviews performed under this section in the last year;

(2) aggregate data on reviews performed;

(3) the number of reviews that included a recommendation that the law enforcement agency under review implement a corrective action plan;

(4) a description of any recommendations made to the commissioner for statewide training of peace officers; and

(5) recommendations for legislative action.

Sec. 11. **[299A.625] COMMUNITY-LED PUBLIC SAFETY COORDINATOR.**

Subdivision 1. **Community-led public safety coordinator established.** The commissioner of public safety shall appoint a statewide community-led public safety coordinator in the Office of Justice Programs who shall serve in the unclassified service.

Subd. 2. **Duties.** The office shall:

(1) promote and monitor alternatives to traditional policing models;

(2) identify effective forms of community-led intervention to promote public safety;

(3) strengthen connections between community members and local law enforcement agencies;

(4) encourage the use of restorative justice programs including but not limited to sentencing circles; and

(5) administer grants to promote community-based crisis intervention and promote community healing.

EFFECTIVE DATE. This section is effective July 1, 2020.

Sec. 12. Minnesota Statutes 2018, section 609.165, subdivision 1, is amended to read:

Subdivision 1. **Restoration.** When a person has been deprived of civil rights by reason of conviction of a crime and is thereafter discharged, such discharge shall restore the person to all civil rights and to full citizenship, ~~with full right to vote and hold office,~~ the same as if such conviction had not taken place, and the order of discharge shall so provide.

Sec. 13. **[626.5534] USE OF FORCE REPORTING.**

Subdivision 1. **Report required.** A chief law enforcement officer must provide the information requested by the Federal Bureau of Investigation about each incident of law enforcement use of force resulting in serious bodily injury or death, as those terms are defined in the Federal Bureau of Investigation's reporting requirements, to the superintendent of the Bureau of Criminal Apprehension. The superintendent shall adopt a reporting form for use by law enforcement agencies in making the report required under this section. The report must include for each incident all of the information requested by the Federal Bureau of Investigation.

Subd. 2. **Use of information collected.** A chief law enforcement officer must file the report under subdivision 1 once a month in the form required by the superintendent. The superintendent must summarize and analyze the information received and submit an annual written report to the chairs and ranking minority members of the house of representatives and senate committees with jurisdiction over public safety. The superintendent shall submit the information to the Federal Bureau of Investigation.

Sec. 14. Minnesota Statutes 2018, section 626.8469, is amended to read:

626.8469 TRAINING IN CRISIS RESPONSE, CONFLICT MANAGEMENT, AND CULTURAL DIVERSITY.

Subdivision 1. **In-service training required.** Beginning July 1, 2018, the chief law enforcement officer of every state and local law enforcement agency shall provide in-service training in crisis intervention and mental illness crises; conflict management and mediation; and recognizing and valuing community diversity and cultural differences to include implicit bias training to every peace officer and part-time peace officer employed by the agency. The training shall comply with learning objectives developed and approved by the board and shall meet board requirements for board-approved continuing education credit. Crisis intervention and mental illness crisis training shall meet the standards in subdivision 1a. The training shall consist of at least 16 continuing education credits with a minimum of six hours for crisis intervention and mental illness crisis training within an officer's three-year licensing cycle. Each peace officer with a license renewal date after June 30, 2018, is not required to complete this training until the officer's next full three-year licensing cycle.

Subd. 1a. **Crisis intervention and mental illness crisis training.** (a) The board, in consultation with the commissioner of human services and mental health stakeholders, shall create a list of approved entities and training courses to instruct peace officers in techniques for responding to a mental illness crisis. A course must include scenario-based instruction and cover most of the following issues:

- (1) techniques for relating to individuals with mental illnesses and the individuals' families;
 - (2) techniques for crisis de-escalation;
 - (3) techniques for relating to diverse communities and education on mental illness diversity;
 - (4) mental illnesses and the criminal justice system;
 - (5) community resources and supports for individuals experiencing a mental illness crisis and for the individuals' families;
 - (6) psychotropic medications and the medications' side effects;
 - (7) co-occurring mental illnesses and substance use disorders;
 - (8) suicide prevention; and
 - (9) mental illnesses and disorders and the symptoms.
- (b) A course must also include training on children and families of individuals with mental illnesses to enable officers to respond appropriately to others who are present during a mental illness crisis. The board shall update the list of approved entities and training courses periodically as it considers appropriate.

Subd. 2. **Record keeping required.** The head of every local and state law enforcement agency shall maintain written records of the agency's compliance with the requirements of ~~subdivision 1.~~ subdivisions 1 and 1a including, at a minimum:

(1) documentation of the training provider;

(2) documentation of the content of the training provided;

(3) documentation that crisis intervention and mental illness crisis training included scenario-based instruction in compliance with the standards described in subdivision 1a;

(4) compiled evaluations; and

(5) explanation of expenditure of funds.

The documentation is ~~subject to periodic review by the board, and shall be made available~~ submitted to the board at its request. The board shall include in the compliance reviews required in section 626.8459 an evaluation of the effectiveness of in-service crisis intervention and mental illness crisis training in reducing officer use of force and diverting people experiencing a mental illness crisis from arrest.

Subd. 3. **Licensing sanctions; injunctive relief.** The board may impose licensing sanctions and seek injunctive relief under section 214.11 for failure to comply with the requirements of this section.

Sec. 15. **[626.8474] AUTISM TRAINING.**

Subdivision 1. **Learning objectives required.** (a) By January 1, 2021, the board shall prepare learning objectives for preservice and in-service training on ensuring safer interactions between peace officers and persons with autism. At a minimum, the objectives must address the following:

(1) autism overview and behavioral understanding;

(2) best practices for interventions and de-escalation strategies;

(3) prevention and crisis reduction models; and

(4) objective review of tools and technology available.

(b) In developing the learning objectives, the board shall consult with, at a minimum:

(1) individuals with autism;

(2) family members of individuals with autism;

(3) autism experts; and

(4) peace officers.

Subd. 2. **Preservice training required.** (a) The learning objectives developed pursuant to subdivision 1 must be included in the required curriculum of professional peace officer educational programs.

(b) A person is not eligible to take the peace officer licensing examination after July 1, 2021, unless the individual has received the training described in paragraph (a).

Subd. 3. **In-service training required.** Beginning July 1, 2021, the chief law enforcement officer of every state and local law enforcement agency shall provide in-service autism training to every peace officer and part-time peace officer employed by the agency. The training must comply with the learning objectives developed and approved by the board and must meet board requirements for board-approved continuing education credit. The training must consist of at least four continuing education credits within an officer's three-year licensing cycle. Each peace officer with a license renewal date after June 30, 2021, is not required to complete this training until the officer's next full three-year licensing cycle.

Subd. 4. **Record keeping required.** The head of every local and state law enforcement agency shall maintain written records of the agency's compliance with the requirements of subdivision 3. The documentation is subject to periodic review by the board, and must be made available to the board at its request.

Subd. 5. **Licensing sanctions; injunctive relief.** The board may impose licensing sanctions and seek injunctive relief under section 214.11 for failure to comply with the requirements of this section.

Sec. 16. APPROPRIATION; PEACE OFFICER CRISIS INTERVENTION AND MENTAL ILLNESS CRISIS TRAINING.

\$145,000 in fiscal year 2021 is appropriated from the general fund to the Peace Officer Standards and Training (POST) Board to reimburse law enforcement agency crisis intervention and mental illness crisis training expenses for training that is provided by approved entities according to Minnesota Statutes, section 626.8469, subdivision 1a. \$137,000 is added to the board's base.

Sec. 17. APPROPRIATION; POLICE AND MENTAL HEALTH CRISIS TEAM COLLABORATION.

\$14,000 in fiscal year 2021 is appropriated from the general fund to the Peace Officer Standards and Training (POST) Board to administer a pilot project to create collaborations between county mobile crisis mental health services described in Minnesota Statutes, section 245.469, and municipal law enforcement agencies. This appropriation is onetime. The appropriation shall be used to purchase tablets and video conferencing telehealth services to allow peace officers to connect quickly with members of the mobile crisis mental health team to assist individuals in crisis. No later than September 1, 2021, law enforcement agencies awarded grants shall provide a written report to the board describing the expenditure of funds and evaluating the effectiveness of the project in diverting people experiencing a mental illness crisis from arrest. The board shall submit a written report compiling the law enforcement agency reports and evaluating the program to the chairs and ranking minority members of the house of representatives and senate committees with jurisdiction over public safety by January 1, 2022.

Sec. 18. APPROPRIATION.

\$8,000 is appropriated from the general fund to the Bureau of Criminal Apprehension for the fiscal year ending June 30, 2021, to implement autism training.

Sec. 19. COMMUNITY-LED PUBLIC SAFETY GRANTS.

Subdivision 1. **Appropriation.** \$15,000,000 in fiscal year 2021 is appropriated from the general fund to the commissioner of public safety to promote community-led public safety.

Subd. 2. **Community-led public safety coordinator.** Of the amount appropriated in subdivision 1, \$100,000 is for one community-led public safety coordinator position at the Department of Public Safety.

Subd. 3. **Grants to promote community-based responses to crises.** (a) Of the amount appropriated in subdivision 1, \$7,450,000 is for grants to promote mental health crisis-response teams as provided in this subdivision.

(b) The community-led public safety coordinator shall award grants to local units of government or tribal governments that form a partnership with community-based organizations to support, develop, or establish independent crisis-response teams to de-escalate volatile situations; respond to situations involving a mental health crisis; promote community-based efforts designed to enhance community safety and wellness; and support community-based strategies to interrupt, intervene in, or respond to violence.

Subd. 4. Grants to promote community healing. (a) Of the amount appropriated in subdivision 1, \$7,450,000 is for grants to promote healing support in black, indigenous, and people of color communities in Minnesota.

(b) The community-led public safety coordinator shall award grants to community-based organizations that provide programs and direct intervention to promote wellness and healing justice. In awarding grants, the coordinator may collaborate with organizations that provide supportive professional community and mutual aid networks for wellness and healing justice practitioners. Grants are available for:

(1) programmatic and community care support for wellness and healing justice practitioners;

(2) the establishment and expansion of community organizations that provide wellness and healing justice services;

(3) placing wellness and healing justice practitioners in organizations that provide direct service to black, indigenous, and people of color communities in Minnesota;

(4) providing healing circles;

(5) establishing and expanding Community Coach Certification programs to train community healers and establish a long-term strategy to build the infrastructure for community healers to be available during times of tragedy; and

(6) restorative justice programs including but not limited to sentencing circles.

Subd. 5. Report. (a) On or before January 15 of each year, the community-led public safety coordinator shall submit a report to the chairs and ranking minority members of the legislative committees and divisions with jurisdiction over public safety that includes:

(1) the number of grants issued under subdivision 3;

(2) the number of grants issued under subdivision 4;

(3) the amount of funding awarded for each project;

(4) a description of the programs and services funded;

(5) plans for the long-term sustainability of the projects; and

(6) data on outcomes for the programs and services funded.

(b) Grantees must provide information and data requested by the coordinator to support the development of this report.

EFFECTIVE DATE. This section is effective July 1, 2020.

Sec. 20. **REPEALER.**

Minnesota Statutes 2018, section 181.973, is repealed."

Delete the title and insert:

"A bill for an act relating to public safety; requiring local units of government to establish law enforcement citizen oversight councils; specifying powers and duties of the councils and the responsibilities of local authorities toward them; amending arbitrator selection for peace officer grievance arbitrations; creating a process to collect and analyze data on complaints filed against peace officers; providing for a peace officer discipline report; expanding the membership of the Board of Peace Officer Standards and Training; establishing a Police-Community Relations Council to report to and advise the Peace Officer Standards and Training Board; extending the civil statute of limitations for certain actions by peace officers; tolling the civil statute of limitations during investigations of peace officers; providing for mandatory revocation of peace officer license for violating use of force policy; prohibiting warrior-style training for peace officers; prohibiting the use of certain restraints; requiring law enforcement agencies to update policies regarding the use of force; establishing a duty for peace officers to intercede when another peace officer is using unreasonable force; establishing a duty for peace officers to report excessive force incidents; requiring law enforcement agencies to adopt policies that require peace officers to intercede when another officer is using unreasonable force; providing for mandatory reporting of peace officer terminations and resignation; authorizing residency requirements for peace officers; extending reporting and use of appropriation for missing and murdered indigenous women task force; authorizing rulemaking; modifying a peace officer's authority to use deadly force; assigning prosecutorial authority for peace-officer-involved deaths to the attorney general; providing for juvenile risk assessments; establishing an independent Use of Force Investigations Unit within the Bureau of Criminal Apprehension; limiting the use of money bail for certain offenses; providing critical incident stress management services; providing for public safety peer counseling; reporting law enforcement use of force; establishing an Officer-Involved Death Review Board; establishing a Community-Led Public Safety Coordinator; establishing grants to promote community-based crisis intervention; establishing grants to promote community healing; establishing standards for crisis intervention and mental illness crisis training for peace officers; requiring the development and implementation of autism training for peace officers; restoring the civil right to vote of an individual upon release from incarceration or upon sentencing if no incarceration is imposed; requiring notice; requiring reports; classifying data; appropriating money; amending Minnesota Statutes 2018, sections 8.01; 13.43, subdivision 9, by adding a subdivision; 201.014, by adding a subdivision; 201.071, subdivision 1; 260B.176, by adding a subdivision; 388.051, subdivision 1; 415.16, subdivision 1, by adding a subdivision; 541.073, subdivision 2; 573.02, subdivision 1; 609.06, subdivision 1, by adding a subdivision; 609.066, subdivision 2, by adding a subdivision; 609.165, subdivision 1; 626.841; 626.8432, subdivision 2; 626.8452, subdivisions 1 and 2, by adding a subdivision; 626.8457, subdivision 1; 626.8469; 626.89, subdivisions 2, 17; 629.53; Minnesota Statutes 2019 Supplement, section 204C.10; Laws 2019, First Special Session chapter 5, article 1, section 12, subdivision 7; article 2, section 28, subdivisions 4, 5; proposing coding for new law in Minnesota Statutes, chapters 8; 181; 201; 243; 299A; 299C; 541; 626; repealing Minnesota Statutes 2018, section 181.973."

The motion prevailed and the amendment was adopted.

Novotny moved to amend S. F. No. 104, the unofficial engrossment, as amended, as follows:

Page 17, after line 12, insert:

"Sec. 12. Minnesota Statutes 2018, section 626.8452, subdivision 1, is amended to read:

626.8452 DEADLY FORCE AND FIREARMS USE; INTERCESSION TRAINING; POLICIES AND INSTRUCTION REQUIRED.

Subdivision 1. **Deadly force policy.** By January 1, 1992, the head of every local and state law enforcement agency shall establish and enforce a written policy governing:

(1) the use of force, including deadly force, as defined in section 609.066;

(2) conflict de-escalation; and

(3) interceding when another peace officer is using unreasonable force, by peace officers and part-time peace officers employed by the agency.

The policy must be consistent with the provisions of section 609.066, subdivision 2, and may not prohibit the use of deadly force under circumstances in which that force is justified under section 609.066, subdivision 2."

Page 17, after line 28, insert:

"Sec. 13. Minnesota Statutes 2018, section 626.8452, subdivision 2, is amended to read:

Subd. 2. **Deadly force and firearms use; initial instruction.** Beginning January 1, 1992, the head of every local and state law enforcement agency shall provide instruction on the use of force, deadly force, and the use of firearms, conflict de-escalation, and interceding when another peace officer is using excessive or unreasonable force to every peace officer and part-time peace officer newly appointed by or beginning employment with the agency. This instruction must occur before the agency head issues a firearm to the officer or otherwise authorizes the officer to carry a firearm in the course of employment. The instruction must be based on the agency's written policy required in subdivision 1 and on the instructional materials required by the board for peace officer and part-time peace officer licensure."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Garofalo moved to amend S. F. No. 104, the unofficial engrossment, as amended, as follows:

Page 19, delete section 13

Renumber the sections in sequence and correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Garofalo amendment and the roll was called. There were 59 yeas and 74 nays as follows:

Those who voted in the affirmative were:

| | | | | | |
|----------|------------|------------|------------|------------|------------|
| Albright | Dettmer | Haley | Layman | Neu | Runbeck |
| Anderson | Drazkowski | Hamilton | Lislegard | Nornes | Schomacker |
| Backer | Erickson | Heinrich | Lucero | Novotny | Scott |
| Bahr | Fabian | Heintzeman | Lueck | O'Driscoll | Swedzinski |
| Baker | Franson | Hertaus | McDonald | O'Neill | Theis |
| Boe | Garofalo | Johnson | Mekeland | Petersburg | Torkelson |
| Daniels | Green | Jurgens | Miller | Pierson | Urdahl |
| Daudt | Grossell | Kiel | Munson | Poston | Vogel |
| Davids | Gruenhagen | Koznick | Nash | Quam | West |
| Demuth | Gunther | Kresha | Nelson, N. | Robbins | |

Those who voted in the negative were:

| | | | | | |
|-------------|-----------|-----------------|------------|------------|--------------|
| Acomb | Dehn | Howard | Long | Pelowski | Vang |
| Bahner | Ecklund | Huot | Mahoney | Persell | Wagenius |
| Becker-Finn | Edelson | Jordan | Mann | Pinto | Wazlawik |
| Bernardy | Elkins | Klevorn | Mariani | Poppe | Winkler |
| Bierman | Fischer | Koegel | Marquart | Pryor | Wolgamott |
| Brand | Freiberg | Kotzya-Witthuhn | Masin | Richardson | Xiong, J. |
| Cantrell | Gomez | Kunesh-Podein | Moller | Sandell | Xiong, T. |
| Carlson, A. | Halverson | Lee | Moran | Sandstede | Youakim |
| Carlson, L. | Hansen | Lesch | Morrison | Sauke | Spk. Hortman |
| Christensen | Hassan | Liebling | Murphy | Schultz | |
| Clafin | Hausman | Lien | Nelson, M. | Stephenson | |
| Considine | Her | Lillie | Noor | Sundin | |
| Davnie | Hornstein | Lippert | Olson | Tabke | |

The motion did not prevail and the amendment was not adopted.

Franson offered an amendment to S. F. No. 104, the unofficial engrossment, as amended.

POINT OF ORDER

Becker-Finn raised a point of order pursuant to rule 3.21 that the Franson amendment was not in order. The Speaker ruled the point of order well taken and the Franson amendment out of order.

Neu appealed the decision of the Speaker.

A roll call was requested and properly seconded.

The vote was taken on the question "Shall the decision of the Speaker stand as the judgment of the House?" and the roll was called. There were 73 yeas and 59 nays as follows:

Those who voted in the affirmative were:

| | | | | | |
|-------------|-----------|-----------------|------------|------------|--------------|
| Acomb | Dehn | Howard | Lislegard | Pelowski | Wagenius |
| Bahner | Ecklund | Huot | Long | Persell | Wazlawik |
| Becker-Finn | Edelson | Jordan | Mann | Pinto | Winkler |
| Bernardy | Elkins | Klevorn | Mariani | Poppe | Wolgamott |
| Bierman | Fischer | Koegel | Marquart | Pryor | Xiong, J. |
| Brand | Freiberg | Kotzya-Witthuhn | Masin | Richardson | Xiong, T. |
| Cantrell | Gomez | Kunesh-Podein | Moller | Sandell | Youakim |
| Carlson, A. | Halverson | Lee | Moran | Sandstede | Spk. Hortman |
| Carlson, L. | Hansen | Lesch | Morrison | Sauke | |
| Christensen | Hassan | Liebling | Murphy | Schultz | |
| Clafin | Hausman | Lien | Nelson, M. | Sundin | |
| Considine | Her | Lillie | Noor | Tabke | |
| Davnie | Hornstein | Lippert | Olson | Vang | |

Those who voted in the negative were:

| | | | | | |
|----------|------------|------------|------------|------------|------------|
| Albright | Dettmer | Haley | Layman | Nornes | Schomacker |
| Anderson | Drazkowski | Hamilton | Lucero | Novotny | Scott |
| Backer | Erickson | Heinrich | Lueck | O'Driscoll | Stephenson |
| Bahr | Fabian | Heintzeman | McDonald | O'Neill | Swedzinski |
| Baker | Franson | Hertaus | Mekeland | Petersburg | Theis |
| Boe | Garofalo | Johnson | Miller | Pierson | Torkelson |
| Daniels | Green | Jurgens | Munson | Poston | Urdahl |
| Daudt | Grossell | Kiel | Nash | Quam | Vogel |
| Davids | Gruenhagen | Koznick | Nelson, N. | Robbins | West |
| Demuth | Gunther | Kresha | Neu | Runbeck | |

So it was the judgment of the House that the decision of the Speaker should stand.

O'Neill moved to amend S. F. No. 104, the unofficial engrossment, as amended, as follows:

Page 25, line 3, delete everything after the third period

Page 25, line 4, delete "of" and insert "When requested by the county attorney, the attorney general must assist the county attorney in"

Page 25, delete lines 5 and 6

Page 26, line 28, delete everything after "by" and insert "the sheriff in the county where the death occurred."

A roll call was requested and properly seconded.

The question was taken on the O'Neill amendment and the roll was called. There were 65 yeas and 68 nays as follows:

Those who voted in the affirmative were:

| | | | | | |
|----------|-------|---------|---------|------------|----------|
| Albright | Bahr | Brand | Davids | Drazkowski | Fabian |
| Anderson | Baker | Daniels | Demuth | Ecklund | Franson |
| Backer | Boe | Daudt | Dettmer | Erickson | Garofalo |

| | | | | | |
|------------|---------|-----------|------------|------------|------------|
| Green | Hertaus | Lislegard | Nash | Pierson | Sundin |
| Grossell | Johnson | Lucero | Nelson, N. | Poppe | Swedzinski |
| Gruenhagen | Jurgens | Lueck | Neu | Poston | Theis |
| Gunther | Kiel | Marquart | Nornes | Quam | Torkelson |
| Haley | Koznick | McDonald | Novotny | Robbins | Urdahl |
| Hamilton | Kresha | Mekeland | O'Driscoll | Runbeck | Vogel |
| Heinrich | Layman | Miller | O'Neill | Schomacker | West |
| Heintzeman | Lien | Munson | Petersburg | Scott | |

Those who voted in the negative were:

| | | | | | |
|-------------|-----------|-----------------|------------|------------|--------------|
| Acomb | Dehn | Howard | Long | Pelowski | Wagenius |
| Bahner | Edelson | Huot | Mahoney | Persell | Wazlawik |
| Becker-Finn | Elkins | Jordan | Mann | Pinto | Winkler |
| Bernardy | Fischer | Klevorn | Mariani | Pryor | Wolgamott |
| Bierman | Freiberg | Koegel | Masin | Richardson | Xiong, J. |
| Cantrell | Gomez | Kotyza-Witthuhn | Moller | Sandell | Xiong, T. |
| Carlson, A. | Halverson | Kunesh-Podein | Moran | Sandstede | Youakim |
| Carlson, L. | Hansen | Lee | Morrison | Sauke | Spk. Hortman |
| Christensen | Hassan | Lesch | Murphy | Schultz | |
| Clafin | Hausman | Liebling | Nelson, M. | Stephenson | |
| Considine | Her | Lillie | Noor | Tabke | |
| Davnie | Hornstein | Lippert | Olson | Vang | |

The motion did not prevail and the amendment was not adopted.

Demuth moved to amend S. F. No. 104, the unofficial engrossment, as amended, as follows:

Page 29, line 20, after "than" insert "a crime against a person or"

Page 30, line 20, after "misdemeanor" insert ", other than a crime against a person,"

A roll call was requested and properly seconded.

The question was taken on the Demuth amendment and the roll was called. There were 58 yeas and 75 nays as follows:

Those who voted in the affirmative were:

| | | | | | |
|----------|------------|------------|------------|------------|------------|
| Albright | Dettmer | Haley | Layman | Nornes | Schomacker |
| Anderson | Draskowski | Hamilton | Lucero | Novotny | Scott |
| Backer | Erickson | Heinrich | Lueck | O'Driscoll | Swedzinski |
| Bahr | Fabian | Heintzeman | McDonald | O'Neill | Theis |
| Baker | Franson | Hertaus | Mekeland | Petersburg | Torkelson |
| Boe | Garofalo | Johnson | Miller | Pierson | Urdahl |
| Daniels | Green | Jurgens | Munson | Poston | Vogel |
| Daudt | Grossell | Kiel | Nash | Quam | West |
| Davids | Gruenhagen | Koznick | Nelson, N. | Robbins | |
| Demuth | Gunther | Kresha | Neu | Runbeck | |

Those who voted in the negative were:

| | | | | | |
|-------------|-----------|-----------------|------------|------------|--------------|
| Acomb | Dehn | Howard | Lislegard | Olson | Tabke |
| Bahner | Ecklund | Huot | Long | Pelowski | Vang |
| Becker-Finn | Edelson | Jordan | Mahoney | Persell | Wagenius |
| Bernardy | Elkins | Klevorn | Mann | Pinto | Wazlawik |
| Bierman | Fischer | Koegel | Mariani | Poppe | Winkler |
| Brand | Freiberg | Kotyza-Witthuhn | Marquart | Pryor | Wolgamott |
| Cantrell | Gomez | Kunesh-Podein | Masin | Richardson | Xiong, J. |
| Carlson, A. | Halverson | Lee | Moller | Sandell | Xiong, T. |
| Carlson, L. | Hansen | Lesch | Moran | Sandstede | Youakim |
| Christensen | Hassan | Liebling | Morrison | Sauke | Spk. Hortman |
| Clafin | Hausman | Lien | Murphy | Schultz | |
| Considine | Her | Lillie | Nelson, M. | Stephenson | |
| Davnie | Hornstein | Lippert | Noor | Sundin | |

The motion did not prevail and the amendment was not adopted.

Neu moved to amend S. F. No. 104, the unofficial engrossment, as amended, as follows:

Page 12, line 4, after the period, insert "(a)"

Page 12, after line 7, insert:

"(b) A home rule charter or statutory city or town may not disband, abolish, or de-fund the entity's police department unless the local unit of government has entered into an agreement with a home rule charter or statutory city, town, or the sheriff to furnish police services."

A roll call was requested and properly seconded.

Becker-Finn moved to amend the Neu amendment to S. F. No. 104, the unofficial engrossment, as amended, as follows:

Page 1, line 6, delete everything after "unless"

Page 1, delete line 7

Page 1, line 8, delete "services" and insert "it has made adequate alternative arrangements to provide for public safety in that home rule charter or statutory city or town"

A roll call was requested and properly seconded.

The question was taken on the Becker-Finn amendment to the Neu amendment and the roll was called. There were 75 yeas and 58 nays as follows:

Those who voted in the affirmative were:

| | | | | | |
|-------------|-----------|-----------------|------------|------------|--------------|
| Acomb | Dehn | Hornstein | Lippert | Noor | Tabke |
| Bahner | Ecklund | Howard | Lislegard | Olson | Vang |
| Becker-Finn | Edelson | Huot | Long | Persell | Wagenius |
| Bernardy | Elkins | Jordan | Mahoney | Pinto | Wazlawik |
| Bierman | Fischer | Klevorn | Mann | Poppe | Winkler |
| Brand | Freiberg | Koegel | Mariani | Pryor | Wolgamott |
| Cantrell | Gomez | Kotyza-Witthuhn | Marquart | Richardson | Xiong, J. |
| Carlson, A. | Halverson | Kunesh-Podein | Masin | Sandell | Xiong, T. |
| Carlson, L. | Hamilton | Lee | Moller | Sandstede | Youakim |
| Christensen | Hansen | Lesch | Moran | Sauke | Spk. Hortman |
| Clafin | Hassan | Liebling | Morrison | Schultz | |
| Considine | Hausman | Lien | Murphy | Stephenson | |
| Davnie | Her | Lillie | Nelson, M. | Sundin | |

Those who voted in the negative were:

| | | | | | |
|----------|------------|------------|------------|------------|------------|
| Albright | Dettmer | Haley | Lucero | Novotny | Schomacker |
| Anderson | Drazkowski | Heinrich | Lueck | O'Driscoll | Scott |
| Backer | Erickson | Heintzeman | McDonald | O'Neill | Swedzinski |
| Bahr | Fabian | Hertaus | Mekeland | Pelowski | Theis |
| Baker | Franson | Johnson | Miller | Petersburg | Torkelson |
| Boe | Garofalo | Jurgens | Munson | Pierson | Urdahl |
| Daniels | Green | Kiel | Nash | Poston | Vogel |
| Daudt | Grossell | Koznick | Nelson, N. | Quam | West |
| Davids | Gruenhagen | Kresha | Neu | Robbins | |
| Demuth | Gunther | Layman | Nornes | Runbeck | |

The motion prevailed and the amendment to the amendment was adopted.

Neu withdrew her amendment, as amended, to S. F. No. 104, the unofficial engrossment, as amended.

Pursuant to rule 1.50, Winkler moved that the House be allowed to continue in session after 12:00 midnight. The motion prevailed.

S. F. No. 104, A bill for an act relating to public safety; requiring updated policies regarding the use of force by peace officers; amending Minnesota Statutes 2018, section 626.8452, subdivisions 2, 4, by adding a subdivision.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 71 yeas and 59 nays as follows:

Those who voted in the affirmative were:

| | | | | | |
|-------------|----------|-------------|-------------|---------|---------|
| Acomb | Bernardy | Cantrell | Christensen | Davnie | Edelson |
| Bahner | Bierman | Carlson, A. | Clafin | Dehn | Elkins |
| Becker-Finn | Brand | Carlson, L. | Considine | Ecklund | Fischer |

| | | | | | |
|-----------|-----------------|---------|------------|------------|--------------|
| Freiberg | Huot | Lien | Moran | Pryor | Wagenius |
| Gomez | Jordan | Lillie | Morrison | Richardson | Wazlawik |
| Halverson | Klevorn | Lippert | Murphy | Sandell | Winkler |
| Hansen | Koegel | Long | Nelson, M. | Sandstede | Wolgamott |
| Hassan | Kotyza-Witthuhn | Mahoney | Noor | Sauke | Xiong, J. |
| Hausman | Kunesh-Podein | Mann | Olson | Schultz | Xiong, T. |
| Her | Lee | Mariani | Pelowski | Stephenson | Youakim |
| Hornstein | Lesch | Masin | Pinto | Tabke | Spk. Hortman |
| Howard | Liebling | Moller | Poppe | Vang | |

Those who voted in the negative were:

| | | | | | |
|----------|------------|------------|------------|------------|------------|
| Albright | Dettmer | Haley | Lucero | Nornes | Schomacker |
| Anderson | Drazkowski | Hamilton | Lueck | Novotny | Scott |
| Backer | Erickson | Heintzeman | Marquart | O'Driscoll | Sundin |
| Bahr | Fabian | Hertaus | McDonald | O'Neill | Swedzinski |
| Baker | Franson | Johnson | Mekeland | Petersburg | Theis |
| Boe | Garofalo | Jurgens | Miller | Pierson | Torkelson |
| Daniels | Green | Kiel | Munson | Poston | Urdahl |
| Daudt | Grossell | Koznick | Nash | Quam | Vogel |
| Davids | Gruenhagen | Kresha | Nelson, N. | Robbins | West |
| Demuth | Gunther | Layman | Neu | Runbeck | |

The bill was passed, as amended, and its title agreed to.

MOTIONS AND RESOLUTIONS, Continued

Mariani moved that the names of Howard and Bernardy be added as authors on H. F. No. 1. The motion prevailed.

Mariani moved that the name of Howard be added as an author on H. F. No. 2. The motion prevailed.

Mariani moved that the name of Howard be added as an author on H. F. No. 3. The motion prevailed.

Moran moved that the name of Moller be added as an author on H. F. No. 4. The motion prevailed.

Lippert moved that the names of Howard and Moller be added as authors on H. F. No. 7. The motion prevailed.

Halverson moved that the name of Howard be added as an author on H. F. No. 8. The motion prevailed.

Kotyza-Witthuhn moved that the name of Howard be added as an author on H. F. No. 19. The motion prevailed.

Youakim moved that the name of Moller be added as an author on H. F. No. 33. The motion prevailed.

Kunesh-Podein moved that the names of Becker-Finn; Xiong, T., and Noor be added as authors on H. F. No. 36. The motion prevailed.

Moran moved that the name of Moller be added as an author on H. F. No. 42. The motion prevailed.

Becker-Finn moved that the name of Moller be added as an author on H. F. No. 43. The motion prevailed.

Richardson moved that the name of Moller be added as an author on H. F. No. 45. The motion prevailed.

Richardson moved that the name of Moller be added as an author on H. F. No. 46. The motion prevailed.

Richardson moved that the name of Moller be added as an author on H. F. No. 51. The motion prevailed.

Lislegard moved that the name of Moller be added as an author on H. F. No. 60. The motion prevailed.

Mariani moved that the name of Becker-Finn be added as an author on H. F. No. 91. The motion prevailed.

Mariani moved that the names of Becker-Finn and Bernardy be added as authors on H. F. No. 92. The motion prevailed.

Mariani moved that the names of Becker-Finn and Bernardy be added as authors on H. F. No. 93. The motion prevailed.

Koegel moved that the name of Bernardy be added as an author on H. F. No. 111. The motion prevailed.

Hansen moved that the names of Ecklund and Huot be added as authors on H. F. No. 134. The motion prevailed.

Novotny moved that the name of Robbins be added as an author on H. F. No. 140. The motion prevailed.

Novotny moved that the name of Robbins be added as an author on H. F. No. 141. The motion prevailed.

Novotny moved that the name of Robbins be added as an author on H. F. No. 142. The motion prevailed.

ADJOURNMENT

Winkler moved that when the House adjourns today it adjourn until 9:00 a.m., Friday, June 19, 2020. The motion prevailed.

Winkler moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 9:00 a.m., Friday, June 19, 2020.

PATRICK D. MURPHY, Chief Clerk, House of Representatives