

1.1 ..... moves to amend H.F. No. 2792 as follows:

1.2 Page 3, line 8, delete "100,000" and insert "160,000" and delete "203,744,000" and insert  
1.3 "202,143,000" and delete "202,149,000" and insert "201,171,000"

1.4 Page 3, line 11, delete "100,000" and insert "160,000" and delete "108,590,000" and  
1.5 insert "108,637,000" and delete "107,401,000" and insert "107,665,000"

1.6 Page 3, delete line 18

1.7 Page 3, line 23, delete "\$100,000" and insert "\$160,000"

1.8 Page 3, line 25, delete "and" and insert a comma and before the period, insert ", and  
1.9 ignition interlock"

1.10 Page 5, delete lines 29 to 35 and insert:

1.11 "**(d) Local Government Emergency**  
1.12 **Management**

1.13 \$300,000 each year is for the director of the  
1.14 Homeland Security and Emergency  
1.15 Management Division (HSEM) to award  
1.16 grants to emergency management departments  
1.17 for planning and preparedness activities  
1.18 including capital purchases.

1.19 A grant in the amount of \$20,000 shall be  
1.20 awarded each fiscal year to each of the  
1.21 following, subject to HSEM's final approval:

- 1.22 (1) 12 counties with two counties  
1.23 recommended by each Homeland Security  
1.24 Emergency Management Region;

2.1 (2) two tribal governments recommended by  
2.2 the Indian Affairs Council; and  
2.3 (3) one city of the first class chosen by HSEM.  
2.4 Current local funding for emergency  
2.5 management and preparedness activities may  
2.6 not be supplanted by these additional state  
2.7 funds. These appropriations are onetime."

2.8 Page 6, delete lines 1 to 9

2.9 Page 6, after line 12, insert:

2.10 **"(f) School Safety Center**

2.11 \$250,000 each year is to hire two additional  
2.12 school safety specialists in the school safety  
2.13 center."

2.14 Page 6, line 13, delete "64,877,000" and insert "63,229,000" and delete "64,216,000"  
2.15 and insert "62,974,000"

2.16 Page 6, delete line 19

2.17 Page 7, delete lines 15 to 21

2.18 Page 9, line 12, delete "41,983,000" and insert "41,730,000" and delete "41,301,000"  
2.19 and insert "41,365,000"

2.20 Page 9, line 14, delete "41,887,000" and insert "41,634,000" and delete "41,205,000"  
2.21 and insert "41,269,000"

2.22 Page 10, delete lines 3 to 11

2.23 Page 10, line 30, delete "\$23,000" and insert "\$20,000" and delete "is" and insert "and  
2.24 \$14,000 the second year are"

2.25 Page 11, line 13, delete "These appropriations are onetime." and insert "One-half of this  
2.26 money is for African American Youth Access and African Immigrant Family Outreach  
2.27 programs and may be used to:"

2.28 Page 11, before line 14, insert:

2.29 "(1) identify behaviors indicating that an  
2.30 individual is vulnerable to committing or being

3.1 the victim of bullying or interfamily,  
3.2 community, or domestic abuse;  
3.3 (2) identify and assess factors and influences  
3.4 that make African immigrant and African  
3.5 American youth vulnerable to recruitment by  
3.6 violent organizations including but not limited  
3.7 to family dysfunction and cultural  
3.8 disengagement;  
3.9 (3) develop strategies to reduce and eliminate  
3.10 abusive and bullying behaviors among youth  
3.11 and adults within the African immigrant and  
3.12 African American community;  
3.13 (4) develop and implement strategies to reduce  
3.14 and eliminate the factors and influences that  
3.15 make African immigrant and African  
3.16 American youth vulnerable to recruitment by  
3.17 violent organizations;  
3.18 (5) develop strategies, programs, and services  
3.19 to educate parents and other family members  
3.20 to recognize and address behaviors indicating  
3.21 that youth are being recruited by violent  
3.22 organizations; and  
3.23 (6) develop strategies, programs, and services,  
3.24 in collaboration with public entities and other  
3.25 community and private organizations that  
3.26 provide services to at-risk youth and families,  
3.27 to reduce and eliminate bullying, abusive  
3.28 behavior, and the vulnerability of African  
3.29 immigrant and African American youth to  
3.30 recruitment by violent organizations.

3.31 These appropriations are onetime."

3.32 Page 11, delete line 33

3.33 Page 12, delete lines 1 to 3

4.1 Page 13, line 17, after "recipient" insert "and citizens"

4.2 Page 13, line 19, after the period, insert "Access to the data under this clause must be  
4.3 strictly regulated and monitored to ensure compliance with the data privacy classifications  
4.4 assigned to the data."

4.5 Page 13, after line 27, insert:

4.6 "(n) Safe and Secure Storage of Firearms  
4.7 \$100,000 each year is for grants to local or  
4.8 state law enforcement agencies to support the  
4.9 safe and secure storage of firearms.

4.10 **(o) Community Policing Database**

4.11 **Maintenance**

4.12 \$50,000 in the second year is for the Bureau  
4.13 of Criminal Apprehension to maintain the  
4.14 community policing database. Any unused  
4.15 amount remaining in the account on June 1 is  
4.16 for a grant to a community-based research  
4.17 organization to maintain and update software  
4.18 to monitor peace officer discipline."

4.19 Page 13, line 28, delete "77,650,000" and insert "77,750,000" and delete "77,650,000"  
4.20 and insert "77,750,000"

4.21 Page 13, after line 28, insert:

4.22 "Appropriations by Fund

4.23 <u>General</u>	<u>100,000</u>	<u>100,000</u>
4.24 <u>Special Revenue</u>	<u>77,650,000</u>	<u>77,650,000"</u>

4.25 Page 14, after line 21, insert:

4.26 "(c) Medical Resource Control Centers  
4.27 \$100,000 the first year and \$100,000 the  
4.28 second year are appropriated from the general  
4.29 fund to the commissioner of public safety for  
4.30 grants to the Minnesota Emergency Medical  
4.31 Services Regulatory Board for the East Metro  
4.32 and West Metro Medical Resource Control

5.1 Centers that were in operation before January  
 5.2 1, 2000. These appropriations are onetime."

5.3 Page 15, after line 21, insert:

5.4 "Subd. 10. Traffic Safety 200,000 100,000

5.5 \$200,000 the first year and \$100,000 the  
 5.6 second year are for a study to report on the  
 5.7 use of screening tests that measure the level  
 5.8 of marijuana or tetrahydrocannabinols in the  
 5.9 blood of a person stopped or arrested for  
 5.10 driving while impaired."

5.11 Page 15, line 25, delete "10,313,000" and insert "10,563,000"

5.12 Page 16, line 16, delete "substantially"

5.13 Page 18, after line 2, insert:

5.14 "Subd. 6. Peace Officer Excellence Task Force

5.15 \$250,000 the first year is to provide support  
 5.16 staff, office space, and administrative services  
 5.17 for the Peace Officer Excellence Task Force."

5.18 Page 18, line 5, delete "634,333,000" and insert "633,129,000" and delete "656,569,000"  
 5.19 and insert "655,572,000"

5.20 Page 18, delete lines 6 to 9

5.21 Page 18, line 13, delete "460,991,000" and insert "460,026,000" and delete "476,612,000"  
 5.22 and insert "475,654,000"

5.23 Page 18, delete lines 14 to 17

5.24 Page 18, after line 23, insert:

5.25 "(b) Prison Population

5.26 To account for projected prison population  
 5.27 changes, the base is increased by \$1,910,000  
 5.28 in fiscal year 2022 and \$3,641,000 in fiscal  
 5.29 year 2023."

5.30 Page 18, line 25, delete "\$5,426,000" and insert "\$5,433,000"

6.1 Page 18, line 30, delete everything after the period, and insert "The base for these  
6.2 positions shall be \$8,087,000 for fiscal year 2022 and \$8,634,000 for fiscal year 2023."

6.3 Page 18, delete lines 31 and 32

6.4 Page 19, line 8, delete "\$8,500,000" and insert "\$5,700,000"

6.5 Page 19, after line 17, insert:

6.6 "(g) Office of Ombudsman for Corrections

6.7 \$900,000 each year is to reestablish and

6.8 operate the Office of Ombudsman for

6.9 Corrections."

6.10 Page 20, line 8, delete "141,384,000" and insert "141,145,000" and delete "146,498,000"  
6.11 and insert "146,459,000"

6.12 Page 20, line 30, after "supervised" insert "release"

6.13 Page 21, line 18, delete "\$386,000" and insert "\$193,000"

6.14 Page 22, delete lines 15 to 18 and insert:

6.15 "(l) Juvenile Justice Reform

6.16 (1) \$280,000 each year is to provide juvenile

6.17 justice services and resources to Minnesota

6.18 counties.

6.19 (2) \$220,000 each year is for grants to local

6.20 agencies to establish juvenile detention

6.21 alternatives."

6.22 Page 24, delete lines 3 to 15

6.23 Page 24, line 16, delete "SUPREME COURT" and insert "DISTRICT COURT"

6.24 Page 30, after line 9, insert:

6.25 "Sec. .... Minnesota Statutes 2018, section 299A.55, subdivision 2, is amended to read:

6.26 Subd. 2. **Railroad and pipeline safety account.** (a) A railroad and pipeline safety

6.27 account is created in the special revenue fund. The account consists of funds collected under

6.28 subdivision 4 and funds donated, allotted, transferred, or otherwise provided to the account.

7.1 (b) ~~\$104,000~~ \$250,000 is annually appropriated from the railroad and pipeline safety  
 7.2 account to the commissioner of the Pollution Control Agency for environmental protection  
 7.3 activities related to railroad discharge preparedness under chapter 115E.

7.4 ~~(c) \$600,000 in fiscal year 2018 and \$600,000 in fiscal year 2019 are appropriated from~~  
 7.5 ~~the railroad and pipeline safety account to the commissioner of transportation for improving~~  
 7.6 ~~safety at railroad grade crossings.~~

7.7 ~~(d)~~ (c) Following the appropriation in paragraphs (b) and (c), the remaining money in  
 7.8 the account is annually appropriated to the commissioner of public safety for the purposes  
 7.9 specified in subdivision 3.

7.10 Sec. .... Minnesota Statutes 2018, section 299A.55, subdivision 4, is amended to read:

7.11 Subd. 4. **Assessments.** (a) The commissioner of public safety shall annually assess  
 7.12 \$2,500,000 to railroad and pipeline companies based on the formula specified in paragraph  
 7.13 (b). The commissioner shall deposit funds collected under this subdivision in the railroad  
 7.14 and pipeline safety account under subdivision 2.

7.15 (b) The assessment for each railroad is 50 percent of the total annual assessment amount,  
 7.16 divided in equal proportion between applicable rail carriers based on route miles operated  
 7.17 in Minnesota. The assessment for each pipeline company is 50 percent of the total annual  
 7.18 assessment amount, divided in equal proportion between companies based on the yearly  
 7.19 aggregate gallons of oil and hazardous substance transported by pipeline in Minnesota.

7.20 ~~(c) The assessments under this subdivision expire July 1, 2017."~~

7.21 Page 30, after line 17, insert:

7.22 "Sec. .... Minnesota Statutes 2018, section 299A.707, is amended by adding a subdivision  
 7.23 to read:

7.24 Subd. 6. **Annual transfer.** In fiscal year 2019 and each year thereafter, the commissioner  
 7.25 of management and budget shall transfer \$461,000 from the general fund to the community  
 7.26 justice reinvestment account."

7.27 Page 31, after line 12, insert:

7.28 "Sec. .... Minnesota Statutes 2018, section 299C.46, subdivision 3, is amended to read:

7.29 Subd. 3. **Authorized use, fee.** (a) The criminal justice data communications network  
 7.30 shall be used exclusively by:

8.1 (1) criminal justice agencies in connection with the performance of duties required by  
8.2 law;

8.3 (2) agencies investigating federal security clearances of individuals for assignment or  
8.4 retention in federal employment with duties related to national security, as required by  
8.5 United States Code, title 5, section 9101;

8.6 (3) other agencies to the extent necessary to provide for protection of the public or  
8.7 property in a declared emergency or disaster situation;

8.8 (4) noncriminal justice agencies statutorily mandated, by state or national law, to conduct  
8.9 checks into state databases prior to disbursing licenses or providing benefits;

8.10 (5) the public authority responsible for child support enforcement in connection with  
8.11 the performance of its duties;

8.12 (6) the public defender, as provided in section 611.272;

8.13 (7) a county attorney or the attorney general, as the county attorney's designee, for the  
8.14 purpose of determining whether a petition for the civil commitment of a proposed patient  
8.15 as a sexual psychopathic personality or as a sexually dangerous person should be filed, and  
8.16 during the pendency of the commitment proceedings;

8.17 (8) an agency of the state or a political subdivision whose access to systems or services  
8.18 provided from or through the bureau is specifically authorized by federal law or regulation  
8.19 or state statute; and

8.20 (9) a court for access to data as authorized by federal law or regulation or state statute  
8.21 and related to the disposition of a pending case.

8.22 (b) The commissioner of public safety shall establish a monthly network access charge  
8.23 to be paid by each participating criminal justice agency. The network access charge shall  
8.24 be a standard fee established for each terminal, computer, or other equipment directly  
8.25 addressable by the data communications network, as follows: January 1, 1984 to December  
8.26 31, 1984, \$40 connect fee per month; January 1, 1985 and thereafter, \$50 connect fee per  
8.27 month.

8.28 (c) The commissioner of public safety is authorized to arrange for the connection of the  
8.29 data communications network with the criminal justice information system of the federal  
8.30 government, any state, or country for the secure exchange of information for any of the  
8.31 purposes authorized in paragraph (a), clauses (1), (2), (3), (8) and (9).



9.1 (d) Prior to establishing a secure connection, a criminal justice agency that is not part  
9.2 of the Minnesota judicial branch must:

9.3 (1) agree to comply with all applicable policies governing access to, submission of or  
9.4 use of the data and Minnesota law governing the classification of the data;

9.5 (2) meet the bureau's security requirements;

9.6 (3) agree to pay any required fees; and

9.7 (4) conduct fingerprint-based state and national background checks on its employees  
9.8 and contractors as required by the Federal Bureau of Investigation.

9.9 (e) Prior to establishing a secure connection, a criminal justice agency that is part of the  
9.10 Minnesota judicial branch must:

9.11 (1) agree to comply with all applicable policies governing access to, submission of or  
9.12 use of the data and Minnesota law governing the classification of the data to the extent  
9.13 applicable and with the Rules of Public Access to Records of the Judicial Branch promulgated  
9.14 by the Minnesota Supreme Court;

9.15 (2) meet the bureau's security requirements;

9.16 (3) agree to pay any required fees; and

9.17 (4) conduct fingerprint-based state and national background checks on its employees  
9.18 and contractors as required by the Federal Bureau of Investigation.

9.19 (f) Prior to establishing a secure connection, a noncriminal justice agency must:

9.20 (1) agree to comply with all applicable policies governing access to, submission of or  
9.21 use of the data and Minnesota law governing the classification of the data;

9.22 (2) meet the bureau's security requirements;

9.23 (3) agree to pay any required fees; and

9.24 (4) conduct fingerprint-based state and national background checks on its employees  
9.25 and contractors.

9.26 (g) Those noncriminal justice agencies that do not have a secure network connection  
9.27 yet receive data either retrieved over the secure network by an authorized criminal justice  
9.28 agency or as a result of a state or federal criminal history records check shall conduct a  
9.29 background check as provided in paragraph (h) of those individuals who receive and review  
9.30 the data to determine another individual's eligibility for employment, housing, a license, or

10.1 another legal right dependent on a statutorily mandated background check and on any  
10.2 contractor with access to the results of a federal criminal history records check.

10.3 (h) The background check required by paragraph (f) or (g) is accomplished by submitting  
10.4 a request to the superintendent of the Bureau of Criminal Apprehension that includes a  
10.5 signed, written consent for the Minnesota and national criminal history records check,  
10.6 fingerprints, and the required fee. The superintendent may exchange the fingerprints with  
10.7 the Federal Bureau of Investigation for purposes of obtaining the individual's national  
10.8 criminal history record information.

10.9 The superintendent shall return the results of the national criminal history records check to  
10.10 the noncriminal justice agency to determine if the individual is qualified to have access to  
10.11 state and federal criminal history record information or the secure network. An individual  
10.12 is disqualified when the state and federal criminal history record information show any of  
10.13 the disqualifiers that the individual will apply to the records of others.

10.14 When the individual is to have access to the secure network, the noncriminal justice agency  
10.15 shall review the criminal history of each employee or contractor with the Criminal Justice  
10.16 Information Services systems officer at the bureau, or the officer's designee, to determine  
10.17 if the employee or contractor qualifies for access to the secure network. The Criminal Justice  
10.18 Information Services systems officer or the designee shall make the access determination  
10.19 based on Federal Bureau of Investigation policy and Bureau of Criminal Apprehension  
10.20 policy.

10.21 Sec. .... Minnesota Statutes 2018, section 299F.857, is amended to read:

10.22 **299F.857 REDUCED CIGARETTE IGNITION PROPENSITY ACCOUNT.**

10.23 The reduced cigarette ignition propensity account is established in the state treasury.  
10.24 The account consists of all money recovered as penalties under section 299F.854 and fees  
10.25 collected under section 299F.852, subdivision 5. The money must be deposited to the credit  
10.26 of the account and, in addition to any other money made available for such purpose, is  
10.27 appropriated to the state fire marshal for costs associated with the development and  
10.28 presentation of fire and life safety education programs throughout Minnesota, and all costs  
10.29 associated with sections 299F.850 to 299F.859.

10.30 Sec. .... Minnesota Statutes 2018, section 340A.22, subdivision 4, is amended to read:

10.31 Subd. 4. **Off-sale license.** A microdistillery may be issued a license by the local licensing  
10.32 authority for off-sale of distilled spirits, with the approval of the commissioner. The license

11.1 may allow the sale of one 375 milliliter bottle per customer per day of product manufactured  
11.2 on site, subject to the following requirements:

11.3 (1) off-sale hours of sale must conform to hours of sale for retail off-sale licensees in  
11.4 the licensing municipality; and

11.5 (2) no brand may be sold at the microdistillery unless it is also available for distribution  
11.6 by wholesalers."

11.7 Page 48, after line 24, insert:

11.8 "Sec. .... **INTERAGENCY OPIOID ENFORCEMENT COORDINATOR.**

11.9 The governor is encouraged to appoint an interagency opioid enforcement coordinator  
11.10 to perform the following duties:

11.11 (1) coordinate the statewide response to opioid abuse;

11.12 (2) develop, coordinate, and facilitate training for law enforcement officers, prosecutors,  
11.13 courts, child protection workers, social service providers, medical providers, and other  
11.14 community members;

11.15 (3) promote the efficient use of resources; and

11.16 (4) consult with local government officials, representatives from other states, and federal  
11.17 officials to monitor local and national trends relating to opioid abuse and responses to that  
11.18 abuse."

11.19 Page 49, after line 7, insert:

11.20 "Sec. .... **[13.856] CORRECTIONS OMBUDSMAN DATA.**

11.21 Subdivision 1. **Private data.** The following data maintained by the ombudsman for  
11.22 corrections are classified as private, pursuant to section 13.02, subdivision 12:

11.23 (a) All data on individuals pertaining to contacts made by clients seeking the assistance  
11.24 of the ombudsman, except as specified in subdivisions 2 and 3;

11.25 (b) Data recorded from personal and phone conversations and in correspondence between  
11.26 the ombudsman's staff and persons interviewed during the course of an investigation;

11.27 (c) Client index cards;

11.28 (d) Case assignment data; and

11.29 (e) Monthly closeout data.

12.1 Subd. 2. **Confidential data.** The following data maintained by the ombudsman are  
 12.2 classified as confidential, pursuant to section 13.02, subdivision 3: the written summary of  
 12.3 the investigation to the extent it identifies individuals.

12.4 Subd. 3. **Public data.** The following data maintained by the ombudsman are classified  
 12.5 as public, pursuant to section 13.02, subdivision 15: client name, client location; and the  
 12.6 inmate identification number assigned by the department of corrections.

12.7 Subd. 4. **Access to data.** The ombudsman for corrections has access to corrections and  
 12.8 detention data and medical data as provided under section 241.441."

12.9 Page 60, line 19, delete everything after "degree"

12.10 Page 60, line 20, delete "degree"

12.11 Page 61, line 19, after "(a)" insert "Upon a majority vote of the board members present,"

12.12 Page 67, after line 12, insert:

12.13 "Sec. .... **PILOT PROGRAM TO ADDRESS MENTAL HEALTH IN**  
 12.14 **CORRECTIONAL FACILITIES.**

12.15 Subdivision 1. **Pilot program established.** The commissioner of corrections shall  
 12.16 establish and administer a pilot program in Minnesota Correctional Facility-Stillwater to  
 12.17 address mental health issues among correctional officers and inmates. The program shall  
 12.18 offer, at a minimum, support to correctional officers through skill refreshers, mental health  
 12.19 training and techniques, and mental health services. The program shall conduct, at a  
 12.20 minimum, mental health interventions for inmates and educate inmates on mental health  
 12.21 resources available to them. The pilot program is from July 1, 2019, to June 30, 2020.

12.22 Subd. 2. **Report.** By October 1, 2020, the commissioner shall report to the legislative  
 12.23 committees with jurisdiction over corrections on the impact and outcomes of the program."

12.24 Page 69, line 19, delete "90" and insert "60"

12.25 Page 70, after line 10, insert:

12.26 "Sec. .... **[626.19] USE OF UNMANNED AERIAL VEHICLES.**

12.27 Subdivision 1. **Application; definitions.** (a) This section applies to law enforcement  
 12.28 agencies that maintain, use, or plan to use an unmanned aerial vehicle in investigations,  
 12.29 training, or in response to emergencies, incidents, and requests for service.

12.30 (b) For purposes of this section, the following terms have the meanings given:

13.1 (1) "law enforcement agency" has the meaning given in section 626.84, subdivision 1;  
13.2 and

13.3 (2) "unmanned aerial vehicle" or "UAV" means an aircraft that is operated without the  
13.4 possibility of direct human intervention from within or on the aircraft.

13.5 Subd. 2. **Use of unmanned aerial vehicles limited.** Except as provided in subdivision  
13.6 3, a law enforcement agency may not operate a UAV without a search warrant issued under  
13.7 this chapter.

13.8 Subd. 3. **Authorized use.** (a) A law enforcement agency may use a UAV during or  
13.9 immediately after an emergency situation that involves the risk of death or serious physical  
13.10 harm to a person.

13.11 (b) A law enforcement agency may use a UAV over a public event where there is a  
13.12 substantial risk to the safety of participants or bystanders. If a law enforcement agency  
13.13 collects information under this paragraph it must document each use, connect each  
13.14 deployment to a unique case number, and provide a description of the facts giving rise to a  
13.15 substantial risk.

13.16 (c) A law enforcement agency may operate a UAV to counter a high risk of a terrorist  
13.17 attack by a specific individual or organization if the agency determines that credible  
13.18 intelligence indicates this risk.

13.19 (d) A law enforcement agency may use a UAV to prevent the loss of life and property  
13.20 in natural or man-made disasters and to facilitate the operational planning, rescue, and  
13.21 recovery operations in the aftermath of these disasters.

13.22 (e) A law enforcement agency may use a UAV for officer training purposes.

13.23 (f) A law enforcement agency may operate a UAV for a non-law-enforcement purpose  
13.24 at the request of a government entity, as defined in section 13.02, subdivision 7a, provided  
13.25 that the government entity makes the request in writing and specifies the reason for the  
13.26 request and proposed period of use.

13.27 Subd. 4. **Limitations on use.** (a) A law enforcement agency operating a UAV must fully  
13.28 comply with all Federal Aviation Administration requirements and guidelines.

13.29 (b) The governing body overseeing the law enforcement agency must approve the  
13.30 agency's acquisition of a UAV.

14.1 (c) Unless specifically authorized in a warrant, a law enforcement agency must use a  
14.2 UAV to collect data only on a clearly and narrowly defined target and avoid data collection  
14.3 on individuals, homes, or areas other than the defined target.

14.4 (d) A law enforcement agency may not deploy a UAV with facial recognition or other  
14.5 biometric-matching technology unless expressly authorized by a warrant.

14.6 (e) A law enforcement agency may not equip a UAV with weapons.

14.7 (f) A law enforcement agency may not use a UAV to collect data on public protests or  
14.8 demonstrations unless expressly authorized by a warrant or an exception applies under  
14.9 subdivision 3. A law enforcement agency must document which exception applies or whether  
14.10 a warrant was obtained.

14.11 Subd. 5. **Access by data subjects.** An individual who is subject of data collected through  
14.12 use of a UAV has access to the data. If the individual requests a copy of the recording, data  
14.13 on other individuals who do not consent to its release must be redacted from the copy.

14.14 Subd. 6. **Data classification; retention.** (a) Data collected by a UAV are private data  
14.15 on individuals or nonpublic data, subject to the following:

14.16 (1) UAV data may be disclosed as necessary in an emergency situation under subdivision  
14.17 3, paragraph (a);

14.18 (2) UAV data may be disclosed to the government entity making a request for UAV use  
14.19 under subdivision 3, paragraph (f);

14.20 (3) UAV data that are criminal investigative data are governed by section 13.82,  
14.21 subdivision 7; and

14.22 (4) UAV data that are not public data under other provisions of chapter 13 retain that  
14.23 classification.

14.24 (b) Section 13.04, subdivision 2, does not apply to data collected by a UAV.

14.25 (c) Notwithstanding section 138.17, the data must be deleted by a UAV as soon as  
14.26 possible, and in no event later than seven days after collection unless the data is part of an  
14.27 active criminal investigation.

14.28 Subd. 7. **Evidence.** Information obtained or collected by a law enforcement agency in  
14.29 violation of this section is not admissible as evidence in a criminal, administrative, or civil  
14.30 proceeding against the data subject.

15.1 Subd. 8. Remedies. An aggrieved party may initiate a civil action against a law  
15.2 enforcement agency to obtain all appropriate relief to prevent or remedy a violation of this  
15.3 section, including remedies available under chapter 13.

15.4 Subd. 9. Written policies required. The chief officer of every state and local law  
15.5 enforcement agency that uses or plans to use a UAV must establish and enforce a written  
15.6 policy governing UAV use. The agency must post the written policy on its website, if the  
15.7 agency has a website.

15.8 Subd. 10. Notice; disclosure of warrant. (a) Within a reasonable time but not later than  
15.9 90 days after the court unseals a warrant under this subdivision, the issuing or denying judge  
15.10 shall cause to be served on the persons named in the warrant and the application an inventory  
15.11 that shall include notice of:

15.12 (1) the fact of the issuance of the warrant or the application;

15.13 (2) the date of the issuance and the period of authorized, approved, or disapproved  
15.14 collection of information, or the denial of the application; and

15.15 (3) the fact that during the period information was or was not collected.

15.16 (b) A warrant authorizing collection of information with a UAV must direct that:

15.17 (1) the warrant be sealed for a period of 90 days or until the objective of the warrant has  
15.18 been accomplished, whichever is shorter; and

15.19 (2) the warrant be filed with the court administrator within ten days of the expiration of  
15.20 the warrant.

15.21 (c) The prosecutor may request that the warrant, supporting affidavits, and any order  
15.22 granting the request not be filed. An order must be issued granting the request in whole or  
15.23 in part if, from affidavits, sworn testimony, or other evidence, the court finds reasonable  
15.24 grounds exist to believe that filing the warrant may cause the search or a related search to  
15.25 be unsuccessful, create a substantial risk of injury to an innocent person, or severely hamper  
15.26 an ongoing investigation.

15.27 (d) The warrant must direct that following the commencement of any criminal proceeding  
15.28 using evidence obtained in or as a result of the search, the supporting application or affidavit  
15.29 must be filed either immediately or at any other time as the court directs. Until such filing,  
15.30 the documents and materials ordered withheld from filing must be retained by the judge or  
15.31 the judge's designee.

16.1 Subd. 11. **Reporting.** (a) By January 15 of each year, each law enforcement agency that  
16.2 deploys a UAV shall report to the commissioner of public safety the following information  
16.3 for the preceding calendar year:

16.4 (1) the number of times a UAV was deployed, organized by the types of incidents and  
16.5 the types of justification for deployment;

16.6 (2) the number of criminal investigations aided by the deployment of UAVs;

16.7 (3) the number of deployments of UAVs for reasons other than criminal investigations;  
16.8 and

16.9 (4) the total cost of the agency's UAV program.

16.10 (b) By June 15 of each year, the commissioner of public safety shall compile a full and  
16.11 complete report summarizing the information submitted to the commissioner under paragraph  
16.12 (a), and submit the report to the chairs and ranking minority members of the senate and  
16.13 house of representatives committees having jurisdiction over criminal justice and public  
16.14 safety issues and make the report public on the department's website.

16.15 (c) By January 15 of each year, any judge who has issued a warrant under this section  
16.16 that expired during the preceding year, or who has denied approval during that year, shall  
16.17 report to the state court administrator:

16.18 (1) the fact that a warrant or extension was applied for;

16.19 (2) the kind of warrant or extension applied for;

16.20 (3) the fact that the warrant or extension was granted as applied for, was modified, or  
16.21 was denied;

16.22 (4) the period of UAV use authorized by the warrant and the number and duration of  
16.23 any extensions of the warrant;

16.24 (5) the offense specified in the warrant or application or extension of a warrant; and

16.25 (6) the identity of the law enforcement agency making the application and the person  
16.26 authorizing the application.

16.27 (d) By June 15 of each year, the state court administrator shall transmit to the chairs and  
16.28 ranking minority members of the senate and house of representatives committees having  
16.29 jurisdiction over criminal justice and public safety issues and post on the supreme court's  
16.30 website a full and complete report concerning the number of applications for warrants  
16.31 authorizing or approving operation of UAVs or disclosure of information from the operation  
16.32 of UAVs under this section and the number of warrants and extensions granted or denied



17.1 under this section during the preceding calendar year. The report must include a summary  
17.2 and analysis of the data required to be filed with the state court administrator by paragraph  
17.3 (c)."

17.4 Page 70, line 30, after "public" insert ", of which at least one member must be a  
17.5 representative of a statewide crime victim coalition"

17.6 Page 76, line 9, delete everything after "(a)" and insert "The executive director of the  
17.7 Peace Officer Standards and Training Board"

17.8 Page 76, line 10, delete "designee"

17.9 Page 76, line 15, delete "commissioner of public safety" and insert "executive director  
17.10 of the Peace Officer Standards and Training Board"

17.11 Page 82, line 26, delete the new language

17.12 Page 82, lines 27 and 28, delete the new language

17.13 Page 82, line 29, delete the new language and reinstate the stricken "In any such case if  
17.14 the actor is no more than 120 months older than the "

17.15 Page 82, line 29, strike "120" and insert "36"

17.16 Page 82, reinstate lines 30 and 31

17.17 Page 83, line 1, reinstate the stricken language and delete the new language

17.18 Page 83, line 2, reinstate the stricken language and delete the new language

17.19 Page 100, line 20, delete the new language

17.20 Page 100, line 21, delete the new language and reinstate the stricken language

17.21 Page 101, line 2, after "except" insert "the non-resinous form" and reinstate the stricken  
17.22 "of" and delete "or"

17.23 Page 101, line 3, delete "tetrahydrocannabinols"

17.24 Page 101, line 12, delete "one or more mixtures of"

17.25 Page 101, line 13, delete "containing" and insert "of the non-resinous form of" and delete  
17.26 "or tetrahydrocannabinols"

17.27 Page 102, line 5, delete "one or more mixtures of"

17.28 Page 102, line 6, delete "containing" and insert "of the non-resinous form of" and delete  
17.29 "or tetrahydrocannabinols"

- 18.1 Page 102, line 7, delete "one or more mixtures of"
- 18.2 Page 102, line 8, delete "containing" and insert "of the non-resinous form of" and delete
- 18.3 "or tetrahydrocannabinols"
- 18.4 Page 102, line 11, delete "one or more mixtures of"
- 18.5 Page 102, line 12, delete "containing" and insert "of the non-resinous form of" and delete
- 18.6 "or tetrahydrocannabinols"
- 18.7 Page 102, line 13, delete "one or more mixtures of"
- 18.8 Page 102, line 14, delete "containing" and insert "of the non-resinous form of" and delete
- 18.9 "or tetrahydrocannabinols"
- 18.10 Page 102, line 30, delete "one or more mixtures of" and delete "containing" and insert
- 18.11 "of the non-resinous form of"
- 18.12 Page 102, line 31, delete "or tetrahydrocannabinols"
- 18.13 Page 114, after line 24, insert:
- 18.14 "Sec. .... Minnesota Statutes 2018, section 169A.24, subdivision 1, is amended to read:
- 18.15 Subdivision 1. **Degree described.** A person who violates section 169A.20 (driving while
- 18.16 impaired) is guilty of first-degree driving while impaired if the person:
- 18.17 (1) commits the violation within ten years of the first of three or more qualified prior
- 18.18 impaired driving incidents;
- 18.19 (2) has previously been convicted of a felony under this section; or
- 18.20 (3) has previously been convicted of a felony under:
- 18.21 (i) Minnesota Statutes 2012, section 609.21 (criminal vehicular homicide and injury,
- 18.22 substance-related offenses), subdivision 1, clauses (2) to (6);
- 18.23 (ii) Minnesota Statutes 2006, section 609.21 (criminal vehicular homicide and injury,
- 18.24 substance-related offenses), subdivision 1, clauses (2) to (6); subdivision 2, clauses (2) to
- 18.25 (6); subdivision 2a, clauses (2) to (6); subdivision 3, clauses (2) to (6); or subdivision 4,
- 18.26 clauses (2) to (6); ~~or~~
- 18.27 (iii) section 609.2112, subdivision 1, clauses (2) to (6); 609.2113, subdivision 1, clauses
- 18.28 (2) to (6), subdivision 2, clauses (2) to (6), or subdivision 3, clauses (2) to (6); or 609.2114,
- 18.29 subdivision 1, clauses (2) to (6), or subdivision 2, clauses (2) to (6); or

19.1 (iv) a statute from this state or another state in conformity with any provision listed in  
19.2 item (i), (ii), or (iii).

19.3 **EFFECTIVE DATE.** This section is effective August 1, 2019, and applies to crimes  
19.4 committed on or after that date."

19.5 Page 116, after line 2, insert:

19.6 "Sec. .... Minnesota Statutes 2018, section 169A.55, subdivision 4, is amended to read:

19.7 Subd. 4. **Reinstatement of driving privileges; multiple incidents.** (a) A person whose  
19.8 driver's license has been revoked as a result of an offense listed under clause (1) or (2) shall  
19.9 not be eligible for reinstatement of driving privileges without an ignition interlock restriction  
19.10 until the commissioner certifies that the person has used the ignition interlock device and  
19.11 complied with section 171.306 for a period of not less than:

19.12 (1) one year, for a person whose driver's license was revoked for:

19.13 (i) an offense occurring within ten years of a qualified prior impaired driving incident;

19.14 or

19.15 (ii) an offense occurring after two qualified prior impaired driving incidents; or

19.16 (2) two years, for a person whose driver's license was revoked for:

19.17 (i) an offense occurring under clause (1), and where the test results indicated an alcohol  
19.18 concentration of twice the legal limit or more; or

19.19 (ii) an offense occurring under clause (1), and where the current offense is for a violation  
19.20 of section 169A.20, subdivision 2 (test refusal).

19.21 As used in this paragraph, "family or household member" has the meaning given in section  
19.22 169A.63, subdivision 1, paragraph (f).

19.23 (b) A person whose driver's license has been canceled or denied as a result of three or  
19.24 more qualified impaired driving incidents shall not be eligible for reinstatement of driving  
19.25 privileges without an ignition interlock restriction until the person:

19.26 (1) has completed rehabilitation according to rules adopted by the commissioner or been  
19.27 granted a variance from the rules by the commissioner; and

19.28 (2) has submitted verification of abstinence from alcohol and controlled substances  
19.29 under paragraph (c), as evidenced by the person's use of an ignition interlock device or other  
19.30 chemical monitoring device approved by the commissioner.

20.1 ~~(b)~~ (c) The verification of abstinence must show that the person has abstained from the  
 20.2 use of alcohol and controlled substances for a period of not less than:

20.3 (1) three years, for a person whose driver's license was canceled or denied for an offense  
 20.4 occurring within ten years of the first of two qualified prior impaired driving incidents, or  
 20.5 occurring after three qualified prior impaired driving incidents;

20.6 (2) four years, for a person whose driver's license was canceled or denied for an offense  
 20.7 occurring within ten years of the first of three qualified prior impaired driving incidents; or

20.8 (3) six years, for a person whose driver's license was canceled or denied for an offense  
 20.9 occurring after four or more qualified prior impaired driving incidents.

20.10 ~~(e) The commissioner shall establish performance standards and a process for certifying~~  
 20.11 ~~chemical monitoring devices. The standards and procedures are not rules and are exempt~~  
 20.12 ~~from chapter 14, including section 14.386.~~

20.13 **EFFECTIVE DATE.** This section is effective August 1, 2019, and applies to crimes  
 20.14 committed on or after that date."

20.15 Page 117, after line 5, insert:

20.16 "(c) Notwithstanding paragraph (a), if the program participant described in paragraph  
 20.17 (a) either voluntarily or involuntarily ceases to participate in the program, or fails to  
 20.18 successfully complete it, the vehicle used in the underlying designated offense must be  
 20.19 seized and summarily forfeited."

20.20 Page 117, line 6, delete "(c)" and insert "(d)"

20.21 Page 117, after line 20, insert:

20.22 "Sec. 3. Minnesota Statutes 2018, section 171.306, subdivision 2, is amended to read:

20.23 Subd. 2. **Performance standards; certification; manufacturer and provider**

20.24 **requirements.** (a) The commissioner shall establish performance standards and a process  
 20.25 for certifying devices used in the ignition interlock program, except that the commissioner  
 20.26 may not establish standards that, directly or indirectly, require devices to use or enable  
 20.27 location tracking capabilities without a court order.

20.28 (b) The manufacturer of a device must apply annually for certification of the device by  
 20.29 submitting the form prescribed by the commissioner. The commissioner shall require  
 20.30 manufacturers of certified devices to:

21.1 (1) provide device installation, servicing, and monitoring to indigent program participants  
 21.2 at a discounted rate, according to the standards established by the commissioner; ~~and~~

21.3 (2) include in an ignition interlock device contract a provision that a program participant  
 21.4 who voluntarily terminates participation in the program is only liable for servicing and  
 21.5 monitoring costs incurred during the time the device is installed on the motor vehicle,  
 21.6 regardless of whether the term of the contract has expired; and

21.7 (3) include in an ignition interlock device contract a provision that requires manufacturers  
 21.8 of certified devices to pay any towing or repair costs caused by device failure or malfunction,  
 21.9 or by damage caused during device installation, servicing, or monitoring.

21.10 (c) The manufacturer of a certified device must include with an ignition interlock device  
 21.11 contract a separate notice to the program participant regarding any location tracking  
 21.12 capabilities of the device."

21.13 Page 122, line 25, delete "5" and insert "4"

21.14 Page 122, line 28, delete "5" and insert "4"

21.15 Page 123, line 23, delete "5" and insert "4"

21.16 Page 124, line 17, delete "5" and insert "4"

21.17 Page 124, line 25, delete "6" and insert "5"

21.18 Page 124, line 28, delete "6" and insert "5"

21.19 Page 125, line 19, delete "6" and insert "5"

21.20 Page 135, after line 8, insert:

21.21 "(1) Minnesota Statutes 2018, section 169.92, subdivision 4;"

21.22 Page 135, line 9, delete "(1)" and insert "(2)"

21.23 Page 135, line 11, delete "(2)" and insert "(3)"

21.24 Page 135, line 12, delete "(3) both" and insert "(4) any combination of" and delete "and"  
 21.25 and insert a comma and before the period insert "and (3)"

21.26 Page 135, line 20, delete ", clause (1), (2), or (3)"

21.27 Page 135, line 25, delete ", clause (1), (2), or (3)"

21.28 Page 160, line 17, after "offense" insert "within four years"

21.29 Page 160, line 25, delete "public safety" and insert "corrections"

- 22.1 Page 160, line 29, delete "public safety" and insert "corrections"
- 22.2 Page 161, line 25, delete "2019" and insert "2020"
- 22.3 Reletter the paragraphs in sequence
- 22.4 Renumber the subdivisions in sequence
- 22.5 Renumber the sections in sequence and correct the internal references
- 22.6 Amend the title accordingly