

Approved by
Revisor of Statutes



1.1 Mariani from the Public Safety and Criminal Justice Reform Finance and Policy Division
1.2 to which was referred:

1.3 H. F. No. 491, A bill for an act relating to criminal justice; establishing penalties for
1.4 school employees and independent contractors who have sexual relationships with students;
1.5 definitions; amending Minnesota Statutes 2018, sections 609.341, by adding subdivisions;
1.6 609.344, subdivision 1; 609.345, subdivision 1.

1.7 Reported the same back with the following amendments:

1.8 Page 1, after line 6, insert:

1.9 "Section 1. Minnesota Statutes 2018, section 609.341, subdivision 10, is amended to read:

1.10 Subd. 10. **Position of authority.** "Position of authority" includes but is not limited to
1.11 any person who is a parent or acting in the place of a parent and charged with any of a
1.12 parent's rights, duties or responsibilities to a child, or a person who is charged with any duty
1.13 or responsibility for the health, welfare, or supervision of a child, either independently or
1.14 through another, no matter how brief, at the time of the act. For the purposes of subdivision
1.15 11, "position of authority" includes a psychotherapist. For the purposes of sections 609.344,
1.16 subdivision 1, paragraph (e), clause (2), and 609.345, subdivision 1, paragraph (e), clause
1.17 (2), the term extends to a person having the described authority over a student in a secondary
1.18 school who is at least 16 but less than 21 years of age under the circumstances described in
1.19 those two clauses."

1.20 Page 6, line 10, delete "4" and insert "5"

1.21 Renumber the sections in sequence

1.22 Amend the title as follows:

1.23 Page 1, delete lines 2 to 3 and insert "relating to criminal justice; establishing penalties
1.24 for school employees, independent contractors, and persons in positions of authority who
1.25 have sexual relationships with students;"

2.1 Correct the title numbers accordingly

2.2 With the recommendation that when so amended the bill be returned to the Committee
2.3 on Ways and Means.

2.4 This Division action taken January 30, 2019

2.5 Chair