

**Chapter:** 63

**Session:** 2017 Regular Session

**Topic:** Public Safety Omnibus Bill

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This is the initial omnibus public safety bill for the 2017 legislative session.

Governor Mark Dayton vetoed this act on May 15, 2017.

### Article 1: Appropriations

#### Overview

This article contains appropriations for the following: Supreme Court, Court of Appeals, District Courts, Tax Court, GAL Board, Uniform Laws Commission, Board on Judicial Standards, Public Defense Board, Sentencing Guidelines, Department of Public Safety, Peace Officers Standards and Training Board, Private Detective Board, and Department of Corrections.

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**1 Appropriations.** Summarizes direct appropriations by fund.

**2 Supreme Court.**

**Subd. 1. Total appropriation.** Appropriates a total of \$49,848,000 in FY18 and \$50,262,000 in FY19 to the supreme court.

**Subd. 2. Supreme Court Operations.** Appropriates \$36,378,000 in FY18 and \$36,792,000 in FY19 for supreme court operations. Funds a contingent account and harassment restraining order reforms [**H.F. 1145**] [**S.F. 1229**]

**Subd. 3. Civil Legal Services.** Appropriates \$13,470,000 in FY18 and FY19 to civil legal services to provide legal representation to low-income clients. \$948,000 each year is to improve access to legal representation in family law matters.

**3 Court of Appeals.** Appropriates \$12,082,000 in FY18 and \$12,163,000 in FY19 for the court of appeals.

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- 4 **District courts.** Appropriates \$283,495,000 in FY18 and \$286,074,000 in FY19 for trial courts.
- Para. (a). New trial judges.** Provides \$884,000 in FY18 and \$818,000 in FY19 for two new trial judges.
- Para. (b). Mandated services.** \$503,000 the first year and \$504,000 the second year are for mandated court services.
- Para. (c). Treatment courts stability.** Provides \$100,000 each year to treatment courts stability.
- 5 **Guardian ad litem board.** Appropriates \$15,547,000 in FY18 and \$15,675,000 in FY19 to the GAL board.
- 6 **Tax court.** Appropriates \$1,501,000 in FY18 and \$1,505,000 in FY19 to the tax court. \$104,000 each year is for a case management system.
- 7 **Uniform laws commission.** Appropriates \$93,000 each year to the ULC.
- 8 **Board on Judicial Standards.** Appropriates \$486,000 in FY18 and \$486,000 in FY19 to the Board on Judicial Standards. Provides that \$125,000 each year is for special investigative and hearing costs.
- 9 **Board of Public Defense.** Appropriates \$84,083,000 in FY18 and \$84,853,000 in FY19 for the Board of Public Defense.
- 10 **Sentencing Guidelines.** Appropriates \$647,000 in FY18 and \$651,000 in FY19 to the sentencing guidelines commission.
- 11 **Public Safety.**
- Subd. 1. Total appropriation.** Appropriates \$189,984,000 for FY18, \$190,388,000 for FY19.
- Subd. 2. Emergency management.** Appropriates \$4,779,000 in FY18 and \$3,893,000 in FY19 to the emergency management division.
- (a) Hazmat and chemical assessment teams.** Appropriates \$850,000 each year from the Fire Safety Account to fund Hazmat and Chemical Assessment Teams. [**H.F. 2121**] [**S.F. 1830**]
- (b) Emergency response teams.** Appropriates \$550,000 each year to fund emergency response teams in St. Cloud, Duluth, and Moorhead. [**H.F. 1179**] [**S.F.1127**]
- (c) Roseau County Disaster Reimbursement.** Appropriates \$750,000 in the first year for reimbursement of costs to repair public infrastructure damaged by the 1999 and 2002 floods.
- (d) Supplemental nonprofit security grant program.** Appropriates \$150,000 in the first year to a supplemental nonprofit security grant program. The Division of Homeland Security and Emergency Management will award state grants of up to \$75,000 beginning with the highest ranked applicant. An applicant may not receive more than a total of \$75,000 from both the state and federal programs. [**H.F. 1802**] [**S.F. 1684**]

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**Subd. 3. Criminal apprehension.** Appropriates \$54,388,000 in FY18 and \$55,502,000 in FY19 to the BCA.

(a) **DWI lab analysis.** Transfers funding for DWI lab analysis from the trunk highway fund to the general fund.

(b) **Predatory registration system.** Appropriates \$1,000,000 in the second year to rebuild the predatory registration system. The base for fiscal year 2020 is \$3,100,000 and the base for fiscal year 2021 is \$400,000. [H.F. 896]

(c) **BCA investment initiative.** Appropriates \$275,000 each year for the following: (1) an additional firearms examiner; and (2) additional staff in the drug chemistry lab.

(d) **Harassment Restraining Orders.** \$169,000 the first year and \$47,000 the second year are for changes related to harassment restraining orders. [H.F. 1148] [S.F. 1229]

(e) **Base adjustment.** Establishes the FY20 and FY21 base funding for the BCA.

**Subd. 4. Fire Marshal.** Appropriates \$6,274,000 in the first year and \$6,408,000 in the second year to fund the state fire marshal. \$300,000 each year is for inspection of nursing homes and boarding care facilities.

**Subd. 5. Board of Firefighter Training and Education.** Appropriates \$5,015,000 each year to the Board of Firefighter Training and Education. Directs funds to be used for firefighter training, Minnesota Task Force 1, and the Minnesota Air Rescue Team. [H.F. 2121]

**Subd. 6. Alcohol and Gambling Enforcement.** Appropriates \$2,506,000 in FY18 and \$2,521,000 in FY19 to the alcohol and gambling enforcement division. \$500,000 from the alcohol enforcement account is transferred to the general fund. \$90,000 each year is for a field agent or alcohol educator.

**Subd. 7. Office of Justice Programs.** Appropriates \$39,903,000 in FY18 and \$39,918,000 in FY19 to OJP.

(a) **OJP administration costs.** Permits OJP to use up to 2.5 percent of the funds to administer the grant program.

(b) **Violent crime enforcement.** Appropriates \$35,000 each year for additional grants to statewide violent crime enforcement teams.

(c) **Combatting terrorism recruitment.** Appropriates \$250,000 in each year to develop strategies to combat recruitment of state residents by terrorist organizations. [H.F. 2068]

(d) **Sex trafficking prevention grants.** Appropriates \$180,000 each year for grants to combat sex trafficking.

(e) **Pathway to Policing.** Appropriates \$400,000 each year to reimburse police departments that offer pathway to policing programs. [H.F. 346] [S.F. 445]

**Subd. 8. Emergency communications networks.** Appropriates \$77,119,000 in FY18 and \$77,131,000 in FY19 from the 911 emergency telecommunications service fee account for emergency communications. Funds public safety answering points,

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medical resource communication centers, ARMER debt service, ARMER state backbone operating costs, and ARMER improvements.

- 12 Peace Officers Standards and Training Board.** Appropriates \$10,634,000 in FY18 and \$10,638,000 in FY19 to the POST Board. \$2,859,000 each year is from the peace officers training account for reimbursements to local governments for peace officer training costs. \$6,500,000 each year is from the general fund for peace officer training. The base remains \$6,500,000 in fiscal years 2020 and 2021 and is zero in fiscal year 2022 and thereafter. **[H.F. 346] [H.F. 445]** \$100,000 each year is for de-escalation training. **[H.F. 261] [S.F. 322]**
- 13 Private Detective Board.** Appropriates \$190,000 in each year to the private detective board.
- 14 Department of Corrections.**
- Subd. 1. Total appropriation.** Appropriates \$9,200,000 in FY16, \$567,929,000 in FY18, and \$558,772,000 in FY19 to the department of corrections.
- Subd. 2. Correctional institutions.** Appropriates \$9,200,000 in FY16, \$412,949,000 in FY17, and \$403,591,000 in FY18 to correctional institutions.
- (a) Offender healthcare.** Appropriates funds to cover a deficiency in inmate healthcare. Requires the commissioner to report details on the process of contracting for a new inmate healthcare agreement.
- (b) Federal Prison Rape Elimination Act.** Appropriates funds to comply with the act.
- Subd. 3. Community services.** Appropriates \$128,070,000 in FY18 and \$128,213,000 in FY19 for community services. Provides funds for supervised release agents, CCA subsidy, county probation officer reimbursements, and the alternatives to incarceration pilot program **[H.F. 2176]**.
- Subd. 4. Operations support.** Appropriates \$26,910,000 in FY18 and \$26,968,000 in FY19 for the department's operations support group. \$1,187,000 each year is to support critical technology needs.

## Article 2: Courts

### Overview

This article contains provisions relating to the courts.

- 1 Description.** Establishes a new judgeship in both the 7<sup>th</sup> and 9<sup>th</sup> districts.
- 2 Classifications.** Allows the judicial branch to collect social security numbers for the purposes of debt collection. **[S.F. 1614]**
- 3 Commitment papers; duty of court administrator.** Strikes requirement to submit transcript of sentencing proceedings to detention facility. **[H.F. 2431] [S.F. 1615]**

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- 4 **Jurisdiction.** Increases the small claims jurisdiction limit for state tax claims from \$5,000 to \$15,000. This is consistent with the jurisdiction in conciliation court. [H.F. 1773] [S.F. 1615]
- 5 **Account purpose, grants.** Replaces the phrase “drug court” with “treatment court.” [H.F. 2431] [S.F. 1615]
- 6 **Treatment court fees.** Replaces the phrase “drug court” with “treatment court.” [H.F. 2431] [S.F. 1615]
- 7 **Court documents.** Expands the exemption from the notarization requirement to include documents presented in support of a request for a court order, warrant, or other relief. Provides that presenting a document to a judge or judicial officer for signature constitutes verification under oath. [H.F. 2431][S.F. 1615]
- 8 **Review of applications; selection of recipients.** Eliminates the unique income eligibility criteria for farmers who seek assistance from organizations that provide legal services. Under current law, a farmer is not eligible for legal aid if the farmer’s federal adjusted gross income exceeds \$15,000.
- With this section, income eligibility for farmers would be indexed to Federal Poverty Guidelines, as it is for others who request legal aid. In general, legal aid is available to individuals and families with income that does not exceed 125 percent of Federal Poverty Guidelines. According to federal regulations, in 2017 a family of one that qualifies for legal aid can have no more than \$15,075 of income; income for a family of four cannot exceed \$30,750 (Code of Federal Regulations, Title 45, Subtitle B, Chapter XVI, Part 1611).
- Under this section, farmers would remain subject to a unique asset-to-debt eligibility standard. Under current law, farmers eligible for legal aid in Minnesota must have a debt-to-asset ratio greater than 50 percent. [H.F. 1165]
- 9 **Referee duties.** Requires a direct appeal to the Court of Appeals for review of referee orders in probate and civil commitment proceedings. [H.F. 2431] [S.F. 1615]
- 10 **Expedited child support process.** Moves language on expedited child support hearings reported through electronic recording equipment. [H.F. 2431] [S.F. 1615]
- 11 **Salaries.** Strikes outdated salary provisions that are now contained in the judicial branch personnel policies and collective bargaining agreements. [H.F. 2431] [S.F. 1615]
- 12 **Charge for transcript.** Strikes the old statutory rate that may be charged for a transcript and replaces it with a current reference to the rate set by the chief justice. [H.F. 2431] [S.F. 1615]
- 13 **Definitions.** Changes the definition of transfers in the Uniform Voidable Transfers Act to exclude donations or contributions, including promissory notes, stocks, and bonds, to charitable or religious organizations, except when the donation happened within two years of the start of an action against the debtor, the donation was made by the debtor, and the donation was done to intentionally defraud a creditor or was made at the time the debtor was insolvent or about to be insolvent.

The existing law and provisions of this bill provide certain exceptions for when the donation can be captured by the creditors. The federal bankruptcy court issued a decision in 2015 finding that a third party’s transfer of a promissory note did not constitute a transfer of the insolvent party’s assets for later payments made directly to the charity as a result of that

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promissory note. This change will protect contributions made to charitable and religious organizations so that later payments made in compliance with a contribution cannot be made “void” by the court and force the return of the donation.

Effective date: This section is effective the day after final enactment and applies to cases of action arising before, on, or after that date. **[H.F. 2067]**

- 14** **Applicable crimes.** Adds the crime of felony assault by strangulation against a family member to the list of crimes a parent has been convicted of committing that shift the burden for determining custody and parenting time. Existing law requires the court to appoint a guardian ad litem to look out for the child’s best interest in these cases.
- When the parent of a child has been convicted of certain violent crimes and crimes against children and the crime occurred in the last five years or the person is still incarcerated, on probation, under supervised release, or where the victim of the crime was a household member, then the presumption is against the parent convicted of the crime and they have to prove that visiting with the child or having custody is in the child’s best interest.
- In cases where the victim of the crime was a family or household member, the parent convicted must prove it is in the child’s best interest by clear and convincing evidence, which is a high standard than most civil family law cases. **[H.F. 1654] [S.F. 1598]**
- 15** **When owed; rate.** Removes the ten percent interest rate for judgments.
- Under current law, the interest rate on judgments or awards of \$50,000 or more is ten percent for all three time periods, except that it is not applied to the state or political subdivisions of the state. The interest rate on judgments under \$50,000 is set by the court administrator based on the secondary market and calculated as a simple interest per year, but is no less than four percent. This section would give all state and nonstate civil judgments the same interest rate for the period from commencement of the suit or claim until the entry of judgment but would exempt cases where an insured person was awarded a judgment against some insurers for a failure to provide payment, which is set by statute at ten percent. Minn. Stat. § 60A.0811. **[H.F. 1281] [S.F. 1197]**
- 16** **Venue.** Adds a venue provision in the perjury statute. Provides that a violation relating to false statements in court documents may be prosecuted where the statement was signed or filed. **[H.F. 2431] [S.F. 1615]**
- 17** **Temporary restraining order; relief by court.** Changes the requirement that a request for a temporary restraining order hearing be made within 45 days after the temporary order is issued to within 20 days of the date of completed service of the petition for a hearing. **[H.F. 2431] [S.F. 1615]**
- 18** **Application.** Requires a sentencing criminal court to refer a case to family court if the person being sentenced has been convicted of the crime of felony assault by strangulation against a family member and the person convicted has custody or visitation with their child and there is no pending family court action. Existing law requires that the court appoint a guardian ad litem in these family law cases. **[H.F. 1654] [S.F. 1598]**
- 19** **Evidence of videotapes, audiotapes, or other recordings.** Currently, a video or audio recording prepared by a peace officer using recording equipment in an officer’s vehicle cannot be excluded from evidence at a trial on the ground that there was no written transcript

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of the recording prepared and available before trial. This section expands the category of covered recordings to include an officer's body camera. [H.F. 1343] [S.F. 788]

**20 Repealer.** Repeals:

- 169.685, subd. 4 -- Eliminates the “seat belt gag rule”. Currently, the gag rule prohibits introduction of evidence regarding the use of or failure to use a seat belt in any civil action for damages arising from a motor vehicle accident. The rule does not apply in an action that alleges a defectively designed, manufactured, installed, or operated seat belt or child passenger restraint system. This section would allow a party to submit evidence regarding the use of a seat belt in a civil action, subject to standard evidentiary rules. [H.F. 251]
- 486.05, subd. 1a – Court reporter reimbursement provisions which allow court reporters to be reimbursed for travelling expenses when absent from the home chambers where the judge the reporter serves is assigned. [H.F. 2431] [S.F. 1615]
- 525.112 – Hennepin County court reporter salary provisions, last updated in 1941, which permit an annual salary of \$3,000 for a court reporter. [H.F. 2431] [S.F. 1615]

**Article 3: Corrections and Public Safety****Overview**

This article contains policy provisions regulating corrections and probation.

- 1 Permissible claims.** Claims for medical expenses or compensation for total disability, permanent partial disability, or death may be submitted to the Department of Corrections and, if valid, the department shall pay the portion of a claim that is not covered by the claimant's insurance. Under current law, eligible claims are for individuals who suffer injury or death and are:
1. inmates of a correctional facility or local jail conditionally released to perform compensated or uncompensated work; or
  2. individuals subject to a court order who perform work (a) in restitution, (b) to work off fines or court ordered costs, (c) in lieu of incarceration, or (d) as a condition of a sentence.

This section limits claims by inmates to injury or death that occurred while performing work in the community. It also expands the list of covered individuals to include those performing work service in lieu of correctional fees and those on a sentence-to-service work crew. [H.F. 1452] [S.F. 1031]

- 2 Disposal.** Requires the sheriff of each county to provide or contract for the provision of federally compliant receptacles for the collection of noncontrolled substances, pharmaceutical controlled substances, and other legend drugs. Each county shall maintain at least one collection receptacle for disposal of these substances. [H.F. 916]
- 3 Rulemaking limitation.** Prohibits the Department of Public Safety from changing administrative rules that relate to requirements for obtaining a driver's license or Minnesota

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identification card, including provisions on proof of identity, name, date of birth, legal presence in the United States, and Minnesota residency.

- 4 **Commissioner, powers and duties.** Directs the commissioner to submit an appraisal of the private prison in Appleton, Minnesota before requesting funds to expand the bed capacity of an existing adult male facility. [H.F. 1510]
- 5 **Conditional release.** Requires probation and parole agents supervising nonviolent controlled substance offenders to identify community options, including substance abuse treatment, in response to technical violations of the conditions of supervision. Allows offenders, by written stipulation, to restructure terms of supervision to include participation in appropriate community options. Permits courts to amend the terms of supervision based on offenders' written stipulations. Requires supervising agents to attempt to place offenders in a local jail when revoking supervision. [H.F. 2176]
- 6 **Allowed expenses.** Reforms the billing process for reimbursement to counties for costs they incur transporting inmates to and from state correctional facilities. Under current law, counties submit bills for each specific trip. The section allows payments be made up to two times each fiscal year based on a fee schedule agreed to by the Department of Corrections and the Minnesota Sheriff's Association. The total amount of payments may not exceed \$500,000 annually. [H.F. 1579] [S.F. 1030]
- 7 **Sanctions for violation.** Requires supervised release agents supervising nonviolent controlled substance offenders to identify community options, including substance abuse treatment, in response to technical violations of the conditions of supervision. Requires agents to restructure the terms of supervised release to include participation in appropriate community options. Requires supervising agents to attempt to place offenders in a local jail when revoking supervision. [H.F. 2176]
- 8 **Alternatives to incarceration.** Requires county probation agents conducting sanctions conferences regarding nonviolent controlled substance offenders to identify and recommend appropriate community options, including substance abuse treatment, in response to technical violations of the conditions of probation. [H.F. 2176]
- 9 **Railroad and pipeline safety account.** Appropriates \$600,000 to the Department of Transportation for improving safety at railroad grade crossings.
- 10 **Orders for protection and no contact orders.** Permits the courts to share data regarding harassment restraining orders through the criminal justice data communications network. [H.F. 1148]
- 11 **Alternatives to incarceration.** Requires probation agents at probation revocation hearings for technical violations of probation by nonviolent controlled substance offenders to present courts with local options in response to violations. [H.F. 2176]
- 12 **Impersonating a military service member; veteran; or public official.** Extends and modifies the current misdemeanor offense of impersonating a military officer to impersonating any member of the military or a veteran. To be convicted, an impersonator must intend to wrongfully obtain money, property, or any other tangible benefit. [H.F. 1892] [S.F. 1700]
- 13 **Impersonating a peace officer.**

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**Subd. 1. Misdemeanor.** Maintains a misdemeanor penalty for garden variety impersonating a peace officer cases.

**Subd. 2. Gross misdemeanor.** Creates a gross misdemeanor for persons who impersonate a peace officer and (1) attempt to gain access to a public building that is not open to the public; (2) without legal authority, direct or order another person to act or refrain from acting; or (3) violate section 169.24, subdivision 2, 3, or 4, or the siren provisions of section 169.68; or (4) operate a motor vehicle marked with lettering or symbols that identify the vehicle as a law enforcement vehicle.

**Subd. 3. Felony.** Creates a felony for persons who have a previous violation of subdivision 1 or 2 in the past five years. [H.F. 839]

- 14 **Criminal damage to property in the first degree.** Creates a five year felony for damage to a public safety motor vehicle that results in a substantial interruption or impairment of a service offered by the affected public safety agency. [H.F. 470] [S.F. 1098]
- 15 **Criminal damage to property in the third degree.** Creates a gross misdemeanor for knowingly damaging a public safety motor vehicle. [H.F. 470] [S.F. 1098]
- 16 **Definitions.** Defines “public safety motor vehicle” and “damage.” [H.F. 470] [S.F. 1098]
- 17 **Trespass on a school bus.** Creates a misdemeanor penalty of trespass when: a person (1) boards a bus that has pupils on it or is in operation, (2) bus operator demands that the person leave the bus, and (3) the person refuses to leave. [H.F. 1601] [S.F. 1339]
- 18 **Public nuisance.** Amends the criminal code’s public nuisance crime. Makes it a gross misdemeanor to intentionally interfere with or obstruct traffic on a freeway or a major airport’s public roadway. Creates certain exceptions for law enforcement and other officials. Defines freeways and airports. [H.F. 390] [S.F. 676]
- 19 **Contents of petition; hearing; notice.** Expands the category of individuals authorized to serve process in harassment restraining order procedures exclusively from the county sheriff to all peace officers and expands the prohibition on fees for the service of process to all peace officers. [H.F. 1148]
- 20 **Filing fee; cost of service.** Expands the category of individuals authorized to serve process in harassment restraining order procedures exclusively from the county sheriff to all peace officers and expands the prohibition on fees for the service of process to all peace officers. [H.F. 1148]
- 21 **Restraining order.** Expands the category of individuals authorized to serve process in harassment restraining order procedures exclusively from the county sheriff to all peace officers and expands the prohibition on fees for the service of process to all peace officers. [H.F. 1148]
- 22 **Short-form notification.**

**Para. (a).** Creates a short-form notification to inform a respondent of the existence of a harassment restraining order. The short-form notification form must include the:

- respondent’s name;
- respondent’s date of birth, if known;
- petitioner’s name;

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- names of other protected parties;
- date and county in which the temporary restraining order was filed;
- court file number;
- hearing date and time, if known;
- conditions that apply to the respondent; and
- name of the judge who signed the order.

**Para. (b).** Permits a law enforcement officer to detain a respondent for the time necessary to complete and serve a short-form notification.

**Para. (c).** Authorizes the use of a law enforcement officer's affidavit to prove proof of service of a short-form notification.

**Para. (d).** Permits service of a short-form notification at any time.

**Para. (e).** Requires the BCA to provide the short-form notification form to law enforcement agencies.

**Effective date.** This section becomes effective 30 days after the Bureau of Criminal Apprehension posts notice that a computer system is available to transmit data on harassment restraining orders from the courts to law enforcement. **[H.F. 1148]**

**23 Service by others.** Allows peace officers, corrections officers including probation agents, court services officers, parole officers, and employees of jail and other correctional facilities to serve temporary restraining orders and restraining orders. **[H.F. 1148]**

**24 Unlawful interference with transit.** Amends the criminal code's interference with transit crime. Increases the penalty for certain violations not involving force or violence from a misdemeanor to a gross misdemeanor. Also adds to the crime's scope a specific reference to restricting passenger access to transit vehicles. **[H.F. 390] [S.F. 676]**

**25 Posting; trespass.** This section clarifies that off-duty peace officers and on-duty security guards have the statutory right to carry firearms in private establishments and that a private establishment may not bar an off-duty peace officer or on-duty security guard who is carrying a firearm from entering the establishment. The establishment can ask the off-duty peace officer or on-duty security guard to produce ID and, in the case of an on-duty security guard, a permit to carry. **[H.F. 1159] [S.F. 1099]**

**26 Training in crisis response, conflict management, and cultural diversity**

**Subd. 1. In-service training required.** Beginning July 1, 2018, requires 16 continuing education credits to be completed within an officer's three-year licensing cycle that cover crisis intervention and mental illness crisis, conflict management and mediation, and recognizing and valuing community diversity and cultural awareness. Officers with a renewal date after June 30, 2018, will be required to complete this training in their next full three-year cycle.

**Subd. 2. Record keeping required.** The head of local and state law enforcement agencies shall maintain records of compliance with subdivision 1.

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**Subd. 3. Licensing sanctions; injunctive relief.** Allows the board to impose licensing sanctions and seek injunctive relief for failure to comply with this section. **[H.F. 346] [S.F. 445]**

- 27 Report.** Requires the commissioner of public safety and each eligible city and county that participates in the diversion program to submit a report by February 1, 2019. **[H.F. 1670]**
- 28 Sunset.** Extends the driver diversion pilot program through December 31, 2020. **[H.F. 1670]**
- 29 Alternatives to incarceration pilot program fund.** Establishes a program and fund to facilitate access to local community options, including chemical dependency treatment, for nonviolent controlled substance offenders. Requires that the department provide a report. **[H.F. 2176]**

**Article 4: Court Related Fee Decreases****Overview**

This article reduces filing fees for civil actions, motions, and conciliation court, and waives certain filing fees for respondents to restraining orders, as follows:

- Civil filing fees are reduced from \$310 to \$280.
- Small claims court filing fees are reduced from \$65 to \$50.
- Motion fees in civil and family court cases are reduced from \$100 to \$75.
- Motion fees in child support cases are modified from \$100 to \$50.
- The respondent filing fee for responses to harassment restraining orders alleging stalking or criminal sexual conduct is eliminated.

**Article 5: Controlled Substances****Overview**

This article updates Schedule I of the controlled substance schedules listed in chapter 152. Minnesota law requires the Executive Director of the Board of Pharmacy to recommend to the legislature updates to the statutory controlled substance schedules so that the statutory schedules match the schedules maintained by the board. The article adds nine synthetic drugs to Schedule I. These drugs include cannabinoids, stimulants, hallucinogens, psychedelics, and opioids. The Board of Pharmacy has concluded that each of the drugs can

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be abused, are potentially addictive, and have no approved medical uses, which are the criteria for placing a drug on Schedule I. The Bureau of Criminal Apprehension and local law enforcement agencies have notified the Board of Pharmacy that these drugs have been confiscated in Minnesota.

This article modifies state law so that drug scheduling changes made by the Federal Food and Drug Administration (FDA) and Drug Enforcement Administration (DEA) may be temporarily adopted by the Board of Pharmacy without the use of rulemaking and remain in effect for 12 months. The board must follow existing scheduling requirements to make the changes permanent.

**[H.F. 1875]**